

PLACE OF WORSHIP
(TITLE 30)

UPDATE
BUFFALO DR/WIGWAM AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-20-0338-SANG, TJIE GIOK:

HOLDOVER AMENDED 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 (no longer needed).
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced setbacks; **2)** driveway geometrics; **3)** departure distance; and **4)** increased signage (previously not notified).
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)

RELATED INFORMATION:

APN:
176-16-601-050

USE PERMITS:

1. Place of worship.
2. Increase the building height for a place of worship to 43 feet 6 inches (previously notified as 46 feet 4 inches) where 35 feet is allowed per Table 30.40-1 (a 24.6% increase (previously notified as 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) (no longer needed).

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. 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) (no longer needed).
 - b. Reduce the setback for a place of worship to residential use to 103 feet where 129 feet is required per Figure 30.56-10 (a 20.2% decrease) (previously not notified).
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).
4.
 - a. Increase the number of wall signs on the same side of the building to 3 where 1 is allowed per Table 30.72-1 (a 200% increase) (previously not notified).
 - b. Increase the sign square footage to 231 square feet where 50 square feet is allowed per Table 30.72-1 (a 362% increase) (previously not notified).

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: **43 feet, 6 inches**
- Square Feet: **49,918**
- Parking Required/Provided: 151/208

Site Plans

The plans show a **49,918** square foot, 2 story south facing place of worship building with monastery consisting of **1 building located approximately in the middle of the site**. The south side of the building consists of a patron drop-off area where the drive aisle is covered by an architectural overhang. The building complex is set back 103 feet from the west property line, 224 feet from the north property line, 22 feet from the east property line, and 198 feet from the south property line. Parking is located on the south, west, and north sides of the site. 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.

Elevations

The elevations show a south oriented place of worship building with monastery, the overall building height is **43 feet 6 inches high**. The southern elevation depicts the multi-level overhanging brown tiled roofline 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 brown tiled roof overhangs. **The north and east elevations consist of brown tiled overhanging rooflines. The south elevation features 3 wall signs over the building entrances.**

Floor Plans

The plans for the building show 2 levels. The first level consists of the main entrance with auditorium, various shops for residents, 2 dining areas, lecture room, kitchen, guest room,

and an office space. The second floor consists of a meditation room and 28 guest rooms. The center portion of the building is open to the floor below.

Signage

The plans show 3 wall signs on the southern face of the building above each entrance. The middle sign is 107 square feet and the 2 signs above the other entrances are 62 square feet each.

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

Application Number	Request	Action	Date
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

	Planned Land Use Category	Zoning District	Existing Land Use
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 a place of worship to be harmoniously located near or adjacent to residential uses 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 Title 30 provisions, but has concerns which 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 required parking is being provided; and 3) **landscaping meets Title 30 requirements.**

Use Permit #3

No longer needed.

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.

Waiver of Development Standards #1a

No longer needed.

Use Permit #2 & Waivers of Development Standards #1b, #4a, & #4b

The applicant is requesting to reduce the side setback **to a residential use**, increase the height of a building in a residential area, **and increase signage associated with a place of worship. The applicant has been working with staff for months to redesign the site to make the proposed place of worship more compatible with the surrounding area. The requested use permit for setback reduction and height increase is consistent with other places of worship in the vicinity. The proposed wall signs on the south side of the building are an integral part of the overall design on the building.** The location of the signs, 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. 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-1 and use category.

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 **49,918** square foot place of worship building with a maximum vertical height of **43 feet 6 inches, which is scaled down from the original request for an 89,290 square foot building complex. The applicant has been working with staff and hosted a neighborhood meeting to include the redesigned site and address staff's concerns regarding the compatibility with the surrounding neighborhood area.**

Through the use of thoughtful site design, distribution of overall building area on a smaller scale building **is becoming** more consistent with the residential character of the area, and parking lot and street landscaping, the applicant **has shown that the overall design could be adjusted to reduce** the visual dominance of the building and the overall site area. However, staff finds the applicant has not established that the plans satisfy the criteria for approval of a design review and finds that the proposed development is not compatible with adjacent development. 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 permit #2, 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 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: Enterprise - approval (design review for signs).

APPROVALS: 1 card

PROTESTS: 4 cards

COUNTY COMMISSION ACTION: March 3, 2021 – HELD – To 04/21/21 – per the applicant.

COUNTY COMMISSION ACTION: April 21, 2021 – HELD – To 06/02/21 – per the applicant.

COUNTY COMMISSION ACTION: June 2, 2021 – HELD – To 06/16/21 – per the Board of County Commissioners.

APPLICANT: TJIE GIOK SANG

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