



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: JULY 17, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0072-GPA1	Staff recommends APPROVAL.	
24-0072-ZON1	Staff recommends APPROVAL.	24-0072-GPA1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 288 (by City Clerk)

PROTESTS 23 - 24-0072 [GPA1 AND ZON1]

APPROVALS 4 - 24-0072 [GPA1 AND ZON1]

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting to amend the city's General Plan land use map and zoning designation on 20.00 acres at the southeast corner of Hickam Avenue and Grand Canyon Drive. If approved, various public and quasi-public uses such as schools, churches, utility installations and government facilities would be permitted on this site.

ISSUES

- A General Plan Amendment is requested from DR (Desert Rural Density Residential) to PF (Public Facility) on this site. Staff supports the request.
- A Rezoning is requested from U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] to C-V (Civic) on this site. Staff supports the request.
- A proposed bill (Bill 2024-8) that would repeal and replace the current Title 19.10.020 regarding the C-V (Civic) zoning district to provide updated development standards and procedures was adopted by the City Council on 03/20/24 and became effective 03/24/24.
- The subject site is part of Planning Area A2 as defined by the 2016 Interlocal Agreement between Clark County and the City of Las Vegas. Staff has determined that a General Plan Amendment to allow public or quasi-public uses or Rezoning to a C-V District does not violate the terms of the Agreement and that the current requests may be brought forward for review.

ANALYSIS

The subject site consists of one 17.50-acre parcel at the southeast corner of Hickam Avenue and one 2.50-acre parcel at the northwest corner of Florine Avenue and Tee Pee Lane; both are currently zoned U (Undeveloped) with a General Plan Designation of DR (Desert Rural Density Residential). The site is bordered by undeveloped single-family residential lots zoned R-E (Residence Estates) to the north as well as mostly undeveloped lots zoned RS20 (Residential Single-Family 20) in unincorporated Clark County to the north, east and west. A five-acre parcel at the northwest corner of Alexander Road and Tee Pee Lane is zoned C-V (Civic) for Las Vegas Valley Water District use, and other adjacent parcels to the south are also zoned U (Undeveloped) with either a General Plan Designation of DR (Desert Rural Density Residential) or RNP (Rural Neighborhood Preservation). Neither this site nor any adjacent parcels within the City of Las Vegas jurisdiction are located within the Rural Preservation Overlay District.

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The U (Undeveloped) zoning classification is a placeholder district to be used to identify property until it is ready to be developed with a more intense, permanent use. At such time properties with this designation are to be rezoned to accommodate the anticipated uses. Nevertheless, Title 19.12 allows some nonresidential uses to operate on property zoned U (Undeveloped), including some public or quasi-public uses. Development standards for U-zoned properties are intended for large lots with large setbacks and buildings no taller than two stories in height.

The C-V (Civic) zoning district permits public and quasi-public uses operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. Specifically, this zone allows for the development of new churches, schools, libraries, public parks, public flood control facilities, police, fire, and electrical transmission facilities, Las Vegas Valley Water District and other public utilities. Such uses would need to be evaluated on a case-by-case basis to determine compatibility with the surrounding residential land uses and low-density zoning districts.

Per the Las Vegas 2050 Master Plan, the existing DR (Desert Rural Density Residential) General Plan Designation is intended to feature large lot, single-family estates or ranches typically in suburban or peripheral rural areas. Agricultural uses, as well as some public or quasi-public uses such as churches or schools, are allowed with restrictions that are intended to protect the rural character of the area. Residential density up to 2.50 dwelling units per acre is allowed. Compatible zoning districts include U (Undeveloped) and R-E (Residence Estates).

Per the Las Vegas 2050 Master Plan, the proposed PF (Public Facility) General Plan Designation allows for public and semipublic buildings and facilities, civic uses and spaces, infrastructure and utilities. Compatible zoning districts include C-V (Civic), P-C (Planned Community) and PD (Planned Development) as applicable.

The subject site is part of Planning Area A2 as defined by the 2016 Interlocal Agreement between Clark County and the City of Las Vegas, the stated goal of which is to coordinate growth and development of infrastructure in the northwest part of the Las Vegas Valley, which consists of pockets and islands of unincorporated lands. During the term of the Interlocal Agreement, the areas identified as Planning Area A1 and A2 must remain residential and designated at a density of no greater than 2.0 Units per Gross Acre on the City and County's respective comprehensive plans. The two parties agree that they shall not accept any General Plan Amendments nor amend their respective comprehensive plans, rezone such properties or approve special or conditional use permits to allow industrial or commercial uses or residential densities above 2.0 Units Per Gross Acre and each lot will maintain a minimum buildable net lot area of at least 18,000 square feet with a goal of at least 18,500 square feet.

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The terms of the Interlocal Agreement are explicit regarding actions concerning residential densities above two dwelling units per acre, commercial and industrial uses, but do not specifically speak to public and quasi-public uses that are most appropriate for the C-V zoning district. Such uses, if sensitively planned, can be compatible with low-density residential neighborhoods in accordance with Title 19 and the Las Vegas 2050 Master Plan. The Las Vegas Valley Water District facility at the northwest corner of Alexander Road and Tee Pee Lane provides an example of this. Not all such uses are alike, and thus future projects would need to be evaluated on a case-by-case basis for compatibility with the adjacent land uses and zoning districts. Staff therefore recommends approval of the proposed General Plan Amendment and Rezoning requests.

The requests for General Plan Amendment and Rezoning on this site were determined not to be a Project of Regional Significance as defined by Title 19.18.020, as they did not meet the criteria included in the definition.

The Clark County Department of Aviation has provided comments specifically regarding the anticipated church development on this site as it relates to aircraft operations in the area.

“Federal Aviation Regulations (Title 14, Part 77) and City of Las Vegas Code require that the Federal Aviation Administration (FAA) be notified before the construction or alteration of any building or structure that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway or for any structure greater than 200 feet in height. Such notification allows the FAA to determine what impact, if any, the proposed development will have upon aircraft operations, and allows the FAA to determine whether the development should be obstruction marked or lighted.”

The proposed development will exceed the 100:1 notice requirement for the North Las Vegas Airport (VGT) or is greater than 200 feet in height. The applicant is therefore required to file Form 7460-1, “Notice of Proposed Construction on Alteration” with the FAA.

“The applicant is advised that FAA’s airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments. The applicant is advised that the FAA’s airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.”

“No building permits should be issued until applicant provides evidence that a ‘Determination of No Hazard to Air Navigation’ has been issued by the FAA.”

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“No structure greater than 35 feet in height shall be permitted to be erected or altered that would constitute a hazard to air navigation, or would result in an increase to minimum flight altitudes during any phase of flight, or would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.”

As this project (24-0072) contemplates only the requested General Plan Amendment and Rezoning and not a specific development, no conditions of approval regarding aircraft operations will be added to 24-0072. These conditions will be included with the related project containing the Site Development Plan Review (24-0152-SDR1).

FINDINGS (24-0072-GPA1)

Section 19.16.030(l) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

Intensity of allowed uses within the proposed PF (Public Facilities) General Plan Designation may vary depending on the use. Future development must be planned for compatibility with the adjacent low-density designated properties with DR (Desert Rural Density Residential) or RNP (Rural Neighborhood Preservation) categories in the City of Las Vegas and Ranch Estate Neighborhood or Open Lands within unincorporated Clark County.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

The C-V (Civic) and PD (Planned Development) zoning classifications conform to the proposed PF (Public Facility) designation and would be compatible with the adjacent U (Undeveloped), R-E (Residence Estates), RS20 (Residential Single-Family) and C-V (Civic) designations on adjacent properties. The P-C (Planned Community) zoning district, though conforming to the PF designation, is not appropriate for the subject site.

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3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

The site is located adjacent to Grand Canyon Drive, which is planned as an 80-foot Major Collector Street; Hickam Avenue, Tee Pee Lane and Florine Avenue, which are not master planned but intended to be 60-foot wide minor collector streets. These streets would be required to be built out to a portion or all of their capacity with future development. The nearest city park is located approximately 960 feet to the southwest of the subject site (Majestic Park). Public sewer will need to be extended to the edges of the site for any future projects.

4. **The proposed amendment conforms to other applicable adopted plans and policies.**

The Interlocal Agreement is explicit in its position on amending a jurisdiction's comprehensive plan or rezoning of properties to commercial or industrial uses; however, it is silent regarding amending the General Plan or rezoning to allow civic uses such as government facilities, schools and religious facilities. With appropriate building siting, proper building massing and scale, required parking and appropriate buffering, a development containing such uses can be consistent and compatible with adjacent residential neighborhoods in accordance with Title 19 and the Las Vegas 2050 Master Plan. Other facilities of this nature have been approved and developed in residential areas with little or no adverse impact to the community.

FINDINGS (24-0072-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

If 24-0072-GPA1 is approved to amend the General Plan land use designation from DR (Desert Rural Density Residential) to PF (Public Facility) on this site, the request to rezone the site to C-V (Civic) will conform to the General Plan.

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

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The proposed C-V (Civic) zoning district permits public and quasi-public uses operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. Specifically, this zone allows for the development of new schools, libraries, public parks, public flood control facilities, police, fire electrical transmission facilities, Water District and other public utilities. Such uses would need to be evaluated on a case-by-case basis to determine compatibility with the surrounding residential land uses and low-density zoning districts.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

The Interlocal Agreement is explicit in its position on amending a jurisdiction's comprehensive plan or rezoning of properties to commercial or industrial uses; however, it is silent regarding amending the General Plan or rezoning to allow civic uses such as government facilities, schools and religious facilities. With appropriate building siting, proper building massing and scale, required parking and appropriate buffering, a development containing such uses can be consistent and compatible with adjacent residential neighborhoods in accordance with Title 19 and the Las Vegas 2050 Master Plan. Other facilities of this nature have been approved and developed in residential areas with little or no adverse impact to the community.

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

Grand Canyon Drive, Hickam Avenue and Tee Pee Lane currently provide access to the subject property. Florine Avenue is currently not built at any capacity but may provide future access to the site. All of these streets would be required to be built out to a portion or all of their capacity with future development in order to meet the needs of that development. Relative to the requirements of the C-V (Civic) District, a church or school will likely have different access needs than a utility installation.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
06/09/97	The City Council approved a Petition of Annexation (A-0001-97) to annex 17.35 acres generally located on the south side of Hickam Avenue between Grand Canyon Drive and Tee Pee Lane.
12/19/18	The City Council approved a request for a Rezoning (ZON-74626) from U (Undeveloped) [RNP (Rural Neighborhood Preservation) General Plan Designation] to R-E (Residence Estates) on 9.92 acres at the southwest and southeast corners of Helena Avenue and Grand Canyon Drive. The Planning Commission and staff recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
09/24/19	The Planning Commission voted to Withdraw Without Prejudice a request for a General Plan Amendment (GPA-76723) from RNP (Rural Neighborhood Preservation) and DR (Desert Rural Density Residential) to R (Rural Density Residential) on 22.46 acres generally located on the south side of Helena Avenue, approximately 620 feet east of Jensen Street. Staff recommended denial. (This application contained APN 138-06-801-010 and a portion of 138-06-301-013)
	The Planning Commission voted to Withdraw Without Prejudice a request for a Rezoning (ZON-76724) from R-E (Residence Estates) and U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] to R-D (Single Family Residential-Restricted) on 22.46 acres generally located on the south side of Helena Avenue, approximately 620 feet east of Jensen Street. Staff recommended denial. (This application contained APN 138-06-801-010 and a portion of 138-06-301-013)
09/08/20	The Planning Commission approved a Variance (20-0081-VAR11) to allow Regional Transportation Commission of Southern Nevada rural offsite improvements where Title 19 offsite improvements are required adjacent to 4.97 acres at the southeast corner of Helena Avenue and Grand Canyon Drive. The Planning Commission recommended approval; staff recommended denial.
	The Planning Commission approved a Tentative Map (20-0081-TMP1) for a nine-lot single-family residential subdivision (Jensen & Helena Area 6) on 4.97 acres at the southeast corner of Helena Avenue and Grand Canyon Drive. The Planning Commission recommended approval; staff recommended denial.
11/14/23	The Planning Commission recommended approval of a Text Amendment (23-0509-TXT1) to amend LVMC 19.10.020 regarding the C-V (Civic) District, and to provide for other related matters. The item will be forwarded to the City Council for consideration for ordinance adoption.
03/20/24	The City Council adopted Ordinance #6863, which repealed and replaced LVMC 19.10.020 pertaining to procedures and development standards for the C-V (Civic) District, and to provide for other related matters.

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
04/09/24	The Planning Commission voted to HOLD IN ABEYANCE a request for a General Plan Amendment (24-0072-GPA1) from DR (Desert Rural Density Residential) to PF (Public Facility) on 20.00 acres at the southeast corner of Hickam Avenue and Grand Canyon Drive to the July 17, 2024 Planning Commission meeting at the applicant's request.
	The Planning Commission voted to HOLD IN ABEYANCE a request for a Rezoning (24-0072-ZON1) from U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] to C-V (Civic) on 20.00 acres at the southeast corner of Hickam Avenue and Grand Canyon Drive to the July 17, 2024 Planning Commission meeting at the applicant's request.
06/18/24	<p>The Planning Commission voted (6-0-1) to recommend APPROVAL on the following Land Use Entitlement project requests on 20.00 acres at the southeast corner of Hickam Avenue and Grand Canyon Drive (APNs 138-06-801-010 and 018), Ward 4 (Allen-Palenske).</p> <p>24-0072-GPA1 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITY)</p> <p>24-0072-ZON1 - ABEYANCE ITEM - REZONING - FROM: U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC)</p>

<i>Most Recent Change of Ownership</i>	
07/22/22	A deed was recorded for a change in ownership.

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Related Building Permits/Business Licenses

03/22/19	Department of Public Works staff approved a Technical Drainage Study (DS05071) for the proposed Jensen and Helena subdivision on 15.00 acres at the southeast corner of Hickam Avenue and Grand Canyon Drive.
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Pre-Application Meeting

02/05/24	A pre-application meeting was held with the applicant to discuss submittal requirements for a General Plan Amendment, Rezoning, Variance and Site Development Plan Review. The Department of Public Works provided the applicant with an Administrative Offsite Improvement Deferral Form to describe which improvements would be deferred. Staff explained how a pending bill amending the current C-V standards may affect this project.
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Neighborhood Meeting

02/28/24	A required neighborhood meeting pursuant to NRS and Title 19.16.010 was held at the Church of Jesus Christ of Latter-Day Saints Meeting House, 8801 West Alexander Road, Las Vegas, NV 89129, at 6:00 p.m. There were 170 members of the public who signed in as present, along with two of the applicant's representatives, two members of Department of Public Works staff, one member of Community Development Department staff and one member of the City of Las Vegas Planning Commission.
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Neighborhood Meeting	
02/28/24	<p>The applicant's representative led the meeting and began with a 15-minute presentation describing the temple project, including key issues such as building height, traffic, flood control, lighting, usage, hours of operation and offsite improvements. The General Plan Amendment and Rezoning are being requested to provide greater flexibility in developing a church, which is a permitted use in the C-V zoning district. If approved, construction is expected to take 36 months following civil and building plan review. It was noted that the applicant requested that no streetlights, sidewalks, curbs or gutters be installed adjacent to the site, but this request was denied by City of Las Vegas staff. It was also noted that land to the north and south of this site is owned by the Clark County School District and the Bureau of Land Management.</p> <p>The remaining time was used to hear neighbors' concerns and questions. These included:</p> <ul style="list-style-type: none"> • Why is a meeting house proposed for this site when there are several other ones already in this area? Why is a second temple needed in Las Vegas? • This development will bring traffic to this area from all directions, especially from Summerlin. • Increased traffic will bring more air pollution. • Will a traffic signal be required on Grand Canyon Drive? A: This will depend on the results of the traffic study and the City of Las Vegas. • How was this particular site chosen? • The Rural Preservation Neighborhood Overlay in unincorporated Clark County has a height restriction, so why does this development not have to adhere to the same standards? • The proposed temple development seems to be violating the terms of the Interlocal Agreement between the City and County with regard to preserving the rural character of this area. • Streetlights go against the rural character of this area and why people live in this area. • Parking lot lighting should be downward-facing. Would the Church be open to turning all lighting off at night? • Are warning lights required to be added to the top of the temple (for aircraft)? • Concerned about flood risk in the area from runoff resulting from increased impervious surfaces.

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Neighborhood Meeting	
02/28/24	<ul style="list-style-type: none"> • The current property has an uneven grade, so how much cutting and filling will be required? • Concerned about controlling the speed of vehicles in the area once streets are built out. • Will area water wells be forced to be capped once the temple is developed? • A church on this site would provide value to the neighborhood. Would rather have a church on this site than other types of development. Would be well maintained, have safe sidewalks and lighting. • Temples in other cities are not as tall as this one is proposed to be. Can this proposal be scaled down? • How often would all proposed parking spaces be occupied? A: Not often, if ever, due to different operating times during the week. • Would the Church consider swapping land with CCSD so that the temple could be accessed from Alexander Road? • Will there be any ancillary uses or operations on the site, such as a food pantry? A: No. <p>Additional time was afforded neighbors after the meeting to view plans.</p> <ul style="list-style-type: none"> • Overall, reaction to the proposal was mixed, with a majority of neighbors in opposition, based on the responses.

Field Check	
02/29/24	Staff conducted a field check of the subject site, which is undeveloped with desert vegetation. The site slopes down from west to east and from south to north. There are currently no offsite improvements (curb, gutter, sidewalks or streetlights) adjacent to the existing paved perimeter streets. There was some trash and debris noted along Grand Canyon Drive.

Details of Application Request	
Site Area	
Gross Acres	20.00

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<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	Undeveloped	DR (Desert Rural Density Residential)	U (Undeveloped)
North	Undeveloped	RNP (Rural Neighborhood Preservation)	R-E (Residence Estates)
	Undeveloped	PU (Public Use) - Clark County Designation	RS20 (Residential Single-Family) - Clark County Designation
	Residential, Single Family, Detached	Ranch Estate Neighborhood - Clark County Designation	RS20 (Residential Single-Family) - Clark County Designation
South	Undeveloped	DR (Desert Rural Density Residential)	U (Undeveloped)
	Utility Installation, Other Than Listed		C-V (Civic)
	Undeveloped	RNP (Rural Neighborhood Preservation)	U (Undeveloped)
East	Undeveloped	OL (Open Lands) - Clark County Designation	RS20 (Residential Single-Family) - Clark County Designation
West	Undeveloped	Ranch Estate Neighborhood - Clark County Designation	RS20 (Residential Single-Family) - Clark County Designation

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Lone Mountain	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
No Applicable Special Area or Overlay Districts (Note: RPNs in Clark County)	N/A
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement (Excepted Area A2)	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10.020, development standards shall be established in connection with the approval of a future Site Development Plan Review.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
U (Undeveloped)	2.18 du/ac	43
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-V (Civic)	N/A	N/A
<i>Existing General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
DR (Desert Rural Density Residential)	Up to 2.50 du/ac	49
<i>Proposed General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
PF (Public Facility)	N/A	N/A