

04/16/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0181-OCHIAI GROUP, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce street landscaping; and **2)** alternative driveway geometrics.

DESIGN REVIEW for site modifications in conjunction with an existing commercial building (proposed restaurant and related facilities) on 0.63 acres in a CG (Commercial General) Zone.

Generally located on the south side of Charleston Boulevard, 300 feet west of Lamont Street within Sunrise Manor. TS/jud/cv (For possible action)

RELATED INFORMATION:

APN:

161-05-510-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the width of the proposed street landscape strip along a portion of Charleston Boulevard (north property line) to 8 feet where a 10 foot wide landscape strip adjacent to an existing attached sidewalk is required per Section 30.04.01D (a 20% reduction).
- b. Reduce the width of the proposed street landscape strip along Nevada Avenue (south property line) to 6.5 feet where a 10 foot wide landscape strip adjacent to an existing attached sidewalk is required per Section 30.04.01D (a 35% reduction).
2. a. Reduce the throat depth for a driveway along Charleston Boulevard to 14 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 44% reduction).
- b. Allow a commercial pan driveway where a commercial curb return driveway is required per Uniform Standard Drawing 222.1 and Section 30.04.08.
- c. Allow an existing 25 foot wide driveway width to remain where a minimum of 32 feet is required Uniform Standard Drawing 222.1 and Section 30.04.08 (a 22% reduction).

LAND USE PLAN:

SUNRISE MANOR - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4741 E. Charleston Boulevard
- Site Acreage: 0.63

- Project Type: Restaurant and related facilities
- Number of Stories: 1
- Building Height (feet): 19
- Square Feet: 4,424
- Parking Required/Provided: 30/37
- Sustainability Required/Provided: 7/3.5

Site Plans

The plans depict an existing commercial building located on the northwest side of the site. Access to the project site is granted via a single existing commercial driveway along Charleston Boulevard. The parking lot will be restriped to provide 37 parking spaces, including 3 ADA spaces where 30 parking spaces are required. Parking is located along the east and south sides of the commercial building. The existing attached sidewalks were to remain along Charleston Boulevard and Nevada Avenue.

Landscaping

The current aerial photo depicts no existing landscaping. Street landscape strips are proposed and measure 8 feet to 6.6 feet respectively, along Charleston Boulevard and Nevada Avenue. The required width of the street landscape strips is 10 feet minimum requiring a request for a waiver of development standards. The proposed landscaping includes a mix of shrubs and trees located primarily along Charleston Boulevard and around the parking lot area. A combination of shrubs and Shoestring Acacia trees are proposed along Charleston Boulevard. The central portion of the landscape strip on Charleston Boulevard is proposed to be 8 feet in width due to the pedestrian on-site access walkway, which connects the sidewalk to the site leading to the building entrance.

The street landscaping width along Nevada Avenue ranges from 6.5 feet to 9 feet in width. An existing 6 foot high block wall is located on the property line, with the landscaping inside the wall which was previously permitted. A total of 22 Shoestring Acacia trees and shrubs are provided along the south side of the building, and the west and the south side of the site. Along the east property line is a 2.5 foot wide landscape strip area consisting of only shrubs. Additionally, this application includes a request for alternative landscaping. Even though the street landscape widths are reduced and some of the parking lot landscape finger islands are not provided, the applicant is proposing alternative location for the trees. The number of required trees are provided but relocated to the rear of the site.

Elevations

The elevations depict the existing commercial building constructed primarily of stucco and brick veneer. The building is 19 feet tall with access provided to the building through storefront windows doors on the north and east façades of the building. The roof is flat and the exterior colors consist of neutral earth tones.

Floor Plans

The plans depict an existing 4,424 square foot building. The interior of the building will be split into various rooms including bar area, dining room, kitchen, storage room, service area, preparation area and restrooms.

Applicant's Justification

The property is a fully developed commercial site that currently houses Aloha Kitchen and Bar. No changes are proposed to the building's footprint, height, square footage, or exterior materials. The current site layout, including ingress and egress, remains unchanged. The requests for the street landscaping waivers are needed to accommodate the existing conditions of the site, while still providing the required number of on-site trees in alternative locations. The request to reduce throat depth is needed to keep the existing conditions. The 14 foot throat depth has been in use for many years without any reported operational issues or traffic obstructions. To further enhance traffic flow, 2 parking spaces have been removed on either side of the driveway, improving visibility and creating a more accessible entry and exit point. The existing driveway and surrounding infrastructure do not allow for a commercial curb return and wider driveway width without extensive modifications. The site constraints include existing sidewalks, light poles, and underground utilities, which would require significant reconstruction to accommodate the curb return. Modifying these elements would not only be cost-prohibitive but could also impact pedestrian pathways, traffic flow, and utility service lines. Maintaining the current configuration ensures continued safe and effective site access while minimizing disruptions to existing infrastructure.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1778-03	Reclassified a portion of this site from R-2 to C-P for a parking lot in conjunction with a C-2 tavern expansion and remodel	Approved by BCC	January 2004
DR-0151-02	Design review for an expansion of the tavern business - expunged by ZC-1778-03	Approved by PC	March 2003
ZC-1728-99	Reclassified this site to C-2 for a tavern subject to a reduction to C-P for the southernmost 180 feet - C-P expired	Approved by BCC	February 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	City of Las Vegas	R-3	Multi-family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential
East	Neighborhood Commercial	CG	Retail center
West	Neighborhood Commercial	RS3.3	Undeveloped

Related Applications

Application Number	Request
ZC-25-0180	A zone change to reclassify a portion of the project site from CP to CG is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

The purpose of reviewing waivers for reduced landscaping strip width is to assure the proposed widths will be able to support the health of the plant materials and there are no possible alternatives. Staff can support the waiver request to reduce the street landscaping width along Charleston Boulevard. The applicant is providing adequate width for the majority of the street frontage, except for a portion where the pedestrian pathway connects the sidewalk to the building entrance. When combining the landscape strips in front and behind the pedestrian pathway, along Charleston Boulevard, the landscaping is adequate.

The existing block wall, which is a non-conforming feature of the site, along Nevada Avenue is within the street landscape strip. The applicant is providing large trees behind the wall which will serve as parking lot as well as street landscaping. However, the landscape spacing in front of the walls is minimal and will not allow for trees to be planted. However, the southern wall was permitted prior to the adoption of this Code. Therefore, staff can support this request.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

This subject site is an existing commercial development. No exterior changes are proposed to the exiting building. The prior land uses involving a use permit and design review for a tavern, have expired. Staff finds that the overall design of the site is appropriate for the proposed use. Additionally, the applicant is proposing new landscaping and restriping of the parking lot. The redevelopment of this site supports Policy SM-2.5, which encourages the opportunities for the development of neighborhood centers to increase access to community oriented services and employment opportunities. Therefore, staff could support the design review request, however since waiver of development standards #2 is recommended for denial, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #2

The reduction in throat depth and driveway width, combined with the request to waive commercial curb return driveways, reduces the safety of vehicles entering and exiting the site. Narrower driveways will result in more vehicles stopping in the right-of-way while drivers attempt to navigate the tight turns that will be required. Further complicating off-site to on-site movements, the reduced throat depth will compound the impact of the pan driveways and narrow driveways, creating a dangerous situation for the public. Therefore, staff cannot support this request.

Staff Recommendation

Approval of waiver of development standards #1; denial of waiver of development standards #2 and the design review.

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 approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Sunrise Manor - approval of waiver of development standards #1 and the design review; denial of waiver of development standards #2.

APPROVALS:

PROTESTS:

APPLICANT: MARIA LIZA OCHIAI

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