

## AGENDA MEMO

**CITY COUNCIL MEETING DATE: JUNE 20, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ZON-20813 - APPLICANT/OWNER: VICTORY OUTREACH-  
LAS VEGAS**

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### **\*\* CONDITIONS \*\***

The Planning Commission (5-2/ds, 1d vote) recommends DENIAL. Staff recommends APPROVAL subject to:

#### **Planning and Development**

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-20810) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

#### **Public Works**

3. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.
4. Dedicate 30 feet of right-of-way adjacent to this site for Julian Street and a 15-foot radius on the northwest corner of Julian Street and Cedar Avenue prior to the issuance of any permits.
5. Construct all incomplete half-street improvements on Julian Street, Cedar Avenue and 28<sup>th</sup> Street adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
7. Abandon the existing septic tank system and coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer connection for this site prior to the submittal of any sewer-related construction drawings or the issuance of any permits, whichever may occur first.

8. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is requesting a Rezoning from the R-E (Residence Estates) zoning District to the C-V (Civic) zoning District. The applicant proposing the development of a one-story, 22,531 square foot church located at 510 North 28th Street. The total area covering 2.69 acres on two parcels

An associated Site Development Plan Review (SDR-20810) will be heard with this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
5/07/03	The City Council approved a General Plan Amendment (GPA-1922) to modify a portion of the Southeast Sector Plan of the General Plan from M (Medium Density Residential) to PF (Public Facilities) on 2.68 acres at 500 North 28 <sup>th</sup> Street (APN: 139-36-110-034 & 035), a request for a Rezoning (ZON-1919) from R-E (Residence Estates) to C-V (Civic) and a Site Development Plan Review (SDR-1921) for a proposed 20,376 square foot church, daycare facility, rectory, and playground on 2.68 acres at 500 North 28 <sup>th</sup> Street (APN: 139-36-110-034 & 035). Planning Commission and Staff recommended approval. These applications expired on May 8 <sup>th</sup> , 2005.
05/10/07	The Planning Commission recommended denial of companion item SDR-20810 concurrently with this application.  The Planning Commission voted 5-2/ds, 1d to recommend DENIAL (PC Agenda Item #35/mh).
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no related permits or licenses related with this request.	
<b><i>Pre-Application Meeting</i></b>	
3/06/07	A pre-application meeting was held with the applicants representative to discuss the requirements for establishing the design standards for a C-V zoned project. Changes from the previous approvals (ZON-1919 & SDR-1921) were discussed.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	
<b><i>Field Check</i></b>	
4/5/07	A Field Check was completed with the following observations: 1. Existing single family residential home located at 540 North 28 <sup>th</sup> Street. Undeveloped lot to the south, 510 North 28 <sup>th</sup> Street fenced with some minor debris and RV listed for sale on the premises. Area is generally two-story, multi-family housing.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.69 acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped & Single Family Residence	P-F (Public Facility)	R-E (Residence Estates)
North	Civic LV Housing Authority	P-F (Public Facility)	C-V (Civic)
South	Multi-family residential	H (High Density Residential)	R-4 (High Density Residential)
East	Duplexes	ML (Medium Low Density Residential)	R-3 (Medium Density Residential)
West	Multi-family residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>		X	NA
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.06.020; the following Design Standards are established upon approval of the accompanying Site Plan Development Review (SDR-20810):*

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	2.94 acres
Min. Lot Width	315 feet
Min. Setbacks	
<ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul>	35 feet, 7 inches 15 feet, 8 inches 15 feet, 8 inches 65 feet, 3 inches
Min. Distance Between Buildings	

Max. Lot Coverage	30%
Max. Building Height	2 Stories
Trash Enclosure	Screened & Covered
Mech. Equipment	Screened & Covered

*Pursuant to Title 19.06.020, the following Title 19.12 Landscape and Buffer Standards are used for analysis only:*

<i>Landscaping and Open Space Standards</i>			
<i>Standards</i>	<i>Recommended</i>		<i>Provided</i>
	<i>Ratio</i>	<i>Trees</i>	
Parking Area	1 Tree/ 6 Spaces	13 Trees	14 Trees
Buffer: Min. Trees	1 Tree/ 20 Linear Feet	37 Trees	34 Trees
<b>TOTAL</b>		50 Trees	48 Trees
Min. Zone Width		8 Feet	5 Feet

*Pursuant to Title 19.06.020, the following Title 19.10 Parking, Loading, and Traffic Standards are used for analysis only:*

<i>Parking Requirement</i>						
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Recommended</i>		<i>Provided</i>	
			<i>Parking</i>		<i>Parking</i>	
			Regular	Handi-capped	Regular	ADA Accessible
Church/House of Worship* (Gathering Area)	5,732 SF	1 space per 100 SF of gathering area (non-fixed seating)	58	3	76	4
<b>TOTAL</b>			58	3	76	4

\*The floorplans for Phase 2 & 3 show classrooms and office space which are considered ancillary uses to the church use and therefore do not require additional parking.

## ANALYSIS

- **General Plan/Land Use**

The General Plan category of the site was designated under the PF (Public Facility) land use category by a General Plan Amendment (GPA-1922) approved in 2003. The Rezoning (ZON-1919) and Site Plan Development Review (SDR-1921) that accompanied the amendment were also approved but have since expired. The PF (Public Facility) General Plan Land Use designation allows large governmental building sites and

complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

- **Zoning**

The C-V District is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities.

In addition, the C-V District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V District is consistent with the Public Facilities category of the General Plan.

- **Title 19.06 Special Purpose and Overlay Districts**

As listed in Title 19.06.020, the C-V District is intended to provide for the continuation of existing public uses and for the development of new municipal services and public utility facilities. The C-V District is also intended to provide for additional quasi-public uses which are operated or controlled by a recognized religious service organization.

The minimum development standards for property in the C-V District shall be established by the City Council in connection with the approval of a rezoning application or administratively in connection with the approval of a site development plan. The proposed standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area.

## **FINDINGS**

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

- 1. The proposal conforms to the General Plan.**

The proposed zoning designation of C-V (Civic) is in conformance with the PF (Public Facilities) General Plan Land Use Category.

**2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

The proposed church and daycare facility use, allowed under the requested C-V (Civic) zoning district, are compatible with adjacent residential and civic land uses and zoning districts.

**3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

The proposed church and daycare facility uses are allowed in the proposed C-V (Civic) zoning district. The proposed Rezoning is appropriate for the subject property with regard to the surrounding community as the adjacent multi-family residential would benefit from the additional daycare within walking distance.

**4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

Primary site access is provided off of 28th Street, a fully developed 60foot-wide right-of-way, and Julian Street, a partially constructed 60-foot-wide right-of-way. The proposed development of the site will be sufficiently served by existing roadway facilities.

**PLANNING COMMISSION ACTION**

There was one speaker in opposition.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 10

**ASSEMBLY DISTRICT** 11

**SENATE DISTRICT** 2

**NOTICES MAILED** 250 by Planning Department

**APPROVALS** 0

**PROTESTS** 0