

07/06/21 PC AGENDA SHEET

PLACE OF WORSHIP  
(TITLE 30)

EMERSON AVE/TOPAZ ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0242-OR BAMIDBAR CORPORATION:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced setback; and **2)** reduced building separation.

**DESIGN REVIEW** for a residence (for religious leader) in conjunction with an existing place of worship (synagogue) on 0.9 acres in an R-1 (Single Family Residential) Zone.

Generally located on the south side of Emerson Avenue, 1,100 feet east of Topaz Street within Paradise. TS/jor/jo (For possible action)

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RELATED INFORMATION:

**APN:**

162-13-219-020

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the rear setback of a proposed residence (for religious leader) to 5 feet where 20 feet is required per Table 30.40-2 (a 75% reduction).
2. Reduce the building separation between an existing storage building and a proposed place of worship residence to 2 feet, 9 inches where 6 feet is the standard per Table 30.40-2 (a 51% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - INSTITUTIONAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2991 Emerson Avenue
- Site Acreage: 0.9
- Project Type: Residence
- Number of Stories: 2
- Building Height (feet): 26 (residence)/29 (existing synagogue)
- Square Feet: 4,718 (residence)/3,000 (existing synagogue)
- Parking Required/Provided: 33/41

### Site Plan

The site plan depicts an existing place of worship (synagogue) that was previously approved via UC-1490-02. The site and access to the place of worship is located at the south end of the Emerson Avenue cul-de-sac bulb. The existing synagogue is located on the east half of the site, with an accessory storage building in the center of the parcel. Parking is located along the northern and western portions of the site. The east and south property lines are adjacent to an existing drainage channel. There is an existing 6 foot high CMU block wall with 1.5 feet of wrought iron on top of the block wall along the perimeter of the property, with an 8 foot high sliding wrought iron access gate along the northwest corner of the site. An 8 foot high CMU block wall is located along the southern property line adjacent to the drainage easement.

The applicant is proposing a residence on the southern half of the site, west of the existing parking spaces, and south of the synagogue and storage building. The proposed residence will be utilized by the synagogue religious leaders during the weekends. It will be set back 5 feet from the southern property line (adjacent to the drainage channel), 73 feet from the west property line (nearest existing residences), 2 feet, 9 inches from the storage building to the north, 20 feet from the existing synagogue to the northeast, 45 feet from the east property line, and approximately 130 feet from the north property line.

### Landscaping

There is existing landscaping on the site along the perimeter of the property. No changes are proposed to the perimeter landscaping. The submitted landscape plan shows 24 inch box trees on the west side of the proposed residence along with a variety of 5 gallon shrubs. Groundcover and rock mulch will also be located around the proposed residence.

### Elevations

The elevation plans show a 2 story residence with an overall height of 26 feet. The design of the residence is modern, with neutral colored stucco walls, and an exterior staircase on the northern elevation of the building.

### Floor Plans

The floor plans include bedrooms, bathrooms, and a kitchen.

### Applicant's Justification

The proposed synagogue residence building is for staff to utilize during the observation of the Sabbath. The proposed residence will allow the church leader and their family to remain on-site to conduct daily prayer services. The proposed residence is architecturally compatible to the site and does not impose any impacts to the existing parking, landscaping, and existing screening.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AV-18-900283	Increase wall height (adding wrought iron rods to CMU block)	Approved by ZA	May 2018

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-1490-02	Place of worship (synagogue)	Approved by PC	November 2002
UC-0859-98	Place of worship (synagogue) and variance for a 17% parking reduction - expired	Approved by PC	July 1998
TM-0312-96	21 lot PUD for a single family residential subdivision	Approved by PC	January 1997
UC-1968-96	Single family residential subdivision (21 lot PUD) and a place of worship, variance to reduce lot depth, reduce minimum street width, reduced parking for a place of worship, and waive the interior sidewalk requirement	Approved by PC	January 1997

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Office Professional	R-3	Undeveloped
South	Public Facility	R-1	Drainage easement
East	Public Facility & Office Professional	C-P & R-1	Drainage easement & undeveloped
West	Residential Suburban (up to 5 du/ac)	R-1 (RNP-III)	Single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**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 #1

Staff does not normally support reduced setback requests, however, since there is an existing 8 foot high screen wall and existing landscaping, staff can support the applicant's request. The proposed residence rear setback will not impose a negative impact to the overall site; therefore, Staff supports this request.

### Waiver of Development Standards #2

The site plan shows that the storage building and proposed residence have an overall building separation of 6 feet; however, there is a proposed exterior staircase on the north elevation of the proposed residence. Due to the exterior staircase, the building separation distance is reduced to 2 feet, 9 inches. Staff supports this request since the building separation does not negatively impact the existing buildings.

### Design Review

The proposed residence is appropriate and compatible to the site. Since parking, landscaping, vehicular circulation, and existing screening will not be impacted, staff can support this request.

### **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**

- 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**

- No comment.

#### **Building Department - Fire Prevention**

- No comment.

#### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** OR BAMIDBAR CHABAD

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