



Planning Commission Agenda Item

Date: December 09, 2020

Item No: 6.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Robert Eastman

SUBJECT: SUP-39-2020 ST. MARTIN'S ANGLICAN CHURCH (Public Hearing).
Applicant: St. Martin's Anglican Church. Request: A special use permit in an R-E (Ranch Estates District) to allow a religious institution. Location: 821 East Lone Mountain Road. (APN 139-02-101-007). (For possible action)

RECOMMENDATION: APPROVED WITH CONDITIONS

PROJECT DESCRIPTION:

The applicant is requesting approval of a special use permit to allow a religious institution (church). The property is located 821 East Lone Mountain Road. The property is zoned R-E, Ranch Estates District and the Comprehensive Master Plan Land Use designation for the subject site is Single-Family Low.

BACKGROUND INFORMATION:

Previous Action
N/A

RELATED APPLICATIONS:

Application #	Application Request
VN-04-2020	A variance in an R-E (Ranch Estates District) to allow a 22 foot side yard building setback where a 50 foot building setback is required for a religious institution.

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Single-Family Low	R-E, Ranch Estates District	Single-Family Residential
North	Single-Family Low	R-1, Single-Family Low Density	Single-Family Residential
South	Single-Family Low	R-1, Single-Family Low Density	Single-Family Residential
East	Single-Family Low	PUD, Planned Unit Development District	Single-Family Residential
West	Single-Family Low	R-E, Ranch Estates District	Single-Family Residential

DEPARTMENT COMMENTS:

Department	Comments
Public Works:	See Attached Memorandum
Police:	No Comment.
Fire:	No Comment.
Clark County School District	No Comment.
Clark County Department of Aviation	No Comment.

ANALYSIS

The applicant is requesting a special use permit to allow a religious institution. The proposed location is in an existing single-family home located at 821 East Lone Mountain Road at the southwest corner of Lone Mountain Road and Donna Street. The applicant intends to convert the entire house into a church. The existing home is 4,791 square feet in size and it occupies an approximate 1.16 acre (50,529 square feet) lot. The applicant is not proposing any expansions to the existing structure, but modifications to the interior of the home and the lot are proposed.

The applicant plans to clean the site and remove the accessory storage buildings. This will allow the use of the paved areas in the back to serve as some of the parking area. Internal modifications are minor and mostly involve converting the living room and dining room into the sanctuary and altar areas.

The applicant indicated this is a small congregation, with a new church in North Las Vegas. Services would be held on Sunday mornings and with prayer groups and study groups throughout the week. The current congregation is 15 people and all services will be held within the proposed church.

Access to the site is from a residential U-shaped driveway on Lone Mountain Road. Parking is proposed to be located in the front of the garage and in the rear of the lot. Access between the front and rear yard is through the existing porte cochere that runs from the home to the garage. The site plan contains 17 parking spaces for the proposed church. The required parking is one (1) parking space for every four (4) seats within the sanctuary. According to the floor plan, the main sanctuary is approximately 416 square feet in area which creates an occupancy of 59. Therefore the proposed church requires 15 parking spaces ($59 / 4$). The site plan is in compliance, but modifications will be needed which will change the parking lot design.

The proposed use is acceptable at this location. Lone Mountain Road is a minor arterial (80 foot right-of-way) and Donna Street is a residential collector. A church is an acceptable use at this location. The use is consistent with the current land use and other uses within the neighborhood. With the proper buffering, the proposed church should not create a negative impact on the surrounding uses. The applicant has indicated in the letter of intent, that the lot is being cleaned and the junk and debris is being removed. Additionally, the accessory buildings and storage units in the back yard will be removed. However, there are a number of problems with the existing site and the existing home.

The proposed church is not in compliance with current development requirements. The church does not meet the current setback requirements. The house is only setback 22 feet from the side setback to the west. To the west is an existing single-family home. There is not any wall or screening between these two properties. The applicant has applied for a Variance (VN-04-2020) which is supported by staff, but will require buffering walls and landscaping. Currently the home has been illegally converted into a multi-family dwelling (seven units) without any building permits or obtaining the correct land use entitlements. The construction for the multi-family conversion has not been inspected and the City is in the process of corrective action.

While staff supports the proposed church, the modifications necessary to comply with all applicable codes and ordinances will make this costly. The structure is a residential construction with unpermitted electrical, plumbing, and mechanical work inside the structure. The church will require a change in occupancy. A church needs to comply with assembly / commercial building standards, this will require extensive modifications. Additionally, Public Works is requiring the construction of Lone Mountain Road and Donna Street. Also, the existing driveways do not meet the commercial standards, these will be required to be modified to meet the commercial standards.

The church use is more intense than the surrounding residential uses, therefore a 20 foot landscaped buffer and screen wall is required on the south and west sides of the property. The existing wall on the east side of the site is a combination of agricultural rail fencing and painted wooden chipboard. This is not in compliance and must be removed. The proposed parking lot must be modified to provide the required 20 feet of landscaping. This can be done on the existing lot by expanding the parking lot through the rear yard to the west, which will require additional engineering and paving.

Requirements for Approval of a Special Use Permit

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The church shall comply with all conditions of approval for VN-04-2020. If VN-04-2020 is denied, SUP-39-2020 is deemed null and void.
3. The existing wall on the property shall be removed and replaced with a

decorative screen wall or wrought iron fence.

Public Works:

4. All known geologic hazards shall be shown on any preliminary development plans and civil improvement plans submitted to the City. Subsequent identification of additional hazards may substantially alter development plans.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans. Conformance may require modifications to the site plan.
6. The size and number of access points and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.040. Conformance may require modifications to the site.
7. All driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.1 and 225.
8. The property owner is required to grant a roadway easement for commercial driveways.
9. The public street geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
10. Dedication and construction of the following streets and/or half streets is required per the Master Plan of Streets and/or Highways and City of North Las Vegas Municipal Code section 16.24.100:
 - a. Lone Mountain Road
 - b. Donna Street
11. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.
12. Approval of a traffic study or traffic study waiver is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope. A queuing analysis may be required.

ATTACHMENTS:

Public Works Memorandum

Letter of Intent

Site Plans

Site Photos

Floor Plan

Clark County Assessor's Map

Location and Zoning Map