

*City of Las Vegas***AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: JULY 20, 2022

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: CHURCH MOUNT SINAI MISSIONARY,
ET AL**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
22-0108-SDR1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ******NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

8

NOTICES MAILED

432 (by City Clerk)

PROTESTS

1

APPROVALS

4

**** CONDITIONS ****

22-0108-SDR1 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/30/22, except as amended by conditions herein.
3. A Waiver from Title 19.08.050 is hereby approved, to allow a five-foot perimeter landscape buffer along the north property line where 15 feet is required.
4. An Exception from Title 19.08.110 is hereby approved, to allow two 24-inch box trees and islands in the amended portion of the parking area where eight trees are required.
5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
8. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.

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9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall clarify that all new landscaping will occur on this site and shall not show any proposed landscaping on adjacent properties. All plants shown on the landscape plan as existing that are dead or missing shall be replanted in the same location.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Remove and replace all substandard improvements and unused driveway cuts adjacent to this site on Balzar Avenue and the Concord / Balzar Circle roadway. The sidewalk adjacent to this site shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement needed to complete this requirement.
13. Prior to the issuance of permits, contact sewer billing to determine the cost, if any, for the increased capacity. If it is determined that this addition requires an increase in sewer fees, comply with the regulations governing sewer fees for connection and usage.
14. Landscape and maintain all unimproved right-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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15. Submit a License Agreement for landscaping and private improvements in the public rights of way adjacent to this site, if any, prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property within the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (229-4836).
16. This site is in a Federal Emergency Management Area (FEMA) designated flood zone. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. Additionally, a Conditional Letter of Map Revision (CLOMR) must be obtained from FEMA prior to issuance of any construction permits.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a one-story, 4,908 square-foot multipurpose facility addition to an existing 2,796 square-foot church at 1025 Balzar Avenue. Two existing buildings have been removed to allow for the proposed addition. The addition is intended to accommodate events and gatherings for the church; events are not expected to be advertised to the public. No changes are proposed to the existing church building.

ISSUES

- The Planning Commission had recommended approval for a proposed 5,350 square-foot building that was attached to the church. As the site is located within a flood zone, after consultation with City staff, the site plan was subsequently revised to reduce the size of the multipurpose building to 4,908 square feet with a 10-foot separation from the existing church. The changes have resulted in a slight shift in the building to the north, resulting in a five-foot corner side yard setback where eight feet was previously proposed; a reduction of two parking spaces from 45 to 43; and a reduction in the north side landscape buffer to five feet adjacent to the building entry. The building now has an overall height of 20 feet where 19 feet was previously proposed. The amended plans do not affect the overall compatibility with the established C-V (Civic) development standards or with surrounding residential development.
- The site was rezoned to C-V (Civic) in 2014, and development standards for the existing church development were established through a Site Development Plan Review. SDR-52956 included an Exception to allow no parking lot trees throughout the development. As the parking layout in the area east of the church is being modified as part of this request, new parking lot trees are required in this area. The applicant has requested an Exception to allow two parking lot trees where eight are required. Staff approves the Exception.
- The site is adjacent to property zoned R-2 (Medium-Low Residential) and is therefore subject to certain development standards, including those for height, perimeter and parking lot landscaping and parking. The proposed multipurpose building encroaches 10 feet into the required 15-foot landscape buffer along the north perimeter; the applicant has requested a Waiver to allow a narrower buffer. Staff recommends approval.
- The site plan and landscape plan show an existing perimeter landscape buffer and landscaping materials that encroach approximately five feet into a neighboring R-2 zoned property to the south of this site. The adjacent perimeter wall also was probably

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constructed on this property. No new landscaping is proposed on the residential property. The condition of approval requiring a landscape plan will ensure all new plantings occur on this site.

- A condition of approval requires a mapping action to consolidate the existing platted lots that make up the site.

ANALYSIS

The church owns several properties north and south of Balzar Avenue. This portion of the church property is located on the south side of Balzar Avenue east of the traffic circle connecting Balzar to Concord Street. These properties include the church building at 1025 Balzar Avenue and two converted administrative buildings at 989 and 1013 Balzar Avenue. The two accessory buildings were demolished in April 2022.

The proposed multipurpose building would be considered an addition to the existing church. According to the applicant, the new space would be used for ancillary church activities and include administrative offices, an assembly/dining area, three classrooms, restroom facilities, kitchen and storage areas. There will be no provision of alcoholic beverages for on-premise consumption and no outdoor gardens or reception facilities. Use of the facility is for the church only and would not be rented out to individuals or groups as would define a Banquet Facility, which is not permitted on non-governmentally operated C-V zoned properties.

Existing access is taken from the circle portion of Balzar Avenue. Access from the horizontal portion of Balzar Avenue is proposed to be modified to eliminate two existing driveways and widen the easternmost driveway to allow for two-way access and circulation throughout the site.

The site is zoned C-V (Civic) through an approved 2014 Rezoning action (ZON-52961). Development standards were established through an accompanying Site Development Review (SDR-52956), which was exercised in 2015. In addition, Title 19.10.020.E requires certain Title 19 development standards to be met when C-V zoned properties are adjacent to zoning districts with single-family residential uses. Thus, new development on this site is subject to building height, landscape buffer and parking standards as listed in Title 19.10.020. The new multipurpose building is proposed to be set back five feet from the north property line, which is within the 15-foot landscape buffer required along Balzar Avenue; a Waiver is therefore required. The sidewalk in Balzar Avenue is approximately 10 feet north of the north property line of the subject site. No landscaping is proposed within the public right-of-way. The buffer is primarily 15 feet wide, but narrows to 11 feet at the proposed driveway location. Building encroachment into the buffer is similar to the alignment of the existing church along Balzar Avenue and will not disrupt the tree planting pattern within the buffer. Staff therefore recommends approval of the Waiver. All other requirements triggered by residential adjacency are met by the proposal.

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The previous Site Development Plan Review for this site (SDR-52956) included an Exception to allow no parking lot trees throughout the development. As the parking layout in the area east of the church is being modified as part of this request, eight parking lot trees are now required in this area. The applicant has requested an Exception to allow two parking lot trees where eight are required. Staff approves the Exception, as it will allow conformance to Title 19 parking requirements.

New landscaping consisting of 24-inch box Mastic trees and various shrubs is proposed along the north and east perimeters that meets Title 19.08.040 requirements. The south side of the site contains an existing five-foot strip of landscaping that appears to be located on the residential property to the south. This area was shown on the plans from the 2014 Site Development Plan Review (SDR-52956). Based on aerial views of the site, the existing south perimeter wall appears to have been constructed north of the rear property line in 2006 or 2007 and jogs south to meet an older existing wall approximately 180 feet east of the western property line. The existing landscaping for this site is located north of the wall. The condition of approval that requires a technical landscape plan will ensure all new plantings occur on this site only and that any dead or missing plants be replanted.

The proposed multipurpose building addition and onsite improvements are generally compatible with the established C-V development standards and with the adjacent residential development. Staff recommends approval of the Site Development Plan Review request with conditions.

FINDINGS (22-0108-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed church addition and onsite improvements are compatible with existing adjacent residential development.

- 2. The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

The proposed new construction and changes to the site are generally consistent with Title 19 and the West Las Vegas Plan and conform to the Public Facilities designation of the General Plan.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

Site access and circulation will be improved from existing conditions by eliminating two driveways and allowing for two-way movements throughout the site. Traffic Engineering does not expect the capacities of Balzar Avenue or Concord Street to be affected by the proposed improvements.

4. Building and landscape materials are appropriate for the area and for the City;

The proposed building materials include painted stucco exteriors and asphalt shingle roofing to match the existing church building. New landscape materials will be drought-tolerant and compatible with the existing perimeter landscaping. These materials are appropriate for this area.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed elevations are aesthetically compatible with those of the existing church building and would be harmonious with existing development in this area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

New development on the site will be subject to permit review and inspection, thereby protecting the public health, safety and general welfare.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
06/07/00	The City Council approved Special Use Permit (U-0052-00) for a 511 square-foot expansion of an existing 2,490 square-foot church at 1025 Balzar Avenue. The Planning Commission and staff recommended approval.
06/21/00	The City Council approved Special Use Permit [U-0052-00(1)] for the removal of Conditions 3 and 8 of a previously approved Special Use Permit (U-0052-00) for expansion of an existing church at 1025 Balzar Avenue. The Planning Commission and staff recommended approval.
01/08/13	The Planning Commission tabled requests for a General Plan Amendment (GPA-47601), Rezoning (ZON-47602) and Site Development Plan Review (SDR-47604) for an expanded Church/House of Worship at the applicant's request at 1025 Balzar Avenue.
05/21/14	The City Council approved a request for a General Plan Amendment (GPA-52964) from MLA (Medium Low Attached Density Residential) to PF (Public Facilities) on 1.28 acres at the northeast and southeast corners of Concord Street and Balzar Avenue. The Planning Commission and staff recommended approval.
05/21/14	The City Council approved a request for a Rezoning (ZON-52961) from R-2 (Medium-Low Density Residential) to C-V (Civic) on 1.28 acres at the northeast and southeast corners of Concord Street and Balzar Avenue. The Planning Commission and staff recommended approval.
05/21/14	The City Council approved a request for a Site Development Plan Review (SDR-52956) for the addition of religious classrooms and offices to an existing religious facility on 1.28 acres at the northeast and southeast corner of Concord Street and Balzar Avenue. The Planning Commission recommended approval; staff recommended denial.
05/10/22	The Planning Commission (7-0 vote) recommends APPROVAL on a Land Use Entitlement project request FOR A PROPOSED 5,279 SQUARE-FOOT MULTIPURPOSE FACILITY ADDITION TO AN EXISTING 2,803 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 0.79 acres at 989, 1013 and 1025 Balzar Avenue (APNs 139-21-610-012 through 014), C-V (Civic) Zone, Ward 5 (Crear).
06/15/22	The City Council voted to hold this item in abeyance to the July 20, 2022 City Council Meeting

<i>Most Recent Change of Ownership</i>	
07/22/13	A deed was recorded for a change in ownership on APN 139-21-610-013.
08/09/13	A deed was recorded for a change in ownership on APN 139-21-610-012.
08/23/13	A deed was recorded for a change in ownership on APN 139-21-610-014.

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Related Building Permits/Business Licenses	
03/07/68	A building permit (#40687) was issued for a church at 1025 Balzar Avenue. A final inspection was approved 11/13/68.
06/12/00	A Building Permit (#00011268) was issued for an addition to a church at 1025 Balzar Avenue. The permit has not been finalized.
11/28/06	A building permit (R-76999) was issued for 5 to 6-foot CLV Design block walls on the east and south perimeter of the site at 1025 Balzar Avenue. Several inspections were completed; however, a final inspection was not completed and the permit expired 06/03/07.
12/12/11	A building permit (C-200011268) was issued for a non-work Certificate of Occupancy for a church at 1025 Balzar Avenue. A final inspection was approved 12/13/11.
08/20/15	A building permit (C-288132) was issued for a tenant improvement conversion of an existing single family dwelling to a commercial office at 1013 Balzar Avenue. The Plan Check Number was PRC-59139. A final inspection was completed 1/11/17.
02/16/16	A building permit (C-288128) was issued for a tenant improvement conversion of an existing single family dwelling to a commercial office at 989 Balzar Avenue. The Plan Check Number was PRC-59139. A final inspection was completed 11/17/16.
03/05/22	A building permit (C22-00726) was issued for demolition of two office buildings at 989 and 1013 Balzar Avenue. A final inspection was approved 04/21/22.
06/15/22	The City Council voted to hold this item in abeyance to the July 20, 2022 City Council Meeting

Pre-Application Meeting	
02/16/22	A pre-application meeting was held with the applicant to discuss submittal requirements for improvements to an existing church.

Neighborhood Meeting	
04/11/22	A voluntary neighborhood meeting was held at the Greater Mount Sinai Missionary Baptist Church, 1025 Balzar Avenue in Las Vegas. In addition to the applicant, there were 13 members of the public and two of the applicant's representatives in attendance.

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Field Check	
03/31/22	The site contains an existing church. The west and south sides of the property are paved and striped for parking; the remainder of the site has no permanent structures and is unpaved. Earth moving equipment and two semi-trucks were stored east of the church. Temporary chain link fencing has been placed along Balzar Avenue to restrict access. No perimeter landscaping was visible from public right-of-way.

Details of Application Request	
Site Area	
Net Acres	0.79

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Church/House of Worship	PF (Public Facilities)	C-V (Civic)
North	Church/House of Worship	PF (Public Facilities)	C-V (Civic)
	Single Family, Detached	MLA (Medium Low Attached Density Residential)	R-2 (Medium-Low Density Residential)
South	Single Family, Detached	MLA (Medium Low Attached Density Residential)	R-2 (Medium-Low Density Residential)
East	Single Family, Detached	MLA (Medium Low Attached Density Residential)	R-2 (Medium-Low Density Residential)
West	Public Park or Playground	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)

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Master and Neighborhood Plan Areas	Compliance
2050 Las Vegas Master Plan Area: West Las Vegas	Y
West Las Vegas Plan	Y
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District (140 Feet)	Y
C-V (Civic) District	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
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 for property in the C-V (Civic) District shall be established by the City Council with the approval of a Rezoning application or with the approval of a Site Development Plan. The following standards are proposed with this Site Development Plan Review (22-0108-SDR1):

Standard	Provided
Min. Lot Width	166 Feet
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	10 Feet 74 Feet 5 Feet 43 Feet
Max. Building Height	20 Feet to peak 15 Feet to midpoint between peak and base

Pursuant to Title 19.08.040, the following residential adjacency standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
Max. Building Height	2 Stories/35 Feet	1 Story/15 Feet	Y
Perimeter Landscape Buffer Width:	See landscaping table below	See landscaping table below	N
Perimeter Landscape Buffer Trees:	See landscaping table below	See landscaping table below	Y
Parking	See parking table below	43 spaces	Y

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Pursuant to Title 19.10.020, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	8 Trees	9 Trees	Y
• South	1 Tree / 20 Linear Feet	14 Trees	15 Trees	Y
• East	1 Tree / 20 Linear Feet	7 Trees	7 Trees	Y
• West	N/A	0 Trees	0 Trees	N/A
TOTAL PERIMETER TREES		29 Trees	31 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	8 Trees	2 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		5 Feet	N
• South	3 Feet (previously approved)		3 Feet	Y
• East	8 Feet		8 Feet	Y
• West	0 Feet (previously approved)		0 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		7 Feet – south PL 6 Feet – East PL	Y

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Balzar Ave	Minor Collector	Title 13	60	Y

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Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Church/ House of Worship	158 fixed seats	1 space per 4 fixed seats in gathering area	40				
TOTAL SPACES REQUIRED			40		43		Y
Regular and Handicap Spaces Required			38	2	40	3	Y

Waivers		
Requirement	Request	Staff Recommendation
15-foot wide perimeter landscape buffer along public rights-of-way	To allow a 5-foot buffer on a portion of the north perimeter	Approval

Exceptions		
Requirement	Request	Staff Recommendation
One 24" box tree every 6 uncovered parking spaces and one 24" box tree at the end of each parking row within parking lots	To allow 2 parking lot trees/islands where 8 trees/islands are required within the amended portion of the parking area	Approval