

PLACE OF WORSHIP  
(TITLE 30)

NELLIS BLVD/CLEVELAND AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0710-CHURCH FOURSQUARE GOSPEL INTL:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced parking; **2)** eliminate landscaping adjacent to a less intensive use; and **3)** reduce height/setback ratio.

**DESIGN REVIEW** for an addition to an existing place of worship on 1.3 acres in an R-1 (Single Family Residential) Zone and a C-P (Office and Professional) Zone.

Generally located on the west side of Nellis Boulevard and the north and south sides of Cleveland Avenue within Sunrise Manor. TS/bb/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

161-05-810-063; 161-05-810-113; 161-05-810-115; 161-05-810-116

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce parking space requirement to 2 spaces where 64 spaces are required per Table 30.60-1 (a 100% reduction).
2. Waive landscaping adjacent to a less intensive use (residence to the south) where required per Table 30.64-2.
3. Reduce the height/setback ratio to 20 feet where 87 feet is required per Figure 30.56-10 (a 77% reduction).

**DESIGN REVIEW:**

New sanctuary building in conjunction with an existing place of worship.

**LAND USE PLAN:**

SUNRISE MANOR - PUBLIC USE

SUNRISE MANOR - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4959 Cleveland Avenue (new building)/4947 Cleveland Avenue (existing chapel and offices)/2323 Nellis Boulevard (parking lot)/2255 Nellis Boulevard (animal clinic)
- Site Acreage: 1.3

- Project Type: Place of worship
- Number of Stories: 1 (plus mezzanine in new sanctuary building)
- Building Height (feet): 35
- Square Feet: 2,422 (existing chapel/offices)/4,990 (new sanctuary building)
- Parking Required/Provided: 64/2

The main building of the place of worship had been located on APN 161-05-810-114, on the southwest corner of Nellis Boulevard and Cleveland Avenue. In 1989 an addition was constructed to the main building and an off-site parking lot (APN 161-05-810-113) across Cleveland Avenue to the north was added to the campus. In 1991, a use permit and variance (UC-0126-91 and VC-0227-91) were approved to convert the 2 residences for a place of worship use (chapel, office, and community center) on the 2 parcels to the west of the main building, on the south side of Cleveland Avenue (APN's 161-05-810-115 & 161-05-810-116). In 1998, a fire destroyed the main building on APN 161-05-810-114. A temporary structure was built in 1999, but removed a year later when a permanent building could not be built. A use permit (UC-0701-08) was approved to build a new main building for the place of worship in 2008, but due to the economy, construction never took place and the application expired. Another use permit (UC-0546-14) was approved to build a new main building for the place of worship in 2014, subject to 1 year to commence and review. An extension of time was never submitted and the application expired. In December 2015 the Planning Commission approved a use permit with waivers of development standards and a design review (UC-0733-15) to re-establish land use approvals for the converted residences, including future development for APN 161-05-810-114. This application is for an addition of a new sanctuary building on APN 161-05-810-115, which will replace the existing converted residence.

### Site Plans

The plans show 2 previously converted residences used for the existing place of worship on the 2 westernmost parcels on the south side of Cleveland Avenue (APN's 161-05-810-115 & 161-05-810-116). The west building houses the current chapel and office space for the place of worship. The east building is used as a community center for the place of worship and is proposed to be replaced by a new 3,860 square foot sanctuary building with a 1,130 square foot mezzanine. The building is set back 20 feet from the rear property line, adjacent to residential development. A waiver is required to reduce the height/setback ratio from a single family residential use. The undeveloped parcel to the east of the 2 existing buildings (APN 161-05-810-114), which originally included the main building of the place of worship, was sold and is being developed as a restaurant. Access to the site is from ingress/egress points off Cleveland Avenue. There was no trash enclosure on the site, but a new trash enclosure is shown at the northeast corner of parcel 161-05-810-115. A mobile dumpster was kept on the undeveloped parcel to the east of the buildings and is no longer available. Two accessible parking spaces are provided on-site where a minimum of 64 spaces are required. However, 52 approved off-site parking spaces are provided on the parcel to the north across Cleveland Avenue (APN 161-05-810-113) which is owned by the owners of the place of worship. There will be 25 additional parking spaces available through a shared parking agreement with the owner of the veterinarian clinic to the north, with 10 spaces available at peak weekend hours. This brings the total number of parking spaces to 64 spaces (52 off-site + 2 on-site + 10 shared spaces).

### Landscaping

Existing 6 foot wide landscape areas are provided along Cleveland Avenue and Nellis Boulevard for the off-site parking lot parcel on the north side of Cleveland Avenue. The existing landscape palette consists of Evergreen Pear, Mondel Pine, and Southern Live Oak trees, with Centennial Desert Broom, Red Yucca, and Sea Green Juniper shrubs. The applicant is required to maintain plants in the existing landscape areas. No significant changes are proposed to the existing landscaping on the parcels with the existing place of worship buildings. The development of the new building requires landscaping per Figure 30.64-11 along the south property line and is the subject of a waiver request.

### Elevations

The existing plans depict an existing 1 story building used as a place of worship with pitched roof constructed of stucco, slate tile, and composite shingle roofing. The new building is 35 feet high and will include textured siding, concrete, stucco, and painted accent awnings, with a flat roof behind parapet walls. A decorative glass roll-up door is located on the southwest corner of the new building facing west. The entrance door and 6 windows are shown on the northern elevation, with a decorative element including a cross. The southern elevation does not have any architectural enhancement, with no windows and only a pedestrian door.

### Floor Plans

The original plans show 2 existing buildings used for the place of worship. The west building is 2,422 square feet and consists of a chapel, offices, overflow room, nursery, and restrooms. The east building is 1,694 square feet and is used as a community center for the place of worship. The east building will be replaced with the 4,990 square foot (total area) new building, including a 3,860 square foot sanctuary (footprint) and a 1,130 square foot mezzanine. The floor plans depict 151 sanctuary seats on the ground floor and 56 seats on the mezzanine level. The lobby, offices, restrooms, and stage area make up the remaining area of the building.

### Signage

Signage is not a part of this request. Approval of future land use applications may be required for signage.

### Applicant's Justification

The original application, UC-0733-15, was approved by the Planning Commission in December 2015 subject to conditions. One of the conditions was for the applicant to commence and review as a public hearing within 1 year. The applicant submitted an application for review in 2016, which was approved by the Planning Commission with a condition to submit another application for review in 2 years as a public hearing. As of October 2017, Grapevine has stopped its food pantry, soup kitchen and homeless services at this location and has no plans to re-establish those services. The condition for application for review was removed and the only service provided on-site is a place of worship. The new building will add 2,166 square feet of building footprint and 3,296 square feet of total floor space area to the site. Two accessible parking spaces will be added in front of the existing building and new building with access from existing driveways along Cleveland Avenue. The owner of the veterinary clinic at 2255 Nellis Boulevard, north of the approved off-site parking, has agreed to allow the place of worship to access the clinic's existing parking during the weekend when not in use by the clinic.

### Prior Land Use Requests

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AR-18-400255 (UC-0733-15)	Second application for review for a place of worship; removed accessory food bank and kitchen, with waivers for reduced on-site parking and landscaping, allowed access to local street and trash enclosures requirements; and a design review for place of worship	Approved by PC	February 2019
AR-400177-16 (UC-0733-15)	First application for review for a place of worship with accessory food bank and food kitchen with waivers for reduced on-site parking and landscaping, allowed access to local street and trash enclosures requirements; and a design review for place of worship	Approved by PC	February 2017
UC-0733-15	Place of worship with accessory food bank and food kitchen with waivers for reduced on-site parking, required landscaping, allowed access to local street and trash enclosures requirements; and a design review for place of worship	Approved by PC	December 2015
UC-0546-14	Place of worship, increased building height and reduced setbacks, waived standards for on-site parking, required landscaping and allow for access to residential street, with a design review for place of worship - expired	Approved by PC	September 2014
UC-0701-08	Place of worship and increased building height, waived standards for on-site parking, required landscaping and allowed for access to residential street with a design review for place of worship - expired	Approved by PC	October 2008
VC-1164-99	Permit a temporary structure, reduced parking and increased building height, subject to 1 year as a temporary use on the property expired	Approved by BCC	November 1999
VC-841-96	Permit a water vending kiosk within off-site parking lot	Denied by PC	April 1996
UC-126-91 & VC-227-91 (ET-170-92)	First extension of time to commence the conversion of 2 existing residences for place of worship activities and a variance to reduce parking subject to 2 additional years	Approved by PC	June 1992

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-126-91 & VC-227-91	Use permit to convert 2 existing residences for place of worship activities and variance for reduce parking, approved with 2 year review - expired	Approved by PC	May 1991
VC-250-89	Variance to reduce on-site parking to construct an addition to an existing place of worship and off-site parking lot	Approved by PC	May 1989
UC-305-83 & VC-497-83	Place of worship and variance to waive paved parking requirements; 5 years for review - expired	Approved by BCC (variance denied)	January 1984

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Neighborhood Commercial & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-P & R-1 (RNP-III)	Office & single family residential
South	Neighborhood Commercial & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1 (RNP-III)	Single family residential
East	Corridor Mixed Use	C-2	Shopping Center
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1 (RNP III)	Single family residential

**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

With only 2 accessible spaces provided on site, the remaining parking spaces are provided at the off-site parking lot and adjacent shared parking with the veterinary clinic. This site has operated for a number of years using off-site parking with no recent complaints about the pedestrian or vehicle parking situation. However, the construction of a new larger commercial designed building on a residential parcel that is unable to meet code standards for increased on-site

parking could be problematic. A sale of the parking lot land and/or loss of the shared parking agreement would leave this property with a nearly complete lack of parking. Staff cannot support the waiver for parking.

#### Waivers of Development Standards #2 & #3

Staff does not support waiving the landscaping adjacent to the residential development to the south. The proposed building is larger than the existing building, which is a converted residence. A buffer and/or setback is necessary to mitigate the size of the building. If an intense landscape buffer was provided, the 20 foot setback would suffice. But with no landscaping, staff does not support these requests.

#### Design Review

The construction of the new sanctuary will replace the existing single family residential building that is more compatible with the surrounding area and potentially useable as a single family home in the event the place of worship ceases operation or relocates. The new larger building is not able to be supported with on-site parking if the off-site parking ceases due to a sale. The new building adds a second story and additional bulk to the site that was not previously existing on this lot, and backs up to an existing single family use. The southern elevation shows no windows and only a single pedestrian door for access, but with greater mass and height than the existing building. The building is not in character with the neighborhood. In addition, while it is an improvement, the trash enclosure is provided, but the trash pick-up may cause interruption on Cleveland Avenue as the gate opens toward the right-of-way, and there is no room for the truck to maneuver on the site to pick up the trash.

Staff supports the continued operation of the existing place of worship in the 2 existing buildings. The proposed expansion and increased size of the new building is problematic. Staff cannot support the design review. If the application is approved, staff believes the applicant can enhance the landscaping on the northern side of Cleveland Avenue, as it appears that the landscaping has diminished within the past few years.

#### **Staff Recommendation**

Denial.

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:

- Plant 4 medium size recommended (Southern Nevada Regional Planning Coalition plant list) Evergreen trees adjacent to the south property line of parcel 161-05-810-115;
- Restore landscaping adjacent to Cleveland Avenue to original condition;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 comment.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Sunrise Manor - approval (parking lot (next to animal hospital) cannot be sold without selling church).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** RON WILSON

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