



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MAY 13, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: LIVING WORD CHRISTIAN CHURCH

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-53303	Staff recommends APPROVAL, subject to conditions:	SDR-53302
SDR-53302	Staff recommends APPROVAL, subject to conditions:	SUP-53303

**** CONDITIONS ****

SUP-53303 CONDITIONS

Planning

- 1.Approval of Site Development Plan Review (SDR-53302) shall be required, if approved.
- 2.Conformance to all Minimum Requirements under LVMC Title 19.12 for a Church/House of Worship use.
- 3.Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-53302) shall be required.
- 4.This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
- 5.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 Department of Building and Safety.
- 6.These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
- 7.All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-53302 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-53303) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. 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 and floor plan date stamped 04/21/14 and the building elevations date stamped 03/17/14, except as amended by conditions herein.
4. 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. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - a. The provision of one 24-inch box tree per 20 linear feet along east property line in accordance with the approved landscaping plan associated with Special Use Permit (U-0007-98).
 - b. Shall be revised to reflect the existing landscaping that is to remain and include all proposed landscaping.
 - c. Shall be revised to reflect the existing parking-lot landscaping that will remain in accordance with Special Use Permit (U-0007-98).
5. 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 Department of Building and Safety.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. 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.

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8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

9. In accordance with code requirements of Title 13.56, construct all incomplete half-street improvements on Vista Drive adjacent to this site concurrent with development of this site as required by the Department of Public Works. 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.
10. This site shall connect to public sewer and abandon the existing ISDS according to SNHD regulations concurrent with on-site development activities.
11. If the proposed gates are to be electrically opened and closed, the gates may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is to be manually opened and closed, the gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate; alternatively the gates shall remain open during regular business hours. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way. The crash gate is allowed to open into the public right-of-way, however it can only be used by emergency service vehicles.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site.
13. The southern driveway shall be a one-way exit only, however, the northern driveway can either be a one-way entrance or for both ingress and egress.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to construct a new 4,500 square-foot Church/House of Worship on a 0.95 acre site located at 1202 Vista Drive. The existing 2,723 square-foot building on the site that was formally utilized for church services will be used for storage. Staff recommends approval of the requested development, as the proposal is compatible with the existing adjacent land uses and the design of the Church creates an orderly and aesthetically pleasing environment. If denied, the Church/House of Worship will not be allowed as proposed.

ISSUES

- This is a major amendment to the approved Special Use Permit (U-0007-98), which established the plot plan for the existing church.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/23/77	The Board of Zoning Adjustment approved a request for a Variance (V-0049-77) to allow an addition to be within 46 feet of the rear property line where 50 feet is required at 1202 Vista Drive.
03/23/98	The City Council approved a request for a Special Use Permit (U-0007-98) for a 2,782 square-foot, one-story church at 1202 Vista Drive. The Planning Commission recommended approval of the request.

<i>Most Recent Change of Ownership</i>	
01/20/00	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
09/02/08	A Code Enforcement Case (#69215) was processed for planning condition of approval violations (missing shrubs and weeds growing in landscaping areas). The case was resolved on 10/16/08.

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<i>Pre-Application Meeting</i>	
10/30/13 & 01/14/14	A pre application meeting was held with staff and the applicant to discuss the submittal requirements for a Special Use Permit and Site Development Plan Review for a proposed 4,500 square-foot addition to an existing church.

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required, nor was one held.

<i>Field Check</i>	
04/03/14	Staff conducted a field check of the subject site and found the area surrounding the business neat and clean in appearance with no discrepancies noted.
04/22/14	Staff conducted a field check to inspect the existing landscaping materials and measure existing landscape buffer widths at the site. During the visit staff noted that the existing landscaping does not match the approved landscaping plan associated with Special Use Permit (U-0007-98). Most of the trees have been removed from the landscaping buffers and have been replaced by various tall shrubs that average five to six feet in height. The submitted landscape plan with this proposal fails to accurately illustrate the various trees and shrubs, which currently exist within the site and must be revised prior to issuance of a building permit.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.95

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Church/House of Worship	R (Rural Density Residential)	R-E (Residence Estates)
North	General Retail	MXU (Mixed-Use)	C-1 (Limited Commercial)
South	Private School	R (Rural Density Residential)	R-E (Residence Estates)
East	Undeveloped	R (Rural Density Residential)	R-E (Residence Estates)
West	Mini-Storage Facility	SC (Service Commercial)	C-D (Designed Commercial)

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<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (175Feet)	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.060 , the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	20,000 SF	41,382 SF	Y
Min. Lot Width	100 Feet	140 Feet	Y
Min. Setbacks			
• Front	50 Feet	119 Feet	Y
• Side	10 Feet	40 Feet	Y
• Side	10 Feet	42 Feet	Y
• Rear	35 Feet	108 Feet	Y
Max. Building Height	35 Feet	20 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Special Use Permit (U-0007-98), 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:				
• North	1 Tree / 20 Linear Feet	10 Trees	1 Trees	N*
• South	1 Tree / 20 Linear Feet	10 Trees	1 Trees	N**
• East	1 Tree / 20 Linear Feet	4 Trees	3 Trees	N**
• West	1 Tree / 20 Linear Feet	4 Trees	1 Trees	N**

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Pursuant to Special Use Permit (U-0007-98), the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	<i>Ratio</i>	<i>Trees</i>		
TOTAL PERIMETER TREES		28 Trees	6 Trees	N
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	11 Trees	6 Trees	N**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		8 Feet	Y
• South	8 Feet		8 Feet	Y
• East	15 Feet		15 Feet	Y
• West	6.5 Feet		6.5 Feet	Y

*No landscaping buffer is required adjacent to an alleyway, therefore no plant material is required

**An exception of planting materials has been requested as part of this proposal

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Vista Drive	Local Street	Planned Streets and Highways Map	60 Feet	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area of seating area within the gathering room	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Church/ House of Worship	2,100 SF	1:100 square feet of non -fixed seating area in the gathering room	21				
TOTAL SPACES REQUIRED			21		30		Y
Regular and Handicap Spaces Required			20	1	27	3	Y

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Exceptions		
Requirement	Request	Staff Recommendation
Per Special Use Permit (U-0007-98) One 24-inch box tree and three shrubs are required per 20 linear feet within the landscaping buffer	To allow zero trees and One Shrub per 20 linear feet on north and south landscape buffer with no planting materials on a portion of the west landscape buffer	Approval

ANALYSIS

The applicant is proposing to construct a new 4,500 square-foot Church/House of Worship on a 0.95 acre site located at 1202 Vista Drive. The existing 2,723 square-foot building on the site that was formally utilized for church services will be used for storage. The new proposed building will be 20 feet tall and will be finished in bright white stucco with apache brown barrel style concrete roof tile. The approved plot plan for the existing church facility was established through Special Use Permit (U-0007-98). This new development proposal is an expansion of the existing use on the site and is a Major Amendment to the approved Special Use Permit (U-0007-98).

The Church/House of Worship use is defined as “Any building used for religious worship services, religious education and fellowship activities and programs of a religious organization. This use includes the use of the building and premises for other related activities, such as child care facilities, formal educational programs, preschool classes and recreational activities, but only when those activities are ancillary to the religious use and only after those uses have been approved by means of a use review or other procedure under LVMC Chapter 19.16. This use does not include any class of child care center, general education classroom or facility, thrift shop, homeless shelter or commercial activity.”

The proposed use meets the definition, as described in the provided justification letter.

The Minimum Special Use Permit Requirements for this use include:

1. The Special Use Permit approval may include such activities as religious services, religious instruction, church club activities and similar activities.

The proposed use meets this requirement, as described in the applicant’s provided justification letter.

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2. The Special Use Permit approval may also include accessory functions, such as child care facilities, formal educational programs, preschool classes and similar related activities, if:
 - a. The uses are specifically proposed in the application; and
 - b. The Director finds that each such use is ancillary to the primary use.

The proposed use meets this requirement, as described in the applicant's provided justification letter.

3. Following approval of a Special Use Permit, if any additional uses not specifically covered by that Special Use Permit are proposed, an additional public hearing process shall be required to add the uses.

The proposed use meets this requirement, as the applicant has not proposed any uses not specifically covered under this request.

4. In residential districts, related uses such as thrift shops, homeless shelters and other similar activities may not be conducted and are not eligible for approval as part of a Special Use Permit. Such uses may be conducted only in the zoning districts such uses are permitted as primary uses, and must receive specific approval to operate. The proposed use meets this requirement, as the applicant has not stated any intent to operate such uses that are prohibited in the residentially-zoned districts.

The proposed use meets this requirement, as the applicant has not proposed any thrift shops, homeless shelters and other similar activities under this request.

5. Churches on sites larger than 5 acres shall not be permitted in the U District or a district with an "R" prefix.

The proposed use meets this requirement, as the site is 0.95 acres.

The proposed Church/House of Worship use is typified as non-residential in regards to the application of landscaping standards to provide adequate screening and buffering of the use. The provided landscape plan is not in full compliance with the approved landscaping plan associated with the plot plan approved by Special Use Permit (U-0007-98) for the planting material requirements. Most of the trees required in the north, west and south landscaping buffers have been removed and have been replaced by various mature shrubs that average five to six feet in height. The parking lot landscaping does not with the approved landscaping plan associated with Special Use Permit (U-0007-98), which provided three landscape finger islands. The provided landscape plan shows two rows of parking featuring no landscape finger islands.

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A condition of approval has been placed on the Site Development Plan Review requiring a revised technical landscape plan to be submitted prior to the issuance of building permits showing the appropriate plant materials in these areas.

Since the proposed Church/House of Worship is compatible with the surrounding area and can be conducted in a harmonious manner with adjacent land uses, staff recommends approval, with conditions, of all requested entitlements.

FINDINGS (SUP-53303)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

The subject site currently operates as a Church/House of Worship. The new proposed 4,500 square-foot Church/House of Worship use can be conducted in a manner that is harmonious and compatible with the surrounding land uses.

2. The subject site is physically suitable for the type and intensity of land use proposed.

The subject site currently operates as a Church/House of Worship. The 0.95-acre site can physically accommodate the new proposed 4,500 square-foot Church/House of Worship building.

3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

Site access is provided from Vista Drive, a 60-foot Local Street as designated by the Master Plan of Streets and Highways. This street is sufficient in size to accommodate the needs of the proposed use.

4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

The proposed Church/House of Worship will be subject to building plan review and permitting inspections and will not compromise the public health, safety and welfare.

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5.The use meets all of the applicable conditions per Title 19.12.

The proposed Church/House of Worship use meets the applicable conditions of the Title 19.12.

FINDINGS (SDR-53302)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 subject site currently operates as a Church/House of Worship. The new proposed 4,500 square-foot Church/House of Worship building is compatible with the surrounding commercial and low-density residential land uses.

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;

Although the site is not fully comply with the approved landscaping plan associated with the plot plan approved by Special Use Permit (U-0007-98) for the planting material requirements; as demonstrated by the requested Exception. Staff recommends approval of this request due to the applicant's efforts to provide a design that meets the overall intent of the code requirements.

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

Site access is provided from Vista Drive, a 60-foot Local Street as designated by the Master Plan of Streets and Highways. This street is sufficient in size to accommodate the needs of the proposed use and will not negatively impact adjacent roadways

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

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The proposed building and landscape materials are appropriate for the desert environment and the neighborhood. The proposed building will be finished in bright white stucco with apache brown barrel style concrete roof tile. The submitted landscaping plan provided 04/21/14 does not show the appropriate amount of trees within the north, west and south perimeter landscape buffers. Because of the overall height and thickness of the existing shrubs within these buffers it's been determined by staff that the existing landscaping provides adequate screening from surrounding properties.

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 new proposed 4,500 square-foot building to the existing Church/House of Worship use strikes a harmonious balance between the private school and general retail uses along the west side of Vista Drive and the single family residences within the neighborhood to the east. A condition of approval has been added to ensure that adequate planting materials are provided; specifically, that 24-inch box trees are planted every 20 linear foot within the east perimeter landscape buffers.

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

The proposed Church/House of Worship is subject to building 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 160

APPROVALS 0

PROTESTS 1