

PLACE OF WORSHIP/FENCE/PARKING LOT
(TITLE 30)

VIKING RD/JONES BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0351-MASJID TAWHEED:

AMENDED USE PERMIT to expand a place of worship (parking lot and fence).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase fence height; **2)** landscaping; **3)** pedestrian walkway (no longer needed); and **4)** alternative driveway geometrics.

DESIGN REVIEWS for the following: **1)** fence; and **2)** parking lot in conjunction with an existing place of worship on 2.3 acres in a C-P (Office and Professional) Zone.

Generally located on the north side of Viking Road, 300 feet west of Jones Boulevard within Spring Valley. JJ/jt/jo (For possible action)

RELATED INFORMATION:

APN:

163-14-701-011 through 163-14-701-013

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase fence height to 6 feet where a maximum of 3 feet is permitted within a required setback along a street per Section 30.64.020 (a 100% increase).
2.
 - a. Reduce street landscaping along a portion of Viking Road where landscaping is required per Figure 30.64-13.
 - b. Reduce parking lot landscaping where landscaping is required per Figure 30.64-14.
3. Not provide a pedestrian walkway through the new parking lot where required per Section 30.60.050 (no longer needed).
4.
 - a. Reduce throat depth to 22 feet where 75 feet is required per Uniform Standard Drawing 222.1 (a 71% reduction).
 - b. Reduce driveway width to 24 feet where 32 feet is required per Uniform Standard Drawing 222.1 (a 25% reduction).

LAND USE PLAN:

SPRING VALLEY - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: 6170 & 6180 W. Viking Road

- Site Acreage: 2.3
- Project Type: Place of worship/fence/parking lot
- Fence Height (feet): 6
- Parking Required/Provided: 155/145 (parking reduction previously approved via UC-0412-11)

History

The place of worship was initially approved on the western parcel in November 2011 by action of UC-0412-11. An expansion was later approved on the northeastern parcel in November 2017 by action of UC-0801-17. The purpose of this application is to expand the place of worship use onto the southeastern parcel, enclose the entire facility with a 6 foot high wrought iron fence, and add an additional 44 space parking lot. A previous application, UC-18-0199, was approved to expand the place of worship onto the southeastern parcel and enclose the entire facility with a 6 foot high wrought iron fence; however, that application expired since the fence was built but permits were not finalized.

Site Plans

The plans show an existing place of worship with buildings located on the western and northeastern parcels. The place of worship use is proposed to be expanded onto the southeastern parcel with a parking lot and a 6 foot high wrought iron fence to enclose the entire facility.

Access to the site is from an existing 24 foot wide driveway on the western parcel and an existing 25 foot wide driveway on the southeastern parcel, both from Viking Road. A waiver of development standards is necessary for the reduced widths of these driveways. A 24 foot wide rolling gate is located at the western driveway, set back 19 feet from the front property line. A 25 foot wide rolling gate is located at the eastern driveway, set back 25 feet from the front property line. Both gates will remain open during business hours.

The new parking lot will include 44 new parking spaces. Most of the parking spaces are arranged in east/west rows on the west side of the drive aisle, and 6 parking spaces are located on the east side of the drive aisle, which connects to the existing parking spaces located on the northeast and western parcels. A pedestrian walkway is provided on the west side of the new parking lot.

A 6 foot high wrought iron fence is proposed along the south (front) and east (side) property lines. The fence along the east property line is allowed by Code; however, since the fence along the south property line is within the required 15 foot front setback, a waiver of development standards is needed to increase the height to 6 feet where a maximum of 3 feet is permitted. The proposed fences will be set back 6 inches from the south and east property lines. Although both fences were built, they were not permitted. Portions of the fence along the southern property line, adjacent to Viking Road, will be relocated outside of the sight visibility zones.

Landscaping

Existing landscaping will remain on the western and northeastern parcels; however, some additional parking lot landscaping will be installed where the drive aisle on the southeastern parcel connects to the other 2 parcels. On the southeastern parcel, a strip of landscaping will be

located along the east property line that ranges in width from 4 feet to 25 feet. Landscaping is also located on the north and west sides of the new parking lot, between the center row of parking spaces, and within parking lot landscape fingers. However, since the width of the northern and southern landscape strip along the parking spaces is less than 8 feet, a waiver of development standards to reduce parking lot landscaping is necessary. Also, landscaping along Viking Road will be mostly located in a 6 foot wide strip behind the wrought iron fence. Street landscaping is reduced on the east side of the eastern driveway due to a utility box; however, landscaping is provided around the utility box.

Applicant's Justification

The applicant indicates that the driveways and fence are existing, although permits were not finalized for the fence. Portions of the fence will be relocated outside of the sight visibility zone along Viking Road, and additional landscaping will be installed behind the fence. The additional parking lot is necessary for patrons for the place of worship.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0199	Expansion of a place of worship onto the southeastern parcel and enclose the facility with a fence - expired	Approved by PC	May 2018
UC-0801-17	Expansion of a place of worship onto the northeastern parcel within an existing office building	Approved by BCC	November 2017
UC-0412-11	Place of worship on the western parcel within an existing office building which included waivers for reduced parking and access to a local street	Approved by BCC	November 2011
DR-1414-07	Expansion to an office building on the northeastern parcel that is not residential in character	Approved by PC	January 2008
DR-2107-96	Office building on southeastern parcel - expired	Approved by PC	February 1997
DR-1455-96	Office building on northeastern parcel	Approved by PC	October 1996
DR-1225-96	Office building on western parcel	Approved by PC	August 1996
ZC-0052-93	Reclassified the overall site and properties to the east to C-P zoning for an office complex	Approved by BCC	April 1993

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Residential Suburban (up to 8 du/ac)	R-1	Single family residential
South	Residential High (8 to 18 du/ac)	R-3	Senior apartments
East	Office Professional	C-P	Office buildings

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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.

The use permit to expand the place of worship on the southeastern parcel was previously approved; however, the land use application expired since permits were not finalized for the fence. Expanding the place of worship use on this parcel will not create any negative impacts on the surrounding properties, and it is a natural progression to complete the overall place of worship campus; therefore, staff can support the request.

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

The waiver of development standards to increase fence height was previously approved; however, the permits were not finalized, and the land use application expired. Although the fence is existing, portions of the fence will be removed and relocated outside of the sight visibility zones. As a result, staff can support the request to modify the fence location and finalize the building permit process.

Waiver of Development Standards #2a

A narrow 25 foot wide portion of Viking Road street frontage will have reduced landscaping, which is on the east side of the driveway entrance. Per the plans, a water valve box is in this area; however, landscaping will be installed around the utility box. As a result, staff can support the request.

Waiver of Development Standards #2b

Parking lot landscaping helps shade vehicles and reduce the urban heat island effect, which is especially prevalent in parking lots. In addition, parking lot landscaping helps improve the aesthetic quality of the site. Although some of the parking lot landscape strips are less than 8 feet in width, the revised plans include adequate parking lot landscaping to meet the intent of Title 30. As a result, staff can support the request.

Waiver of Development Standards #3

No longer needed.

Design Review #1

The fence is existing, and the applicant will remove and relocate portions of the fence that are in the sight visibility zones. With the modifications, the fence will not create any safety concerns for vehicles and pedestrians. Also, the additional landscaping proposed behind the fence will soften the appearance and improved the aesthetic quality of the site. As a result, staff can support the request.

Design Review #2

The additional parking lot will be a benefit to the place of worship and help complete the place of worship campus. Since the plans include parking lot landscaping and a pedestrian walkway, staff can support the design review of the parking lot.

Public Works - Development Review

Waiver of Development Standards #4

Staff has no objection to allowing the existing driveway to remain since it was built as an ADA-compliant commercial curb return driveway. Additionally, the throat depth is being improved with the on-site improvements as the parking lot will have defined drive aisles and parking stalls, eliminating the confusion that currently exists with parking on the unimproved surface.

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

- 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.
- Applicant is advised off-site improvements permits may be required; and that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Building Department - Fire Prevention

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: QAMAR FARIDI

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