



Planning Commission Agenda Item

Date: June 08, 2022

Item No: 10.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Johanna Murphy

SUBJECT: SUP-14-2022 ABUNDANT HEART COMMUNITY CHURCH (Public Hearing). Applicant: Donald L. McCoy. Request: A special use permit in an R-1 (Single-Family Low Density District) to allow a religious institution (church). Location: Southwest corner of Simmons Street and Gilmore Avenue. (Ward 2) (For Possible Action)

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DESCRIPTION: (APN 139-08-201-006)

The applicant is requesting approval of a special use permit to allow a religious institution (church). The property is approximately 2.04 acres and is located at Southwest corner of Simmons Street and Gilmore Avenue. The property is zoned R-1, Single-Family Low Density 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
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Single-Family Low	R-1, Single-Family Low Density Residential District	Undeveloped
North	Single-Family Low	R-1, Single-Family Low Density Residential District	Single Family Homes
South	Single-Family Low	R-1, Single-Family Low Density Residential District	Undeveloped
East	Open Space	R-E, Ranch Estates Residential District	Desert Horizons Park
West	Single-Family Low	R-1, Single-Family Low Density Residential District	Single Family Homes

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 to be constructed on a 2.04 acre site. The proposed location is at the southwest corner of Simmons Street and Gilmore Avenue. The property is zoned R-1, Single-Family Low Density District and the Comprehensive Master Plan Land Use designation for the subject site is Single-Family Low. Religious institutions may be located within residential zone districts with a special use permit.

According to the letter of intent, the applicant intends to develop a 30,000 square foot, two-story facility, containing a church and a school. However, the special use permit application is for a church only. If the applicant intends on constructing a school, a separate special use permit is required. Staff made several attempts both by phone and email to contact the applicant regarding the additional special use permit for a

school at this location.

The applicant intends to include the following in the church: a 500-seat sanctuary; a nursery and toddler room; commercial kitchen; fellowship hall/indoor play area; and a cry room. According to the proposed floor plan there will be restrooms, classrooms, office space and a congregating (meeting) area. A floor plan for the first floor only was submitted with the application.

The proposed building is a two (2) story facility approximately thirty-two (32) feet in height. The maximum height allowed in the R-1, Single Family Low Residential District is thirty-five feet. However, the mass and bulk of the building does not match the scale of the neighborhood.

When religious institutions are located within residential zone districts they are subject to the setback requirements of Table 17.24.010-3, *Building Setbacks Requirements for Institutions*. The interior side setback is fifty (50) feet. The site plan shows the building is setback approximately forty (40) feet from the west property line. The building location of the site should be modified to comply with the required interior side setback. This modification can be addressed during the building permit process.

The proposed building materials include red brick and white columns flanking the main entrance of the church. The design is a box-like form that is not relieved by variations. The building design should be modified by jogs, offsets or other architectural features to reduce the visual length of the walls. The building should also have a coherent design with a consistent level of detailing and finish on all sides. The building design should also incorporate patterns and materials that provide visual interest. This can be accomplished through the use of color changes, materials, and/or relief such as inclusion of beltlines and pop outs. The necessary modifications to the building design can be addressed during the building permit process.

Access to the site is from two (2) driveways on Simmons Street and one (1) driveway on Gilmore Avenue. The parking requirement for a religious institution is one (1) off-street parking space for every four (4) seats based on the design capacity of the main assembly hall. The sanctuary is proposed to accommodate up to 500 seats. Therefore, the required parking for the church is 125 off-street spaces. The site plan has 121 parking spaces shown. The parking lot will need modifications to include the required number of parking spaces. This modification can be addressed during the building permit process.

The applicant submitted a landscape plan that includes fifteen (15) feet of perimeter landscaping along Simmons Street and Gilmore Avenue. The five (5) foot sidewalk is shown adjacent to the curb along both streets. The sidewalks should be offset from the street. The perimeter, parking lot and foundation landscaping does not appear to meet the minimum 50% ground coverage requirement. In addition, the width of the required landscape buffers do not appear to meet the minimum twenty (20) foot width

requirement. Modifications are necessary to comply with the required landscape standards. These modifications can be addressed during the building permit process.

The surrounding neighborhood includes Desert Horizons Park to the east, a single story residential subdivision to the north, a residential subdivision with both single story and two story homes to the west and an undeveloped parcel to the south. With minor modifications, the proposed church should not create a negative impact on the surrounding neighborhood. Staff supports and recommends approval with conditions.

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. An additional use permit is required if the applicant intends on adding a school to this site.

Public Works:

3. 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.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans. Conformance may require modifications to the site plan.
5. 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 and *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.1. Conformance may require modifications to the site.
6. All driveway geometrics shall be in compliance with the applicable *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Numbers.
7. The public street geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
8. Approval of a traffic study 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.
9. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Gilmore Ave.
 - b. Simmons St. (sidewalk & streetlights)
10. The property owner is required to grant a roadway easement for commercial driveway(s).
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

ATTACHMENTS:

Public Works Memorandum

Letter of Intent

Site Plan

Building Elevation

Floor Plan

Landscape Plan

Clark County Assessor's Map

Location and Zoning Map