

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0601-DARUL IMAN ETHIOPIAN MUSLIM COMMUNITY, INC.:

HOLDOVER USE PERMIT for a place of worship.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase maximum parking; **2)** eliminate street landscaping; **3)** reduce and eliminate parking lot landscaping; **4)** reduce buffering and screening; **5)** modify residential adjacency standards; **6)** alternative driveway geometrics; and **7)** waive full off-site improvements.

DESIGN REVIEW for an existing place of worship and proposed storage building on 1.01 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) and Airport Environs (AE-60) Overlays.

Generally located north of Ponderosa Way and east of Jones Boulevard within Spring Valley.
MN/dd/cv (For possible action)

RELATED INFORMATION:

APN:

163-36-201-012

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow 40 parking spaces where a maximum of 20 parking spaces is permissible per Section 30.04.04D (a 100% increase).
2. Eliminate street landscaping along Ponderosa Way where required per Section 30.04.01D.
3.
 - a. Eliminate parking lot landscaping where 1 landscape island is required every 6 spaces within the parking area per Section 30.04.01D.
 - b. Reduce the width of the landscape finger islands to 5 feet where 6 feet is required per Section 30.04.01D.
4.
 - a. Allow an existing 6 foot high non-decorative block wall along the north and east property lines where an 8 foot high decorative screen wall is required per Section 30.04.02C.
 - b. Reduce the width of a landscape buffer along the north property line to 10 feet where a 15 foot wide landscape buffer is required per Section 30.04.02C (a 33% reduction).
 - c. Reduce the width of a landscape buffer along the east property line to 5 feet where a 15 foot wide landscape buffer is required per Section 30.04.02C (a 66% reduction).
5.
 - a. Allow higher-activity areas of development, such as parking and circulation, where higher activities shall not be adjacent to areas subject to Residential Adjacency standards per Section 30.04.06G.

- b. Allow a building facade design including roof lines and roof treatments, for an existing place of worship building and a proposed storage building, to not be consistent for all sides of a building visible from a public street or residential district per Section 30.04.06G.
6.
 - a. Reduce the driveway width to 30 feet along Ponderosa Way where a minimum width of 32 feet is required per Uniform Standard Drawing 222.1 (a 6% reduction).
 - b. Allow a commercial curb return driveway to not be installed along Ponderosa Way per Uniform Standard Drawing 222.1.
7. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Ponderosa Way where required per Section 30.04.08C.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 6036 Ponderosa Way
- Site Acreage: 1.01
- Project Type: Place of worship
- Number of Stories: 1 (existing place of worship and proposed storage building)
- Building Height (feet): 15 (existing place worship)/14 (proposed storage building)
- Square Feet: 2,944 (existing place of worship)/1,373 (proposed storage building)
- Parking Required/Provided: 20/40
- Sustainability Required/Provided: 7/2

History & Site Plan

The site was originally approved to convert a residence into a place of worship in 2017 via UC—0509-17. The applicant was then approved for an extension of time in 2019 via ET-19-400107 which included the condition that the application was to commence and be reviewed as a public hearing no later than September 20, 2020. The Application for Review was never processed; therefore, the original approval expired thus requiring the current request to bring the site into compliance with Title 30.

The site plan depicts an existing 2,944 square foot existing place of worship centrally located on the southern half of the site. There is an existing concrete pad to the north of the existing place of worship, and a parking lot located north of the existing concrete pad that comprises the remainder of the site. Access to the site is from Ponderosa Way via a single 30 foot wide driveway on the southwest corner of the site. There is also an existing wrought iron gate within the driveway set back 65 feet from Ponderosa Way.

The plans also depict a proposed 1,373 square foot accessory building to be used for storage located directly northeast of the existing place of worship. This building will be set back 5 feet from the east property line within the existing concrete pad area, and 7 feet from the existing place of worship to the southwest.

Landscaping

Plans depict an existing 10 foot wide landscape area along the north property line, and a 6 foot wide landscape area along the northern half of the east property line. The new storage building is buffered by a 5 foot wide landscape area on the east side of the site. The existing building is set back from the east property line by a 7 foot wide landscape strip and a 7 foot wide concrete walkway. Five landscape finger islands currently exist throughout the parking area, with the central four containing no landscaping. The fifth landscape finger island contains various shrubs with no required trees.

There are a number of mature palm trees, olive trees, mulberry trees, and Italian Cypress located on the north edge of the parking area along the northern property line, as well as along the east and south (front) property lines. All of the landscaping on site is already installed, and no additions or changes to the landscaping are proposed.

Elevations

The elevations for the proposed storage building depict an overall height of 14 feet. It will be constructed of painted stucco with a concrete tile roof and will feature windows along the west face to match the existing place of worship. The existing place of worship is 15 feet high and is constructed of stucco with a sloped tiled roof.

Floor Plans

Floor plans depict the proposed storage building as not having any internal rooms or structures. The main entrance is located on the west side of the building, with secondary entrances located on the north and south sides of the building. The existing place of worship features a gathering room, separate classrooms, restrooms, and a kitchen.

Applicant's Justification

The applicant states that the site was originally approved for the same use in 2017 via UC-0509-17, and that the site has not changed since the original approval. It was not until the building permit process for the accessory building it was discovered that new land use for the site was required. The applicant also states that the proposed accessory structure will solely be used for storage related to the place of worship use and will contain items such as food, clothing donations, chairs, and tables.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-19-400107 (UC-0509-17)	First extension of time for a community center and place of worship - expired	Approved by BCC	September 2019
UC-0509-17	Community center and place of worship - expired	Approved by BCC	September 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & East	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP & AE-60)	Single-family residential
West	Neighborhood Commercial	CP (AE-60)	Office complex

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

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

This site was approved as a place of worship in 2017 by UC-0509-17, and at the time was meant to act as a buffer between the existing residences to the north, south, and east from an approved commercial development to the west. Since then, the commercial development to the west was completed and is now in use. Since conditions around the site have not changed, staff can support the request.

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.

Waiver of Development Standards #1

The parking area for this site was approved in conjunction with the proposed place of worship use in 2017 by UC-0509-17 and was shown with 42 spaces. While staff does not normally support waivers for increases in parking, it may be noted that the abundance of parking spaces should help to alleviate any concerns for worshipers parking in the surrounding neighborhood. However, when UC-0509-17 was approved, it was approved with a condition limiting parking to 42 spaces to align with a condition limiting the occupancy to 42 people at any one time. Based on this, staff cannot accept the provision of only 40 spaces. Upon review of the parking lot design as shown on plans submitted with the subject application, some spaces do not meet the minimum width and/or depth requirements but it appears restriping the northern and southern

parking rows could yield a total of 42 code compliant parking spaces. For these reasons, staff can support this request with a condition requiring a minimum of 42 parking spaces to align the condition limiting the occupancy of the place of worship to 42 people at any one time.

Waiver of Development Standards #2

Currently, there is no street landscaping along Ponderosa Street and none was required with approval of UC-0509-17. Landscaping is however located behind the decorative fence located north of Ponderosa Street and consists of 2 palm trees and one small olive tree which are currently not recommended species pursuant to the Southern Nevada Water Authority Plant List. When UC-0509-17 was approved, it was approved with a condition requiring “landscaping per plans on file, but with mature trees.” Staff finds, with the exception of 2 missing trees to the east and west of the palm trees and shrubs north of the decorative fence, the landscaping is acceptable and recommends, if approved 2 mature trees be planted along Ponderosa Street, north of the existing decorative fence.

Waiver of Development Standards #3

The applicant is not proposing any changes to the parking lot or landscaping around the parking lot. The parking area landscaping for this site was approved in conjunction with the proposed place of worship use in 2017 by UC-0509-17 and was shown with 42 spaces, with 2 landscape islands in the middle of the double parking row, 5 trees north of the northernmost parking row, and 2 trees south of the southernmost parking row. Unfortunately, when the parking lot was constructed, it was constructed with 1 olive tree and 4 palm trees north of the parking lot, without the 2 landscape islands in the middle of the double parking row, and the 2 trees south of the southernmost parking row were installed closer together towards the western parking spaces versus being spread evenly among all the spaces. While staff can support the request to not install landscaping in two perimeter landscape islands as required by code today, staff cannot support deviating from the previously approved plans especially considering parking lot trees play a vital role in reducing the urban heat island effect and the prior approval included a condition of approval stating “landscaping per plans on file, but with mature trees.” For these reasons, staff recommends denial of this request.

Waiver of Development Standards #4

While the walls and landscape strips along the north and east property line already exist, staff finds that several steps could be taken to lessen the severity of the different components of this waiver request. First, the request to maintain the 6 foot wall along the north and east property boundaries conflicts with the prior conditions of approval which required “decorative stucco 8 foot high walls along north and east sides of property adjacent to residential property to be coordinated with neighbor.” Staff finds no reason the 8 foot high decorative wall cannot be constructed onsite as required. Second, staff has no issue with maintaining the existing landscape width of 10 feet on the north, but does not support the request to not install at a minimum the landscaping as previously approved. Third, staff has no concern with the landscaping width, and number and type of trees, along the northern half of the eastern boundary. Staff does, however, have an issue with eliminating the previously approved landscaping and reducing the landscape width along the southern half of the eastern boundary where the storage building is proposed to be placed. For these reasons, staff cannot support this request.

Waiver of Development Standards #5b

On January 1st, 2024, a rewritten Title 30 became effective which new non-residential development in areas subject to Residential Adjacency to have architecture that is consistent on all sides of a proposed building. The west elevation of the proposed storage building has 6 windows, one set of entry doors. The south elevation has one door and the north and east elevations have no architectural treatments. All 4 faces of the building have no break in the façade. Staff finds that the proposed storage building could be redesigned to meet current architectural requirements. For these reasons, staff cannot support this request.

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.

Waiver of Development Standards #5a and Design Review

On January 1st, 2024, a rewritten Title 30 became effective which requires separations from more intense uses (such as parking and circulation) when next to areas subject to Residential Adjacency. While staff recognizes the site layout was previously approved, staff has concerns regarding the lack of buffering and screening. Additionally, staff finds that the proposed storage building will be constructed to match the existing place of worship building but lacks additional architectural treatments to aide in softening the visual appearance of the building to neighboring residents. For these reasons, and because staff cannot support some of the waivers of development standards, staff cannot support the design review. If approved, staff recommends many of the conditions of approval of UC-0509-17 be added to the project to minimize the impacts of the use and its operation on neighboring residents.

Public Works - Development Review

Waiver of Development Standards #6a & #6b

The request to reduce driveway width, combined with the request to allow for a pan driveway further reduces the safety of vehicles entering and exiting the site. Narrower driveways will result in more vehicles stopping in the right-of-way while drivers attempt to negotiate the tight turns that will be required. Additionally, Ponderosa Way has sufficient frontage to allow for a commercial curb return driveway and meet the minimum standards; therefore, staff cannot support this request.

Waiver of Development Standards #7

Staff cannot support this request to not install full off-site improvements on Ponderosa Way when there are existing full improvements to the east and south of the site and at the church to the west. Additionally, full width paving, curb, and gutter allows for better traffic flow and drainage control, and sidewalks on public streets provide safer pathways for pedestrians.

Staff Recommendation

Approval of the use permit and waiver of development standards #1 and #2; denial of waivers of development standards #3 through #7, 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:

- Maintenance of residential appearance and no signage to indicate this is a place of worship;
- Certificate of Occupancy limited to 42 people at any one time;
- Minimum of 42 code compliant parking spaces shall be provided which may require restriping of portions of the parking lot;
- Parking spaces to be used for parking only (no outdoor events, no overnight or long-term parking allowed);
- Parking lighting shielded and minimized in height and brightness to minimize impact on neighborhood;
- Standing or idling vehicles shall be directed to parking lot and shall not remain in the front of the building;
- Gates set back in front of building;
- Decorative stucco 8 foot high walls on north and east sides of property adjacent to residential property;
- Two mature trees to be planted along Ponderosa Street, north of the existing decorative wall, between the driveway entrance and the existing palm tree and west of the eastern property line;
- Minimum of 4 new mature evergreen trees to be planted in north landscape strip;
- No amplification of sound outdoors or indoors that is projected or heard outdoors;
- Hours of occupancy limited to 9:00 a.m. to 9:00 p.m.;
- No retreats or overnight stays;
- No rental or other use the structure(s) or parking lot for any purpose (i.e. storage, celebrations, parties, garage sales, or rummage sales);
- No on-site food preparation allowed, except BBQ on rear patio; no outdoor activities or congregating allowed, except on existing patio at rear of property;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance, and payment of the tree fee-in-lieu is required for any required trees waived.
- 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;
- Applicant to construct a 5 foot asphalt path along Ponderosa Way.
- Applicant is advised that block walls shall not encroach into sight-visibility zones.

Fire Prevention Bureau

- No comment.

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:

APPROVALS: 1 card

PROTESTS: 11 cards, 4 letters

COUNTY COMMISSION ACTION: October 22, 2025 – HELD – To 11/05/25 – per the applicant.

APPLICANT: MK ARCHITECTURE

CONTACT: MK ARCHITECTURE, 50 E. SERENE AVENUE #414, LAS VEGAS, NV 89123