



Planning Commission Agenda Item

Date: October 9, 2024

Item No: 5

TO: Planning Commission

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

SUBJECT: SUP-47-2024 BRING'EM YOUNG ACADEMY SCHOOL OF THE ARTS (Public Hearing). Applicant: Gloria Phillips. Request: A Special Use Permit in a C-2 (General Commercial District) to allow an Expansion to an Existing Child Care Center. Location: 3940 West Ann Road, Suites 100-300. (APN 124-30-813-020). Ward 3 (For Possible Action)

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DESCRIPTION:

The applicant is requesting Planning Commission consideration for a special use permit to allow an expansion to an existing childcare center located in a C-2 (General Commercial District). The applicant is requesting to use an additional 3,566 square foot suite in addition to the existing day care center. The site is located at 3940 West Ann Road, Suite 100-300. The Comprehensive Master Plan Land Use designation for the subject site is Community Commercial.

BACKGROUND INFORMATION:

Previous Action
On August 14, 2019 the Planning Commission approved Special Use Permit (UN-56-19) to allow a childcare facility in the C-2 ,General Commercial District

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Community Commercial	C-2, General Commercial District	Existing Professional Plaza
North	Single-Family Medium	R-CL, Single-Family/Compact Lot Residential District	Existing Single-Family Homes
South	Single-Family Low Residential	R-1, Single-Family Residential District	Existing Single-Family Homes
East	Community Commercial	C-2, General Commercial District	Grace Point Church and Murphy Express Gas Station
West	Single-Family Medium	PUD, Planned Unit Development District	Existing Single-Family Homes

DEPARTMENT COMMENTS:

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

ANALYSIS:

The applicant is requesting Planning Commission approval to allow an expansion to a child care center at 3940 West Ann Road, Suite 100. The subject site is a part of a large professional office complex. The day care is currently operating out of two separate buildings within the complex 3940 W Ann Road, suites 200-300 and 3980 W Ann Road. With the requested expansion the daycare would operate out of all of the suites within 3940 W Ann Road as well as 3980 W Ann Road.

The building located at 3980 W Ann Road is zoned C-P, Professional office Commercial District where a Day Care Center is allowed by right. At this location (3980 W Ann Road) the applicant currently cares for 106 children. The building located at 3940 W Ann Road is zoned C-2, General Commercial District where a Day Care Center requires a special use permit. In 2019 a special use permit was approved which allowed the day care to operate in suites 200 and 300 at 3940 W Ann Road. This special use permit allowed the

day care to enroll a maximum of 26 children. According to the letter of intent, with this special use permit, the enrollment at 3940 W Ann Road would increase to 109 children with the total enrollment between both buildings being 215 children. Both buildings will have the hours of operation of Monday through Friday 6:00 AM to 6:30 PM.

The Comprehensive Master Plan Land Use designation for the subject site is Community Commercial. Community Commercial developments should include uses that provide goods and services to the entire community. Currently the office includes several different doctors' offices as well as some attorney's offices and other professional offices. The center contains both C-2, General Commercial and C-P, Professional Office Commercial Districts. A day care center is a permitted use within the C-P, Professional Office Commercial District and should be compatible with the existing professional office uses within the center.

According to the floor plan the applicant will be adding on an additional suite to the two that are already in use at 3940 West Ann Road. This suite will include 5 additional classrooms, a lobby area, and restrooms. This suite is intended to be utilized as classrooms for children ages 6-weeks to 3-years of age. The older children (ages 2 to 3 years) will be taken across the street to the other building (3980 W Ann Road) to use the outdoor playground that is already in place. Once the children turn three years old they will then be moved to the classrooms in the other building (3980 W Ann Road).

The overall site was developed in 2006 and complies with the commercial design standards. In regards to the building, since the site was developed, there have been no substantial changes to the exterior of the building and no modifications have been proposed at the present time. Access to the subject site is provided by two (2) driveways. The first driveway is located off of Ann Road and the second driveway is located off of Willis Street.

Title 17 (Zoning Ordinance) requires day care facilities to have one (1) parking space for every six (6) children. According to the letter of intent 15 employees and 215 students would be present which would require 36 parking spaces. The site plan shows that 366 parking spaces are provided for the entire professional plaza. As a result, staff believes that sufficient parking is being provided for the existing uses and the expanded day care center.

Currently all landscaped areas are well maintained. However, some areas are short in the required amount of trees and the required amount of ground cover. All required landscaped areas are required to have 50% ground cover within two years of planting and all landscaped islands are required to have at least one tree. Not all landscaped

areas meet these requirements and should be enhanced to meet landscaping requirements.

The proposed use permit is consistent with the zoning designation of C-2, General Commercial District and the Comprehensive Master Plan Land Use designation Community Commercial. The proposed expansion to the daycare facility 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 conditions listed.

Requirements for Approval of a Special Use Permit:

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
2. 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;
3. 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);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
5. 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.

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. A maximum enrollment of 109 children shall be permitted within the facility located at 3940 W Ann Road.

3. One tree is required to be planted in the parking lot planter located immediately in front of the entrance door at 3940 W Ann Road.

Public Works:

4. Approval of a traffic study is required. Please contact Traffic Engineering at 702-633-2676 to request a scope.

ATTACHMENTS:

Public Works Memorandum
Letter of Intent
Site Plan
Building Elevations
Floor plan
Clark County Assessor's Map
Location and Zoning Map