

03/02/21 PC AGENDA SHEET

PLACE OF WORSHIP
(TITLE 30)

RUSSELL RD/HORSESHOE DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-20-400157 (UC-18-0102)-CHURCH FIRST CONGREGATIONAL:

USE PERMIT FIRST EXTENSION OF TIME for a place of worship within an existing office building.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** alternative landscaping; **2)** waive bicycle parking; **3)** alternative parking lot design and layout; **4)** reduced driveway throat depth; and **5)** permit existing non-standard improvements to remain within a right-of-way.

DESIGN REVIEW for modifications to an existing commercial development for a place of worship within an existing office building on 0.5 acres in a C-P (Office and Professional) (AE-60) Zone within the Russell Road Transition Corridor Overlay District.

Generally located on the northeast corner of Russell Road and Horseshoe Drive within Paradise.
JG/sd/jd (For possible action)

RELATED INFORMATION:

APN:
162-25-411-033

WAIVERS OF DEVELOPMENT STANDARDS:

1. Permit alternative landscaping along Russell Road where landscaping per Figure 30.64-17 is required.
2. Waive bicycle parking where a minimum of 4 spaces are required per Table 30.60-2 (a 100% reduction).
3.
 - a. Waive requirements for pedestrian walkways in conjunction with parking lots where required per Section 30.60.050.
 - b. Permit alternative automobile parking layout where required per Table 30.60-4 and Figure 30.60-1.
4. Reduce throat depth for an existing driveway to zero feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
5. Permit existing non-standard improvements (fences and landscaping) to remain within the right-of-way of Horseshoe Drive where not permitted per Section 30.52.050.

LAND USE PLAN:
WINCHESTER/PARADISE - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: 2709 Horseshoe Drive
- Site Acreage: 0.5
- Project Type: Place of worship
- Number of Stories: 1
- Square Feet: 1,995
- Parking Required/Provided: 20/20

History & Request

Records indicate the structure was originally constructed as a single family residence in 1973. In 1998 the site was reclassified to a C-P zone to allow the existing residence to be converted into an office building. The conversion from a residence to an office building was completed with the approval of building permit 02-43532 in 2002. UC-18-0102 was approved to use the building for a place of worship. No changes were proposed to the exterior of the building and additional parking was required for the place of worship. With the original application, it was determined that there is existing landscaping and a fence within the right-of-way of Horseshoe Drive which were shown outside the right-of-way on the plans provided for the reclassification of the site to the C-P zone.

Site Plan

The site is an odd shaped lot located on the northeast corner of Russell Road and Horseshoe Drive with the widest portion of the property located along the west side (front) which is adjacent to Horseshoe Drive. The narrowest portion of the site is along the east side (rear). The building is in the central portion of the site with access from Horseshoe Drive. There are 2 driveways on Horseshoe Drive, 1 to provide ingress to the site and the other to provide egress that are connected by a one-way drive aisle through a porte cochere. Parking for the site is located to the northwest of the building and there are currently 10 parking spaces on site. The proposed place of worship requires an additional 10 parking spaces. These additional parking spaces will consist of 1 parking space that is located within an existing attached garage and 9 parking spaces to be located to the south and southwest of the building within what is currently a landscape area. To the east of the building within the rear yard area is an existing pool.

Since the site was planned to be modified to add additional parking, the plans did not depict bicycle parking, walkways or pedestrian connections to the public sidewalks. The plans depict 7 proposed vehicle parking spaces to the southwest of the building. These 7 parking spaces get access from a 20 foot wide drive aisle that terminates approximately 5 feet north of Russell Road, and the plans indicate the parking spaces are set at a 75 degree angle to the drive aisle. Per Table 30.60-4 and Figure 30.60-1, 20 feet is the required width for a one-way drive aisle. Since this drive aisle terminates the parking spaces should be set at a 90 degree angle and the drive aisle should be 24 feet in width to allow proper maneuvering into and out of these parking spaces and this parking area. The throat depth for the existing driveways to the existing parking spaces is zero feet which does not conform to Code, but this design was approved with the zone change to reclassify the site to a C-P zone. The waiver to reduce the throat depth was for the proposed parking spaces which are located on the south side of the ingress driveway.

Horseshoe Drive has a right-of-way dedication of 60 feet; however, the improved portion of the street is approximately 40 feet wide from back of curb to back of curb. There are no sidewalks adjacent to Horseshoe Drive, which leaves an area that varies in width between the back of curb to the property line. It was determined that there is an existing fence and landscaping within the Horseshoe Drive right-of-way adjacent to this site. There are similar types of non-standard improvements adjacent to other properties along Horseshoe Drive which appear to have been installed decades ago. These improvements were likely placed in the right-of-way by homeowners who mistakenly believed the back of curb was the property line and assumed the fences and landscaping were within their property boundary.

Landscaping

The existing landscaping along Russell Road was in conformance to Code when the property was reclassified to the C-P zoning district in 1998. In order to provide the additional parking for the place of worship, existing trees were planned to be removed. The current Code requires a minimum 15 foot wide landscape area along Russel Road with landscaping consisting of groundcover, shrubs, and off-set rows of trees. The plan depicts a landscape area that varies in width from zero feet to approximately 25 feet. The portion of the landscape area that is zero feet wide is due to angled parking spaces being added to the site. The southeast corner of 1 parking space is close to the property line adjacent to the street. The plans depict 3 Chinese Pistache trees (large deciduous trees) with shrubs and groundcover located along Russell Road adjacent to the proposed parking spaces. Additional trees were proposed to be added to the proposed parking area and along portions of the north, east, and south property lines.

Elevations

Photographs submitted with the original request depict an existing 1 story office building with a pitched roof with asphalt shingles. The exterior of the building has a stucco finish painted in earth tone colors.

Floor Plan

The building has an area of 1,995 square feet. The sanctuary for services occupies approximately 512 square feet of the building. An office will occupy approximately 235 square feet and the remainder of the building will consist of restrooms, a utility room, kitchen area, and multi-purpose room. An existing garage will be used to provide 1 parking space and a storage area.

Previous Conditions of Approval

Listed below are the approved conditions for UC-18-0102:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that once the vacation records, any area of public right-of-way that still contains non-standard improvements will still be subject to a License and Maintenance Agreement; and that changes to, or elimination of, non-standard improvements in the right-of-way can result in a new License and Maintenance Agreement or termination of the Agreement, either of which is the applicant's sole responsibility.

Building Department - Fire Prevention

- Applicant is advised to contact the Building Department at (702) 455-3000 regarding a potential change in occupancy classification; and that any changes in occupancy classification may have impacts on both the site plan and construction.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; to contact CCWRD customer service to confirm that their sanitary sewer use codes are correct for their existing plumbing fixtures upon approval of change in property use; and that if any plumbing fixtures are added or modified in the future, then additional capacity and connection fees will need to be addressed.

Applicant's Justification

The applicant states that during the past 16 months they have been challenged as a congregation with declining membership. The pandemic has had devastating impacts on the church with loss of revenue from church members who have lost jobs. The church is requesting an extension of time to complete necessary permits.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0102	Place of worship with waivers for landscaping, bicycle racks, modified driveway standards, and non-standard improvement within the right-of-way	Approved by PC	March 2018
ZC-0905-98 (WC-0175-02)	Waiver of conditions for a zone change requiring commercial access to Russell Road only; full off-sites on Horseshoe Drive to include L-curb, sidewalk, and streetlights; and vehicular and building access from Russell Road	Approved by BCC	August 2002
ZC-0905-98	Reclassified the site to a C-P zoning to convert an existing single family residence into an office building	Approved by BCC	July 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E, CRT, & C-P	Single family residential & office buildings
East & West	Office Professional	R-E & C-P	Single family residential & office buildings

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed 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 or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Review of building records show the church has worked towards completing upgrades with permits for the demolition of an existing pool and associated decking along with a commercial fence permit. Staff can support this request for an extension of time as the applicants have shown progress in meeting conditions and obtaining requisite permits.

Public Works - Development Review

With the original land use application in 2018, the applicant was conditioned to address the non-standard improvements within the right-of-way with a License and Maintenance Agreement. Although the applicant has not executed the agreement, staff can support this first extension of time in order to allow them time to rectify this issue.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until March 20, 2023 to complete.
- Applicant is advised that the County is currently rewriting Title 30 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 that 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.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTEST:

APPLICANT: FIRST CONGREGATIONAL CHURCH

CONTACT: FIRST CONGREGATIONAL CHURCH, 2709 HORSESHOE DRIVE, LAS VEGAS, NV 89120