

PLACE OF WORSHIP
(TITLE 30)

SPENCER ST/ELDORADO LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0132-CHURCH WALK LAS VEGAS NV INC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** landscaping to a less intensive use; **2)** alternative landscaping adjacent to a collector street; and **3)** permit a wall sign.

DESIGN REVIEWS for the following: **1)** place of worship with a daycare facility and pre-school; **2)** alternative parking lot landscaping; **3)** lighting plan; **4)** comprehensive sign plan; and **5)** finished grade 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

WAIVERS OF DEVELOPMENT STANDARDS:

1. Waive landscaping adjacent to a less intensive use (along the north property line) where landscaping per Figure 30.64-11 is required.
2. Permit alternative landscaping with an attached sidewalk along a collector street (Spencer Street) where a landscape area with a detached sidewalk per Figure 30.64-17 is required.
3. Permit a wall sign in a residential zoning district where not permitted per Table 30.72-1.

DESIGN REVIEWS:

1. Place of worship with a daycare and pre-school.
2. Permit alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. A lighting plan.
4. A comprehensive sign plan.
5. Increase finished grade to 60 inches (5 feet) where a maximum of 36 inches (3 feet) is the standard per Section 30.32.040 (a 67% increase).

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
- Number of Stories: 2
- Building Height (feet): 33
- Square Feet: 25,940
- Parking Required/Provided: 217/260

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 a request to extend the time to commence the use permits for the place of worship, daycare, and preschool which is a companion item on this agenda. The waivers and design reviews originally approved with UC-21-0139 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 the subject application. 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 conducting a meeting with neighbors on September 8, 2022.

Site Plan

The plan depicts an odd shaped lot that is located between Spencer Street and an existing drainage channel. The curvilinear drainage channel located along the eastern portion of the site causes the parcel to get narrower between the northern property line to the southern property line, moving from west to east. The proposed building is located on the eastern portion of the site and is set back a minimum of 74 feet from the eastern property line and drainage channel, 105 feet from the northern property line, and 238 feet from Spencer Street (western property line). There is an existing 15 foot wide drainage easement located along the north property line which prevents landscaping at this location, and is the reason the applicant is requesting waiver of development standards #1. Parking for the facility is located on the western portion of the site and in the area between the building and the flood channel. The plan does depict 8 parallel parking spaces along the north side of the building and 7 spaces located on the northeast corner of the site adjacent to an existing drainage easement. Access to the site is provided from Spencer Street by a single driveway located in the central portion of the street frontage. The plans

indicate that the greatest increase in finished grade is in the eastern portion of the lot, which is adjacent to the drainage channel. The facility is required to have a total of 217 parking spaces and 260 spaces are provided.

Landscaping

The plan depicts an attached sidewalk along Spencer Street with a minimum 10 foot wide landscape area adjacent to the street consisting of trees, shrubs, and groundcover. There are no sidewalks with the existing development to the north and south of this site on the east side of Spencer Street; however, the existing developments on the west side of Spencer Street have attached sidewalks. A minimum 6.5 foot wide landscape area is depicted along the south property line and adjacent to the existing drainage channel along the eastern property line of the site. These landscape areas will consist of trees, shrubs, and groundcover. A 10 foot wide landscape area is located along the south side of a portion of the drainage easement on the northern boundary of the site, on the opposite side of a driveway along the north side of the building. This landscape area consists of evergreen trees to help mitigate the impact of the building on the adjacent residential development to the north. Additional landscaping areas are located within the parking areas, and adjacent to the building, which consists of trees, shrubs, and groundcover. Although the number of landscape fingers do not meet code, the required number of trees are provided.

Elevations

The building is 2 stories with a maximum height of 33 feet. The building has a flat roof behind parapet walls which vary in height between 15 feet and 33 feet. The exterior of the building is a combination of decorative metal siding, decorative block, and stucco finish. The plans depict metal shade canopies located above doors and windows on all sides of the building. The color scheme will consist of variations of blues, grays, whites, and earth tone. The plans depict an approximate 92 square foot cross on the west side of the building facing Spencer Street.

Floor Plans

The building is 2 stories with a total area of 25,940 square feet. The first floor has an area of 21,995 square feet and the second floor 3,945 square feet. The second floor will be offices for the place of worship. Within the first floor, the plan indicates that the place of worship will occupy 16,881 square feet, the daycare 1,346 square feet (offices and classrooms) and the pre-school 3,768 square feet (offices and classrooms). The majority of the first floor is a multi-purpose area that will be used as the sanctuary for services. The seating can be removed from this space when not needed for services to allow the space to be used as a gym or a large meeting room for church/community functions.

Lighting

The plans indicate recessed light fixtures located under the shade canopies that are above the doors and windows on all sides of the building. There will be a total of 21 light poles located within the parking areas. Each of these light poles will have shielded light fixtures. There will be 6 light poles along the northern boundary of the site that will be 16 feet in height. The remaining 15 light poles will be 20 feet in height and will be distributed equally in the parking areas in front (west) of the building and along the flood channel. A photometric plan submitted

by the applicant indicates that the proposed lighting will not have a negative impact on the adjacent developments.

Signage

The plans depict 2 signs for the place of worship consisting of a wall sign and a monument sign. The monument sign is 4 feet in height with an area of approximately 46 square feet. The monument sign is located on the north side of the entrance to the site and is externally illuminated in a way that will not shine light on the abutting residential developments. The wall sign is located on the northwest corner of the building facing Spencer Street with an area of approximately 46 square feet. The sign consists of a logo and letters attached to the side of the building.

Applicant’s Justification

The applicant indicates that the site was approved for use as a place of worship, daycare, and pre-school by UC-21-0139. However, the design review for the building and site layout submitted with that application was denied by the BCC. The applicant states they have been working with the neighboring property owners on the design of the site, which included a meeting in September 2022. The subject application has been submitted for review and approval of the facility incorporating concerns expressed during the public hearing for UC-21-0139, the concerns of the neighbors, and to show conformance to the conditions of approval for UC-21-0139. The signage is needed to help identify the site and will not have a negative impact on the abutting properties. Similar requests for waivers and design reviews for landscaping and increase finished grade were approved with UC-21-0139; however, per staff request have been incorporated into this application so all design related issues are part of the same application. The lighting is designed to properly illuminate the site but not negatively impact abutting properties.

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

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Single family residential

Related Applications

Application Number	Request
ET-23-400024 (UC-21-0139)	Extension of time for a place of worship, daycare, and pre-school is a companion item on this agenda.
VS-23-0133	A request to 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

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

There are existing single family residences located along the northern property line of this site which are less intense uses than the proposed facility. Code requires a landscape buffer consisting of large Evergreen trees set 20 feet apart along the northern property line to buffer this site from these existing residences. There is an existing 15 foot wide private drainage easement located along the northern property line which prohibits the planting of trees along the northern property line. The existing 15 foot wide drainage easement is a unique and special circumstance for this property. To mitigate the impact of the proposed building on the existing residences the building will be set back 60 feet from the northern property line and a 10 foot wide landscape area consisting of large evergreen trees is being provided along the south side of the easement. Additionally, a similar waiver of development standards was previously approved for this site; therefore, staff can support this request.

Waiver of Development Standards #2

Spencer Street is a collector street and per Figure 30.64-17 a minimum 15 foot wide landscape area with a detached sidewalk is required adjacent to the street. The plan is depicting an attached sidewalk with a 10 foot wide landscape area. The parcels to the north and south of the site and across Spencer Street to the west consist of single family residences. On the east side of Spencer Street to the north and south of this site there are no sidewalks. There are several single family

residences on the east side of Spencer Street that front the street with an assortment of landscaping within the front yards of these lots. The developments on the west side of Spencer Street consist of single family residences that back-up to the street. There is an existing attached sidewalk along the west side of Spencer Street and an approximately 5 foot wide landscape area consisting of shrubs and groundcover. The proposed attached sidewalk is consistent and compatible with the existing sidewalk in the area. The proposed 10 foot wide landscape area will also be consistent and compatible with landscaping for existing developments in this area. Additionally, a similar waiver of development standards was previously approved for this site; therefore, staff can support this request.

Waiver of Development Standards #3 and Design Review #4

Table 30.72-1 does not allow wall signs within residential zoning districts. However, special uses, like places of worship and schools that are located in residential zoning districts have been allowed to have wall signs. The signage is used to help identify the facility. The proposed sign is on the west side of the building, facing away from the existing residential development to the north. The proposed wall sign has an area of approximately 46 square feet and is set back approximately 238 feet from the street. Staff finds the wall sign will have limited impacts on the adjacent residential development and can support the waiver. The monument sign is in compliance with the standards of Code; therefore, staff supports the design review for signage.

Design Review #1

To help mitigate the height and mass of the building, increased setbacks are being provided to the existing adjacent residences. The proposed building is being placed on the portion of the site where it will have the least impact on the adjacent residences. The proposed height of the building is within the maximum building height allowed for the R-E zoning district. Therefore, staff can support this design review.

Design Review #2

The proposed spacing for landscape islands and landscaping fingers within parking area does not comply with the standards of Figure 30.64-14; however, the required number of trees for the parking areas are being provided and distributed throughout the site. A similar design review was approved for this site with UC-21-0139. Staff finds the proposed parking lot landscaping complies with the intent of Code to provide landscaping within parking areas to provide shade and break-up large areas of pavement; therefore, staff can support this design review.

Design Review #3

The plans indicate the lighting from this site will not have a negative impact on the abutting residential development and that lighting will be in compliance with Code; therefore, staff can support this design review.

Public Works - Development Review

Design Review #5

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application.

Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

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

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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; 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

- 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;
- "No Parking" signs to be installed along Spencer Street to prohibit on-street parking for this facility.
- 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: CHARLES BUSSEY

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