



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: APRIL 16, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SDR-25247 - APPLICANT: SOKA GAKKAI INTERNATIONAL-USA - OWNER: NELS TRUST, ET AL**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 19, 2008 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

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

The Planning Commission (5-1/bg vote) and staff recommend APPROVAL, subject to:

#### **Planning and Development**

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/22/07, 11/15/07, and 12/4/07.
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Trash enclosures shall have solid metal gates, a roof, and match the color and building finish of the main structure as required by Title 19.08



8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
12. The maximum building height shall be 20 feet per Title 19.08.
13. Parking area shall be secured during hours when the facility is not in operation subject to approval of plans by the Planning and Development and Public Works Departments.

**Public Works**

14. Coordinate with the City Surveyor to discuss recordation of a Reversionary Map for this site; comply with the recommendations of the City Surveyor.
15. 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. 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.
16. Construct all incomplete half-street improvements on Cahlan Drive, including appropriate transition paving, adjacent to this site concurrent with development of this site.
17. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
18. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements, if any, in the Charleston Boulevard public rightofway adjacent to this site.

19. Contact the City Engineers Office at 229-6272 to coordinate the development of this project with the ITS Communication Infrastructure, Phase 1B project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
20. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives.
21. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways recommended by the Flood Control Section.

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

**PROJECT DESCRIPTION**

This application is a request for a Site Development Plan Review for the proposed construction of a 5,991 square-foot, single-story Church/House of Worship and Community Center on 1.09 acres at the southeast corner of Charleston Boulevard and Cahlan Drive. Activities at the center are busiest on Sundays. Meetings are also held three times a week from 7 pm to 9 pm. The proposed building, parking and landscaping are in conformance with Title 19 standards. Staff finds the proposed Church/House of Worship and Community Center to be an appropriate use in C-D (Design Commercial) zone as it is a buffer between the residential to the south and Charleston Boulevard, and recommends approval.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
06/19/02	The City Council approved a request to amend portions of the Southeast Sector map of the General Plan (GPA-0047-01) in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from: SC (Service Commercial) to: O (Office); from: R (Rural Density Residential) to: DR (Desert Rural Density Residential); from: O (Office) to: DR (Desert Rural Density Residential) and; from: L (Low Density Residential) to: DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan. The Planning Commission recommended denial, whereas staff recommended approval.
01/07/04	The City Council approved a request for a Site Development Plan Review (SDR-3289) and Waivers of the front and corner side setbacks, the one-story, 20-foot maximum height restriction, and a portion of the perimeter and parking lot landscaping for a proposed two-story, 20,410 square-foot medical office building on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive. The Planning Commission and staff recommended denial of this request.
01/07/04	The City Council approved a request for a Variance (VAR-3291) to allow 84 parking spaces where 115 parking spaces are required and to allow a 66-foot setback where Residential Adjacency Standards require a 75-foot setback for a proposed two-story, 20,410 square-foot medical office building on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive. The Planning Commission and staff recommended denial of this request.

02/15/06	The City Council approved a Request for an Extension of Time (EOT-11023) of an approved Site Development Plan Review (SDR-3289) and Waivers of the front and corner side setbacks, the one-story, 20-foot maximum height restriction, and a portion of the perimeter and parking lot landscaping for a proposed two-story, 20,410 square-foot medical office building on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive. Staff recommended approval of this request.
02/15/06	The City Council approved a request for an Extension of Time (EOT-11022) of an approved Variance (VAR-3291) to allow 84 parking spaces where 115 parking spaces are required and to allow a 66-foot setback where Residential Adjacency Standards require a 75-foot setback for a proposed two-story, 20,410 square foot medical office building on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive. Staff recommended approval of this request.
12/06/07	The Planning Commission voted 5-1/bg to recommend APPROVAL (PC Agenda Item #40/lhm).
<b>Related Building Permits/Business Licenses</b>	
Property is undeveloped, no permits pertain to this site.	
<b>Pre-Application Meeting</b>	
10/10/07	The requirements and procedures for submitting a Site Development Plan Review were discussed with the applicant. In particular, the requirements for landscaping and parking were thoroughly discussed. The applicant was advised to contact the Nevada Department of Transportation regarding the addition of a driveway on Charleston Boulevard.
<b>Neighborhood Meeting</b>	
A neighborhood meeting is not required for a Site Development Plan Review application, nor was one held for this request.	
<b>Field Check</b>	
10/11/07	Undeveloped parcel on Charleston Blvd. Residential behind parcel, offices on either side.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	1.09

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	C-D (Designed Commercial)
North	Charleston Blvd / Office	O (Office)	C-D (Designed Commercial)
South	Single Family Dwellings	D-R(Desert Rural Residential)	R-E (Residence Estates)
East	Office	O (Office)	C-D (Designed Commercial)

West	Single Family Dwellings / Office	D-R(Desert Rural Residential) and O(Office)	R-E (Residence Estates) and C-D (Designed Commercial)
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This site is designated as O (Office) on the Southeast Sector Map of the General Plan. The existing C-D (Designed Commercial) zoning designation is in compliance with the General Plan designation. The purpose of the C-D (Designed Commercial) District is to provide standards for the development of a select type of light commercial uses that will be in harmony with the neighborhood in which it is to be located. The proposed office use is a permitted use within the C-D (Designed Commercial) zoning district.

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

The subject site is located within a Rural Preservation Neighborhood Buffer zone; however, because the site has a pre-existing commercial zoning designation and the subject site is located within the 330-foot exemption zone from rights-of-way 99 feet or greater, the regulations associated with being located within a Rural Preservation Neighborhood Buffer zone are exempt from this project.

## DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	NA
Min. Lot Width	100 Feet	207	Y
Min. Setbacks			
• Front	25 Feet	34 Feet	Y
• Side	10 Feet	49 Feet	Y
• Corner	15 Feet	25 Feet	Y
• Rear	25 Feet	97 Feet	Y
Max. Lot Coverage	30%	12.6%	Y
Max. Building Height	Lesser of 2 stories or 35 Feet	14 Feet	Y



Trash Enclosure	Screened/Covered	Screened/Covered	Y
Mech. Equipment	Screened	Screened	Y

Title 19.08.060

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	42 Feet	49 Feet	Y
Adjacent development matching setback	35 Feet	49 Feet	Y
Trash Enclosure	50 Feet	107 Feet	Y

Applicable code section here Title 19.12

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Trees/6 Space 51 Spaces	9 Trees	10 Trees	Y
Buffer: Min. Trees	1 Trees/20 Linear Feet	39 Trees	39 Trees	Y
<b>TOTAL</b>		48 Trees	49 Trees	Y
Min. Zone Width (ROW)	15 Feet on Charleston Blvd and Cahlan 8 Feet on side and rear		Same	Y
Wall Height	8-Foot		Not Provided	N/A
Min. Zone width (Interior)	15 Feet		15 Feet	Y
	8 Feet		8 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Church/House of Worship	2,003 S.F.	1 space for each 100 square feet of non-fixed seating area in the gathering room	20	1	48	3	
<b>TOTAL (including handicap)</b>			21		51		Y

## ANALYSIS

- **Site Plan**

The subject site is located at the southeast corner of Charleston Boulevard and Cahlan Drive and is undeveloped. The house which had existed on the parcel was demolished when approval was given for a proposed two-story, 20,410 square foot Medical Office building, which was not built. The undeveloped property has now been purchased for the construction and use as a Church/House of Worship/Community Center.

The site is accessed by one entrance and exit point along Cahlan Drive, approximately 100 feet south of Charleston Boulevard. The proposed 5,991 square-foot Church/House of Worship/Community Center will be located central of the subject site, which encompasses two separate lots with the majority of the parking lot covering the southern and eastern portions of the combined lots.

The submitted plans are in compliance with Title 19 Development Standards, meeting the required setbacks, perimeter landscaping, parking and residential adjacency. In addition, the subject site is located within the C-D (Designed Commercial) Zoning district between Rancho Drive and Valley View Boulevard, which is required to maintain an overall height of one-story or 20 feet, whichever is less. The proposed elevations depict a building 14 feet in height with an additional six foot screen parapet.

A trash enclosure is shown on the submitted site plan. It is located in the southeast parking lot, 107 feet from the adjacent residential property line. The plan does not include trash enclosure cross section details; however, per Title 19.08, trash enclosures shall have solid metal gates, a roof, and match the color and building finish of the main structure. A condition has been included to reflect this code requirement.

- **Parking**

Parking for the Church/House of Worship/Community Center is shown on the east property line and portions of the west and south property line. Handicap spaces are located adjacent to the east side of the building. The proposed site plan depicts 49 standard parking spaces and three code compliant handicap accessible parking space.

- **Landscape Plan**

Landscaping plans depict three tree species including 24-inch box *Prosopis chilensis* (Chilean Mesquite), 24-inch box *Pinus Eldarica* (Mondell Pine), and 24-inch box *Chitalpa tashkentensis* (Chitalpa). Tree quantities are in conformance with minimum code requirements. Four or more five-gallon shrubs are proposed per each required tree,

which meets the requirements of the Title 19.12 Landscape, Wall, and Buffer Standards. Plant material will be installed in the proper landscape buffer planter widths along portions of the right-of-way, side and rear property lines.

- **Elevation**

The proposed one-story, 14-foot Church/House of Worship/Community Center building is in conformance with both residential adjacency requirements and special C-D (Designed Commercial) zone height restrictions for properties located along Charleston Boulevard between Rancho Drive and Valley View Boulevard. A one-story 20-foot maximum height restriction was implemented on these properties in order to ensure compatibility with adjacent low-density residentially zoned properties. The proposed one-story 14-foot tall building is compatible with adjacent R-E (Residence Estates) zoned property to the south.

- **Floor Plan**

The submitted floor plan depicts 5,991 square feet of floor space divided into three multi-purpose rooms, restrooms, book store, office, conference room and kitchenette. Entrance is from an entry court/garden area on the east side of the building.

## **FINDINGS**

The following findings must be made for an SDR:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed Church/House of Worship/Community Center development is compatible with the adjacent office uses and is a suitable buffer between the single-family dwelling units south of the subject site and Charleston Boulevard.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

A Church/House of Worship/Community Center is a permitted use within the C-D zoning designation. The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The proposed site access is located on Cahlan Drive, a 60-foot wide collector street that services residential properties south of the subject site. The proposed entrance into the subject site is located across Cahlan Drive from existing commercial property; therefore traffic should not negatively impact adjacent roadways or neighborhood traffic.

**4. Building and landscape materials are appropriate for the area and for the City;**

Building and landscape materials are appropriate for the subject site as building materials and landscape species are often utilized to accentuate earth tones and desert landscaping.

**5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The building elevations indicate muted desert colors contrasted with cultured stone on the building exterior create an orderly and aesthetically pleasing environment and to be harmonious and compatible with development in the area. This is accomplished by adding a parapet to the top of the building to screen mechanical elements screening.

**6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

This project will have necessary building inspections and appropriate measures will be taken to protect public health, safety and general welfare.

**PLANNING COMMISSION ACTION**

There were four speakers in opposition. Conditions 12 and 13 were added by the Planning Commission. Condition #2 was amended. The applicant agreed to all conditions.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

17

**ASSEMBLY DISTRICT**      3

**SENATE DISTRICT**      9

**NOTICES MAILED**      150 by Planning Department

**APPROVALS**      1

**PROTESTS**      1