

PLACE OF WORSHIP
(TITLE 30)

FRIAS AVE/RANCHO DESTINO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0591-ST SHARBEL MARONITE CATHOLIC MISSION LV RL EST TR & ZAIDEN A ELIAS TRS:

USE PERMITS for the following: **1)** existing place of worship; **2)** reduce separation to property lines; **3)** reduce separation to abutting existing residential uses; **4)** reduce separation to live entertainment; and **5)** extend live entertainment time outside daytime hours.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate street landscaping; **2)** eliminate parking lot landscaping; **3)** eliminate landscaping adjacent to a residential use; **4)** alternative driveway geometrics; **5)** fence setback; **6)** increase fence height; and **7)** full off-site improvements.

DESIGN REVIEW for a parking lot in conjunction with a previously approved place of worship on 4.6 acres in a P-F (Public Facility) Zone and an R-E (Rural Estates Residential) Zone.

Generally located on the southwest and southeast corner of Frias Avenue and Rancho Destino Road within Enterprise. MN/bb/syp (For possible action)

RELATED INFORMATION:

APN:

177-28-401-005; 177-28-401-006

USE PERMITS:

1. Expansion of a place of worship on APN 177-28-401-006 consisting of a parking lot.
2. Reduce the separation between temporary outdoor commercial events and property lines to zero feet where 10 feet is required per Table 30.44-1 (a 100% reduction).
3. Reduce the separation between temporary outdoor commercial events and residential property lines to 30 feet where 200 feet is required per Table 30.44-1 (an 85% reduction).
4. Reduce the separation between temporary outdoor commercial events with live entertainment (DJ) and residential property lines to 30 feet where 500 feet is required per Table 30.44-1 (a 94% reduction).
5. Allow temporary outdoor commercial events with live entertainment (DJ) to be conducted until 11:00 p.m. where only permitted until 10:00 p.m.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping and detached sidewalk in conjunction with a parking lot for a place of worship where required per Table 30.64-2.

2. Eliminate parking lot landscaping in conjunction with a parking lot for a place of worship where required per Figure 30.64-14.
3. Eliminate landscaping adjacent to a residential use where compliance with Figure 30.64-11 is required.
4. Reduce the setback from the right-of-way (Frias Avenue and Rancho Destino Road) for an existing chain-link fence to 6 feet where 10 feet is required per Section 30.56.040 (a 50% reduction).
5. Permit a non-decorative 6 foot high chain-link fence within the required zoning district setbacks where a maximum fence or wall height of 3 feet is permitted per Section 30.64.020.
6. Waive full off-site improvements (partial paving, curb, gutter, sidewalks, and streetlights) where required per Section 30.52.040.
7.
 - a. Reduce driveway throat depth to 25 feet where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 95% reduction).
 - b. Reduce the approach distance from a driveway to a street intersection (Uniform Standard Drawing 222.1) to 27 feet along Rancho Destino Road where 150 feet is the minimum per Chapter 30.52 (an 82% reduction).

LAND USE PLAN:

ENTERPRISE - PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: 10325 Rancho Destino Road
- Site Acreage: 4.6 portion (2.5 parking lot)
- Project Type: Temporary outdoor event (annual)
- Parking Required/Provided: 168/323
(west side sanctuary 120 spaces/east side parking lot 260 spaces)

Site Plan & History

The site on the west side of Rancho Destino Road is developed as a place of worship with an existing sanctuary building, classroom building, and recreation hall located in the center of the property. The existing place of worship has 120 parking spaces located around the perimeter of the property, and the south and east sides of the buildings. The place of worship was approved with UC-0257-02 and rezoned with an expansion approved with ZC-0261-10. A recreation building, decorative fence, and storage shed have also been approved on the property. Other than parking, all activities will take place on this parcel. Tents, food vendors, ticket booths, and picnic tables are shown on the eastern portion of the site. A stage is located directly east of the largest building. The closest residential development to the site is located on the northeast corner of Rancho Destino Road and Rush Avenue, 30 feet east of the main place of worship parcel and sharing a property line with the parking lot parcel.

A large 260 space asphalt parking lot is located at the southeast corner of Frias Avenue and Rancho Destino Road, directly east of the existing place of worship across Rancho Destino

Road. The parking lot has 2 gated driveways on Rancho Destino Road and 1 gated driveway on Frias Avenue. The northern driveway on Rancho Destino Road does not meet the approach distance to the intersection with Frias Avenue. The parking lot was added in violation of Title 30 without the benefit of a land use application or appropriate construction permits. Some of the existing fencing around the parking lot is located in the future right-of-way, which are currently within patent easements.

Landscaping

The site west of Rancho Destino Road has existing landscaping and no new landscaping is proposed with this application. However, the parking lot east of Rancho Destino Road is depicted as having no parking lot landscaping, no sidewalks, no street landscaping, and no landscaping adjacent to residential uses. A 6 foot high chain-link fence is located around the parking lot with some sections appearing to be located within the future right-of-way.

Elevations

The place of worship, recreation building, and storage shed are existing with no new buildings proposed with this application.

Floor Plans

No new buildings are proposed with this application.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing an expansion of the place of worship to accommodate a new parking lot. Annual temporary outdoor commercial events are also proposed with reductions in the required separation to the property line and residential uses, and to allow live entertainment to exceed daytime hours. A DJ will perform until 11:00 p.m. APN 177-28-401-006 is currently used as a parking lot and some parking spaces will be used at the John Bass Elementary School. The parking lot parcel is proposed to be improved with hard surface, striping, 3 gated access driveways and a perimeter 6 foot high chain-link fence. The events are currently planned to take place on the sanctuary lot located at the southwest corner of Frias Avenue and Rancho Destino Road. No parking will take place on the sanctuary lot during the event. Security will be provided to assist people with parking on the site and access to the event.

Prior Land Use Requests (APN 177-28-401-005)

Application Number	Request	Action	Date
DR-0514-16	Accessory storage building	Approved by BCC	September 2016
DR-0533-14	Decorative fence	Approved by BCC	August 2014
ZC-0261-10	Reclassified the site to a P-F zoning with a use permit and design review to expand an existing place of worship	Approved by BCC	September 2010

Prior Land Use Requests (APN 177-28-401-005)

Application Number	Request	Action	Date
DR-1125-05	Recreation building in conjunction with a place of worship	Approved by PC	August 2005
WS-0583-05	Reduced parking for a place of worship - expired	Approved by PC	May 2005
ET-0070-03 (UC-0257-02)	First extension of time for a use permit for a place of worship	Approved by BCC	May 2003
UC-0257-02	Place of Worship	Approved by PC	April 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Low Intensity Suburban Neighborhood (up to 5 du/ac) & Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
South	Ranch Estate Neighborhood (up to 2 du/ac) & Public Use	P-F & R-E (RNP-I)	Elementary school, single family residential, & large animal (horses) corral
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
West	Open Lands	R-E	Undeveloped

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

Related Applications

Application Number	Request
VS-24-0056	A request to vacate patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permit #1

Staff can support the expansion of the place of worship for the addition of a parking lot as it will increase safety in the area by providing off-street parking.

Use Permit #2

There is a decorative wrought iron fence and gates controlling access to the property on the west side of Rancho Destino Road. There are multiple fences and a retaining wall between this property and the school property to the south. The property has adequate fencing to control access for special events. The property to the west of the place of worship is undeveloped with a wall on the property line. The fencing will ensure that patrons use access-controlled entries, reducing any concerns with the event being on the property lines.

Use Permit #3

The wall on the west side of the property on the west side of Rancho Destino Road will not allow activity to interfere with private property. Maintaining a 30 foot setback from the residential zoned but undeveloped property on the west side will provide an adequate buffer for the temporary event and will be harmonious with the surrounding area. The property to the north is on the other side of Frias Avenue and will be over 60 feet from parking and events. The property east of the parking lot APN 177-28-401-006 will be at least 360 feet from non-parking related event activities. Staff can support approval of the use permit.

Use Permits #4 and #5

The live entertainment outdoor activity with a DJ is not compatible with the neighboring rural residential neighborhood character and uses. Depending on noise levels and topography, sound can carry great distances and interfere with properties in the vicinity. Due to the impact the live entertainment will have on the area, staff cannot support these requests.

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.

Waivers of Development Standards #1, #2, & #3

Staff finds that eliminating street, parking lot, and perimeter landscaping does not meet the intent of Title 30 for screening potentially incompatible uses, reducing heat island effect, increasing water quality, and will not meet the intent of Master Plan Policy 3.6.1 Urban Heat Island Effect. Furthermore, a detached sidewalk increases pedestrian safety, which is extremely important for a use that has a high number of visitors at specific times. Therefore, staff cannot support these requests.

Waivers of Development Standards #4 & #5

The 6 foot setback for the proposed chain-link fence and absence of a sidewalk will not meet the intent of Title 30 or the Master Plan Policy 4.1.6 Bicycle and Pedestrian Connectivity. A lack of adequate space for pedestrian access along the north and west sides of the parking lot, adjacent to existing roads, will impact pedestrian safety in the area which includes a school to the south and west of Rancho Destino Road. The maximum allowable height of 3 feet is for decorative or

retaining purposes. Staff finds that there is no reason that the proper setbacks and height cannot be met.

Design Review

While staff supports the expansion of the place of worship to include a new parking lot, staff does not support the waivers associated with the design and construction of the parking lot. The site is very close to a neighborhood elementary school that needs safe access for students walking to and from school, and a level of improvement that complements the surrounding neighborhood and rural character. The proposed parking lot design does not provide adequate shade from trees. The lack of sidewalks in the area will continue to force pedestrians to walk on undefined surfaces in close proximity to the flow of traffic, continuing a concern for pedestrian safety. Staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #6

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the Waiver of Development Standards for full off-site improvements.

Waiver of Development Standards #7a

Staff finds that the reduced throat depth for the commercial driveways on Frias Avenue and Rancho Destino Road will result in the stacking of vehicles into the right-of-way.

Waiver of Development Standards #7b

Staff cannot support the reduction in departure distance for the northern commercial driveway on Rancho Destino Road. Staff has concerns with the traffic coming off of Frias Avenue as well as the school traffic to the south being in conflict with movements from the commercial driveway.

Staff Recommendation

Approval of use permits #1, #2, and #3; denial of use permits #4 and #5, waivers of development standards, 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:

- 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; 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; 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;
- Right-of-way dedication to include 30 feet for Frias Avenue, 30 feet for Rancho Destino Road and associated spandrels.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval of use permits #1, #3, and #4, waivers of development standards #4 through #7, and the design review; denial of use permits #2 and #5 and waivers of development standards #1 through #3 (temporary outdoor commercial events to be limited to 3 events a year; temporary outdoor commercial events are allowed on APN 177-28-401-005 only).

APPROVALS: 3 letters

PROTESTS:

APPLICANT: NADIM ABOU ZEID

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