HOLDOVER USE PERMITS for the following: 1) a proposed place of worship; and 2) a project of regional significance (adjacent to the City of Henderson).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative landscaping; 2) full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Gilespie Street; and 3) allow modified driveway design standards.

DESIGN REVIEW for a proposed place of worship/monastery on 2.3 acres in an R-U (Rural Open Land) Zone.

Generally located on the east side of Gilespie Street, 300 feet south of Larson Lane within unincorporated South County. MN/pb/ja (For possible action)

RELATED INFORMATION:

APN:
191-16-501-001

WAIVERS OF DEVELOPMENT STANDARDS:
1. Allow a 10 foot wide landscape area without a sidewalk along Gilespie Street where a 15 foot wide landscape area with a detached sidewalk is required per Figure 30.64-17 or Figure 30.64-18.
2. Waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Gilespie Street where full off-site improvements are required per Section 30.52.050.
3. Reduce throat depth for 2 commercial driveways along Gilespie Street to 10 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (an 86.7% reduction).

LAND USE PLAN:
SOUTH COUNTY - COMMERCIAL TOURIST

BACKGROUND:
Project Description
General Summary
- Site Address: 12970 Gilespie Street
- Site Acreage: 2.3
- Project Type: Place of worship/monastery
- Number of Stories: 1
• Building Height (feet): 27 feet, 2 inches
• Square Feet: 4,800 (place of worship)/1,536 (residence hall)
• Parking Required/Provided: 52/58

Site Plans
The plans depict a proposed 4,800 square foot place of worship (temple building) centrally located on the site and an existing 1,536 square foot residence located to the north of the proposed temple. The residence will be converted into a residence hall (monastery). Existing storage buildings are located on the northeastern portion of the site. Parking spaces are located to the south and west of the temple building. The site has access to Gilespie Street via 2 driveways. The throat depths for driveways do not meet Code requirements. The applicant proposes to construct Gilespie Street to meet rural standards.

Landscaping
A 10 foot wide landscape area with landscaping materials in compliance with Figure 30.64-13 is located along the western property line adjacent to Gilespie Street. Existing trees and landscaping will be retained along the northern, eastern, and southern property lines. Interior parking lot trees are distributed throughout the parking lot in accordance with Figure 30.64-14. Landscape materials include existing and proposed trees, shrubs, and groundcover.

Elevations
The plans depict a proposed single story, 27 foot 2 inch high, temple building with a pitched, composite shingle roof. The façade includes hard panel and stucco. The existing residence hall has a similar façade.

Floor Plans
The plans depict a 4,800 square foot temple building with a foyer, 3,700 square foot worship area, offices, and restrooms.

Signage
Signage is not a part of this application.

Applicant’s Justification
The applicant indicates the site will be used for a place of worship with services, meditation, and a residence hall for monks. The waivers of development standards are appropriate because the parcel is located in a rural area surrounded by the City of Henderson. The proposed use and design of the project are compatible with the surrounding area and will not negatively impact the adjacent parcels.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>VS-0259-01</td>
<td>Vacated a portion of right-of-way for Leake Avenue along the southern boundary of the parcel</td>
<td>Approved by PC</td>
<td>April 2001</td>
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</table>
### Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North &amp; West City of Henderson</td>
<td>City of Henderson</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>South Commercial Tourist</td>
<td>R-U</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>East Commercial Tourist</td>
<td>R-U</td>
<td>Single family residence</td>
</tr>
</tbody>
</table>

### 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.

With appropriate building siting, proper building massing and scale, required parking, and appropriate buffering a place of worship can be consistent and compatible with residential neighborhoods in accordance with Title 30 and the Comprehensive Master Plan. Other places of worship have been approved and developed in close proximity to residential areas with little or no adverse impact to the community. Staff does not have an issue with the proposed use; therefore, 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**

Staff finds the proposed 10 foot wide landscape area along Gilespie Street meets the intent of Code. Furthermore, the landscaping is compatible with the development in the area.

#### Design Review

Staff finds the architecture and height of the proposed place of worship are designed to minimize impacts to the surrounding area. The overall design and height of the proposed place of worship are compatible with the existing residence on the parcel and the development within the immediate area.
Public Works - Development Review

Waiver of Development Standards #2
Staff cannot support the applicant's request to waive full off-site improvements for this project. Gilespie Street is a collector street and the area surrounding the parcel, within the City of Henderson, is slated for residential and commercial uses, and, contrary to the applicant's justification, detached sidewalks will be required. When developers on those parcels in the City of Henderson complete their street improvements, this segment of Gilespie Street adjacent to the place of worship and the parcel to the south will be one of the few places in the area with streets and sidewalks that are not fully improved. As such, the street network will be incomplete and thereby unsafe for vehicular and pedestrian traffic.

Waiver of Development Standards #3
Staff cannot support the applicant's request to reduce the required throat depth, allow unimproved driveways where curb return driveways are required, and to allow driveway widths less than 32 feet measured from the lip of the gutter to the lip of the gutter. The applicant states that the throat depth cannot be met due to on-site constraints such as the location of the house and the septic system. However, an alternate site design with less accessory structures or other design changes may result in compliance with the standards. The applicant provided no justification to allow the existing driveways to remain as is because there is no valid reason why commercial curb return driveways cannot or should not be installed. Even if off-site improvements are temporarily deferred, the applicant and others in the area should be prepared for fully improved streets in the near future. At that point, having noncompliant driveways will create safety hazards for traffic in the area.

Staff Recommendation
Approval of the use permits, waiver of development standards #1, and the design review; and denial of waivers of development standards #2 and #3.

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 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;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that easements may exist on the property that interfere with the proposed development and may result in the need to remove fencing, landscaping, and buildings; that no landscaping or structure over 24 inches in height is allowed within the sight visibility zones per Chapter 30.52 of Clark County Code; and that gates must comply with Title 30 standards including satisfying Public Works that the gates will not present a danger to vehicles and pedestrians.

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 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.

Southern Nevada Health District (SNHD) - Septic
- Applicant is advised to schedule an appointment with the SNHD Environmental Health Division at (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)
- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs to contact either the Southern Nevada Health District concerning the use of an individual disposal system, or the City of Henderson to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

TAB/CAC:
APPROVALS: 2 cards
PROTESTS: 3 cards

COUNTY COMMISSION ACTION: April 3, 2019 – HELD – To 05/08/19 – per Commissioner Naft.
COUNTY COMMISSION ACTION: May 8, 2019 – HELD – To 06/05/19 – per the applicant.
COUNTY COMMISSION ACTION: June 5, 2019 – HELD – To 06/19/19 – per the applicant.

APPLICANT: WATNEVADADHARMARAM
CONTACT: KENNETH ERLANGER, 4222 E. PINECREST CIRCLE, LAS VEGAS, NV 89121