



# Planning Commission Agenda Item

Date: September 14,  
2022

Item No: 9.

**TO:** Planning Commission

**FROM:** Marc Jordan, Director Land Development & Community Services  
Prepared By: Sharienne Dotson

**SUBJECT: ZN-17-2022 PUD FOR GHOST KITCHEN WITHIN EXISTING DAYCARE (Public Hearing).** Applicant: Alisa Park. Request: A property reclassification from a PUD (Planned Unit Development District) to a PUD (Planned Unit Development District) to allow a ghost kitchen within an existing daycare facility. Location: 4095 West Craig Road. (Ward 3) (For Possible Action)

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

**PROJECT DESCRIPTION:** (APN #139-06-701-004 and 139-06-701-005).

The applicant is requesting consideration to reclassify (rezone) the subject site from an existing PUD, Planned Unit Development District to a new PUD, Planned Unit Development District to allow a ghost kitchen within an existing daycare facility. The site is 4095 West Craig Road. The Comprehensive Master Plan Land Use is Public/Semi-Public.

**BACKGROUND INFORMATION:**

Previous Action
A neighborhood meeting was held on July 28, 2022 at 6:45 p.m. at 4095 West Craig Road. According to the neighborhood meeting summary, five (5) neighbors attended the meeting, no questions or concerns were noted.
A Task Force meeting was held on June 2, 2022 (TF-32-2021) to reclassify the property from a PUD, Planned Unit Development to a new PUD, Planned Unit Development to allow a ghost kitchen within an existing daycare facility.
In 2006, with the adoption of the Comprehensive Master Plan (AMP-40-06) the designated land use was changed to Public/Semi Public.
City Council Resolution #1453 (ZN-02-89) on March 1, 2000 to reclassify from R-1, Single-Family Residential District to PUD, Planned Unit Development District. City Council approved on June 21, 2000, an extension to the resolution of intent to allow commercial within the PUD where multi-family was designated (Ordinance #1407).
On March 1, 1989, City Council approved Resolution No 1453 for property reclassification from R-1, Single-Family Residential to PUD, Planned Unit Development District.

**RELATED APPLICATIONS:**

Application #	Application Request
N/A	

**GENERAL INFORMATION:**

	Land Use	Zoning	Existing Use
<b>Subject Property</b>	Public/Semi-Public	PUD, Planned Unit Development District	Daycare Facility
<b>North</b>	Mixed-Use Commercial	PUD, Planned Unit Development District and C-2, General Commercial District	Existing Commercial
<b>South</b>	Single Family Low	PUD, Planned Unit Development District	Single-Family Residential
<b>East</b>	Mixed-Use Commercial	C-1, Neighborhood Commercial District	Mini Warehouse Facility
<b>West</b>	Single Family Low	PUD, Planned Unit Development District	Single-Family Residential

**DEPARTMENT COMMENTS:**

Department	Comments
Public Works:	No comment.
Police:	No comment.
Fire:	No comment.
Clark County Department of Aviation:	No comment.
Clark County School District:	No comment.

**ANALYSIS:**

The applicant is requesting consideration to reclassify (rezone) the subject site from an existing PUD, Planned Unit Development District to a new PUD, Planned Unit Development. The applicant's subject site consists of two (2) parcels that are approximately 1.06 acres located at 4095 West Craig Road. The site is an existing daycare facility (Watch Me Grow) and the applicant is requesting a ghost kitchen for food take out/delivery for additional revenue for the small business. The Comprehensive

Plan Land Use designation for the subject site is Public/Semi-Public. In addition, parcel number 139-06-796-001 is not a part of the PUD, but is part of the parking area used by the applicant. The parcel does have an easement for public use granted by parcel map (PM-80-67).

The existing PUD, Planned Unit Development (ZN-2-89) was originally approved by City Council on February XXXX 1989 for the property reclassification of 160 acres to a PUD proposing single-family, multi-family, and commercial and a school. Over the course of the PUD there has been multiple extension of times, in addition, amendments making changes to the residential acres and removing the multi-family. It was with an amendment for a commercial area that the day care was added as a permitted use.

The daycare is allowed per an amendment to the PUD (ZN-2-89) with ROI #1453 where single-family dwelling uses were replaced with professional office and commercial uses and permitted the daycare facility. The existing site consist of two (2) parcels developed with two (2) buildings, a parking lot and fenced in playground areas for a daycare use. The site was required to meet the commercial design standards at the time of approval and was a less intense use for compatibility with the surrounding single-family neighborhoods.

The applicant received a building permit (Build-001496-2020) to expand the existing facility by 1,242 square feet, which included relocating the current commercial kitchen and building expansion to accommodate addition children. The tenant improvement to expand the kitchen was limited to the front of the building and did not affect the existing residential development to the south. The expansion replaced an unused playground area that was located at the front of the daycare facing Craig Road. There are four (4) existing play areas for the children to utilize and the improvement did not remove any parking spaces or building foundation landscaping. Furthermore, per the letter of intent the commercial kitchen is for takeout service only and no delivery trucks are proposed to be parked at this location.

The purpose of the PUD, Planned Unit Development District is to serve as an alternative to conventional zoning and development approaches and processes in a manner consistent with the purpose of NRS. The use of a PUD is to encourage innovations in residential, commercial and industrial development and to encourage a more creative approach in the utilization of land. It is not to be used as way to circumvent our traditional regulations. The new PUD will be specific to this individual site and the unique combination of two (2) different uses, a daycare facility and a ghost kitchen, in one building.

The building is one-story with a tan stucco exterior and blue architecture pop outs around the windows and doors. The building has a tile roof and four (4) columns at the

front entrance. The playground areas are enclosed by a chain link fence with slats. The building is in compliance with the commercial design standards.

The existing perimeter landscaping along Craig Road and Bravita Drive appears to be in compliance with code requirements. 15 feet of landscaping, including a five-foot wide sidewalk are required along both right-of-way.

The surrounding area is a mixture of single-family, Multi-family and commercial uses. To the south and west of the proposed site is developed residential. To the north is existing commercial and east of the proposed site is a mini-warehouse, multi-family and developed commercial. The proposed PUD, Planned Unit Development District is compatible with the surrounding neighborhood and staff has no objections to the proposed request and recommends approval with conditions.

### **Approval Criteria: (Zoning Map Amendments)**

The Planning Commission may recommend approval, and the City Council may approve planned unit developments, if the planned unit development meets all of the following criteria:

1. The PUD addresses a unique situation, confers a substantial benefit to the City, or incorporates creative site design such that it achieves the purposes of this Code and represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or development standards. Such improvements in quality may include, but are not limited to: improvements in open space provision and access; environmental protection; tree/vegetation preservation; efficient provisions of streets, roads, and other utilities and services; or increase choice of living and housing environments.
2. The PUD is consistent with the Future Land Use Map of the comprehensive master plan and the purposes of this code;
3. The PUD is consistent with the development standards in Section 17.24;
4. Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing developments;
5. The PUD is not likely to result in significant adverse impacts upon the natural environment, or such impacts will be substantially mitigated;

6. The PUD is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
7. Future uses on the subject tract will be compatible with uses on other properties in the vicinity of the subject tract.

**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 Final Development Plan is required.
3. No truck parking permitted
4. The commercial kitchen may not be used as a commissary for mobile food vendors or food trucks.
5. In the event the daycare use is terminated the following uses would be permitted:

*School: Business, technical, trade and Vocations (S), Pet care and boarding (C),*

*Animal hospital or clinic, Restaurant, Restaurant / fast food, Health and fitness center,*

*Delicatessen and catering (C), Bank / Financial Institution (C), Professional Office,*

*Medical / Dental office, Bakery, Retail sales, Personal Services Establishment*

*Note: (C) = Conditional Use Permit and (S) = Special Use Permit*

6. Hours of operation for the commercial kitchen shall be limited to 9am to 8pm.

**ATTACHMENTS:**

Letter of Intent

Preliminary Development Plan

Elevations

Floor Plans

Neighborhood Meeting Summary  
Clark County Assessor's Map  
Location and Comprehensive Plan Map