



City of Las Vegas

Agenda Item No.: 88.

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF OCTOBER 19, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN RAGG

☐ Consent ☒ Discussion

SUBJECT: SUP-42258 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: KID'S HAPPY DAYS CHILD CARE - OWNER: KIRANDEHA WIJEKULARATNE - For possible action on a request for a special use permit for PROPOSED CHILD CARE - GROUP HOME (7-12 CHILDREN) - SITE MAINTENANCE ALLOW ACCESS TO THE FACILITY BY MEANS OF A RIGHT-OF-WAY (OAKLEY BOULEVARD) WITH A WIDTH OF GREATER THAN 60 FEET at 6201 West Oakley Boulevard (APN 163-02-712-024), R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

4

RECOMMENDATION:

The Planning Commission (7-0 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. Protest Postcard
7. Submitted after Final Agenda Revised Site Plan and Protest/Support Postcards
8. Submitted after Meeting Recordation Notice of the City Council Action and Conditions of Approval
9. Backup referenced from the September 13, 2011 Planning Commission Meeting Items SUP-42258

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

A. All development shall be in conformance with the landscape plan, date stamped 10/19/11, except as amended by conditions herein.

B. Pick-up and drop-off of children shall be limited to the on-site parking area accessed from Verde Jardin Way.

CITY COUNCIL MEETING OF: OCTOBER 19, 2011

C. There shall be a Required Review at a public hearing one year from the date of completion of the on-site improvements.

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

LOIS TARKANIAN, STEVE WOLFSON, CAROLYN G. GOODMAN, STAVROS S. ANTHONY, STEVEN D. ROSS, BOB COFFIN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused- RICKI Y. BARLOW)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

SHANTHA WIJEKULARATNE, applicant, appeared before the Council.

DEAN BRYANT, representing the applicant, stated that he met with several neighbors who voiced their support. He continued to review the background of the item and confirmed for MAYOR GOODMAN that the two main cross streets are Jones Boulevard and Oakey Boulevard. He explained that the applicant recognizes that additional landscaping along the wall may deter graffiti along the exterior wall. He also stated that he explained the proposed new parking plan to neighbors and received overwhelming support. The only opposition was due to concerns with the classification of Group Home and not to the proposed right-of-way. Although he was unable to explain the definition of Group Home that night, his research revealed that seven or more children are classified as a group and is subject to additional requirements. He confirmed for the Mayor that since the applicant began the day care in 2005 there have been no complaints, no warrants, and no actions from any regulatory authority.

ANTHONY HODGES, Las Vegas resident, stated his support of initiatives that help children.

TODD FARLOW, Las Vegas resident, reiterated concerns on the drop off and pick up of children and requested a one year review if approved.

CANDACE SA, customer of Kids Happy Days, stated her children have been attending for three years and love the applicant. She expressed her appreciation of all the applicant has done for her children.

LYNN AMAROSA, customer, expressed her full support and acknowledged that the applicant is family to her and treats her son like her own. She emphasized how nice it is to attend work without fear and believes this has helped to further her career.

COUNCILMAN ROSS received confirmation from MR. BRYANT that the applicant is fluent in English but that her personality is very reserved. The Councilman stated that such amazing support from parents says a lot.

FLINN FAGG, Director of Planning, explained for COUNCILMAN WOLFSON that the original denial was due to the minimum requirements having to be met for a child care facility. Two key issues were the access points on the cross streets as well as the external appearance of

CITY COUNCIL MEETING OF: OCTOBER 19, 2011

the property. The Councilman pointed out the condition of the front yard visible in the photos and received confirmation from MR. FAGG that the recommendation for denial was based upon reports and visits completed prior to the Planning Commission meeting. MR. FAGG also clarified that the state issues day care licenses and that the City defers to them for background investigations and that he has no knowledge of any complaints received by the state. MR. BRYANT confirmed that there are no complaints. The Councilman made it clear that her character is not in question, but rather the property itself.

COUNCILWOMAN TARKANIAN'S only problem is the waiver to allow access via a right-of-way on Oakey Boulevard because it is such a busy street. She prefers to abey the item in order to answer questions on parking issues, playground equipment, and property landscaping. MR. FAGG explained that the revised site plan includes parking to the rear of the property in addition to moving the rear wall and that while four spots are required for this operation, there will be five available. He also stated that this revised plan meets the concerns of the Planning Department.

MAYOR GOODMAN declared the Public Hearing closed.