

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0040-CHURCH ROMAN CATHOLIC LAS VEGAS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase decorative fence and wall height; **2)** street landscaping; **3)** reduce access gate setback; **4)** finished grade; and **5)** buffering and screening standards.

DESIGN REVIEWS for the following: **1)** modular classroom building; and **2)** site improvements and modifications in conjunction with an existing place of worship and school on 13.1 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located on the east side of Eastern Avenue and the south side of Flamingo Road within Paradise. TS/md/ng (For possible action)

RELATED INFORMATION:

APN:

162-24-101-001 through 162-24-101-003

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Increase the height of a decorative retaining wall to 8 feet where a maximum height of 3 feet is permitted per Section 30.04.03C (a 166.7% increase).
 - b. Increase the height of a decorative fence (wrought iron) and decorative wall to 8 feet where a maximum height of 6 feet is permitted for decorative fences and walls within the front setback in residential districts per Section 30.04.03B (a 33.4% increase).
 - c. Increase the height of a decorative fence (wrought iron) and decorative wall to 8 feet where a maximum height of 6 feet is permitted within the side and rear setbacks in residential zoning districts per Section 30.04.03B (a 33.4% increase).
2.
 - a. Reduce street landscaping along Flamingo Road and Eastern Avenue where 1 large tree and 3 shrubs shall be provided every 30 linear feet of street frontage per Section 30.04.01D.
 - b. Eliminate street landscaping along Rochelle Avenue where 1 large tree and 3 shrubs shall be provided every 30 linear feet of street frontage per Section 30.04.01D.
3.
 - a. Reduce the setback for an access gate (vehicular and pedestrian) along Rochelle Avenue to zero feet where access gates shall be set back no less than 50 feet from the lip of the gutter of the intersecting street per Section 30.04.03E (a 100% reduction).
 - b. Reduce the setback for an access gate along Eastern Avenue to 32 feet where access gates shall be set back no less than 50 feet from the lip of the gutter of the intersecting street per Section 30.04.03E (a 36% reduction).

- c. Reduce the setback for an access gate along Eastern Avenue to 49 feet where access gates shall be set back no less than 50 feet from the lip of the gutter of the intersecting street per Section 30.04.03E (a 2% reduction).
 4.
 - a. Allow 10 feet of fill where 3 feet of fill shall not be placed a minimum of 5 feet from a shared property line per Section 30.04.06F (a 233.3% increase).
 - b. Allow 10 feet of fill where 6 feet of fill shall not be placed a distance of 20 feet from a shared property line per Section 30.04.06F (a 66.7% increase).
 5. Eliminate the required landscape buffer along a portion of the east property line where 15 feet is required for non-residential development in a residential district adjacent to a residential district per Section 30.04.02 (a 100% reduction).

DESIGN REVIEWS:

1. Modular classroom building.
2. Site improvements and modifications in conjunction with an existing place of worship and school.

LAND USE PLAN:

WINCHESTER/PARADISE - PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2461 E. Flamingo Road (place of worship) & 4246 S. Eastern Avenue (school)
- Site Acreage: 13.1
- Project Type: Modular building classroom addition and site improvements
- Number of Stories: 1
- Building Height (feet): 13 (proposed modular building)
- Square Feet: 1,200 (proposed modular building)/27,000 (place of worship)/6,285 (rectory)/14,677 (parish center)/31,709 (school, gymnasium, and school offices)/1,440 (existing modular building)/1,820 (existing modular building)
- Parking Required/Provided: 172/399

History & Request

The existing place of worship was approved for the project site by the Board of County Commissioners in February 1977 via UC-002-77. A modular classroom building was approved for the site by the Planning Commission (PC) in June 1981 via AC-82-81 to support an existing school in conjunction with the place of worship. WS-0589-10 was approved in May 2011 by the PC to eliminate street landscaping along Eastern Avenue and Flamingo Road, eliminate landscaping adjacent to a less intensive use (single family residential development along the east and south property lines), and to eliminate parking lot landscaping in conjunction with modifications to the parking lot. A second modular building serving as a library was approved for the site by the PC in January 2020 via DR-19-0880. The applicant is now proposing several modifications to the site with this request, which include the following: 1) addition of a single story modular classroom building; 2) vehicular access gates along Rochelle Avenue (gate also serves pedestrians), Eastern Avenue, and Flamingo Road; 3) additional street landscaping along

Eastern Avenue and Flamingo Road; and 4) decorative fences and walls along the west, south, and north portions of the site, along Eastern Avenue, Rochelle Avenue, and Flamingo Road, respectively. Proposed decorative walls and fences, with the exception of Rochelle Avenue, will be set back behind the required street landscape areas, measuring 10 feet in width behind the existing attached sidewalks, along Eastern Avenue and Flamingo Road. Waivers of development standards to reduce access gate setbacks from the right-of-way, increase fence and wall height, reduce street landscaping, and to increase finished grade are part of this request and explained in further detail in the forthcoming sections. Design reviews with this application include requests for architectural compatibility, a modular classroom building, and site modifications.

Site Plans

The plans depict an existing place of worship and school located on a 13.1 acre site at the southeast corner of Eastern Avenue and Flamingo Road. The north half of the project site consists of an existing place of worship, rectory, parish center and parking lot. The south half of the site includes an existing school, gymnasium, administrative offices, 2 modular buildings, a playground with equipment, athletic courts, and shade structures. A single story modular building is proposed at the southeast corner of the site, located to the east of the school building and between the 2 modular buildings. The proposed modular building is set back 20 feet from the east property line, adjacent to the existing single family residential development. Decorative fences and walls are proposed along the north, south, and west portions of the site, and include the following: 1) a 13 foot high decorative combined screen wall and retaining wall along the south property line, adjacent to Rochelle Avenue; 2) an 8 foot high split-face decorative screen wall at the southwest portion of the site, along Eastern Avenue; 3) an 8 foot high wrought iron fence at the northwest portion of the property, at the intersection of Eastern Avenue and Flamingo Road; 4) an 8 foot high split-face decorative screen wall at the northwest corner of the property, between the rectory and Flamingo Road; and 5) an 8 foot high wrought iron fence along the remainder of the north portion of the site, along Flamingo Road. A waiver of development standards is required to increase the height of the proposed decorative fences and walls. Access to the site is granted via existing driveways along Eastern Avenue and Flamingo Road. A proposed driveway is located at the southwest portion of the site, located along Eastern Avenue. Waivers of development standards are required to reduce the access gate setbacks along the streets. An existing pedestrian and maintenance vehicle gate is located at the southwest corner of the site, adjacent to Rochelle Avenue. A sliding gate will be installed at this location, replacing the existing gate. This gate will not provide vehicular access to parishioners of the place of worship or employees of the school. The place of worship and school, including the addition of the modular classroom building, require 172 parking spaces where 399 parking spaces are provided. A waiver of development standards is also required to increase the amount of fill, up to 10 feet, at the southeast corner of the site along Rochelle Avenue. The area with the increase to finished grade measures 4,000 square feet. No additional structures are proposed for this area of the site.

Landscaping

The plans depict a street landscape measuring 10 feet in width located behind existing, 5 foot wide attached sidewalks along Eastern Avenue and Flamingo Road. The street landscape area consists of trees, shrubs, and groundcover. The landscape plan depicts a total of 85 trees (77 proposed and 8 existing) where 77 trees are required. However, a waiver of development

standards is required to reduce street landscaping along Eastern Avenue and Flamingo Road as some of the required trees are located behind the proposed decorative fence and wall. No parking lot landscaping is proposed with this request, as a waiver of development standards eliminating these landscape requirements was approved via WS-0589-10. A waiver is required to eliminate the required 15 foot wide landscape buffer between the proposed modular building and the east property line of the site, adjacent to the existing single family residential development.

Elevations

The plans depict a proposed single story modular building measuring up to 12.5 feet in height. The modular classroom building feature an exterior consisting of wood with a white single ply roof. The proposed modular building does not complement exterior colors and building materials with the primary building being the place of worship and school. The modular building is not visible from the right-of-way; however, it is visible from the single family residential development to the east.

Floor Plans

The plans depict a modular classroom building measuring 1,200 square feet with an open floor plan.

Sustainability - Alternative Compliance

Below is a table reflecting the sustainability measures proposed with the improvements to the existing place of worship and school:

Sustainability Measures	Points
Building Features	
Shaded walkways adjacent to outdoor gathering and parking areas	1
Additional shaded walkways adjacent to school buildings	1
Daylight strategies (windows in classrooms, hall, and place of worship)	.5
Portico above building entrance	.5
Landscaping	
75 trees required/85 trees provided	1
10% above required number of trees	
Total number of required points	7
Total number of provided points	4

Applicant's Justification

The applicant indicates a portion of this request is to provide enhanced security for its parishioners, clergy living on-site, and students. One of the mitigating measures the applicant is proposing is to build a perimeter wall and add vehicular gates at the vehicular entry points. The proposed wall, in some areas will be a decorative, split-face CMU block wall, and other areas will be a wrought iron fence, will run along the perimeter of the site including along Rochelle Avenue, Eastern Avenue, and Flamingo Road. Along Rochelle Avenue, there is currently an 8 foot tall screened chain-link fence. The applicant is proposing to replace the existing screened chain-link fence with a 5 foot tall decorative, split-face CMU block wall on top of a proposed 8 foot tall retaining wall for a total wall height of approximately 13 feet at the highest point. The

increased retaining wall height is due to the severe existing downward slope from the site to Rochelle Avenue. The existing CMU block wall immediately east of the site for the neighboring residential neighborhood is at least 13 feet tall as well. The decorative, split-face CMU block wall is required in this area to provide for the privacy and protection of the students playing on the playground. The applicant will retain a pedestrian/vehicular access point along Rochelle Avenue by installing a locking sliding gate. The gate will remain closed during business hours. The applicant is seeking to replace the screened chain-link fence along Eastern Avenue with an 8 foot tall decorative, split-face CMU block wall. Again, similar to Rochelle Avenue, the decorative, split-face CMU block is required in this area to provide enhanced security, privacy, and protection for the children playing on the playground. For the balance of the west perimeter along Eastern Avenue to the Flamingo Road/Eastern Avenue intersection, the applicant is proposing an 8 foot tall wrought iron fence composed of 2 feet of CMU wall with a 6 foot tall wrought iron fence on top. Along Flamingo Road, the applicant is proposing to build an 8 foot tall wrought iron fence composed of 2 feet of CMU wall with a 6 foot tall wrought iron fence on top with the exception of the area in front of the rectory where the applicant is proposing an 8 tall decorative, split-face CMU block wall. The decorative, split-face CMU wall in front of the rectory is important to provide enhanced security and privacy for the clergy that live on-site in the rectory; especially, considering there is an RTC bus stop immediately in front of the rectory. The increased screen wall/retaining wall height is required due to steep slope from the site down to Rochelle Avenue. The proposed wall height will match existing wall heights immediately to the east. The applicant is proposing 4 access gates on the site that will remain open during business and operational hours for the place of worship, and will remain closed during school hours. The access gate along Rochelle Avenue will remain closed to the general public. There is an existing concrete slope along Rochelle Avenue and due to the fact the slope is concrete and severe, the applicant cannot provide the required perimeter landscaping along Rochelle Avenue. Additionally, the site along this area is already improved making it difficult to add additional landscaping. The approximate 10 foot fill is necessary to construct the combined retaining wall and screen wall at the southeast corner of the site, and will match the existing elevation of the school's playground area. Portions of the street landscaping are located behind the proposed decorative fences and walls, necessitating a waiver of development standards.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-19-0880	Library building in conjunction with an existing school	Approved by PC	January 2020
UC-18-0717	Established a daycare facility, waivers for reduced setbacks, increased block wall height, and alternative landscaping, and a design review for the school expansion and minor site design changes - project was cancelled	Approved by PC	November 2018
WS-0589-10	Eliminated landscaping along portions of a street, less intense use, and parking areas for modifications to the parking lot	Approved by PC	May 2011
DR-0474-10	Addition to an existing multi-purpose building	Approved by PC	December 2010

Prior Land Use Requests

Application Number	Request	Action	Date
AC-082-81	Established a modular classroom building in conjunction with an existing school	Approved by PC	June 1981
UC-002-77	Established a place of worship	Approved by BCC	February 1977

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & West	Corridor Mixed-Use	CG	Commercial development including restaurants & retail buildings
South & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3 & CG	Single family residential

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis**Comprehensive Planning**Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

Staff does not object to the height increase to the proposed decorative fences and walls along the north and west portions of the site, along Flamingo Road and Eastern Avenue, respectively. The decorative fences and walls will be set back the required street landscape area measuring 10 feet in width, and are necessary to provide security and prevent vandalism to the place of worship and school. Staff can also support the proposed combination decorative screen wall/retaining wall measuring up to 13 feet (5 foot screen wall with an 8 foot retaining wall) in height, located at the southeast corner of the site adjacent to Rochelle Avenue. The retaining wall is consistent with the height of the retaining wall to the east and is necessary due to the requested fill increase and steep slope from the site down to Rochelle Avenue. Therefore, staff recommends approval of this request.

Waiver of Development Standards #2

Staff typically does not support requests to reduce street landscaping along arterial streets, such as Eastern Avenue and Flamingo Road. However, a street landscape area measuring a minimum of 10 feet in width is located immediately behind the existing attached sidewalks along Eastern Avenue and Flamingo Road. The landscape plans depict the required number of trees within the street landscape area; however, some of the trees will be located behind the proposed decorative fences and walls along the north (Flamingo Road) and west (Eastern Avenue) portions of the site, necessitating the waiver of development standards request. The intent of street landscaping is to utilize a combination of natural elements such as trees, shrubs, and groundcovers which are installed for purposes of screening unsightly views, reducing environmental heat, filtering particulate matter from the air, and boosting oxygen levels. Furthermore, a total of 85 trees (8 existing and 77 proposed) are provided along the north and west portions of the site, along Flamingo Road and Eastern Avenue, respectively, where 75 trees are required. The landscape plan complies with Policy 3.6.1 of the Master Plan, which encourages the mitigation of the urban heat island effect in existing and new development through site and building features that provide shade, reduce the footprint of hardscaped areas, and otherwise help to reduce heat absorption by exterior surfaces. Therefore, staff can support this request.

Staff typically does not support requests to eliminate street landscaping. However, staff does not object to eliminating the required street landscaping along Rochelle Avenue for the following reasons: 1) a significant west to east slope exists along Rochelle Avenue, with a topographical difference of 12 feet, starting from the intersection of Eastern Avenue and Rochelle Avenue, continuing 295 linear feet along the south property line of the site; 2) the lack of street landscaping along the south property line of the site is a pre-existing condition, with existing site improvements being constructed up to the back of the existing attached sidewalk adjacent to Rochelle Avenue; 3) no street landscaping exists along the entire north side of the attached sidewalk along Rochelle Avenue; 4) the topography, including steep slopes, at the southeast corner of the site prevents street landscaping from immediately being installed behind the attached sidewalk; and 5) the applicant is improving the streetscape with the new decorative retaining wall. Therefore, staff recommends approval.

Waiver of Development Standards #3

The intent of access gate setbacks is to ensure there is an adequate distance between the gate and the intersecting street to ensure vehicles do not queue into the right-of-way, creating hazardous and unsafe conditions for motorists. Staff typically does not support requests to reduce the setbacks for access gates; however, the applicant has indicated the gates will remain open during business and worship hours during the week. The access gates will remain closed during school hours for the security of the students and faculty. Furthermore, the gates will remain closed during the non-operational hours of the site. Staff finds this request should have minimal to no impact on vehicular traffic within the right-of-way; therefore, recommends approval.

Waiver of Development Standards #4

The intent of limiting the amount of fill in proximity to residential development is to minimize and mitigate the impact increased finished grade may have on adjacent property owners. The increase to finished grade predominantly occurs at the southeast corner of the site, which is currently developed as a playground area. The increase in finished grade is proposed at the

southeast corner of the site within an area measuring 4,000 square feet. Furthermore, the request is necessary to fill what will become the gap between the developed site and right-of-way due to the slope of the existing concrete retaining wall. Although this area is adjacent to an existing single family residential development, the actual increase in finished grade will commence 18.5 feet from closest portion of the single family residence immediately to the east of the site. No additional structures are proposed for this area of the site subject to the fill increase. Staff finds this request should have minimal to no impact on the adjacent single family residential development; therefore, recommends approval.

Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Design Review #1 & Waiver of Development Standards #5

Staff does not object to the materials and colors utilized for the proposed modular building as the exterior finishes will match the materials of the existing on-site modular buildings. The modular classroom building will not be visible from the right-of-way, as it will be located behind the school. However, the modular building will be visible from the adjacent single family residential development to the east. Staff finds the required landscape buffer can be installed between the proposed modular building and the adjacent residential development as the building will be set back 20 feet from the east property line. Therefore, staff recommends denial.

Design Review #2

Staff does not object to the modifications proposed for the site, which include decorative perimeter fences and walls and landscaping. The decorative fences and walls will be set back behind the required street landscape areas, and 77 new trees will be planted along the north and west portions of the site, along Flamingo Road and Eastern Avenue, respectively. The proposed landscape plan is consistent with the goals and policies of the Master Plan and initiatives of the All-In Sustainability and Climate Action Plan. The layout of the existing development and parking lot is functional, and the proposed improvements should not impact any of the surrounding properties, including the adjacent single family residential development. Furthermore, staff finds the proposed alternative standards for sustainability will result in development meeting or exceeding Code requirements. However, since staff is not supporting the waiver to eliminate the required landscape buffer and the modular building request, staff cannot support this design review and recommends denial.

Staff Recommendation

Approval of waivers of development standards #1 through #4; denial of waiver of development standards # 5 and the design reviews.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Expunge waiver of development standards #1 for street landscaping along Flamingo Road and Eastern Avenue previously approved via WS-0589-10;
- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions; and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: THE ROMAN CATHOLIC BISHOP OF LAS VEGAS

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