

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: JANUARY 28, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-36787 - SITE DEVELOPMENT PLAN
REVIEW - PUBLIC HEARING - APPLICANT/OWNER: AGUILAS CFC

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-28506) and Site Development Plan Review (SDR-28517), except as amended herein.
2. 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.
3. All development shall be in conformance with the site plan, landscape plan, floor plan and building elevations, date stamped 12/10/09, except as amended by conditions herein.
4. Phasing shall comply with the submitted phasing plan date stamped 12/10/09 with all on-site improvements completed in conformance with the overall site plan date stamped 12/10/09 with the final phase.
5. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the existing parcels. The mapping action shall be completed and recorded prior to issuance of a building permit.
6. A Waiver from Title 19.08.050(D)(e) is hereby approved to allow building placement that is not oriented to the corner and street fronts.
7. A Waiver from Title 19.12.040 is hereby approved to allow a landscape buffer width of eight-feet along a portion of the south perimeter adjacent to Roberta Lane where 15 feet is required.
8. 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.

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9. 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.
10. 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).
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. A Petition of Vacation for all rights-of-way in excess of a 60 foot right-of-way width along Madre Mesa Drive shall be submitted prior to the issuance of any permits or the recordation of a map for this site, whichever may occur first.
17. Prior to the approval of construction drawings for this site, the submitted Reversionary Map PMP-36474 shall record unless otherwise allowed by the City Engineer.

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18. Dedicate appropriate right-of-way adjacent to this site for Madre Mesa Drive such that a 60 foot right-of-way width is maintained and dedicate a 25 foot radius on the southeast corner of Michael Way and Madre Mesa Drive prior to the issuance of any permits.
19. Construct all incomplete half-street improvements on Madre Mesa Drive, Michael Way and the terminus of Roberta Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
20. 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.
21. 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.
22. The cul-de-sac terminus of Roberta Lane shall be posted as a no parking zone.
23. All private improvements and landscaping 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 and abutting street intersections.
24. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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25. Coordinate with the Collection Systems Planning Section of the Department of Public Works to construct public sewer to the intersection of Michael Way and Alfred Drive concurrent with development of this site. Public sewer shall be extended west on Alfred Drive past permanent pavement constructed with this project. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
26. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
27. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-28517) for a 106,500 square-foot Church/House of Worship and Private School, Primary on 11.18 acres on the southeast corner of Madre Mesa Drive and Michael Way. This request for a Major Amendment will retain the previously approved square-footage of the development but will present site design changes. The applicant is requesting, as part of this review, a Waiver of the Title 19 Landscape Buffer Requirements and a Waiver of the Title 19 Building Placement Standards. Staff can support the requested Waivers as they are minor in nature, and will have a minimal impact on the adjacent surrounding properties; therefore, staff is recommending approval of this application. If this application is denied, site development must comply with the previously approved Site Development Plan Review (SDR-28517).

ISSUES

- A map must be recorded to combine the four existing lots.
- The applicant is requesting a Waiver to allow an eight-foot landscape buffer along a portion of the south perimeter where 15 feet is the minimum required.
- The applicant is requesting a Waiver of the Title 19.08 Building Placement Standards, which requires “buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines of each street unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</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.
08/20/08	The City Council approved a General Plan Amendment (GPA-28505) to Amend a portion of the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to PF (Public Facilities) on 11.18 acres at the southeast corner of Madre Mesa Drive and Michael Way. The Planning Commission and staff recommended approval.
08/20/08	The City Council approved a Rezoning (ZON-28506) of properties from U (Undeveloped) and R-D (Single Family Residential-Restricted) to C-V (Civic) on 11.18 acres at the southeast corner of Madre Mesa Drive and Michael Way. The Planning Commission and staff recommended approval.

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08/20/08	The City Council approved a Site Development Plan Review (SDR-28517) for a proposed two-story 106,500 square-foot church/house of worship with accessory private school and childcare on 11.18 acres at the southeast corner of Madre Mesa Drive and Michael Way. The Planning Commission and staff recommended approval.
01/14/10	Planning Commission voted to hold this item in abeyance at the Planning Commission's request.
<i>Related Building Permits/Business Licenses</i>	
11/20/09	The Planning & Development Department conditionally approved a Parcel Map (PMP-36474) for reversion to acreage of 2.68 acres located at the southeast corner of Michael Way and Madre Mesa Drive. Mylars have not been submitted.
<i>Pre-Application Meeting</i>	
11/18/09	The Planning & Development Department met with the applicant and the following items were discussed; • Discussed the submittal requirements for a Major Amendment to a Site Development Plan Review. • Discussed the proposed landscape Waivers. • Discussed a Waiver for Building Placement Standards. • Discussed the requirement of a mapping action to revert the four existing parcels to one parcel.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
12/08/09	A field check was conducted and found that the subject site was well maintained with several vacant residential structures on the northeast portion of the subject site; the rest of the site is undeveloped.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	11.18

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped and Social Service Provider	PF (Public Facilities)	C-V (Civic)
North	Single Family Residences	ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development – 5 Units Per Acre)

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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 Purpose and Overlay Districts			
C-V Civic District	X		Y
A-O Airport Overlay District – 70 Feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment	X		Y
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	11.18 acres
Min. Lot Width	600 Feet
Min. Setbacks • Front (West) • Side (South) • Corner • Rear	161 Feet 267 Feet 120 Feet 175 Feet
Max. Lot Coverage	15%
Max. Building Height	50 Feet
Trash Enclosure	Screened, Gated with a Trellis

Review the following from Title 19.08.060

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	135 Feet	174 Feet	Y
Trash Enclosure	50 Feet	104 Feet	Y

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The following Residential Landscaping are proposed for this C-V (Civic) District:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/ 6 Spaces	125 Trees	133 Trees	Y
Buffer:				
Min. Trees				
North Property Line	1 Tree/20 Linear Feet	30 Trees	37 Trees	Y
East Property Line	1 Tree/20 Linear Feet	30 Trees	30 Trees	Y
South Property Line	1 Tree/20 Linear Feet	30 Trees	30 Trees	Y
West Property Line:	1 Tree/20 Linear Feet	24 Trees	24 Trees	Y
TOTAL		239 Trees	254 Trees	Y
Min. Zone Width	8 Feet		8 Feet	Y
Wall Height	6 Feet Adjacent to Residential		6 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Church/House of Worship	15,000 SF	1:100	150				
	1,522 Fixed Seats	1: 4 Fixed Seats	381				
Public or Private School, Primary	14 Classrooms	Three spaces per classroom	42				
SubTotal			573	12	725	22	
TOTAL			573		747		Y

	Previously Approved (SDR-28517)	Proposed
Size	106,500 SF	106,500 SF
Lot Coverage	11%	15%
Height	49 Feet	50 Feet
Setbacks	Front (West) – 315 Feet Side (South) – 180 Feet Corner Side – 175 Feet Rear – 155 Feet	Front (West) – 161 Feet Side (South) – 267 Feet Corner Side – 120 Feet Rear – 175 Feet

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Landscape Buffer Area	North – 20 Feet South – 20 Feet East – 20 Feet West – 15 Feet	North – 15 Feet South – 8 Feet East – 8 Feet West – 15 Feet
Perimeter Buffer Trees	Required – 121 Trees Provided - 133 Trees	Required – 121 Trees Provided - 121 Trees
Parking Lot Trees	Required - 119 Trees Provided - 138 Trees	Required – 125 Provided – 133
Total Trees	Required – 239 Trees Provided - 271 Trees	Required – 239 Provided – 254
Classrooms	14 Classrooms	14 Classrooms
Day Care Center	30 Children 9 Staff	100 Children 4 Staff
Parking	Required – 122 Spaces Provided – 712 Spaces	Required – 573 Provided – 747
Waivers	None	A Waiver of the Title 19 Landscape Buffer Requirements and a Waiver of the Title 19 Building Placement Standards.

Waivers		
Requirement	Request	Staff Recommendation
Buildings on corner lots shall be oriented to the corner and street fronts.	To allow the parking lot to be oriented to the corner and street fronts.	Approval
A 15-foot perimeter landscape buffer	8 Feet	Approval

ANALYSIS

This request is for a Major Amendment to a previously approved Site Development Plan Review (SDR-28517) for a 106,500 square-foot Church/House of Worship and Private School, Primary. As proposed, the development will retain the previously approved square-footage of the structure but will present site design changes. The development will now be completed in two phases. Phase one will total 45,346 square-feet and consist of a sanctuary, day care center, office space, a book exchange, and a café. Phase two will total 61,154 square-feet and include a private school, primary, additional office space, and a larger sanctuary.

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The overall site is accessed by Michael Way, designated as an 80-foot wide Secondary Collector by the Master Plan of Streets and Highways, and Madre Mesa Drive, designated as a 60-foot Right-of-Way. The site provides adequate access and circulation for pedestrians and vehicles. Elevations for the proposed Church/House of Worship and Private School, Primary show a two-story structure with a maximum height of 50 feet. The building will consist of stucco, metal panels, glass, and a metal roof. The building has varying rooflines and window heights to break up the silhouette of the structure.

The site complies with all Title 19 requirements with the exception of the building placement and required landscaping standards. Per Title 19.08, “buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines of each street unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible.” The site plan depicts the building to be oriented away from the corner and street fronts. However, the proposed layout provides for a better site access, passenger loading and unloading and overall site circulation; therefore staff can support the requested Waiver.

Per Title 19.12, a perimeter landscape buffer of 15 feet must be provided along all property lines adjacent to Right-of-Way. Submitted plans depict an eight-foot landscape buffer along a portion of the south property line adjacent to Roberta Lane, which is a seven-foot deviation from standard. Staff can support the requested Waiver request, as the development will provide adequate landscaping and screening mechanisms to diminish the visual impact of the parking lot. The landscape plan depicts 24-inch box Rio Grande Ash, Mexican Fan Palm, Mondell Pine, Chitalpa, and Purple Robe Locust, which are appropriate for the area and city; therefore, staff is recommending approval of this application.

FINDINGS

The following findings must be made for a Site Development Plan Review:

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

The proposed development is compatible with adjacent development and development in the area.

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;

The proposed development is consistent with the General Plan and Title 19, with the exception of the requests for waivers of the Title 19 building placement and landscaping standards. These requests are minor in nature and will not negatively impact the surrounding land uses.

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

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

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

The building materials are appropriate for the area and the city. Landscape materials are also appropriate for the area and city.

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 are not unsightly or obnoxious, and will be compatible with development in the area.

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

The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 560

APPROVALS 7

PROTESTS 9