

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-25-400118 (WS-23-0544)-MARIANO MARILOU LIVING TRUST & MARIANO MARILOU TRS:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: **1)** eliminate trash enclosure setbacks; **2)** screening mechanical equipment; **3)** eliminate street landscaping; **4)** eliminate parking lot landscaping; **5)** eliminate landscaping adjacent to a less intensive use (single-family residences); **6)** reduce drive aisle width; and **7)** allow modified driveway design standards.

DESIGN REVIEW for a place of worship on 0.8 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located east of Spencer Street and north of Robindale Road within Paradise. MN/al/cv
(For possible action)

RELATED INFORMATION:

APN:

177-11-603-003

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the setback for a proposed trash enclosure to zero feet where a minimum of 50 feet is required from any residential development (single-family residence) on a separate parcel per Section 30.56.120 (a 100% reduction).
 - b. Reduce the interior side yard setback for a proposed trash enclosure to zero feet where a minimum of 5 feet is required per Table 30.40-1 and Section 30.56.120 (a 100% reduction).
2. Waive screening for mechanical equipment where required per Table 30.56-2.
3. Eliminate street landscaping (Spencer Street) where 15 feet of landscaping is required behind an existing attached sidewalk per Section 30.64.030.
4. Eliminate parking lot landscaping where required per Figure 30.64-14.
5. Eliminate landscaping adjacent to a less intensive use (single-family residences) where landscaping per Figure 30.64-11 (1 tree every 20 feet) is required.
6.
 - a. Reduce one-way drive aisle width to a minimum of 10 feet where a minimum width of 12 feet is required per Table 30.60-4 (a 16.7% reduction).
 - b. Reduce two-way drive aisle width to a minimum of 10 feet where a minimum width of 24 feet is required per Table 30.60-4 (a 58.3% reduction).
 - c. Reduce one-way drive aisle width to 14 feet where 24 feet is required per Table 30.60-4 (a 42% reduction).
7.
 - a. Permit an existing pan driveway where a commercial driveway is required per Uniform Standard Drawing 222.1.

- b. Reduce the width of an existing driveway along Spencer Street to 20 feet where a minimum of 36 feet is required per Uniform Standard Drawing 222.1 (a 44.4% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 7630 Spencer Street
- Site Acreage: 0.8
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 20 (top of building)/23 (top of cross)
- Square Feet: 3,653
- Parking Required/Provided: 37/37

Site Plan

The approved plan depicts an existing 1 story single-family residence that is being utilized as a place of worship. The place of worship is set back 215 feet from the west property line along Spencer Street, 12 feet from the north property line, 15 feet from the south property line, and 48 feet from the east property line. The place of worship is located within the eastern portion of the project site. An existing carport is located 9 feet to the west of the building, with a setback of zero feet along the south property line, which is being removed to allow for a drive aisle to the rear of the property for additional parking. A proposed trash enclosure is located to the northwest of the place of worship, with a setback of zero feet from the north property line requiring a waiver of development standards. Two existing storage buildings, each measuring 48 square feet, are located on the northeastern portion of the site with a 5 foot setback from the rear and side yards, and a minimum separation of 6 feet between structures. An existing pool is located within the rear yard of the project site; however, the pool appears to be empty based on recent aerial photographs. The place of worship is required to have 37 parking spaces, and 37 parking spaces are depicted on the plans, with 34 parking spaces located to the west of the building and 3 parking spaces located on the southeastern corner of the site. Six parking spaces are designed as parallel with a minimum length of 21 feet and width of 9 feet, meeting Code standards. The on-site circulation of vehicles is serviced by a one-way circular drive aisle, ranging between 10 feet to 18 feet in width. Bicycle spaces are located at the northwest corner of the building. Access to the site is granted via a single, existing 20 foot driveway along Spencer Street, requiring a waiver to reduce the required width of the driveway. An existing 5 foot wide attached sidewalk is located along Spencer Street.

Landscaping

Per the approved plans the existing attached sidewalk along Spencer Street will remain and no street landscaping is proposed along the right-of-way, which required a waiver of development standards. The interior of the parking lot features a central landscape area with 11 existing palm

trees, 8 of which will be removed to accommodate the drive aisle width and parking adjacent to the place of worship. Per the Development Code, palm trees are not allowed in the interior of parking lots as they provide minimal shade; therefore, a waiver is necessary to eliminate parking lot landscaping. Five existing palm trees are provided along a portion of the southwest property line, adjacent to a single-family residence, which will be removed to allow for parking along the south property line. The plan depicts 4 existing palm trees along a portion of the northwest property line, adjacent to the drainage channel. No other perimeter landscaping is provided along the northeast, east, and southeast property lines of the project site, which are adjacent to single-family residences. Waivers are being requested to eliminate landscaping adjacent to the existing residential uses. An existing 6 foot high CMU block wall surrounds the perimeter of the project site.

Elevations

The approved plans depict an existing place of worship consisting of a stucco exterior and an asphalt shingled roof. The height of the existing building is 20 feet to the top of the pitched roof and 23 feet to the top of the cross. The exterior of the building is painted with neutral, earth tone colors. The height of the existing metal carport is 8 feet. The existing storage buildings are 7.5 feet in height. The storage buildings consist of an asphalt shingled roof with exterior wood siding. The storage buildings are painted with neutral earth tone colors.

Floor Plans

The approved plans depict a 3,653 square foot place of worship consisting of a front and main sanctuary area, prayer room, media room, restroom facilities, children's room, kitchen, mass hall, storage and equipment rooms, and pantry.

Signage

Signage was not part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0544:

Comprehensive Planning

- Applicant to pay \$915 per required tree towards the tree fund for waived street and parking lot trees;
- Existing carport to be removed prior to building permits;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Right-of-way dedication to include a portion of the Duck Creek Channel;
- Grant necessary easements and/or right-of-way;
- Reconstruct driveway as a commercial pan driveway per Uniform Standard Drawing 224;
- Applicant shall perform a topo survey to determine the limits of the Duck Creek Channel in relationship to the on-site and off-site improvements.

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 is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property appears to have an existing septic system; and to contact the Southern Nevada Health District when modifying existing plumbing fixtures.

Applicant's Justification

The applicant indicates that they have been working through multiple obstacles on the project due to the unique layout and location of the existing drainage channel. They have worked with the Clark County Fire Department to address the fire requirements for the project and have created an alternative means and methods report to address potential fire concerns. The applicant indicates they have incorporated the recommended fire improvements into the project and will be moving forward with review of the drainage study and civils plans.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-23-0545	Vacate and abandon a portion of a public drainage easement	Approved by BCC	October 2023
WS-23-0544	Waivers of development standards and design review for a place of worship	Approved by BCC	October 2023
ET-23-400094 (UC-21-0184)	First extension of time for a place of worship	Approved by BCC	August 2023
UC-21-0184	Use permit for a place of worship with waivers for parking, setbacks, landscaping, pedestrian walkways, drive aisle width and driveway design standards - waivers and design review for a facility - denied	Approved by BCC	June 2021

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential & drainage channel
South & East	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
West	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS20	Single-family residential & drainage channel

Related Applications

Application Number	Request
ET-25-400117 (UC-21-0184)	Second extension of time for a place of worship is a companion item on this agenda.

Clark County Public Response Office (CCPRO)

CE-19-17787 is an active violation for building without a permit (alterations to the front entry, garage conversion, and room addition).

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

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

The location is impacted by an existing drainage channel which creates unique circumstances for the development of the site. The applicant states that they have been working with the Fire Department to address the fire requirements for the project. Records show that the applicant has submitted a drainage study (PW25-17190) for review by Public Works. Additionally, BD24-40111 is a building permit application in review with the Building Department for interior tenant improvements to address the issues for CE-19-17787 with CCPRO. Staff finds the applicant has demonstrated that they are trying to make progress for the completion of the project. This application is contingent upon UC-21-0184, the use permit that approved the use of the site as a place of worship, remaining active. Staff can support this extension of time request. However, since the land use applications were approved to allow the site to be a place of worship, the County has adopted a rewrite to Title 30 effective January 1, 2024. If significant progress is not made and a third extension of time is necessary, staff may not support future extension of time requests.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

Staff Recommendation

Approval.

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**

- Until October 4, 2027 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines; 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.

Public Works - Development Review

- Compliance with previous conditions.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTEST:

APPLICANT: PHILIP WAKEFIELD

CONTACT: ANGELA BACA, BLUE DIAMOND CIVIL ENGINEERING, 9816 GILESPIE STREET, SUITE 120, LAS VEGAS, NV 89183