



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 20, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-28506 - APPLICANT: CENTRO FAMILIAR CRISTIANO (AGUILAS) OWNER: AMERICAN WHEELCHAIR VETERANS AND ERNEST J. FRESQUEZ, JR.

**** CONDITIONS ****

The Planning Commission (5-2/rt, vq vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning to C-V (Civic) District on approximately 11.18 acres at the southeast corner of Madre Mesa Drive and Michael Way. The property currently consists of several buildings on the northeast portion of these properties and the remaining portions are undeveloped. These parcels are zoned R-D (Single Family Residential-Restricted) and U (Undeveloped) [R (Rural Density Residential) General Plan designation].

The proposed Rezoning to the C-V (Civic) zoning district is consistent with the proposed General Plan Amendment (GPA-28505) to a PF (Public Facilities) General Plan designation. The anticipated use of this property is appropriate and the C-V (Civic) zoning district is compatible with the existing residential developments in the area; therefore, staff is in support of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/15/07	The City Council approved an Annexation (ANX-20441) of properties located at the southeast corner of Michael Way and Madre Mesa Drive, containing approximately 11.18 acres. The Planning Commission and staff recommended approval of this request.
07/24/08	The Planning Commission recommended approval of companion items GPA-28505 and SDR-28517 concurrently with this application. The Planning Commission voted 4-2/rt, vq to recommend APPROVAL (PC Agenda Item #29/ed).
<i>Related Building Permits/Business Licenses</i>	
1950	Several existing residential structures were built at 5355 Madre Mesa Drive.
<i>Pre-Application Meeting</i>	
04/30/08	A pre-application meeting was held to discuss the requirements of developing a Church/House of Worship at Madre Mesa and Michael Way. The applicant was told that a General Plan Amendment, Rezoning and a Site Development Plan Review would be required due to the site being over five acres in size. The applicant was informed that a neighborhood meeting would be required for this request.

Neighborhood Meeting	
07/09/2008	A neighborhood meeting was held on Wednesday July 9th, 2008 at 5:30 p.m. at Rainbow Library located at 3150 North Buffalo Drive. There were six members of the public in attendance and one member of Planning and Development staff. The members of the public were generally in support of the development proposal, with the following questions and concerns: • There were concerns about the traffic that might be generated by the daycare use. The applicant was not able to estimate the capacity of the daycare facility; residents were supportive of the use as long as the capacity was limited. The applicant stated that they would have an estimate of the capacity at the Planning Commission meeting. • The applicant clarified that church services would primarily occur on Sunday and Tuesday. Residents did not have issues with the church use or the traffic generated by the church. • Questions were raised about the landscaping and buffering; the applicant indicated that perimeter walls would be retained on the east and south sides of the property, and that a 20' buffer would be in place around the perimeter of the site.

Field Check	
06/17/08	A field check was conducted and found that the subject site has several existing residential structures on the northeast portion of the subject site; the rest of the site is undeveloped.

Details of Application Request	
Site Area	
Gross Acres	11.18

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped, Social Service	R (Rural Density Residential)	U (Undeveloped) [R (Rural Density Residential) General Plan Designation] and R-D (Single Family Residential-Restricted)
North	Single-Family Residences	ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development 5 Units Per Acre)

South	Condominiums, Single-Family Residential	MLA (Medium Low Density Residential Attached) and R (Rural Density Residential Clark County)	R-PD6 (Residential Planned Development 6 Units Per Acre) and R-E (Rural Estates Residential Clark County)
East	Single-Family Residences	R (Rural Density Residential)	R-PD6 (Residential Planned Development 6 Units Per Acre)
West	Single-Family Residences	R (Rural Density Residential Clark County)	R-E (Rural Estates Residential Clark County)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (70-Foot)	X		Y*
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The subject site is in the A-O (Airport Overlay) District within the 70-foot height limitation contour. As the proposed Site Development Plan Review (SDR-28506) maximum height is under this height.

ANALYSIS

The subject site is located on the Southwest Sector of the General Plan and has a designation of R (Rural Density Residential). A General Plan Amendment (GPA-27383), if approved, would change the designation to PF (Public Facilities) on 11.18 acres subject to this request. This category allows for large governmental building sites and complexes, police and fire facilities, 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. This proposed use is Church/House of Worship which is in compliance with the PF (Public Facilities) designation.

This Rezoning proposes to change the sites zoning from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] and R-D (Single Family Residential Restricted) to C-V (Civic). The proposed C-V (Civic) zoning 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 (Civic) may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The proposed use established at this location is permissible in a C-V (Civic) zoning district which is compatible with the PF (Public Facilities) General Plan designation.

This Rezoning has been submitted in conjunction with a General Plan Amendment (GPA-28505) and Site Development Plan Review (SDR-28517) for a proposed 106,500 square-foot Church/House of Worship. Pursuant to Title 19.06.010, the development standards for a project in a C-V (Civic) District shall be established by the C-V (Civic) District approval and any corresponding Site Development Plan Review approval under Subchapter 19.18.050. The anticipated use of this property is appropriate and the C-V (Civic) zoning district is compatible with the existing residential developments in the area; therefore, staff is in support of this request.

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 rezoning would bring the zoning at this site into conformance with the proposed PF (Public Facilities) designation under the Southeast Sector Plan of the General Plan. The PF (Public Facilities) category allows for large governmental building sites and complexes, police and fire facilities, 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. This proposal will allow for a wide range of uses commonly associated with a Church or House of Worship and is in compliance with the proposed General Plan 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 rezoning will be compatible with the surrounding land uses and zoning districts in this area.

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

The proposed C-V (Civic) zone will allow a Church or House of Worship on 11.18 acres on the subject site. The proposed Rezoning is appropriate as indicated by the growth and development factors in the community.

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.**

The subject site is adjacent to Michael Way, an 80-foot wide Secondary Collector and Madre Mesa Drive, a 60-foot Collector Street, which are adequate to support the proposed use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 11

SENATE DISTRICT 4

NOTICES MAILED 560 by Planning Department

APPROVALS 25

PROTESTS 2