

RESTAURANT
(TITLE 30)

BOULDER HWY/GLEN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0531-BOULDER CAPITAL MANAGEMENT, LLC:

ZONE CHANGE to reclassify 0.5 acres from an H-2 (General Highway Frontage) Zone to a C-2 (General Commercial) Zone.

WAIVER OF DEVELOPMENT STANDARDS for reduced landscaping.

DESIGN REVIEWS for the following: **1)** restaurant; and **2)** outside dining and drinking.

Generally located on the northwest corner of Boulder Highway and Glen Avenue within Winchester and Sunrise Manor (description on file). TS/bb/syp (For possible action)

RELATED INFORMATION:

APN:

161-06-403-001; 162-01-804-006; 162-01-804-007

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce landscaping to 10 feet along Boulder Highway where 15 feet is required adjacent to an existing attached sidewalk per Section 30.64.030 (a 33% reduction).
- b. Reduce landscaping to 10 feet along Glen Avenue where 15 feet is required adjacent to an existing attached sidewalk per Section 30.64.030 (a 33% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3448 & 3450 Boulder Highway
- Site Acreage: 0.5
- Project Type: Restaurant with outside dining and drinking
- Number of Stories: 1
- Building Height (feet): 22
- Square Feet: 1,473
- Parking Required/Provided: 16/10 (on-site)/6 (off-site)/93/136 (overall block)

Site Plan

The plan depicts a 0.5 acre area with a new 1,473 square foot restaurant with a 250 square foot outside dining located at the northwest corner of Boulder Highway and Glen Avenue, south of 250 feet south of Sahara Avenue. The plan shows 10 on-site parking spaces with 6 parking spaces provided as part of a shared parking agreement with the adjacent property being used as a pharmacy. The property is located on a narrow corner with existing access from a shared driveway located 250 feet south of Sahara Avenue and 230 feet north of Glen Avenue at Boulder Highway. A second shared access driveway is located 260 feet west of Boulder Highway on Glen Avenue. The plan shows a trash enclosure facing the shared driveway at the northwest corner of the property, and a loading zone on the south side of the building and north of the drive-thru aisle. The drive-thru aisle has an entrance along the west side of the property, an escape lane on the south-central part of the lot and exit on the north side of the restaurant. Parking is provided in the central area of the lot with the building on the east side of the property. Two accessible parking spaces are located on-site, along with 2 bicycle rack parking spaces.

Landscaping

The plan depicts parking lot landscaping with islands, and 10 feet of the 15 feet required landscaping along the rights-of-way. This landscaping deficiency is the subject of a waiver request with this application. There are 22 medium and 11 small trees shown on the landscape plan with 20 foot spacing along the rights-of-way.

Elevations

The plans depict a single building with stucco siding and vertical reveal joints, with decorative wood accents, decorative art panel facing west, matte black storefront, and glazed windows facing west. A decorative brick screen wall with a flat awning is located on the west side of the building for the outside dining space. Decorative metal shades are located on the west, east, and south sides of the building, with a portion of the drive-thru covered on the east side of the building. A brick veneer parapet is on the east side of the roof, with the brick veneer extending to the ground on the north and south sides of the building. The pedestrian level of the building on the west and east sides includes wood cladding with a brown textured surface.

Floor Plan

The plan depicts a 1,473 square foot building with restroom, 205 square foot team member lounge and office, drive-thru window (east facing), mobile order pick-up window (west facing), and a 705 square foot back of house preparation area. A 205 square foot storage space is also shown on the floor plan.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting a conforming zone change from H-2 (General Highway Frontage) to C-2 (General Commercial). The proposed restaurant is located 250 feet south of Sahara Avenue and on the west side of Boulder Highway. The building is 22 feet high with a modern contemporary design, with a combination of stucco, wood cladding, brick veneer, and decorative screen wall. The 250 square foot outside dining area has a pedestrian area, decorative screening,

protective barrier, and 4 foot sidewalk between the barrier and parking area. No signs are proposed with this application. The proposed zone change complies with the Master Plan designation of Corridor Mixed-Use and this property is part of a contiguous C-2 zoned area that exceeds 10 acres in area. Only 10 feet of the required 15 feet of landscaping is included within the property adjacent to existing attached sidewalks, resulting in a waiver request. The owner has a shared parking agreement with the adjacent Walgreens and will have access to the addition 6 parking spaces required for a total of 16 parking spaces.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1366-04	Auto maintenance - expired	Approved by PC	September 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2 & H-2	Commercial retail
South	Corridor Mixed-Use	C-2	Vehicle sales, retail, & warehouse
East	Corridor Mixed-Use	C-2	Undeveloped
West	Corridor Mixed-Use	C-2	Retail

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

This request is conforming to the Master Plan Policy SM-2.4 encouraging compatible business development, and Policy WP-1.7 encouraging targeted revitalization of older neighborhoods. The proposed rezoning from H-2 to C-2 will remove an antiquated zoning district. The subject parcel has been vacant for quite some time which may attract illegal activities in the area. Revitalizing the site by cleaning up the property, repaving the parking lot, and installing new street landscaping will enhance the site and the overall adjacent neighborhood. The proposed C-2 zoning and the addition of this development will provide a compatible use in this area; therefore, staff can support this request.

Waiver 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.

The applicant is installing over 15 feet of landscaping adjacent to Boulder Highway, with only 10 feet on private property. The applicant is providing more than 30 trees on the property, with all trees being 24 inch box size. A total of 10 feet of landscaping is shown along Glen Avenue, matching the existing landscaping on the same side and also landscaping provided by the vehicle sales use on the south side of Glen Avenue. The resulting overall landscaping will adequately screen the property and provide a significant shade canopy over time, in compliance with Master Plan Policy 3.6.1 and mitigation of urban heat island effects. Therefore, staff supports this request.

Design Reviews

The proposed restaurant and outside dining area are compatible with the surrounding uses, has adequate shared access, and shared parking with the 2 other uses located on the island parcels located between Sahara Avenue, Glen Avenue, and Boulder Highway. A total of at least 136 parking spaces are available in the entire block area, with Dotty's tavern having obtained a waiver reduced parking (WS-0078-14). Over 40 parking spaces are located within the City of Las Vegas and are currently available for the other uses. The shared parking for 6 additional spaces from the Walgreens property will ensure adequate parking. The owner has a shared parking agreement with the adjacent property for 6 additional parking spaces. Therefore, staff can support these requests.

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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 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 will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 the waiver of development standards and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

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 #0184-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - approval. Winchester - approval.

APPROVALS:

PROTESTS:

APPLICANT: JOSEPH KENNEDY

CONTACT: CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV 89101