

03/03/21 BCC AGENDA SHEET

PLACE OF WORSHIP  
(TITLE 30)

BUFFALO DR/WIGWAM AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0338-SANG TJIE GIOK:**

**USE PERMITS** for the following: **1)** place of worship; **2)** increased height of a place of worship; and **3)** increased height of a freestanding sign.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced setbacks; **2)** driveway geometrics; and **3)** departure distance.

**DESIGN REVIEW** for a place of worship on 5.0 acres in an R-E (Rural Estate Residential) (RNP-I) Zone.

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

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RELATED INFORMATION:

**APN:**

176-16-601-050

**USE PERMITS:**

1. Place of worship.
2. Increase the building height for a place of worship to 46 feet 4 inches where 35 feet is allowed per Table 30.40-1 (a 32.5% increase).
3. Increase the height of a freestanding sign to 35 feet where 28 feet high is permitted in the residential protection standards per Table 30.72-1 (a 25% increase).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the setback for a freestanding sign to 8 feet 1 inch where 60 feet is required per Table 30.72-1 (an 86.5% decrease).
2. Reduce throat depth to 73 feet 10 inches where 150 feet is required per Uniform Standard Drawing 222.1 (a 51.3% reduction).
3. Reduce the departure distance to 183 feet 6 inches on Wigwam Avenue where 190 feet is required per Uniform Standard Drawing 222.1 (a 3.4% reduction).

**LAND USE PLAN:**

ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (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): 46 feet 4 inches
- Square Feet: 89,290
- Parking Required/Provided: 151/208

#### Site Plans

The plans show an 89,290 square foot, 2-story south facing place of worship building complex with monastery consisting of 2 buildings connected by internal hallways and associated parking area. The south portion of the building consists of an entry area which partially covers a drive aisle for patron drop-offs. The building complex is set back 93 feet 11 inches from the west property line, 58 feet 3 inches from the north property line, 13 feet 1 inch from the east property line, and 199 feet 5 inches from the south property line. A freestanding sign is located 27 feet 7 inches from the front property line, 8 feet 1 inch from the west property line, and is 35 feet high. Parking is located on the south, west and north sides of the building complex. Access to the site is from Wigwam Avenue with an additional emergency access with a crash gate on the north side of the property on Camero Avenue.

#### Landscaping

The plans depict landscaping per Title 30 requirements throughout the site. Detached sidewalks with landscaping on both sides is shown on Wigwam Avenue and Buffalo Drive. An attached sidewalk with 6 foot 11 inch wide street landscaping is located on Camero Avenue. An 8 foot wide landscape strip extends along the western border of the property. Landscaping is also located along the northern border and the western border of the building complex. Internal to the site within the parking area the parking lot landscaping complies with Figure 30.64-14. A 9 foot wide landscape area with trees and shrubs separates the main parking area from the drop-off area canopy and the entrance to the building complex. Landscaping is also proposed in the area between the connecting hallways between the buildings.

#### Elevations

The elevations show a south oriented place of worship building complex with monastery with an overall building height of 46 feet 4 inches high. The southern elevation depicts the multi-level overhanging grey tiled rooflines with decorative beams, decorative eaves, and roof ornaments. The exterior of the building will be an earth tone stucco finish with a red accent color on the columns. The south elevation shows 3 entrances with associated glass storefronts and grey tiled roof overhangs. The north and east elevations consists of grey tiles overhanging roof.

#### Floor Plans

The plans for the building complex show 2 levels. The first level on the south building consists of the main entrance with auditorium, various shops for residents, 2 dining rooms, lecture room, kitchen, restrooms, and office space. The northern building consists of a lobby, 43 monastery

living quarters, a kitchen, meeting rooms, restrooms, office space, coffee shop, and an open courtyard with a swimming pool and open landscaped area. The second level of the building consists of 82 monastery living quarters, several meeting rooms, restrooms, meditation room, and storage.

#### Signage

The plans show a 35 foot tall freestanding sign at the southern entrance to the property. The sign is constructed of red columns, beams with decor, roof accents, and an overhanging tile roof design which is consistent with the place of worship.

#### Applicant's Justification

The applicant indicates that the proposed place of worship with monastery is designed with the philosophy of the harmony of human and nature. The site design brings natural elements such as daylight, landscaping, fresh air, and wind into the building complex for balance. The applicant states that the proposed place of worship is compatible with the surrounding neighborhood and will enhance the area by providing a stable and desirable character. The applicant indicates that a neighborhood meeting was held on January 25, 2021 with 2 neighbors in attendance.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
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
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</b>	<b>Existing Land Use</b>
North	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped & approved 70 lot residential subdivision
South & East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

#### **STANDARDS FOR APPROVAL:**

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

#### **Analysis**

##### **Current 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 Comprehensive 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

A place of worship with monastery requires consideration through a special use permit to ensure compatibility with existing or planned surrounding uses. Compatibility refers to characteristics of different land uses that allow them to be harmoniously located near or adjacent to each other with minimal impacts. Compatible use considerations may include a range of activities and design features related to existing and proposed development, such as but not limited to height, scale, mass, density, architecture, landscaping, hours of operation, and environmental impacts.

With appropriate building siting, required parking, and appropriate buffering, a place of worship can be consistent and compatible with residential neighborhoods in consideration of Title 30 and the Comprehensive Master Plan. Many places of worship have been approved and developed in Rural Neighborhood Preservation (RNP) areas with no adverse impacts to the community. Staff finds the establishment of a place of worship at this location is consistent with all Title 30 provisions, but has concerns regarding the site location, building design, the freestanding sign, and other elements of the project. Those concerns will be addressed with the design review portion of this request.

Staff can support the place of worship use for the following reasons: 1) the place of worship is near a collector street; 2) the building setbacks exceed Title 30 minimum requirements for the building complex; and 3) the required parking is being provided.

#### 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.

#### Use Permits #2 & #3 and Waiver of Development Standards #1

The applicant is requesting to reduce the side setbacks, increase the overall height of a freestanding sign, and increase the height of a building in a residential area. Although the architectural design of the freestanding sign is consistent with the design of the building complex, the size and scale are not consistent with the surrounding area. The location of the sign, the setback reduction, and increased building height could have a negative impact on the surrounding area, and since staff cannot support the design review for the overall project, staff cannot support these requests.

#### Design Review

One of the major issues identified in the land use plan updates is the compatibility of new developments within or adjacent to RNP areas. It is essential that new developments are compatible and consistent with existing developed properties in the area. The considerations for compatibility may include design features related to existing and proposed developments, such

as, but not limited to bulk standards such as height, mass, density, and architecture. Compatibility refers to the sensitivity of development proposals in maintaining the character of existing areas. Bulk parameters located within the immediate area are used as a gauge in determining compatibility. These regulations define the relationship between the size and relationship of a building and its location while establishing regulations and standards for setbacks, height, lot size and coverage, density, and yard requirements.

Staff finds the plans depict building elevations, with corresponding bulk, design characteristics, and other architectural and aesthetic features, that are not harmonious and compatible with development in the area. The 2 story 89,290 square foot place of worship building with a maximum vertical height of 46 feet 4 inches is not sensitive to existing neighborhood character with regard to scale, use of materials, and bulk. The size and massing of the building far exceeds the scale and massing of the nearby residential buildings and does not further or maintain a consistent visual character of the residential character and pattern. The closest residential properties that have single family residential buildings range in size from approximately 3,500 square feet to about 4,800 square feet. The immediate area is within the RNP land use category.

Through the use of building placement, distribution of overall building area into smaller scale buildings more consistent with the residential character of the area, site design, and parking lot and street landscaping, the applicant could further minimize the visual dominance of the building and the overall site area. Therefore, staff finds the applicant has not established that the plans satisfy the criteria for approval of a design review and finds the following: 1) the proposed development is not compatible with adjacent development; 2) the applicant has not demonstrated compatibility with applicable community goals per Chapter 30.16.010, including complementing and enhancing the character of the neighborhood. Therefore, staff cannot support the design review.

### **Public Works - Development Review**

#### **Waiver of Development Standards #2**

Staff worked with the applicant on the throat depths for the Wigwam Avenue driveway. The applicant moved the entrance to the main parking area to extend the throat depth. This will help with traffic circulation on the site and prevent vehicles from stacking into the right-of-way. However, since Planning is recommending denial of the design review, staff cannot support this waiver.

#### **Waiver of Development Standards #3**

Staff has no objection to the reduction in the distance from Buffalo Drive to the driveway on Wigwam Avenue. The driveway is located as far away from the intersection as the limited frontage will allow. However, since Planning is recommending denial of the design review, staff cannot support this waiver.

**Staff Recommendation**

Approval of use permit #1; denial of use permits #2 & #3, 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:****Current Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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; 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back of curb for Buffalo Drive, 35 feet to the back of curb for Wigwam Avenue, 30 feet for Camero Avenue, and associated spandrels.
- Applicant is advised that the installation of detached sidewalks will require dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Building Department - Fire Prevention**

- 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 Apparatus Access cannot be achieved at the Northwest corner of the building; a turnaround would be required at the end of the private dead end parking lot which is located towards the corner of Camero Avenue and Buffalo Drive; or change the location of the building to allow access per CCFD.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0242-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**  
**APPROVALS:**  
**PROTESTS:**

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