

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0016-ASSOCIATION BUDDHIST CENTER USA, INC.:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase building height; **2)** waive residential adjacency standards; **3)** reduce buffering and screening; and **4)** reduce departure distance.

**DESIGN REVIEW** for a place of worship on 5.0 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the west side of Buffalo Drive and the north side of Wigwam Avenue within Enterprise. JJ/rr/kh (For possible action)

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RELATED INFORMATION:

**APN:**

176-16-601-050

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Increase the building height for a place of worship to 45 feet where 35 feet is the maximum permitted per Section 30.02.04B (a 28.6% increase).
1. b. Increase the height of an accessory structure (statue) to 44 feet where 25 feet is the maximum permitted per Section 30.02.04B (a 76% increase).
2. Allow structures adjacent to an NPO-RNP to have heights up to 45 feet which exceed those of the RNP district standards that allow a maximum height of 35 feet for principal structures and 25 feet for accessory structures per Section 30.04.06G.
3. Reduce the width of a landscape buffer to 5 feet where 15 feet is required per Section 30.04.02C (a 66.7% reduction).
4. Reduce the departure distance for a driveway on Wigwam Avenue to 176 feet where 190 feet is required per Uniform Standard Drawing 222.1 (an 8% reduction).

**LAND USE PLAN:**

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 5
- Project Type: Place of worship
- Number of Stories: 2
- Building Height (feet): 45
- Square Feet: 20,410 (monastery cultural center)/31,500 (temple)/51,910 (total)

- Parking Required/Provided: 132/132
- Sustainability Required/Provided: 7/7

### Site Plan

The plan shows a place of worship development that will be constructed in 2 phases, which modifies the originally approved place of worship (UC-20-0338). Phase 1 is a 20,410 square foot monastery cultural center located on the northern portion of the site, 30 feet from the north property line along Camero Avenue, 50 feet from the east property line along Buffalo Drive, and 107 feet from the west property line. Phase 2 is a 31,500 square foot temple located on the southern portion of the site, 147 feet from the south property line along Wigwam Avenue, 37 feet from the east property line along Buffalo Drive, and 94 feet from the west property line. A statue is shown south of the temple building, set back 100 feet from Wigwam Avenue, 93 feet from Buffalo Drive, and 150 feet from the west property line. The site is accessed from 2 driveways; 1 on Wigwam Avenue and 1 on Camero Avenue. Each driveway has an entrance portal with a decorative gate that will be open during business hours. The south entrance portal is set back 35 feet from Wigwam Avenue and 5 feet 5 inches from the west property line. The north entrance portal is set back 37 feet from Camero Avenue and 11 feet 5 inches from the west property line. On-site parking is provided to the south of the temple and statue, between the temple and the monastery cultural center and along the west side of the property. A patron drop-off area is located between the statue and the temple and to the west of the monastery cultural center. The site is surrounded by a decorative screen wall which is 6 feet in height along the property lines, except to the west, where it is 8 feet tall and located on top of a retaining wall. The grade of the subject site is lower than the properties to the west.

### Landscaping

The plan indicates that street landscaping, parking lot landscaping, and a landscape buffer with a screen wall along the west side of the property is provided. Along Wigwam Avenue, Buffalo Drive, and Camero Avenue, street landscaping consists of two, 5 foot wide landscape strips on each side of a detached sidewalk. The street landscaping consists of large Indian Rosewood trees set apart approximately 30 feet on center with 3 shrubs proposed per tree. Within the parking areas there are medium Desert Oak trees provided in the landscape islands and at the ends of the parking rows per the minimum requirements. A landscape buffer is provided along the west side of the property where it abuts the single-family properties. The buffer includes 2 alternating rows of evergreen Mulga Acacia trees, planted 20 feet on center in each row. The landscape buffer is 15 feet wide except where it abuts the entrance portals where it is reduced to a minimum of 5 feet wide for the southern portal and 11 feet wide for the northern portal, which is the subject of a waiver request.

### Elevations

The plans depict 4 sided architecture with similar styles on all structures, including overhanging multi-level rooflines, decorative upturned eaves, and tall columns. The maximum height of the temple is 45 feet on the south side of the building. The remainder of the temple has a maximum height of 36 feet 2 inches at the top of the roof ridge. The monastery cultural center has a maximum height of 35 feet. The entrances to both buildings face south. The accessory structures include a statue that is 44 feet in height, which includes a 13 foot tall base and enclosed storage

area below. There are also 2 entrance portals with decorative gates at each driveway which are both 25 feet in height and exhibit a similar architectural style to the main structures.

### Floor Plans

The monastery cultural center has 2 levels within the building. The first floor consists of a large hall and stage with a cafeteria behind the stage. On each side of the building there are 4 bedrooms, 1 guest room, 1 retreat room, a coffee shop, tearoom, kitchen, and restrooms. The second floor includes 4 retreat rooms and 6 visitor rooms. According to the applicant, the guest and visitor rooms are for invited religious persons from out of country who are staying temporarily at the monastery (free of charge). The guest and visitor rooms total 6,294 square feet while the other areas are 14,116 square feet.

The temple floor plan shows 2 main levels within the building. The first floor is 14,710 square feet and consists of a nave and sanctuary with 2 prayer chambers on each side of the sanctuary. Behind the sanctuary is an activity hall with restrooms and each side, a kitchen and dining area, and an office/sitting area. The building is surrounded by an exterior arcade with a front entrance terrace. The second floor is 15,426 square feet and connected by 2 stairways with the first floor. The second floor includes living quarters with 24 rooms. Two storage areas totaling 1,364 square feet are located between the 2 levels.

### Applicant's Justification

The applicant states they are proposing changes to a previously approved temple and monastery cultural center on the subject site and a Buddhist temple is urgently needed in the Las Vegas area. The main Buddha statue and Mahayana Buddha statues are educational and culturally significant. The monastery was redesigned, but due to inflation they had to downsize the plan. A new comprehensive plan is now being provided, which now includes a 44 foot tall Buddha statue, a 45 foot tall temple, and a 35 foot tall monastery cultural center. The applicant intends to construct the monastery cultural center first to house several carvings and statues prior to constructing the temple.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-24-400021 (UC-20-0338)	Second extension of time for a place of worship	Approved by BCC	May 2024
ADET-23-900310 (UC-20-0338)	First extension of time for a place of worship	Approved by ZA	June 2023
UC-20-0338	Place of worship and waiver of development standards for reduced setback, driveway geometrics, departure distance, and increased signage	Approved by BCC	June 2021
WS-0015-15	Reduced lot size and setbacks for a 16 lot single family residential development - expired	Approved by PC	April 2015
TM-0005-15	16 lot single-family residential development - expired	Approved by PC	April 2015

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
South & East	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential & undeveloped

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-25-0015	A vacation and abandonment of easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis****Comprehensive Planning**Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waivers of Development Standards #1 & #2

The applicant is requesting a waiver to allow the height of the proposed temple building to be 45 feet where 35 feet is the maximum allowable height in the RS20 zone. The applicant is also requesting that a proposed statue (accessory structure) in front of the temple be 44 feet in height to closely match the temple height. The 31,500 square foot temple is designed to have a main entrance gate that is 45 feet in height, nearly 9 feet taller than the remainder of the building which has a height of 36 feet 2 inches. When the use permit (UC-20-0338) for a place of worship was first considered in 2021, the applicant proposed a single 49,918 square foot worship building on the site which was 43 feet 6 inches in height. The increased height required a use permit

under the prior Title 30 which was not supported by staff. However, the plans, which were ultimately approved, were modified and the building height was decreased to 35 feet in accordance with the R-E (now RS20) standard and the use permit was no longer needed. The subject site is within and is surrounded on three sides by the NPO-RNP. The Master Plan includes Policy 1.5.1, which protects Rural Neighborhood Preservation areas, and Master Plan Policy 1.5.2 for compatible development which states that to minimize conflicts with higher intensity in-fill development, a range of approaches should be considered including requiring similar building heights. The nearby residences in the NPO-RNP areas are primarily single-story while areas to the north located in the RS3.3 zone are 2 story, but no more than 35 feet in height. The requested structure heights would not be compatible or consistent with existing development in the area and adopted County policies; therefore, staff cannot support these requests.

### Waiver of Development Standards #3

The applicant is requesting to reduce the 15 foot wide landscape buffer width along the west side of the subject site to a minimum of 5 feet and 11 feet where the entrance portals are located. The reduction areas represent 26.2 linear feet or 4.4% of the full length of the landscape buffer and about 108 square feet or 1.2% of the entire area of the buffer. The driveway on Wigwam Avenue has been moved as far west as possible to increase the departure distance which has resulted in the entrance portal shifting to the west as well. Given the minimal reduction in the overall landscape buffer and the need for the driveway locations, staff can support this waiver.

### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

It is essential that new development within and adjacent to NPO-RNP areas be compatible and consistent with existing developed properties in the area. Compatibility refers to the sensitivity of a development proposal in maintaining the character of an area. The considerations for compatibility may include bulk standards such as height, mass, and intensity as well as design features such as architecture and site design. The overall design has changed from the original proposal in 2021. Instead of a single 49,918 square foot structure, a 31,500 square foot temple and 20,410 square foot cultural hall and monastery totaling 51,910 square feet is proposed. This change has reduced the mass of a large single building while only slightly increasing the total building square footage on the site. However, the request to increase the height of the temple to 45 feet and adding a 44 foot tall statue would increase the previously approved maximum structure height of 35 feet, which was in accordance with RS20 standards, making this incompatible with adjacent development and the character of the area. The general site design appears to comply with the design standards except for a trash enclosure located within the side street setback along Buffalo Drive. However, the trash enclosure will be located behind a decorative screen wall which will block the view from the street. Staff can support aspects of the site design, staff does not support the associated waivers for building height not being supported, staff cannot support this request.

## **Public Works - Development Review**

### Waiver of Development Standards #4

Staff has no objection to the reduction in the departure distance for the Wigwam Avenue commercial driveway. The applicant placed the driveway as far west as the site will allow.

## **Staff Recommendation**

Approval of waivers of development standards #3 and #4; denial of waivers of development standards #1 and #2 and the design review.

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:

- Expunge the waivers of development standards and design review portions of UC-20-0338;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

## **Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Wigwam Avenue, 45 feet to the back of curb for Buffalo Drive, 25 feet to the back of curb for Camero Avenue and associated spandrels;
- Coordinate with Martha Rios in Public Works - Traffic Division for the Buffalo Drive at Wigwam Avenue Project;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

**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.
- Applicant to show fire hydrant locations on-site and within 750 feet.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0040-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ASSOCIATION BUDDHIST CENTER USA, INC.

**CONTACT:** LEI SU, 4669 LOMAS SANTA FE STREET, LAS VEGAS, NV 89147