



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: AUGUST 2, 2023

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: JOHN NGUYEN

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0316-EOT1	Staff recommends APPROVAL, subject to conditions:	
23-0316-EOT2	Staff recommends APPROVAL, subject to conditions:	
23-0316-EOT3	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

23-0316-EOT1 CONDITIONS

Planning

1. This approval shall expire on June 16, 2025 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Variance (20-0383-VAR1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0316-EOT2 CONDITIONS

Planning

1. This approval shall expire on June 16, 2025 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Special Use Permit (20-0383-SUP1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0316-EOT3 CONDITIONS

Planning

1. This approval shall expire on June 16, 2025 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Site Development Plan Review (20-0383-SDR1) and all other related actions as required by the Department of Community Development and the 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

This is the first request for Extensions of Time for a previously approved Variance (20-0383-VAR1), Special Use Permit (20-0383-SUP1) and Site Development Plan Review (20-0383-SDR1) for a proposed 4,400 square-foot church/house of worship development on 0.50 acres at the southeast corner of Del Monte Avenue and Arville Street.

ISSUES

- This is the first request for Extensions of Time.
- In June 2021, the City Council approved the following land use entitlement projects:
 - Variance (20-0383-VAR1) to allow a 30-foot rear yard setback where 35 feet is the minimum required and to allow a 10-foot residential adjacency setback where 75 feet is required.
 - Special Use Permit (20-0383-SUP1) for a proposed Church/House of Worship use.
 - Site Development Plan Review (20-0383-SDR1) for a proposed 4,400 square-foot church/house of worship development with waivers of the perimeter landscape buffer development standards.

ANALYSIS

On 06/16/2021 the City Council approved a Variance (20-0383-VAR1), Special Use Permit (20-0383-SUP1) and Site Development Plan Review (20-0383-SDR1) for a proposed 4,400 square-foot Church/House of Worship development on 0.50 acres at the southeast corner of Del Monte Avenue and Arville Street. The applicant is proposing to extend the approval periods for 20-0383-VAR1, 20-0383-SUP1 and 20-0383-SDR1 for an additional two years. These are the first requests for an Extension of Time.

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Title 19.16 of the Unified Development Code deems a Variance, Special use Permit and Site Development Plan Review exercised upon the issuance of a building permit for the primary structure; as none have been issued the Variance, Special Use Permit and Site Development Plan Review are set to expire on June 16, 2023. The applicant is requesting an Extension of Time to ensure the Variance, Special use Permit and Site Development Plan Review do not expire. In the submitted justification letter, date stamped on 06/15/23, the applicant is requesting the Extension of Time due to Covid Pandemic and lack of fund raising during the Pandemic.

FINDINGS (23-0316-EOT1, EOT2 and EOT3)

Pursuant to Title 19.16.100, 19.16.110 and 19.16.140, a Variance, Special Use Permit and Site Development Plan Review are deemed exercised upon the issuance of a building permit for new construction. If denied, the land entitlements will have expired on 06/16/23. There are not any changes and redevelopments in the area and staff supports this request. As the proposed development will not jeopardize public health, safety, and welfare; staff recommends approval of this request subject to a two-year time limit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
10/10/06	A Code Enforcement case (#CE-49991) was processed for illegal dumping at 1600 Arville Street. The case was resolved on 10/12/06.
03/12/07	A Code Enforcement case (#CE-51180) was processed for a vacant lot with high weeds, trash and debris at 1600 Arville Street. The case was resolved on 04/27/07.
11/04/19	The Department of Planning processed a request for a Technical Review of a two-lot Parcel Map [(PMP-77824) Arville & Del Monte] on 1.01 acres at the southeast corner of Arville Street and Del Monte Avenue. The map was recorded and finalized on 07/15/20.
06/16/21	The City Council Approved 20-0383-VAR1, 20-0383-SUP1 and 20-0383-SDR1 for a proposed 4,400 square-foot church/house of worship development on 0.50 acres at the southeast corner of Del Monte Avenue and Arville Street. The Planning Commission and Staff recommended denial.

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<i>Most Recent Change of Ownership</i>	
04/12/21	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
01/14/20	A building permit (#A20-00001) was issued for a covenant running with land for installation of pavement, gutter, sidewalk and streetlights at 1600 Arville Street. The permit was finalized on 01/16/20.
03/11/20	A building permit (#R20-03503) was issued to install sewer and cleanouts onsite only at 1600 Arville Street. The permit was finalized on 06/11/20.
04/08/20	A building permit (#L20-00385) was issued to install a four-inch sewer connection onsite to city sewer at 1600 Arville Street. The permit was finalized on 05/18/20.

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

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
06/29/23	A routine field check was conducted by staff; nothing was noted of concern.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.50

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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	R (Rural Density Residential)	R-E (Residence Estates)
North	Single Family, Detached	R (Rural Density Residential)	R-E (Residence Estates)
South	Duplex	R (Rural Density Residential)	R-E (Residence Estates)
East	Single Family, Detached	R (Rural Density Residential)	R-E (Residence Estates)
West	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Charleston	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District – 200 Feet	Y
RP-O (Rural Preservation Overlay) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A