

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

CITY COUNCIL MEETING DATE: OCTOBER 19, 2022

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: LIVING GRACE FOURSQUARE CHURCH –
OWNER: FIRST THAI-LAOTIAN PRESBYTERIAN CHURCH**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
22-0472-EOT1	Staff recommends APPROVAL, subject to conditions:	
22-0472-EOT2	Staff recommends APPROVAL, subject to conditions:	22-0472-EOT1

**** NOTIFICATION ****NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/ANOTICES MAILED N/A

Submitted after final agenda

Date: 10/18/22 Item: 699-696

CG

**** CONDITIONS ****

22-0472-EOT1 CONDITIONS

Planning

1. This approval shall expire on October 21, 2024 unless another Extension of Time is approved.
2. Conformance to the approved conditions for Special Use Permit (20-0071-SUP1) and all other related actions as required by the Department of Planning and Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0472-EOT2 CONDITIONS

Planning

1. This approval shall expire on October 21, 2024 unless another Extension of Time is approved.
2. Conformance to the approved conditions for Site Development Plan Review (20-0071-SDR1) and all other related actions as required by the Department of Planning and Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting Extensions of Time for entitlements related to a 16,870 square-foot Church/House of Worship development at 2400 N Michael Way.

ISSUES

- This is the first Extension of Time request for Special Use Permit (20-0071-SUP1) and Site Development Plan Review (20-0071-SDR1).

ANALYSIS

The applicant is requesting Extensions of Time for the following entitlements, originally approved October 21, 2020:

- A Special Use Permit (20-0071-SUP1) for a proposed Church/House of Worship use.
- A Site Development Plan Review (20-0071-SDR1) for a proposed 16,870 square-foot Church/House of Worship development.

The submitted justification letter, date stamped 08/25/22, states that the applicant has experienced delays due to challenges experienced during the Covid-19 pandemic relating to the cost of construction materials. The applicant has also stated that they have made progress on civil and architectural work and raising funds for construction. The applicant has submitted a Building Permit (L22-00263) for minor off-site improvements and utility connections for the church/house of worship.

Pursuant to Title 19.16.140 and Title 19.16.100 a Special Use Permit and Site Development Plan Review are deemed exercised upon the issuance of a building permit for the principle structure on the site. Since no building permits have been issued, an Extension of Time is necessary. If denied, the land entitlements will be expired as of 10/21/22.

FINDINGS (22-0472-EOT1 and EOT2)

While the applicant has not exercised the Special Use Permit or Site Development Plan Review approvals, the applicant has demonstrated the ability to develop the site in a timely manner as a building permit for off-site improvements and utility connections have been submitted for review. Therefore, staff recommends approval of these Extension of

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Time requests. If approved, a two-year time limit is recommended for the extensions. If the Extension of Time requests are denied, Special Use Permit (20-0071-SUP1) and Site Development Plan Review (20-0071-SDR1) would expire, effective October 21, 2022.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
02/22/99	The City Council approved a General Plan Amendment (Z-0050-98) from ML (Medium Low Density Residential) to PF (Public Facilities) at the northwest corner of Michael Way and Smoke Ranch Road. The Planning Commission recommended approval.
	The City Council approved a Rezoning (Z-0094-98) from R-E (Residence Estates) to C-V (Civic) at the northwest corner of Michael Way and Smoke Ranch Road. The Planning Commission recommended approval.
10/06/04	The City Council approved a General Plan Amendment (GPA-4649) from PF (Public Facilities) to ML (Medium Low Density Residential) on 2.5 acres located adjacent to the northwest corner of Michael Way and Smoke Ranch Road. The Planning Commission and staff recommended approval.
	The City Council approved a Rezoning from R-E (Residence Estates) to R-PD6 (Residential Planned Development – 6 Units per Acre) on 2.5 acres located adjacent to the northwest corner of Michael Way and Smoke Ranch Road. The Planning Commission and staff recommended approval.
	The City Council approved a Waiver (WVR-4846) to allow approximately 157 feet between street intersections where 220 feet is the minimum distance separation required on 2.5 acres located adjacent to the northwest corner of Michael Way and Smoke Ranch Road. The Planning Commission and staff recommended approval.
	The City Council approved a Variance (VAR-4648) to allow a 2.5 acre R-PD subdivision where 5 acres is required for a 14-unit single-family residential planned development on 2.5 acres located adjacent to the northwest corner of Michael Way and Smoke Ranch Road. The Planning Commission and staff recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
10/06/04	The City Council approved a Site Development Plan Review (SDR-4647) for a 14-unit single-family residential planning development on 2.5 acres located adjacent to the northwest corner of Michael Way and Smoke Ranch Road. The Planning Commission and staff recommended approval.
12/16/04	The Planning Commission approved a Tentative Map (TMP-5585) for a 14-lot single-family residential subdivision on 2.5 acres located adjacent to the northwest corner of Michael Way and Smoke Ranch Road. Staff recommended approval.
11/01/06	The City Council approved an Extension of Time (EOT-17074) for a previously approved Rezoning (ZON-4646) from R-E (Residence Estates) to R-PD6 (Residential Planned Development – 6 Units per Acre) on 2.5 acres located adjacent to the northwest corner of Michael Way and Smoke Ranch Road. Staff recommended approval.
	The City Council approved an Extension of Time (EOR-17075) for a previously approved Variance (VAR-4648) to allow a 2.5-acre R-PD subdivision where 5 acres is required for a 14-unit single-family residential planned development adjacent to the northwest corner of Michael Way and Smoke Ranch Road. Staff recommended approval.
	The City Council approved an Extension of Time (EOT-17076) for a previously approved Site Development Plan Review (SDR-4647) for a 14-unit single-family residential planned development on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road. Staff recommended approval.
	The City Council approved a Review of Condition (ROC-17081) of condition number 4 of Site Development Plan Review (SDR-4647) to allow zero-foot setbacks on all sides where a minimum of 20 feet are required in the front of the house, 10 feet on the side, 22 feet on the corner side and 20 feet in the rear on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road. Staff recommended approval.
02/08/07	The Planning Commission approved a Waiver (WVR-18830) to allow a zero-foot perimeter landscape buffer adjacent to public rights-of-way where a six-foot landscape buffer is the minimum required at 2400 North Michael Way. Staff recommended denial.
08/20/14	The City Council denied the request for a General Plan Amendment (GPA-54270), from: ML (Medium Low Density Residential) to: SC (Service Commercial) at the northwest corner of Smoke Ranch Road and Michael Way. The Planning Commission and staff recommended denial.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
08/20/14	The City Council denied a Rezoning (ZON-54271) from: R-E (Residence Estates) to: C-1 (Limited Commercial) at the northwest corner of Smoke Ranch and Michael Way. The Planning Commission and staff recommended denial.
	The City Council denied a Site Development Plan Review (SDR-54272) for two proposed general retail buildings totaling 16,305 square feet and a 2,203 square-foot restaurant at the northwest corner of Smoke Ranch and Michael Way. The Planning Commission and staff recommended denial.
09/20/17	The City Council approved a Variance (VAR-71093) to allow a 15-foot front yard setback where 50 feet is required on 2.50 acres at the northwest corner of Smoke Ranch Road and Michael Way. The Planning Commission and staff recommended approval.
	The City Council approved a Special Use Permit (SUP-71094) for a proposed church/house of worship use at the northwest corner of Smoke Ranch Road and Michael Way. The Planning Commission and staff recommended approval.
	The City Council approved a Site Development Plan Review (SDR71095) for a proposed 17,210 square-foot church/house of worship with waivers to allow a five-foot landscape buffer along the east perimeter and a six-foot landscape buffer along the south perimeter where 15 feet is required at the northwest corner of Smoke Ranch Road and Michael Way. The Planning Commission and staff recommended approval.
03/10/20	A General Plan Amendment (GPA-77808) was withdrawn without prejudice on a request from: ML (Medium Low Density Residential) to: SC (Service Commercial) on 2.50 acres at the northwest corner of Smoke Ranch Road and Michael Way. Staff recommended denial.
	A Rezoning (ZON-77809) was withdrawn without prejudice on a request from: R-E (Residence Estates) to: C-1 (Limited Commercial) on 2.50 acres at the northwest corner of Smoke Ranch Road and Michael Way. Staff recommended denial.
	A Special Use Permit (SUP-78083) was withdrawn without prejudice on a request for a Car Wash, Full Service or Auto Detailing at the northwest corner of Smoke Ranch Road and Michael Way. Staff recommended denial.
	A Special Use Permit (SUP-77810) was withdrawn without prejudice on a request for a 5,000 square-foot Beer/Wine/Cooler Off-Sale Establishment Use with a Waiver to allow a 315-foot distance separation from a church/house of worship where 400 feet is required at the northwest corner of Smoke Ranch Road and Michael Way. Staff recommended denial.

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Related Relevant City Actions by Planning, Fire, Bldg., etc	
03/10/20	A Site Development Plan Review (SDR-77811) was withdrawn without prejudice on a request for a proposed 5,000 square-foot convenience store with fuel pumps and a canopy; a car wash; and a Waiver of the building orientation requirements on 2.50 acres at the northwest corner of Smoke Ranch Road and Michael Way. Staff recommended denial.
10/21/20	The City Council approved a Special Use Permit (20-0071-SUP1) request for a proposed Church/House of Worship Use at 2400 North Michael Way. The Planning Commission recommended approval. Staff recommended denial.
	The City Council approved a Site Development Plan Review (20-0071-SDR1) request for a 16,870 square-foot church/house of worship at 2400 North Michael Way. The Planning Commission recommended approval. Staff recommended denial.

Most Recent Change of Ownership	
11/22/16	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
02/16/22	A Building Permit (L22-00263) has been submitted for minor off-site improvement and utility connections for the proposed commercial development at 2400 N Michael Way. The Building Permit is currently in review.

Pre-Application Meeting	
A pre-application meeting was not required, nor was one held.	

Neighborhood Meeting	
A Neighborhood meeting was not required, nor was one held.	

Field Check	
08/31/22	Staff conducted a field check of the subject site and noted nothing of concern.

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Details of Application Request	
Site Area	
Net Acres	2.50

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)
North	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South			
East	Multi-Family Residential	MLA (Medium Low Attached Density Residential)	R-DD6 (Residential Planned Development - 6 Units per Acre)
West	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

Master and Neighborhood Plan Areas	Compliance
Master Plan Area 2050: Twin Lakes	Y
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District (70 Feet)	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