

PLACE OF WORSHIP
(TITLE 30)

EMERSON AVE/TOPAZ ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0482-OR BAMIDBAR CORPORATION:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** parking; **2)** reduce throat depth; and **3)** driveway geometrics.

DESIGN REVIEW for an addition to an existing place of worship on 1.0 acre in an R-1 (Single Family Residential) Zone.

Generally located on the south side of Emerson Avenue, 1,100 feet east of Topaz Street within Paradise. TS/jud/ja (For possible action)

RELATED INFORMATION:

APN:

162-13-219-020

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the number of required parking spaces to 52 spaces where 91 spaces are required per Table 30.60-1 (a 43% reduction).
2. Reduce throat depth for a driveway along Emerson Avenue to 5 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (an 80% reduction).
3. Allow existing pan driveways to remain where commercial curb return driveways are required per Uniform Standard Drawing 222.1.

LAND USE PLAN:

WINCHESTER/PARADISE - PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2991 Emerson Avenue
- Site Acreage: 1
- Project Type: Place of worship (addition)
- Number of Stories: 2
- Building Height (feet): 30
- Square Feet: 5,032
- Parking Required/Provided: 52/91

Site Plan

The site plan depicts an existing place of worship (synagogue) that was previously approved via UC-1490-02. The site and access to the place of worship is located at the south end of the Emerson Avenue cul-de-sac bulb. The subject parcel shares the south property line with a 163 foot wide drainage channel, the Pecos-Mcleod overpass is located approximately 200 feet to the east, the parcel fronting the north half of the cul-de-sac remains vacant, and a 17 lot single family subdivision is adjacent to the west side of the property. The existing 3,000 square foot prayer hall is located on the east half of the site (22 feet high), with an existing 481 square foot accessory storage building in the center of the parcel, as well as an existing 2,435 square foot residence for the religious leaders during the weekends.

The proposed building addition is for a social hall and it is proposed to be located on a concrete slab poured in 1999 prior to the construction of the prayer hall. This slab is immediately west of the existing prayer hall and was originally intended to support a larger footprint of the religious facility. The proposed expansion is a 2 story, 5,032 square foot building 30 feet in height. The first floor is a social hall for the congregation to gather while the second floor is designed for supporting uses and storage.

There is an existing 6 foot high CMU block wall with 1.5 feet of wrought iron on top of the block wall along the perimeter of the property, with an 8 foot high sliding wrought iron access gate along the northwest corner of the site. An 8 foot high CMU block wall is located along the southern property line adjacent to the drainage easement.

Parking is located along the northern and western portions of the site. This application includes a waiver of development standards to allow a reduction in the required parking spaces to 52 where 91 is required per Title 30. There are 2 other waivers for throat depth reduction and to eliminate commercial curb returns. The plans indicate there are 2 areas for parking accessed by separate points on the cul-de-sac. Each parking area consists of less than 50 spaces thereby requiring a minimum 25 foot distance between the call box and Emerson Avenue. To avoid stacking on Emerson Avenue, the place of worship keeps the gates opened when the general public is scheduled to arrive on site.

Landscaping

There is existing landscaping on the site along the perimeter of the property and no changes are proposed to the perimeter landscaping. The submitted landscape plan shows parking lot landscaping per Code, with landscape finger islands 7 feet in width and with proposed desert willow trees.

Elevations

The elevation plans show a 2 story social hall addition with an overall height of 30 feet. The design of the addition is modern, with neutral colored stucco walls, wood/metal siding, stone veneer, and multiple windows on the north, west, and south elevations.

Floor Plans

On the first floor the floor plan includes a 1,780 square foot social hall as well as a 1,760 square foot food storage and prep area, restrooms, and office. On the second floor the floor plan includes a 1,492 square foot storage area and the interior staircase for access.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the social hall does not bring additional visitors to the property. Following services, members of the congregation will move from the prayer hall to the social hall. Currently, the prayer hall houses both functions. Furthermore, only 1,780 square feet of the proposed addition is available for public occupancy. The remaining space in the proposed addition is allocated to food preparation areas, offices, with the entire second floor as storage and accessed only by Chabad administration. The addition is not expected to attract new members to the congregation; therefore, the proposed 52 parking spaces represent an improved parking ratio for the property that was previously over parked by Title 30 standards.

Regarding the reduction of throat depth, the applicant states it is due to a hardship presented because the site was initially designed without a security fence. The call box and security gate were approved 15 years ago, following the occupancy permit where existing conditions could accommodate only a five foot offset from the property line. The placements of the existing buildings limits options to reconfigure the parking lot. In order to avoid stacking on the right of way, the gates open when the general public is scheduled to arrive on site. In addition, the applicant states the site is at the terminus of a cul-de-sac where the nearest off-site driveway is 258 feet away.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0242	Waiver and design review for a residence in conjunction with a place of worship	Approved by PC	July 2021
AV-18-900283	Increase wall height (adding wrought iron rods to CMU block)	Approved by ZA	May 2018
UC-1490-02	Place of worship (synagogue)	Approved by PC	November 2002
UC-0859-98	Place of worship (synagogue) and variance for a 17% parking reduction - expired	Approved by PC	July 1998
TM-0312-96	21 lot PUD for a single family residential subdivision	Approved by PC	January 1997
UC-1968-96	Single family residential subdivision (21 lot PUD) and a place of worship, with a variance to reduce lot depth, reduce minimum street width, reduced parking for a place of worship, and waive the interior sidewalk requirement	Approved by PC	January 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	R-3	Undeveloped & congregate care facility
South	Public Use	R-1	Drainage easement
East	Public Use & Commercial Neighborhood	C-P & R-1	Drainage easement & undeveloped
West	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-1 (RNP-III)	Single family residential

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

The applicant is requesting a 40% reduction in parking, which is a signification reduction. Staff finds that this request could have an adverse impact on the adjacent neighbors. While the site has a large drainage easement to the south and most of the east sides, the properties to the west are developed residential properties, which could be impacted by the reduction in parking for the place of worship. Although staff understands not the entirety of the proposed building addition will be accessible to the general public/congregation, a 40 percent reduction is not typically supported by staff. If the application were to be approved, staff finds it appropriate to request a review period to ensure that parking does not become an issue within the neighborhood, and assess any problems that may arise from the reduction in parking.

Design Review

Staff finds the proposed site design to be acceptable. The building facades show architectural articulations to break-up the building mass. Also, the proposed materials are compatible with the existing prayer hall and other site structures. While staff finds the design of the site appropriate of the area, staff cannot support the design review since the waiver of development standards are not supported.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the reduced throat depth for the driveways on Emerson Avenue since the site is at the end of the cul-de-sac and traffic is minimal. However, since staff cannot support this application in its entirety, staff cannot support this request.

Waiver of Development Standards #3

Staff has no objection to allowing the existing pan driveways to remain as long as an ADA compliant sidewalk is provided at the driveways. However, since staff cannot support this application in its entirety, staff cannot support this request.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- 2 year review as a public hearing to address the parking reduction;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Reconstruct driveways as commercial pan driveways per Uniform Standard Drawings 222.1 and 224 or provide a 5 foot wide concrete sidewalk behind the existing driveways for compliance with the Americans with Disabilities Act (ADA).
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Paradise - approval (provide ADA compliant sidewalk; no off-site parking in neighborhood; and place of worship use limited to congregation).

APPROVALS:

PROTESTS:

APPLICANT: OR BAMIDBAR CORPORATION

CONTACT: LORA DREJA, BROWN, BROWN, AND PREMSRIRUT, 520 SOUTH FOURTH STREET, LAS VEGAS, NV 89101