



# Planning Commission Agenda Item

Date: April 10, 2024

Item No: 10

**TO:** Planning Commission

**FROM:** Alfredo Melesio, Jr., AICP, EDFP, Director of Land Development &  
Community Services  
Prepared By: Sharianne Dotson, Planner

**SUBJECT:** **SUP-03-2024 28 WEST OWENS AVENUE (Public Hearing).** Applicant: Restoration and Recovery Foundation. Request: A Special Use Permit in an R-A/R-2 (Medium Density Residential Subdistrict) to allow a Religious Institution. Location: 28 West Owens Avenue. (APN 139-22-810-034). Ward 2 (For Possible Action)

**RECOMMENDATION: APPROVE WITH CONDITIONS**

## PROJECT DESCRIPTION:

The applicant is requesting Planning Commission consideration of a special use permit to allow a religious institution. The site is located at 28 West Owens Avenue. The site is 0.42 of an acre and has a zoning classification of R-A/R-2, Medium Density Residential Subdistrict and the Comprehensive Master Plan Land Use designation for the subject site is Downtown Business District.

## BACKGROUND INFORMATION:

Previous Action
N/A

## RELATED APPLICATIONS:

Application #	Application Request
N/A	

**GENERAL INFORMATION:**

	Land Use	Zoning	Existing Use
<b>Subject Property</b>	Downtown Business District	R-A/R-2, Medium Density Residential Subdistrict	Vacant Building
<b>North</b>	Downtown Business District	R-A/R-2, Medium Density Residential Subdistrict	Existing Apartments
<b>South</b>	City of Las Vegas	Industrial and Apartments	Existing Apartments and Salvation Army
<b>East</b>	Downtown Business District	R-A/R-2, Medium Density Residential Subdistrict	Vacant Land
<b>West</b>	Downtown Business District	M-2, General Industrial District	Manufacturing

**DEPARTMENT COMMENTS:**

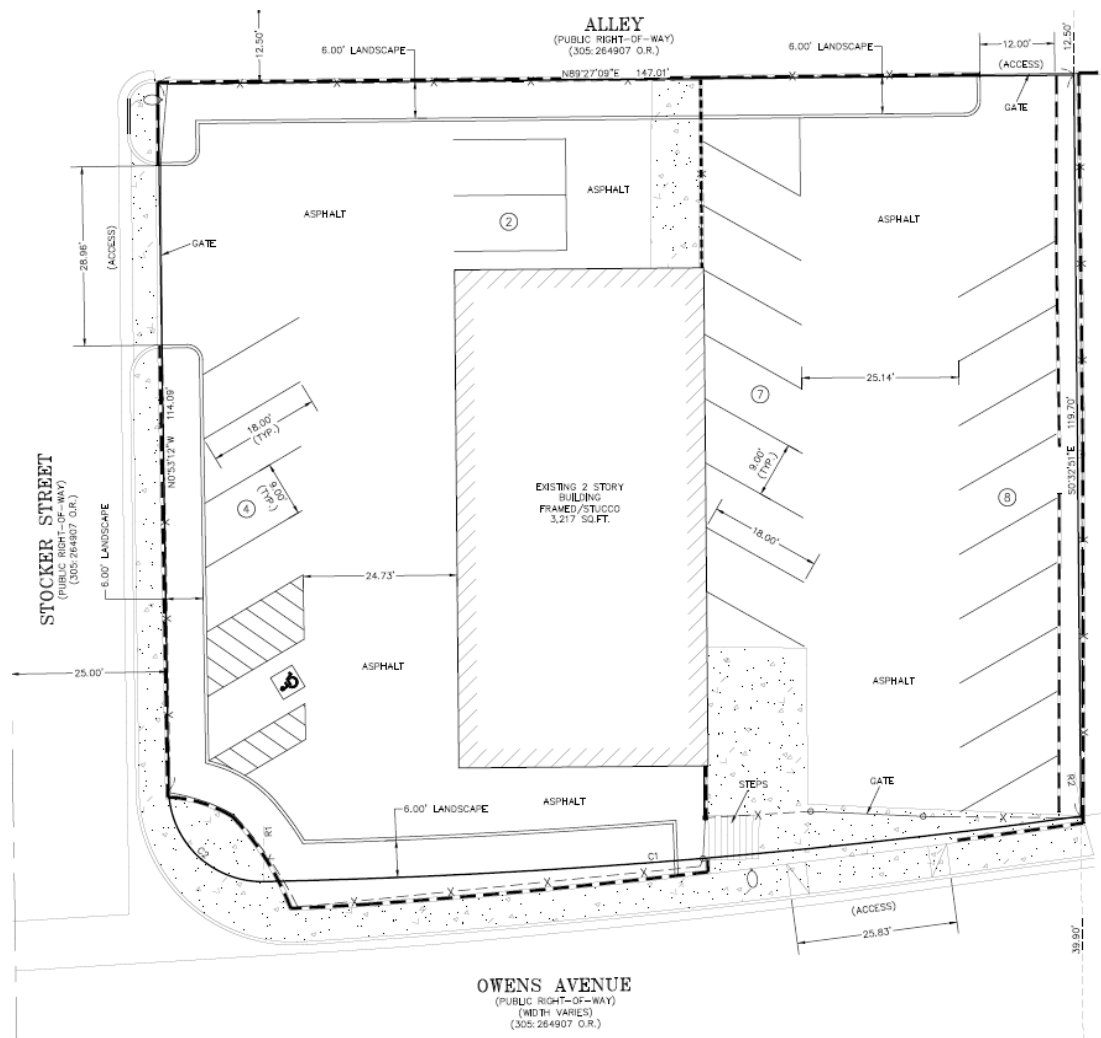
Department	Comments
Public Works:	See Attached Memorandum.
Police:	No Comment.
Fire:	No Comment.
Clark County School District	No Comment.
Clark County Department of Aviation	No Comment.

**ANALYSIS:**

The applicant is requesting Planning Commission consideration of a special use permit to allow a religious institution. The site has a zoning classification of R-A/R-2, Medium Density Residential Subdistrict and the Comprehensive Master Plan Land Use designation for the subject site is Downtown Business District. The proposed location is in an existing vacant 2-story building at 28 West Owens Avenue. According to the site plan provided, the building is approximately 3,217 square feet in area. The church will have services on Friday evenings from 7:00 PM – 9:00 PM and Sunday mornings from 9:00 AM - 11:45 AM. In addition, according to the letter of intent the church is proposing to provide accessory services consisting of: food bank, wellness programs and educational programs. There has been a church use at this location in the past. According

to Utilities there was a church use from July 2006 to October 2011 and most recently from January 2012 to June of 2021.

Access to the site is from three (3) existing driveways; one (1) on Owens Avenue, one (1) on Stocker Street and one (1) from the alley to the north. The site plan indicates all access points will be gated.



The site was developed in 1961 and is not in compliance with the commercial design standards. Since developed, there have not been substantial changes to the exterior. According to the letter of intent it does not appear that modifications are proposed to the outside of the building, however, the existing building appears to be in a state of disrepair and modification to the exterior will be required before the building can be habitable. The modifications should comply with the current commercial design standards for exterior color and materials. In addition, there is an existing railing along the stairs adjacent to Owens Avenue. The railing appears to be unsafe and should be replaced. Interior

modifications may also be needed for the proposed use. Any exterior and interior modification will require building permits.

The proposed site plan indicates a perimeter block wall will replace the existing chain link fence adjacent to the sidewalk along Owens Avenue, Stocker Street and along the alley to the north. Usually, perimeter landscaping is required; however, it will reduce the existing parking for the use. The block wall should be a decorative wall and the existing block wall on the east property line will need to be repaired. The site plan indicates six (6) feet of landscaping will be provided within the parking lot behind the proposed block wall. There is an existing planter at the corner of Owens Avenue and Stocker Street. The proposed block wall appears to be behind this planter. The landscaping within the planter is over grown and has not been maintained. The planter will need to be brought into compliance with code requirements. A landscape plan will be required with the building permit process and all landscaped areas should provide 50% ground coverage within two years of planting to comply with the municipal code.

The required parking spaces for a proposed religious institution with a maximum of 80 seats is 20 parking spaces. The site contains 21 parking spaces and is in compliance with parking requirements. The current parking lot is damaged due to excessive deterioration and should be repaired. The proposed site plan indicates new asphalt will be installed in the parking lot.

### **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:

- The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
  - The proposed religious institution (church) is permitted within the R-A/R-2, Medium Density Residential Subdistrict with an approved special use permit. The Comprehensive Master Plan is Downtown Business District, which consist of redevelopment area zoning including but not limited to R-A/R-2, Medium Density Residential Subdistrict.
- 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;
  - The purpose of the Medium Density Residential (R-A/R-2) Subdistrict is to provide single-family and medium-density multifamily development that supports the nonresidential development of the redevelopment district and is compatible with the stated purpose of the redevelopment district. The uses allowed in this district should provide residential housing and public services on a neighborhood market scale that are compatible with the

residential character of the surrounding neighborhood. The proposed religious institution (church) is providing a service to the surrounding residents the ability to worship/fellowship and access to a foodbank and other health and human services.

- 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);
  - The proposed religious institution (church) and accessory services should not interfere with the existing multi-family residents and the manufacturing facility and should not create a negative impact on the existing business or neighboring residents.
- Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
  - To mitigate the noise from the religious institution (church) on the multi-family residents to the north, south and east the applicant will be replacing the chain link fence with a decorative block wall.
- 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.
  - The proposed religious institution (church) and accessory services should not have a negative impact the existing facilities and services.

The surrounding neighborhood includes existing multi-family residential subdivisions and a manufacturing facility. The proposed church should not create a negative impact on the surrounding neighborhood. Staff supports the request and recommends approval with conditions.

## **CONDITIONS:**

### ***Planning and Zoning:***

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The existing abandon wood sign within the planter shall be removed.
3. The perimeter block wall shall comply with the requirements for a decorative block wall.
4. Modification to the building exterior will be required before the building can be inhabitable.

***Public Works:***

5. 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.
6. Commercial driveways are to be constructed in accordance with Clark County Area Uniform Standard Drawing numbers 222.1, including throat depths, and 225, and/or 224 with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.

**ATTACHMENTS:**

Public Works Memorandum  
Letter of Intent  
Site Plan  
Elevation Photos  
Floor Plan  
Clark County Assessor's Map  
Location and Zoning Map