



AGENDA MEMO

CITY COUNCIL MEETING OF: AUGUST 5, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-34601 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site contains an existing 13,808 square-foot Church/House of Worship, associated parking, and approximately 55,000 square feet of undeveloped area on a 3.88-acre lot located at 8200 West Sahara Avenue. This is a request to Rezone the site from C-V (Civic) to C-1 (Limited Commercial). The C-1 (Limited Commercial) zoning district will bring the zoning of the subject site into conformance with the existing and proposed General Plan designation of SC (Service Commercial). If the application is denied, the subject site will remain non-conforming with the existing General Plan land use designation and will only allow uses permitted within the C-V (Civic) zoning district.

Issues

- Staff can support the request for a Rezoning as the surrounding parcels to the east and to the west have identical C-1 (Limited Commercial) zoning.
- This request will allow the zoning of the subject site to be in conformance with the existing and proposed SC (Service Commercial) General Plan land use designation.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/07/93	The City Council approved a request for a Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request.
01/14/94	A deed was recorded for change of ownership.
01/04/95	The City Council approved a request for an Extension of Time [Z-0043-93(1)] of an approved Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request.
04/23/03	The Planning Commission approved a request for a Site Development Plan Review (SDR-1968) for a 4,840 square-foot addition to an existing Church/House of Worship on 3.88 acres at 8200 West Sahara Avenue. Staff recommended approval of this request.
07/09/09	The Planning Commission recommended approval of companion items GPA-34600, VAR-34605, SUP-34604, SUP-34606, SUP-34608 and SDR-34602 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #23/dc).

<i>Related Building Permits/Business Licenses</i>	
04/17/95	Building permits were issued for onsite improvements (#95373763) and a new building (#95373764) at 8200 West Sahara Avenue. The permits were finalized under building permit (#97007415) on 05/27/97.
12/01/95	A building permit (#95883523) was issued for a sign at 8200 West Sahara Avenue. The permit expired 09/21/96 without receiving final approval.
11/22/95	A building permit (#95882928) was issued for a 50-foot long, six-foot high block wall and a 275-foot long, two-foot high retaining wall. The permit expired 09/21/96 without receiving final approval.
04/19/04	A building permit (#04009010) was issued for a 5,280 square-foot addition at 8200 West Sahara Avenue. The permit received final approval 08/24/04.
<i>Pre-Application Meeting</i>	
05/14/09	A Pre-Application meeting was held with the applicant where the following issues were discussed: • The requested change in zoning opens up the entire site to review for compliance with Title 19.08 requirements. • Residential Adjacency issues with the single-family property to the north. • Discussion of all uses proposed at the site, including the expansion of the existing Church/House of Worship use, Daycare Facility, Senior Citizen Apartments, Convalescent Care Facility/Nursing Home and Assisted Living Apartments. • Parking requirements for the uses proposed. • Adherence to the submittal requirements and plans required for a General Plan Amendment, Rezoning, three Special Use Permit applications, a parking Variance and a Site Development Plan Review.
<i>Neighborhood Meeting</i>	
06/08/09	A neighborhood meeting was held at 6:00pm at The Lakes Lutheran Church, Conference Room, located at 8200 W. Sahara Ave. Las Vegas, Nevada 89117. There were three representatives of the applicant, five representatives of the church, one member of the Planning and Development staff and two members of the general public present. • A discussion was held where the general public raised questions about the proposed development.

Field Check	
06/04/09	A field check was conducted by staff at the subject property where the following was observed: • The subject site contains an existing 13,808 square-foot Church/House of Worship. • An existing parking lot surrounds the west and north sides of the existing building, and extends along the east perimeter of the site to O'Bannon Drive. • The northeastern half of the subject property is undeveloped, relatively flat, and contains no landscaping.

Details of Application Request	
Site Area	
Gross Acres	3.88

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church/House of Worship	SC (Service Commercial) and R (Rural Density Residential) [Proposed: SC (Service Commercial)]	C-V (Civic) [Proposed: C-1 (Limited Commercial)]
North	Single-Family Residences	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development – 2 Units per Acre)
South	Restaurant	CN (Commercial Neighborhood) – Clark County	C-1 (Local Business) – Clark County
East	Office and Retail	SC (Service Commercial)	C-1 (Limited Commercial) and O (Office)
West	Office	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
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

ANALYSIS

This request is to Rezone the subject site from C-V (Civic) to C-1 (Limited Commercial). The C-1 (Limited Commercial) district is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) district is consistent with the SC (Service Commercial) category of the General Plan. The subject site contains an existing General Plan land use designation of SC (Service Commercial) on a 2.76-acre portion of the subject site and a proposed General Plan land use designation of SC (Service Commercial) on a 1.12-acre portion of the subject site; the proposed Rezoning will bring the entire parcel into conformance with the existing and proposed General Plan land use designation.

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 C-1 (Limited Commercial) zoning district is consistent with the existing and proposed SC (Service Commercial) General Plan land use designation.

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 uses allowed by the C-1 (Limited Commercial) zoning district are compatible with the surrounding land uses and zoning districts, and will provide a buffer between a busy arterial street and existing residential neighborhoods to the north.

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

The subject site acts as a buffer between commercial activity adjacent to Sahara Avenue to the south and single-family residences to the north. Rezoning the subject site from C-V (Civic) to C-1 (Limited Commercial) will allow the subject property to be consistent with the other C-1 (Limited Commercial) properties to the east and west which also serve as buffers between Sahara Avenue and single-family residences to the north.

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.”

Access to the site is provided by Sahara Avenue, a 100-foot Primary Arterial and Cimarron Road, an 80-foot Secondary Collector, as designated by the Master Plan of Streets and Highways. In addition, emergency access is provided via a crash gate fronting Via Olivero Avenue, a 60-foot Local Street, according to the Master Plan of Streets and Highways. All three roadways are adequate in size to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 253 by City Clerk

APPROVALS 1

PROTESTS 0