08/05/26 BCC AGENDA SHEET

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-26-0345-HOVHANNISYAN ASYA:

USE PERMIT to allow a daycare.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** modify residential adjacency standards; **2)** eliminate and reduce buffering and screening; **3)** parking area design access; **4)** eliminate bicycle parking; **5)** reduce parking; and **6)** alternative driveway geometrics for a proposed daycare in conjunction with an existing single-family residence on 0.13 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located east of Grand Canyon Drive and north of Reno Avenue within Spring Valley. JJ/ji/kh (For possible action)

RELATED INFORMATION:

APN:
163-30-511-016

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow parking areas within 30 feet of a residential district where not permitted per Section 30.04.06L.
   b. Allow high activity areas of development adjacent to areas subject to residential adjacency without additional landscaping and/or screening where required per Section 30.04.06G.
2. a. Eliminate the required landscape buffer along the north property line where a 15 foot wide landscape buffer consisting of a double row of off-set evergreen trees is required per Section 30.04.02C.
   b. Eliminate the required landscape buffer along the east property line where a 15 foot wide landscape buffer consisting of a double row of off-set evergreen trees is required per Section 30.04.02C.
   c. Eliminate the required landscape buffer along the south property line where a 15 foot wide landscape buffer consisting of a double row of off-set evergreen trees is required per Section 30.04.02C.
   d. Allow a 5 foot high wall along the north property line to remain where an 8 foot high decorative screen wall is required per Section 30.04.02C
   e. Allow a 5 foot high wall along the east property line to remain where an 8 foot high decorative screen wall is required per Section 30.04.02C
   f. Allow a 5 foot high wall along the south property line to remain where an 8 foot high decorative screen wall is required per Section 30.04.02C
3. Allow exiting vehicles to back out across a sidewalk onto a street where not permissible per Section 30.04.04H.
4. Eliminate bicycle parking where 4 spaces are required per Section 30.04.04J.

5. Reduce the number of parking spaces to 2 where 3 parking spaces are required per Section 30.04.04D (a 33% reduction).
6. Allow a commercial pan driveway where a commercial curb return driveway is required per Uniform Standard Drawing 222.1.

LAND USE PLAN:
SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:
Project Description
General Summary

- Site Address: 5076 Thunder River Circle
- Site Acreage: 0.13
- Project Type: Daycare
- Square Feet: 1,130 (daycare area)/3,678 (overall residence)
- Parking Required/Provided: 3/2

Site Plan & Request
The plan depicts an existing attached single-family residence that is used as a daycare within an existing residential subdivision. Access to the property is from Thunder River Circle to the west. The daycare operates primarily on the first floor of the home and is considered a commercial use since more than 6 children will be supervised at a time. The plan shows 2 parking spaces located on the driveway and 3 parking spaces are required. A shade canopy in the rear yard is being proposed as an additional play area with artificial turf. Waivers for residential adjacency standards, buffering and screening, parking, and driveway geometrics are also part of this request. No other changes are proposed to the existing site.

Landscaping
There is existing landscaping throughout the parcel, though no new landscaping is proposed. The applicant is requesting waivers of development standards for the required landscape buffers along the north, east, and south property lines.

Elevations
The photos provided depict a 2 story, attached single-family residence with a flat, variable roofline. The residence features stucco that is painted in light desert tones.

Floor Plan
The plan and photographs depict the primary area of the first floor reserved for the daycare, consisting of 1,130 square feet. The daycare area inside the home shows a sleeping area, tables with chairs, play area, diaper changing area, and a restroom designated for children.

Applicant's Justification
The applicant is proposing to operate a daycare on the first floor of an existing residence for up to 12 children (ranging from 1 month to 13 years of age). Hours of operation are Monday through Friday, 6:00 a.m. to 8:00 p.m., with Saturday and Sunday by appointments only. The program offers structured daily routines, play-based learning, academic support, creative

enrichment activities, nutritious meals and snacks, indoor and outdoor supervised play, and age-appropriate educational experiences designed to encourage confidence, independence, and positive social development.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0953-00	Vacation and abandonment of easements	Approved by BCC	August 2000
ZC-0951-00	Zone change from R-E to R-2 for attached single-family residential subdivision, with use permits and variances	Approved by BCC	July 2000
TM-0229-00	Tentative map for an attached single-family residential subdivision	Approved by PC	July 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential

STANDARDS FOR APPROVAL:
The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis
Comprehensive Planning
Use Permit
A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Waivers of Development Standards
The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Use Permit & Waivers of Development Standards #1 through #5

Staff finds that a family daycare with up to 6 children is an appropriate use when in conjunction with a residence, which Title 30 allows. The proposed daycare for up to 12 children may not be compatible with the surrounding residential area. Staff finds that the site is located internal to the subdivision and the additional traffic could impact the neighborhood. Therefore, staff cannot support the use permit or the waivers of development standards #1 through #5.

Public Works - Development Review

Waiver of Development Standards #6

With the proposed use, customers visiting the site will increase the amount of traffic throughout the neighborhood, causing vehicles to queue in the public right-of-way due to no on-site space for pick-up or drop-off. Additionally, the 48 foot residential street is not wide enough to accommodate the increased customer traffic when vehicles are parked along the street. Commercial curb return driveways help mitigate traffic by allowing a smooth transition from the road into the commercial site and a parking lot would prevent parking along the adjacent streets. Therefore, staff cannot support this request.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Spring Valley - denial.
APPROVALS:
PROTESTS:

APPLICANT: ASYA HOVHANNISYAN
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