

09/05/23 PC AGENDA SHEET

RESTAURANT
(TITLE 30)

SPRING MOUNTAIN RD/JONES BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-23-0423-JMLAS RESTAURANT INC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce parking; and **2)** sidewalk width.

DESIGN REVIEW for an addition to proposed restaurant on 0.3 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Jones Boulevard, approximately 300 feet south of Spring Mountain Road within Spring Valley. JJ/rr/syp (For possible action)

RELATED INFORMATION:

APN:
163-13-201-019

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking for a restaurant to 17 spaces where 26 spaces are required per Table 30.60-1 (a 35% reduction).
2. Reduce the width of a portion of a sidewalk between the building and parking aisle to 4.3 feet where 5 feet is required per Section 30.60.050 (a 14% reduction).

LAND USE PLAN:
SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:
Project Description

General Summary

- Site Address: 3560 S. Jones Boulevard
- Site Acreage: 0.3
- Project Type: Restaurant
- Number of Stories: 1
- Building Height (feet): 18
- Square Feet: 2,569
- Parking Required/Provided: 26/17

Site Plan

The site plan shows an existing parking lot and a 2,374 square foot building. The intent is to construct a 195 square foot addition to the southeastern corner of the building which will increase its size to 2,569 square feet. A total of 17 parking spaces and 1 loading space are depicted on the plan. Typical spaces are 9 feet by 20 feet with a wheel stop to prevent encroachment onto the sidewalk. A 5 foot 6 inch wide sidewalk provides a pathway between the public sidewalk, the ADA parking space, and the main entrance. The sidewalk on the east side of the building at the rear entrance is 4 feet 5 inches in width. There is an existing monopole for a communication facility near the northeast corner of the property.

Landscaping

The submitted plans indicate the existing landscaping will remain on site. However, some of the existing palm trees are proposed to be removed and new landscaping, including three 24 inch box Mexican Palo Verde trees, and several Red Yucca will be added along the front of the building.

Elevations

Submitted elevation plans show an existing building with a mixture of block and stucco for the exterior building materials. The intent is to add a 195 square foot addition and remodel the exterior of the building which will increase the building to an overall height of 18 feet. New storefront windows and a new building entrance are proposed on the south building elevation.

Floor Plans

Floor plans show an existing building area of 2,374 square feet with a proposed addition of 195 feet, primarily for a new soup kitchen. The customer seating area will be 627 square feet, the main kitchen is 408 square feet, and the scullery area will be 198 square feet. The plans also show 2 unisex bathrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant intends to use the property for a small restaurant. The design review is for a small addition for a soup kitchen with exterior changes to the building. The applicant states that a concrete foundation is already existing with walls and a door to be added. The applicant is requesting a waiver of parking requirements and states that most of their customers take food to go during the day. Finally, a waiver for sidewalk width is requested at the rear of the building.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-01-900651	10 foot extension to existing monopole for communication facility	Approved by ZA	August 2001
VS-97-2177	Vacated patent easements	Approved by BCC	February 1998

Prior Land Use Requests

Application Number	Request	Action	Date
UC-97-1975	65 foot monopole for communication facility	Approved by PC	December 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Vehicle maintenance business
South & East	Neighborhood Commercial	C-1	Bank
West	Neighborhood Commercial & Compact Neighborhood (up to 18 du/ac)	C-1 & R-3	Bank & multiple family residential

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive 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

Currently the site has 17 parking spaces with a 2,374 square foot building. A restaurant not located in a shopping center requires 10 spaces per 1,000 square feet. At least 24 spaces are required; therefore, the site is currently under parked by 7 spaces. A 195 square foot addition will increase the parking requirement by 2 for a total of 26 spaces. While staff may be able to support a waiver to reduce parking from 24 spaces to 17 spaces for the existing building, adding square footage to the restaurant building will increase the nonconformity of the parking lot. This is a self-imposed hardship by the applicant; therefore, staff cannot support this request.

Waiver of Development Standards #2

This request is to reduce the width of a portion of the sidewalk along the rear of the building from 5 feet to 4 feet 5 inches between the building and parking aisle. The minimum width required for the adjacent drive aisle is 24 feet. Based on the site plan that was submitted it appears that there is room to increase the width of the sidewalk by 7 inches and meet the minimum drive aisle width. There does not appear to be a compelling need for the waiver based on the submitted plans; therefore, staff cannot support this request.

Design Review

A restaurant use is generally compatible with the underlying designation of Neighborhood Commercial as shown on the Master Plan. The building design, exterior building materials, façade treatments, and mechanical screening meet County standards. New parking lot landscaping is not required for an existing parking lot. However, the applicant is proposing to remove some existing Palm trees along the front of the property and replace them with three large Palo Verde trees which will provide improved shade conditions. The proposed landscaping may reduce the heat island effect and improve the aesthetics of the project site and the surrounding area. However, because staff is not supporting the waivers, it cannot recommend approval of the design review.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water are prohibited; 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: TOMMY YI

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