

09/06/22 PC AGENDA SHEET

DAYCARE
(TITLE 30)

BLUE DIAMOND RD/EDMOND ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0402-AFFILIATE INVESTMENTS, LLC:

AMENDED USE PERMITS for the following: **1)** daycare facility (previously notified as a convenience store); and **2)** reduce the separation from a convenience store to a residential use (no longer needed).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow access to a local street (no longer needed); and **2)** alternative driveway geometrics (no longer needed).

DESIGN REVIEWS for the following: **1)** modifications to an approved shopping center (no longer needed); and **2)** alternative parking lot landscaping (no longer needed) on 3.4 acres in an M-D (Designed Manufacturing) Zone.

Generally located on the north side of Blue Diamond Road and the west side of Edmond Street within Enterprise. JJ/jgh/syp (For possible action)

RELATED INFORMATION:

APN:

176-13-801-047

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 5230 Blue Diamond Rd.
- Site Acreage: 3.4
- Project Type: Daycare
- Number of Stories: 1
- Square Feet: 10,000 (daycare)/5,800 (outdoor play area with daycare)
- Previously Approved Parking Required/Provided: 126/127

History/Request

The site was approved per ZC-0269-05 (for future development, no plans), then an automotive and retail center was approved per UC-0973-08 and then redesigned per UC-0553-16. The site was again redesigned to include a daycare and retail pads, per UC-18-0437. The easterly portion of the site was redesigned again per UC-20-0007 for a convenience store with gasoline station, and at that time, UC-18-0437 for the daycare facility was still active. The daycare use expired in

March 2021 prior to building permits being issued. This application is to re-establish the daycare use. There are no changes to the previously approved site design (UC-20-0007).

Site Plan

The site was previously approved per UC-20-0007 consisting of 3 buildings and a pad site with access from Blue Diamond Road and Edmond Street and no access to Ford Avenue. The access from Blue Diamond Road with access from Ford Avenue. The approved shopping center consists of 5 buildings and structures which include a previously approved daycare facility that has since expired, an in-line retail building, a standalone commercial/retail building, a convenience store, and a canopy over fuel pump islands for a gasoline station. The daycare building is located on the northwest portion of the site and will have a 5,800 square foot outdoor play area directly west of the building. Parking is located adjacent to the buildings, between the in-line retail building and standalone buildings, and the gasoline station.

Landscaping

There are no proposed changes to previously approved landscaping per UC-20-0007.

Elevations

The previously approved plans depict 1 story buildings. The rooflines are a combination of pitched roof and parapet walls with variations in height. The exterior of the buildings has a stucco finish with an aluminum storefront window system, and accent metal canopies. No specific elevations are provided for the daycare; however, the building will be similar in design to the other proposed buildings.

Floor Plans

The daycare facility will be a total 10,000 square feet with 5,800 square feet dedicated to an infant and pre-school playground area.

Applicant's Justification

The applicant indicates that the 10,000 sq ft daycare center was previously approved per UC-18-0437 and was extended by ET-19-400019 (UC-18-0437) but the project was allowed to expire while improvement plans, and permits were in the process. The applicant is resubmitting this application for the daycare use.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0007	Convenience store with reduced separation from residential use	Approved by BCC	February 2020
WS-19-0097	Allowed modified driveway design standards	Approved by BCC	April 2019
WC-19-400016 (UC-18-0437)	Waived conditions requiring landscaping per plans on file and retail kiosks	Approved by BCC	April 2019
ET-19-400017 (UC-0553-16)	Second extension of time for a retail center, convenience store, and reduced setbacks to residential	Approved by BCC	April 2019

Prior Land Use Requests

Application Number	Request	Action	Date
ET-19-400018 (VS-0552-16)	Extension of time to vacate easements located between Blue Diamond Road and Mohawk Street and Edmond Street	Approved by BCC	April 2019
ET-19-400019 (UC-18-0437)	Extension of time for daycare facility and restaurant - expired	Approved by BCC	April 2019
TM-18-500231	Commercial subdivision on 3.4 acres	Approved by BCC	February 2019
ET-18-400214 (VS-0552-16)	Extension of time to vacate easements located between Blue Diamond Road and Ford Avenue	Approved by BCC	November 2018
ET-18-400215 (UC-0553-16)	First extension of time to allow a retail center, convenience store, and to reduce separation from residential	Approved by BCC	November 2018
UC-18-0437	Daycare facility and restaurant - expired	Approved by BCC	July 2018
UC-0553-16	Retail and auto center with various reductions of separation requirements to a residential use; waivers for landscaping and non-standard driveway and waiver of conditions from 2 zone changes	Approved by BCC	September 2016
VS-0552-16	Vacated and abandoned patent easements	Approved by BCC	September 2016
VS-0453-10	Vacated and abandoned patent easements - expired	Approved by PC	November 2010
UC-0973-08	Automobile and retail center in an M-D zone; various reductions of separations requirements to a residential use; and allow overhead doors to face a public street; waivers for landscaping and non-standard driveways; and waiver of conditions from 2 zone changes - expired	Approved by BCC	December 2008
ZC-0269-05	Reclassified a portion of this site to M-D zoning for future development	Approved by BCC	April 2005
ZC-1584-98	Reclassified 91 acres to M-D zoning for a large retail and office/warehouse complex which included a portion of this site	Approved by BCC	November 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Undeveloped
South	Neighborhood Commercial	R-2	Undeveloped & medical office building
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	M-D	Undeveloped approved retail & commercial building

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Business Employment	M-D	Undeveloped

This site is within the Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Current Planning**Use Permits

A use permit is a discretionary land use application that is considered on a case-by-case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The proposed use was previously approved. The site has been designed to accommodate a daycare facility and staff finds the use to still be compatible with the shopping center and surrounding area. In addition, the Master Plan encourages providing commercial development that is integrated appropriately throughout the community. Therefore, staff can support the request.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide services because of a lack of necessary public services in the area.
- Applicant is advised that that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Comply with approved drainage study PW19-14936;
- Full off-site improvements.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0005-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: AFFILIATE INVESTMENTS LLC

CONTACT: BAUGHMAN & TURNER, INC., 1210 HINSON ST, LAS VEGAS, NV 89102