



*City of Las Vegas*

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
CITY COUNCIL MEETING OF DECEMBER 5, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

SUBJECT:  
SPECIAL USE PERMIT

SUP-23864 - BEYOND ITEM PUBLIC HEARING - APPLICANT/OWNER: REBECCA & DEAN MALLETT appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED CHILD CARE - GROUP HOME (7-12 CHILDREN) AND A WALKER TO ALLOW A CHILD CARE FACILITY ON A STREET GREATER THAN 60 FEET IN WIDTH, at 5704 Alta Drive (APN 138-36-222-017), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg. 5  
City Council Meeting 4

Planning Commission Mtg. 7  
City Council Meeting 31

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend DENIAL

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal letter filed by Rebecca Ann Mallett
7. Protest/support postcards, support letters and support petition
8. Submitted after final agenda Revised plan
9. Submitted after meeting Recordation notice of Council action and conditions of approval
10. Backup referenced from the 09-27-07 Planning Commission Meeting Item 40

Motion made by LOIS TARKANIAN to Approve subject to conditions and adding the following conditions as read for the record:

- A. All development shall be in conformance to the site plan date stamped 08/27/07, except as amended by conditions herein.
- B. The driveway shall be grasscrete or other permeable surface and additional shrubbery shall be provided in the front yard subject to approval of Planning and Development Department.

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C. The applicant shall repair and repaint or replace the east perimeter fence subject to approval of Planning and Development Department.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

RICKI Y. BARLOW, LOIS TARKANIAN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS, (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-LARRY BROWN)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

REBECCA ANN MALLET, 5704 Alta Drive, stated that staff's report at Planning Commission meeting incorrectly stated an 80 foot wide street, it is 62.5, which is just a little bit over the waiver.

LEILAN SAMPAYAN stated that MS. MALLET watches two of her children and thinks it would be wonderful to grant the request, as it is difficult to find good childcare in this city.

COUNCILMAN BARLOW stated that it is difficult to find childcare in any city. He opined that MS. SAMPAYAN was not necessarily speaking of the City of Las Vegas about finding a child care that is trustworthy.

MIKE HUNDELL, 5705 Alta Drive, stated that he has not witnessed any traffic problems or anything out of compliance with the business.

TERRI ADAMS, 790 Brush Street, stated her children go to school with MS. MALLET'S children. Should something happen in the neighborhood, her children know that they can go to MS. MALLET'S home for safety. The child care would be a wonderful addition to the neighborhood.

COUNCILWOMAN TARKANIAN confirmed that the information MS. MALLET gave about the width of the street is accurate. MS. MALLET has an educational background. The Councilwoman stated she met with the applicant and her spouse regarding the landscaping and parking, which have been included in conditions to which they agreed.

MARGO WHEELER, Director of Planning and Development Department, read additional conditions, to which MS. MALLET agreed.

MAYOR GOODMAN remarked that it is good news when residents appear and talk about their neighborhood.

MAYOR GOODMAN declared the Public Hearing closed.