



Planning Commission Agenda Item

Date: March 13, 2024

Item No: 9

TO: Planning Commission

FROM: Alfredo Melesio, Jr., AICP, EDFP, Director of Land Development & Community Services
Prepared By: Sharianne Dotson, Planner

SUBJECT: SUP-10-2024 THE HILLS PRESCHOOL (Public Hearing). Applicant: Abdus Asif. Request: A Special Use Permit in a C-1 (Neighborhood Commercial District) to allow a Child Care Facility. Location: 465 Feet South of Craig Road on the East Side of Fuselier Drive. (APN 139-05-702-012) Ward 4. (For Possible Action)

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DESCRIPTION:

The applicant is requesting a special use permit to allow a child care facility. The subject site is on a 1.16 acre parcel located 465 feet south of Craig Road on the east side of Fuselier Drive. The proposed building is 18,316 square feet with a 15,968 square foot outdoor play yard. The site has a zoning designation of C-1, Neighborhood Commercial District and the Comprehensive Master Plan Land Use designation is Neighborhood Commercial.

BACKGROUND INFORMATION:

Previous Action
N/A

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Neighborhood Commercial	C-1, Neighborhood Commercial District	Undeveloped
North	Neighborhood Commercial	C-1, Neighborhood Commercial District	Existing Commercial (Restaurants)
South	Single Family Low	R-1, Single-Family Low Density District	Existing Residential
East	Neighborhood Commercial	C-1, Neighborhood Commercial District	Undeveloped and Existing Commercial
West	Single Family Medium	R-CL, Single-Family Compact Lot District	Existing Residential

DEPARTMENT COMMENTS:

Department	Comments
Public Works:	See attached memorandum.
Police:	No Comment.
Fire:	No Comment.
Clark County School District:	No Comment.
Clark County Department of Aviation:	No Comment.

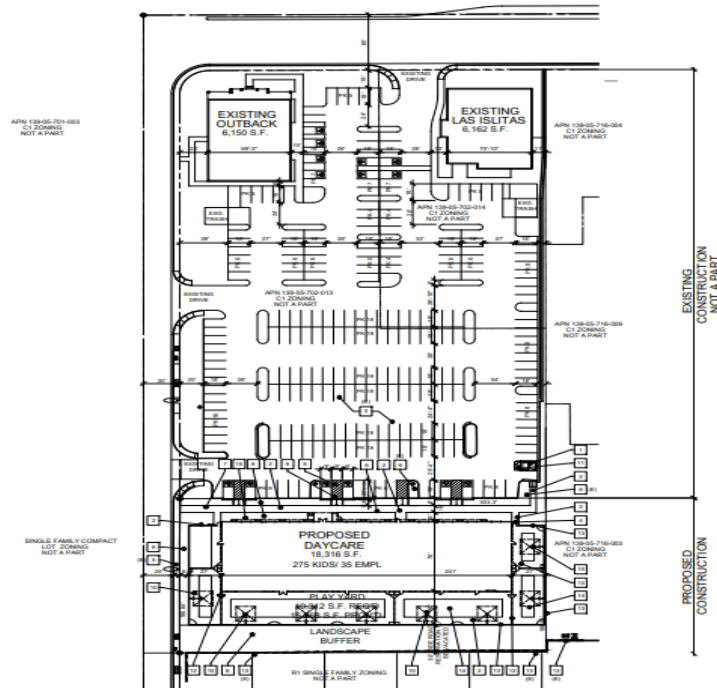
ANALYSIS:

The applicant is requesting approval of a special use permit to allow a child care facility to be located 465 feet south of Craig Road on the east side of Fuselier Drive. According to the applicant, the proposed child care facility will accommodate 275 children; have a staff of 35; and operate between the hours of 6:00 a.m. to 6:00 p.m. Per the proposed floor plan, the 18,316 square foot facility will contain: restrooms, laundry area, four (4) toddler rooms, two (2) infant rooms, a kindergarten area, a classroom area, a kitchen, storage areas, employee lounge, office area, and multiple activity rooms.

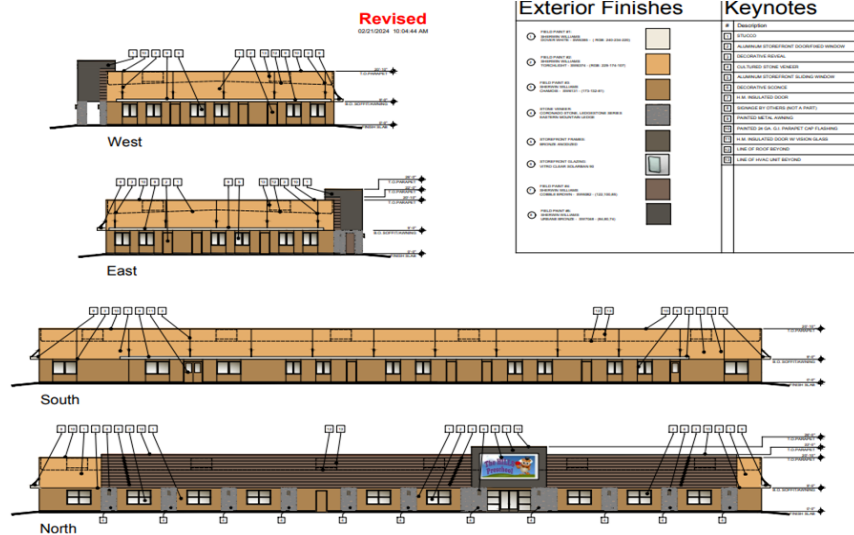
A 15,968 square foot playground is proposed south of the child care building. The proposed play area will have turf, sidewalk and shade structures and should meet the requirements for the Southern Nevada Health District. Per the site plan there will be a six (6) foot high block wall around the play area and five (5) foot high wrought iron interior fences and an access gate with panic hardware.

Access to the proposed site is from one (1) existing entrance on Craig Road and two (2) existing entrances on Fuselier Drive. According to the applicant, approximately 275

children will be cared for at one time. The required parking spaces for this use is one (1) parking space per six (6) children. As a result, approximately 46 parking spaces would be required for the proposed child care facility. The site plan shows that 255 parking spaces for the overall development. The applicant has provided a recorded Declaration of Cross Easements and Restrictions, which allows the property to utilize the existing developed parking lot that is shared with restaurants Outback and Las Islitas. As a result, staff believes that sufficient parking is being proposed.



The proposed site plan indicates the incorrect setback adjacent to Fuselier Drive. A redesign of the site is needed to meet the required 20 foot front setback to the building. The other setbacks are correct and in compliance. The proposed site plan and building elevations are in general compliance with the design standards for a commercial building (child care facility). Building elevations depict a building with a height of 20 feet to the parapet. The roof is flat with a decorative metal cap that will be painted brown demonstrated on the north, east and west elevations and a 17 foot flat stucco sign element over the entrance on the north elevations. The primary building materials are a stucco with a brick veneer wainscoting. Additional architectural features such as decorative scone and metal awnings. Paint colors have also been shown on the building elevations and appear to be earth tone and in compliance with the commercial design standards. Any additional changes can be addressed during the building permit process.



A landscape plan was not submitted. however, the proposed site plan indicates the perimeter landscaping areas adjacent to Fuselier Drive will be an existing five (5) foot sidewalk and six (6) feet of landscaping. The required landscaping is 15 feet including a five-foot wide sidewalk. The proposed site plan is not in compliance and will need to be corrected at the building permit process. The proposed site plan also indicates the required landscape buffer adjacent to a residential development to the south. The applicant has provided 30 feet where 20 feet is required landscape buffer adjacent to existing residential. The proposed uses potentially can be noise producing and disruptive to the developed residential neighborhood to the south. The landscaped buffer area should be planted with 24" box trees staggered every 10 feet on center to help buffer the use from the adjacent residential. All areas to be landscaped should provide 50% ground coverage within two years of planting to comply with the municipal code.

The site plan does not indicate the required foundation landscaping. Each building is required to provide six (6) feet of foundation landscaping at the entrance to the building and at least three (3) feet of foundation landscaping where parking spaces are located at the sides of the building. The existing landscaped islands should be refreshed to meet the required 50% ground coverage within two years of planting to comply with the municipal code. The landscaping can be reviewed during building permit process to ensure that proper foundational landscaping and parking lot landscaping is installed. All areas to be landscaped should provide 50% ground coverage within two years of planting to comply with the municipal code.

The proposed site plan indicates a trash enclosure north of the building for the proposed child care facility. Elevations for the proposed trash enclosure were not provided, but the enclosure is required to use similar materials and color palette as the principal building. Additionally, landscape islands are required on both sides of the trash enclosure. This is a minor change and can be addressed with the building permit process.

A day care facility is permitted within the C-1, Neighborhood Commercial District with the approval of a special use permit by the Planning Commission. According to Title 17, the following requirements must be demonstrated.

- The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
 - The Comprehensive Master Plan is Neighborhood Commercial, which consist of commercial zoning including but not limited to C-P, Professional Office District and C-1, Neighborhood Commercial District and permitted commercial uses.
- The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;
 - The purpose of the Neighborhood Commercial (C-1) district is to provide goods and services for the convenience of the residents of the adjacent neighborhood and accessible by walking from the adjacent neighborhoods. The uses allowed in this district should provide goods and services on a neighborhood market scale that are compatible with the residential character of the surrounding neighborhood. The proposed day care is providing a service to the surrounding residents the ability to drop children off at day care. Although this is, a more intense use staff does not believe it would be a negative impact on the existing neighbors or uses.
- The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
 - The proposed day care facility hours should not interfere with the hours for the existing restaurants (Outback and Las Islitas) and should not create a negative impact on the existing business or neighboring residents.
- Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
 - To mitigate the noise from the day care facility on the residents to the south, staff recommends that the 30 foot landscaped buffer area be planted with 24" box trees staggered every 10 feet on center adjacent residential.
- Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.
 - The proposed day care facility should not have a negative impact the existing facilities and services.

The proposed use permit is consistent with the zoning designation of C-1, Neighborhood Commercial District and the Comprehensive Master Plan. The proposed use is compatible with the surrounding neighborhood and the community and should not pose a negative impact on the surrounding uses or properties. Staff has no objections and recommends approval with the conditional listed.

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. All structures in a commercial zoning are required to be 30' from an existing residential property line.
3. The applicant shall provide the required landscaping of 15 feet including a five-foot wide sidewalk adjacent to Fuselier Drive.
4. The applicant shall provide the required foundational landscaping of six (6) feet and at least three (3) feet of foundation landscaping where parking spaces are located at the sides of the building.
5. The existing landscaped islands should be refreshed to meet the required 50% ground coverage within two years of planting to comply with the municipal code.
6. The applicant shall provide the required front setback of 20 feet adjacent to Fuselier Drive.
7. The trash enclosure shall use similar materials and color palette as the principal building with six (6) feet landscape islands are required on both sides of the trash enclosure.

Public Works:

8. All known geologic hazards shall be shown on any preliminary development plans and civil improvement plans submitted to the City. Subsequent identification of additional hazards may substantially alter development plans.
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope. The traffic study shall include neighborhood traffic management elements to address

the potential for cut through traffic to/from the south.

11. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.
12. The applicant is responsible for acquiring any easements needed to construct the project.
13. All off-site improvements must be completed prior to final inspection of the first building.

ATTACHMENTS:

Public Works Memorandum

Letter of Intent

Site Plan

Building Elevation

Floor Plan

Declaration of Cross Easements and Restrictions

Clark County Assessor's Map

Location and Zoning Map