



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS, INC.

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAR-37943	Staff recommends APPROVAL, subject to conditions:	SDR-37942
SDR-37942	Staff recommends APPROVAL, subject to conditions:	VAR-37943

** CONDITIONS **

VAR-37943 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-37942) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principle building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.
4. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-37942 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-37943) shall be required, if approved.
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 landscape plan date stamped 05/04/10, and the site plan and building elevations date stamped 04/13/10, except as amended by conditions herein.
4. A Waiver of the Lone Mountain West Wall and Landscape standards is hereby approved, to allow retaining walls up to 16 feet in height without intermediate terracing, and to allow a zero-foot landscape buffer along portions of the north, south, east and west property lines.
5. An Exception from Title 19.10 is hereby approved, to allow 78 parking lot trees for the overall site where 87 trees are required, and four diamonds within the east lot where eight parking lot islands are required.
6. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.
7. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.
8. This approval shall apply to the site as a whole. Any proposed phasing plan for site construction shall be submitted to the Planning and Development Department for consideration prior to issuance of any building permits to determine whether a Minor or Major Site Development Plan Review is required for approval.
9. 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. The technical landscape plan shall include the following changes from the conceptual landscape plan: on the south side of Cliff Shadows Parkway, west of the intersection with the future Desert Hope Drive, a Multi-Use Transportation Trail is required and shall meet all minimum standards of the City of Las Vegas Master Plan, Transportation Trails Element.

May 27, 2010 - Planning Commission Meeting

10. 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.
11. 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).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. 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.
15. 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.
16. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. Coordinate with the Right-of-Way Section of the Department of Public Works to obtain a Bureau of Land Management (BLM) Right-of-Way Grant Easement at the northwest corner of this site, including the existing circular turn around and roadway providing access to both Assessors' Parcel # 137-12-401-010 and this site from Cliff Shadows Parkway prior to the issuance of any permits for this site. Comply with the requirements of the Right-of-Way Section.

May 27, 2010 - Planning Commission Meeting

19. Construct a multi-use non-equestrian trail along Cliff Shadows Parkway for all portions of this site that are adjacent to Cliff Shadows Parkway. Grant a multi-use non equestrian trail easement for all portions of the required trail on Assessor's Parcel #137-12-401-010 that are outside of the public right-of-way. Coordinate with the Right-of-Way Section to determine BLM document requirements to construct the portions of the multi-use non-equestrian trail that are on Assessor's Parcel #137-12-410-040. Comply with the requirements of the Right-of-Way Section.
20. A Petition of Vacation for the existing Cheyenne Avenue right-of-way adjacent to the southwest corner of this site shall be submitted to the City and shall be approved by the City Council prior to the submittal of any construction drawings for this site. The Order of Vacation shall record prior to the issuance of any permits for this site. If such Petition of Vacation is not approved by City Council, this site shall be redesigned to accommodate dedication of appropriate right-of-way to extend or terminate Cheyenne Avenue.
21. Petition of Vacation VAC-30622 shall record prior to the issuance of any building permits.
22. If not already in place at the time of development of this site, construct all incomplete street improvements on Cliff Shadows Parkway and full street improvements on Desert Hope Drive concurrent with development. Desert Hope Drive improvements shall be built per the approved construction drawings for "Improvement Plans for Desert Hope Drive Access Road, Reverence (Village 26)", modified as approved by the Department of Public Works. Construct all underground improvements, including bases, conduits, and poles for the future signalization of the Desert Hope Drive / Cliff Shadows Parkway intersection, on both southwest and southeast quadrants concurrent with construction of the roadway. As site development occurs in phases, each phase shall perform a warrant analysis to determine if signalization is warranted; if so, the developer shall coordinate with the Traffic Engineering Division to signalize the intersection. In addition, coordinate with the Traffic Engineering Division of the Department of Public Works to design and construct appropriate improvements to direct pedestrian traffic to appropriate crossing points connecting the satellite parking site across Desert Hope Drive to the proposed church 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).
23. Submit an Encroachment Agreement for the rockery wall located along Desert Hope Drive adjacent to this site prior to the issuance of permits for this site.
24. If not already in place, extend public sewer in Desert Hope Drive to the southern, edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way or public sewer easements 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.

May 27, 2010 - Planning Commission Meeting

25. 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 and abutting street intersections.
26. 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.
27. 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, submittal of any construction drawings. 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. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. 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.
28. 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, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainage ways 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. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

These requests are for a church and related school facility to be located on an undeveloped site located at the southwest corner of Cliff Shadows Parkway and the 215 Beltway. The site includes four lots, two of which are owned by the International Church of Las Vegas, and two that are owned by the Bureau of Land Management that are leased to the City of Las Vegas for development as the La Madre Trailhead park complex. The applicant has entered into a Disposition and Development Agreement with the city to develop and landscape additional parking facilities and public right-of-way (Desert Hope Drive) on these parcels, to be shared by the church and park facilities. The requested Variance for parking is appropriate as the applicant has provided evidence of unique and extraordinary circumstances related to the topography of the site. The requested landscape waivers and exceptions can be supported as they are mitigated by additional landscaping located throughout the interior of the site. Therefore, staff is recommending approval of these requests.

ISSUES

- Previous applications for a Major Modification (MOD-30617), Rezoning (ZON-31062), Variances (VAR-30620 and VAR-31394) for parking and Hillside Ordinance requirements, a Vacation (VAC-30622) of government patent easements and a Site Development Plan Review (SDR-30614) were recommended for approval by the Planning Commission, but were tabled at the 04/01/09 City Council meeting. Pending a recommendation by the Planning Commission, these current requests will replace the previously submitted Site Development Plan Review and parking Variance, and will be considered at City Council concurrently with the Major Modification, Rezoning and Vacation. The Variance previously submitted for the Hillside Ordinance requirements is no longer needed due to site and building revisions that bring the proposed development into compliance with the provisions of the ordinance.
- A Waiver of the Lone Mountain West Wall and Landscape standards is required to allow retaining walls up to 16 feet in height without intermediate terracing, and to allow a zero-foot landscape buffer along portions of the north, south, east and west property lines.
- An Exception from Title 19.10 is required to allow 78 parking lot trees for the overall site where 87 trees are required and four diamonds within the east lot where eight parking lot islands are required.
- A Condition of Approval has been added to require that any proposed phasing plan for site construction shall be submitted to the Planning and Development Department for consideration prior to issuance of any building permits to determine whether a Minor or Major Site Development Plan Review is required for approval.

Staff Report Page Two
May 27, 2010 - Planning Commission Meeting

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved an Annexation (A-0038-02) for the subject property as part of a larger request. The Planning Commission recommended approval. The effective date was 2/14/03.
12/17/03	The City Council approved a Rezoning (ZON-3209) to PD (Planned Development), a Major Modification (MOD-3206) to add approximately five acres to the Lone Mountain West Master Plan area and to amend the Plan to allow churches within all residential land use designations with approval of a Special Use Permit (SUP-3304) for the Church/House of Worship. The Planning Commission and staff recommended denial as no Site Development Plan Review accompanied the application for a Special Use Permit. A two year approval was granted for the Church and pre-school, set to expire 12/17/05. The Planning Commission and Staff recommended denial.
3/01/06	The City Council approved a request for an Extension of Time (EOT-11349) of an approved Special Use Permit (SUP-3304) that allowed a Church/House of Worship and a Preschool adjacent to the south side of Cliff Shadows Parkway, approximately 375 feet west of the 215 Beltway. Staff recommended approval. A one-year extension was granted, set to expire 12/17/07.
01/09/08	The City Council approved a Dispensation and Development Agreement to allow the International Church of Las Vegas to develop portions of APNs 137-12-401-001 and 040, and to share the use of these areas for purposes of overflow parking and recreation.
02/06/08	The City Council approved a request for a second Extension of Time (EOT-26060) for an approved Special Use Permit (SUP-3304) for a church/house of worship and a preschool adjacent to the south side of Cliff Shadows Parkway, approximately 375 feet west of the 215 Beltway. Staff recommended approval.
04/01/09	At the request of the applicant, the City Council tabled requests for a Major Modification (MOD-30617), Rezoning (ZON-31062), Variances (VAR-30620 and VAR-31394), Vacation (VAC-30622) and a Site Development Plan Review (SDR-30614) for a Church/House of Worship located at the southwest corner of Cliff Shadows Parkway and the 215 Beltway. The Planning Commission recommended approval of all requests, whereas staff recommended approval of the Major Modification, Rezoning and Vacation, but recommended denial on the Variances and Site Development Plan Review.
02/03/10	The City Council approved a request for an Extension of Time (EOT-36912) of a previously approved Special Use Permit (SUP-3304) for a church/house of worship and a preschool at 3319 Cliff Shadows Parkway. Staff recommended approval.

Staff Report Page Three
May 27, 2010 - Planning Commission Meeting

<i>Most Recent Change of Ownership</i>	
12/24/03	A deed was recorded for a change in ownership for APN 137-12-401-011.
07/23/07	A deed was recorded for a change in ownership for APN 137-12-410-003.

<i>Related Building Permits/Business Licenses</i>
There are no related building permits or business licenses associated with the site.

<i>Pre-Application Meeting</i>	
03/09/10	A pre-application meeting was held to review proposed changes for a previously submitted project. The changes will require resubmittal of a Site Development Plan Review and a Variance for parking.

Neighborhood Meeting	
04/05/10	There was a voluntary Neighborhood Meeting held for at Mountain Crest Community Center, 4701 North Durango Drive, Las Vegas, Nevada, 89129, from 6:30 pm to 7:10 pm. In attendance were five members of the general public, three representatives for the applicant and two staff members (one City Council liaison and one Planning and Development). The applicant representatives announced that the height of the church building was reduced to 35 feet, and the area of the building would total 66,192 square feet, built in two phases; approximately 27,000 square feet in Phase I, and approximately 39,000 square feet in Phase II. The public still had concerns: • Site disturbance • Traffic study

Field Check	
04/22/10	A field check was conducted by staff. A well maintained undeveloped site was observed.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	9.12 Acres (subject site, including BLM land)
Net Acres	5.07 Acres (applicant owned)

Staff Report Page Four
May 27, 2010 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential) Lone Mountain West Land Use Designation, P (Parks, Schools, Recreation, Open Space) Lone Mountain West Land Use Designation [Proposed: PF (Public Facilities) Lone Mountain West Land Use Designation and P (Parks, Schools, Recreation, Open Space) Lone Mountain West Land Use Designation]	PD (Planned Development), U (Undeveloped) [PCD (Planned Community Development) General Plan designation] and C-V (Civic) [Proposed: PD (Planned Development) and C-V (Civic)]
North	Equestrian Trailhead (City Park)	P (Parks, Schools, Recreation, Open Space) Lone Mountain West Land Use Designation	CV (Civic)
	Financial Institution, General with Drive Thru	V-C (Village Commercial) Lone Mountain Land Use Designation	PD (Planned Development)
	Service Station and Auto Repair Garage, Minor		
South	Undeveloped	SUM (Summerlin)	PC (Planned Community)
East	CC 215 ROW	ROW	ROW
West	Undeveloped	L (Low Density Residential) Lone Mountain West Land Use Designation	U (Undeveloped) [PCD (Planned Community Development) General Plan designation]

Staff Report Page Five
May 27, 2010 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Lone Mountain West	X		N
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Hillside Development Area	X		Y
PD (Planned Development) District	X		Y
Trails	X		By Condition
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

All development within the Lone Mountain West Master Plan area is subject to the Lone Mountain West Master Plan. The Lone Mountain West Master Plan does not establish design standards for buildings located within a PF (Public Facilities) Lone Mountain West Land Use designation zone. As no design standards exist for the PF (Public Facilities) Lone Mountain West Land Use designation, the development standards for this development shall use the following criteria: The development standards shall be established by the PF (Public Facilities) Lone Mountain West Land Use designation and any corresponding Site Development Plan Review approval under Subchapter 19.18.050. The site also falls within the Hillside Development Area, and will be subject to the regulations contained in Title 19.06.170 Hillside Development Standards and Guidelines. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The proposed landscaping, parking, setbacks, and maximum building heights for this project are defined below. Any future development will require review for determination of appropriate development standards.

<i>Standard</i>	<i>Provided (Original Submittal SDR-30614)</i>	<i>Provided (Revised Submittal SDR-37942)</i>	<i>Difference</i>	<i>Compliance</i>
Building Area	89,550 SF	66,192 SF	-23,358 SF (26% Reduction)	Y
Min. Setbacks				
• Front	144 Feet	263 Feet	+119	Y
• Side	40 Feet	40 Feet	n/c	Y
• Rear	175 Feet	203 Feet	+28	Y
Max. Lot Coverage	15.3%	18.7%	+3.4%	Y

May 27, 2010 - Planning Commission Meeting

Max. Building Height	5 Stories / 85 Feet (2 Stories / 35 Feet Max – VAR-30620)	2 Stories / 35 Feet	Meets Hillside Ordinance	Y
Site Disturbance	3.78 Acres (3.56 Ac Max – VAR-30620)	3.43 Acres	Meets Hillside Ordinance	Y

Pursuant to Title 19.06.170 Hillside Development Standards and Guidelines, the following site disturbance standards apply:

<i>Slope</i>	<i>Site Area</i>	<i>Maximum Disturbance Allowed</i>		<i>Proposed Disturbance</i>	<i>Compliance</i>
0% to 15%	2.70 Acres	100%	2.70 Acres		
15% to 25%	0.43 Acres	50%	0.21 Acres		
25% and Greater	1.86 Acres	35%	0.65 Acres		
Total Parcel Area	4.99 Acres		3.56 Acres	3.43 Acres	Y

Pursuant to Title 19.12 and the Lone Mountain West Master Development Plan and Design Standards, the following standards apply:

<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>		
Buffer Trees (West):				
• North	1 Tree / 20 Linear Feet	21 Trees	27 Trees	Y
• South	1 Tree / 30 Linear Feet	13 Trees	Zero Trees	N
• East	1 Tree / 20 Linear Feet	26 Trees	26 Trees	Y
• West	1 Tree / 30 Linear Feet	23 Trees	11 Trees	N
Buffer Trees (East):				
• North	1 Tree / 20 Linear Feet	8 Trees	8 Trees	Y
• South	1 Tree / 30 Linear Feet	3 Trees	4 Trees	Y
• East	1 Tree / 30 Linear Feet	25 Trees	26 Trees	Y
• West	1 Tree / 20 Linear Feet	16 Trees	32 Trees	Y
TOTAL PERIMETER TREES		135 Trees	134 Trees	N
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	87 Trees	78 Trees	N
LANDSCAPE PLANTER WIDTHS				
Min. Zone Width				
• North		7 Feet	Zero Feet	N
• South		7 Feet	Zero Feet	N
• East		7 Feet	Zero Feet	N
• West		7 Feet	Zero Feet	N

Staff Report Page Seven

SG

May 27, 2010 - Planning Commission Meeting

Pursuant to Title 19.04 and Title 19.10, the following 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 or House of Worship	1,350-seat gathering room	1 space per 4 seats in the gathering room	338		119		N
TOTAL SPACES REQUIRED			338		119		
TOTAL (With Handicapped)			330	8	111	8	N
DEVIATION			65%				
Waivers – Lone Mountain West Master Plan							
Requirement		Request			Staff Recommendation		
A maximum three-foot, six-inch high retaining walls with five-foot wide terraces between		Retaining walls up to 16 feet in height without terracing			Approval		
A seven-foot landscape planting strip along interior lot lines		Zero-foot landscape planting strip along portions of the north, south, east and west lot lines			Approval		

Exceptions – Title 19.12		
Requirement	Request	Staff Recommendation
87 Parking lot trees	78 Trees	Approval
Eight parking lot islands	Four diamonds	Approval

ANALYSIS

This is the second Site Development Plan Review with an associated Variance for parking to be submitted for the subject site. These applications will replace the previous submittals for a Site Development Plan Review and Variance for parking (VAR-31394 and SDR-30614), and, pending a recommendation from the Planning Commission, will be considered before the City Council along with other previous submittals for a Major Modification (MOD-30617), Rezoning (ZON-31062), and a Vacation (VAC-30622) of government patent easements. Approval of these other previous submittals is required to approve the current Site Development Plan Review and associated Variance; all received a recommendation of approval from both the Planning Commission and staff prior to being tabled at the 04/01/09 City Council meeting. The

Staff Report Page Eight
May 27, 2010 - Planning Commission Meeting

previously submitted Site Development Plan Review and Variance for parking (VAR-31394 and SDR-30614), along with a previously submitted Variance for the Hillside Ordinance requirements (VAR-30620) will all be allowed to expire as they are no longer needed due to the revisions to the site plan and building elevations in the current application submittals.

The site is comprised of four lots, two of which are owned by the International Church of Las Vegas (ICLV), and two that are owned by the Bureau of Land Management (BLM) that are leased to the City of Las Vegas for development as the La Madre Trailhead park complex. The church and school buildings will be located on one of the lots owned by the ICLV. The applicant has entered into a Disposition and Development Agreement with the city to develop and landscape additional parking facilities and public right-of-way (Desert Hope Drive) on the lots owned by the BLM, to be shared by the church and park facilities. The subject site is located at the southwest corner of Cliff Shadows Parkway and the 215 Beltway, and will have ready access to these roadways, as well as Cheyenne Avenue, to accommodate any increased traffic associated with the site.

The proposed church and school facility will be comprised of two interconnected buildings with an amphitheater in between. The proposed buildings are no more than 35 feet in height. Parking will be provided to the north of the structures and in a satellite lot to the east across Desert Hope Drive. There are a total of 337 parking spaces provided on the overall subject site; however, only 119 spaces, including eight handicap accessible spaces, are available on property owned by the church. As the remaining spaces are located on property owned by the BLM and cannot be guaranteed beyond the lease expiration of 2032, a Variance for parking is required. Staff can support the request as the subject site has extraordinary topographical conditions that will result in undue hardship for developing the site in strict compliance with the provisions of Title 19.

Although phasing of construction activities has been discussed, no phasing plan has been submitted for consideration. A Condition of Approval has been added to require that any proposed phasing plan for site construction shall be submitted to the Planning and Development Department for consideration prior to issuance of any building permits to determine whether a Minor or Major Site Development Plan Review is required for approval. This additional review will ensure that the site will be compatible with the surrounding area, and that improvements that are required for the public health, safety and welfare are addressed through all phases of construction.

Waivers of the Lone Mountain West Master Development Plan and Design Standards are required for walls and landscaping. Per the design standards, retaining walls are limited to a maximum of three feet, six-inches, with five-foot wide terraces separating the walls. The applicant is proposing walls up to 16 feet in height with no terracing between, which is supported by staff as the site is subject to extreme topographical conditions, and the highest walls are located behind the buildings and not visible from the public right-of-way.

Staff Report Page Nine
May 27, 2010 - Planning Commission Meeting

As previously addressed, the subject site is comprised of multiple lots with differing ownership, resulting in lot lines that are located at the interior of the overall subject site. In addition, the south lot line is inaccessible due to the topography of the site. Because of these conditions, perimeter landscaping is not provided along all lot lines as required. In addition to this waiver request, Exceptions for landscaping have been requested to allow 78 parking lot trees and four landscape diamonds where 87 trees and eight landscape islands are required. Staff is supporting the requested waiver and exceptions as the applicant has provided buffers in sufficient widths along all public rights-of-way, and in a reduced width of five feet along the west lot line where drainage and topographic conditions allow. Additional trees and shrubs in significant quantities have been included in planters throughout the interior of the site. A Multi-Use Transportation Trail is located along the Cliff Shadows Parkway street frontage and has been conditioned to comply with the provisions of the Transportation Trails Element of the City of Las Vegas 2020 Master Plan.

This is the first project to be considered under Title 19.06.170 Hillside Development Standards and Guidelines, adopted by City Council on August 15, 2007. As required, a preliminary review of the project was completed prior to submittal of entitlement applications to identify existing geographic, topographic and environmental features of the site, determine the impact of the proposed project on these features, and to determine compliance with the standards and guidelines in general. Grading plans and sections, a slope analysis, a ridgeline/elevation study and a drainage study were all submitted by the applicant and reviewed by city staff in the following departments: Planning and Development, the Development Coordination, Flood Control, Land Development Services and Transportation Planning sections of Public Works, and Fire and Rescue. Initially, it was determined that the proposed project met the minimum requirements for the preliminary review, but that two Variances (VAR-30620) to the standards would be required for building height and site disturbance. The current submittal contains revisions to the original site plan, building elevations and floor plans depicting the project to be in compliance with the requirements of the ordinance.

As the proposed site is in substantial compliance with Title 19 and the Lone Mountain West Master Plan, is compatible with the existing surrounding land uses, and measures have been taken to mitigate the impacts that the development may have on adjacent properties, staff is recommending approval of the requests for a parking Variance and Site Development Plan Review.

FINDINGS (VAR-37943)

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.

Staff Report Page Ten
May 27, 2010 - Planning Commission Meeting

Additionally, Title 19.18.070(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

Evidence has been presented of extraordinary topographic conditions that would result in undue hardship for developing the site in strict compliance with the provisions of Title 19. In view of the difficulties imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is justified, and it is thereby within the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SDR-37942)

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

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

The proposed development, as conditioned, is compatible with the 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, but not consistent with Title 19 and the Lone Mountain West Master Plan due to the requested Variance, Waivers and Exceptions. These requests are supported due to extreme topographical site conditions and mitigating factors such as additional landscaping within interior planting areas.

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

The site will be accessed by two driveways: a driveway that will serve the subject site, the La Madre Trailhead Park and the adjacent property to the west, with access from

Staff Report Page Eleven
May 27, 2010 - Planning Commission Meeting

Cliff Shadows Parkway, which is classified as an 80-foot Secondary Collector, and a second driveway with access from the future Desert Hope Drive, which is anticipated to be a Secondary Collector in the Master Plan of Streets and Highways.

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

Building and landscape materials conform to the requirements of Title 19 and the Lone Mountain West Master Plan, and are appropriate for the area and for the 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;

Building elevations are not unsightly, undesirable or obnoxious, and create an orderly and aesthetically pleasing environment. The proposed development is harmonious and 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

16

NOTICES MAILED 531

APPROVALS 1

PROTESTS 9