

05/17/23 BCC AGENDA SHEET

PLACE OF WORSHIP
(TITLE 30)

SPENCER ST/ELDORADO LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400024 (UC-21-0139)-CHURCH WALK LAS VEGAS NV INC:

USE PERMITS FIRST EXTENSION OF TIME for the following: **1)** place of worship; **2)** daycare facility; and **3)** school (pre-school) on 3.6 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Spencer Street, 330 feet south of Eldorado Lane within Paradise. MN/al/syp (For possible action)

RELATED INFORMATION:

APN:

177-11-601-014

LAND USE PLAN:

WINCHESTER/PARADISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 7572 Spencer Street
- Site Acreage: 3.6
- Project Type: Place of worship with a daycare and pre-school

History

UC-21-0139 was filed as a request to permit a place of worship, daycare, and pre-school at this location. The application included design reviews for the building and site layout, increased finished grade, and alternative parking lot landscaping. Also included with the request were waivers to reduce parking, waive landscaping to a less intense use, and to allow alternative street landscaping. In May 2021, the Board of County Commissioners (BCC) heard the application and approved the use permits, the waivers for landscaping, and the design reviews for increased finished grade and alternative parking lot landscaping. The BCC denied the waiver to reduce parking and the design review for the building and site layout. UC-21-0139 was approved with specific design related conditions that the applicant has been working to incorporate into a redesign of the site. The applicant has submitted this request to extend the time to commence the use permits for the place of worship, daycare, and preschool. The waivers and design reviews originally approved with this application are not part of the extension of time request and will expire. Staff has requested that the applicant allow these approvals to expire and resubmit these

requests as part of an application for the building, site layout, and all other design related issues for the development, which is a companion item on this agenda (WS-23-0132). The applicant has submitted a drainage study (PW21-12942) which is currently awaiting concurrence from Clark County Regional Flood Control. The applicant has also been working with the neighbors on the project by conducting a meeting with neighbors on September 8, 2022.

Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0139:

Current Planning

- Design review as a public hearing for final design;
- Design review as a public hearing for lighting and signage;
- Hours limited to daytime hours;
- No outside amplified sound;
- No overnight stays;
- Contact information must be made available for emergencies;
- A 6 foot solid decorative wall to be installed on the northern property line;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- “No Parking” signs to be installed along Spencer Street to prohibit on-street parking for this facility;
- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Vacate the Sur Este Avenue alignment, as directed by Public Works - Development Review Division.
- Applicant is advised that off-site improvement permits may be required; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Building Department - Fire Prevention

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking

#0027-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant indicates that additional time is needed to commence the development. The drainage study for the project has been submitted and is awaiting concurrence from the Clark County Regional Flood Control District. Meetings have been held with the neighbors to address their concerns for the development. The owners have been working on plans for the development that comply with the conditions of approval for the original application and that address the concerns of the neighbors. The revised plans have been submitted (WS-23-0132) and are a companion item on this agenda. Therefore, the applicant states they have been diligently pursuing the commencement of the project and should be allowed additional time.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|-----------------|-------------|
| UC-21-0139 | Use permits for a place of worship, daycare, and pre-school with waivers for landscaping and design reviews for alternative parking lot landscaping and increased finished grade* | Approved by BCC | May 2021 |
| UC-0533-95 | Place of worship - expired | Approved by PC | May 1995 |

*The application included a waiver to reduce parking and a design review for the building which were denied by the BCC

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|---------------|---|------------------------|--------------------------------|
| North & South | Ranch Estate Neighborhood (up to 2 du/ac) | R-E | Single family residential |
| East | Ranch Estate Neighborhood (up to 2 du/ac) | R-E | Drainage channel & undeveloped |
| West | Low-Intensity Suburban Neighborhood (up to 5 du/ac) | R-E | Single family residential |

Related Applications

| Application Number | Request |
|---------------------------|--|
| WS-23-0132 | Waivers of development standards for landscaping with a design review for a place of worship is a companion item on this agenda. |
| VS-23-0133 | Vacate and abandon a portion of Sur Este Avenue is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. By submitting the drainage study, working with neighbors/holding meetings with the neighbors, and submitting revised plans for the development, staff finds the applicant has been diligently pursuing the commencement of the development. Therefore, staff can support extending the time limit to commence the project subject to the expiration date matching WS-23-0132, the companion item for the design of the project.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

Staff Recommendation

Approval.

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

- Until May 19, 2025 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTEST:

APPLICANT: CHARLES BUSSEY

CONTACT: CASSANDRA WORRELL, 520 SOUTH FOURTH STREET, LAS VEGAS, NV
89101