PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-19-0331-BOULDER CROSSROADS RE, LLC:

**ZONE CHANGE** to reclassify 1.0 acre from H-2 (General Highway Frontage) Zone to C-2 (General Commercial) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce street landscaping; and 2) alternative off-site development standards.

**DESIGN REVIEW** for a medical office building.

Generally located on the southwest side of Boulder Highway, 390 feet northwest of Nellis Boulevard within Paradise (description on file). TS/jt/ja (For possible action)

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RELATED INFORMATION:

**APN:**
161-20-502-009

**WAIVERS OF DEVELOPMENT STANDARDS:**
1. Reduce street landscaping width along Boulder Highway to 2 feet 6 inches where 15 feet is required per Figure 30.64-17 (a 84% reduction).
2. a. Reduce driveway width to 24 feet 2 inches where 35 feet is required per Chapter 30.52 (a 25% reduction).
   b. Reduce driveway throat depth to 37 feet 4 inches where 50 feet is required per Chapter 30.52 (a 26% reduction).
   c. Reduce the right-in driveway radius to zero where 25 feet is required per Chapter 30.52 (a 100% reduction).
   d. Reduce the right-out driveway radius to zero where 15 feet is required per Chapter 30.52 (a 100% reduction).

**LAND USE PLAN:**
WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

General Summary
- Site Address: 4954 Boulder Highway
- Site Acreage: 1
- Project Type: Medical office building (dentist office)
- Number of Stories: 1
- Building Height: 22 feet 7 inches
- Square Feet: 3,884
- Parking Required/Provided: 16/47

**Site Plan**
The site plan depicts a proposed medical office building (dentist office) located on the existing pad site of a previous fast food restaurant. Located near the center of the site, setbacks include approximately 77 feet from the front property line along Boulder Highway, 31 feet from the side property line to the southeast, 54 feet from the property line to the northwest, and 147 feet from the rear property line, which is adjacent to the single family residential subdivision to the southwest. The site plan depicts a future pad site located in the southwest portion of the site, set back 20 feet from the rear property line. This future pad site may include a dental lab or an oral surgery medical office.

The northwestern most driveway on Boulder Highway will be eliminated, and the existing southeastern driveway will remain for access to the site. Since the applicant proposes to maintain an existing driveway, a waiver of development standards is necessary to reduce the driveway width, throat depth, and turning radii. Cross-access will be provided in the future when the adjacent commercial parcels to the northwest and southeast redevelop. Parking spaces are located adjacent to Boulder Highway, in front and behind the dental office, adjacent to the northwest property line, and adjacent to the future pad site. A trash enclosure is located in the southeast portion of the site, set back 80 feet from the rear property line adjacent to the single family residences.

**Landscaping**
Along Boulder Highway, the landscaping width is reduced to 2 feet 6 inches to accommodate existing and additional parking spaces; however, approximately 10 feet of landscaping is provided in the right-of-way. Adjacent to the sides of the parking spaces, the landscaping width extends to approximately 20 feet on-site. A 3 foot 6 inch wide landscape strip is located along the northwest property line, and landscaping is provided within the parking lot, around the base of the dental office, and around the future pad site. In addition, an approximately 20 foot wide landscape buffer with 2 offset rows of Sweet Acacia trees is located along the rear property line, which provides a buffer to the single family residences.

**Elevations**
Exterior materials of the 22 foot 7 inch high building will consist of premium grade architectural masonry, metal canopies, accent lighting, and storefront window systems. A parapet wall screens the metal roof deck and the roof mounted mechanical equipment. Off-set building planes and height variations in the parapet wall along the roof line help provide added visual interest to the building and break-up the apparent mass. All sides include architectural enhancements similar to the front of the building.

**Floor Plans**
The 3,884 square foot dental office includes a reception area, lobby, consultation rooms, x-ray room, patient rooms, laboratory/sterilization area, utility room, breakroom, offices, and restrooms.
Applicant’s Justification
According to the applicant, the dentist office and improvements to the site will improve the area and contribute to the community. The previous fast food restaurant burned down several years ago, and the dentist office will be placed on the same pad site to take advantage of the existing utilities and site configuration. One driveway on Boulder Highway will be removed to reduce the number of curb cuts, and the site design accounts for future cross access with the adjacent commercial properties. Although the existing driveway does not meet current NDOT and Title 30 standards, the applicant states that the reduced radii, driveway width, and throat depth will not create any negative impacts. In addition, the reduced width for the landscaping along Boulder Highway is appropriate to maintain existing parking spaces on the site. Lastly, the conforming zone change to C-2 is compliant with the Comprehensive Master Plan.

Prior Land Use Requests

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<tr>
<th>Application Number</th>
<th>Request</th>
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<tbody>
<tr>
<td>UC-25-75</td>
<td>Restaurant (Arby’s Roast Beef)</td>
<td>Approved by BCC</td>
<td>April 1975</td>
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Surrounding Land Use

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<th>Planned Land Use Category</th>
<th>Zoning District</th>
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<tr>
<td>Northwest</td>
<td>Commercial General</td>
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<td>Financial Services (specified)</td>
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<tr>
<td>Southeast</td>
<td>Commercial General</td>
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<td>Undeveloped &amp; vacant restaurant</td>
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<tr>
<td>Northeast</td>
<td>Commercial General</td>
<td>H-2</td>
<td>Gasoline station &amp; convenience store</td>
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<tr>
<td>Southwest</td>
<td>Residential Suburban (up to 8 du/ac)</td>
<td>R-1</td>
<td>Single family residential subdivision</td>
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STANDARDS FOR APPROVAL:
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis
Current Planning
Zone Change
The conforming zone boundary amendment to C-2 zoning is within the range of non-residential intensities indicated in the Winchester/Paradise Land Use Plan for the site. For example, the Winchester/Paradise Land Use Plan states that the Commercial General land use category includes service uses, offices, and professional services that serve regional area patrons. Boulder Highway is a 200 foot wide State Highway with a high traffic volume, and regional shopping centers and a neighborhood resort/hotel (Sam’s Town) are located nearby. In addition, as the adjacent H-2 zoned properties reclassify to C-2 zoning in the future, the combined parcels will
create a node of C-2 zoning larger than 10 acres, consistent with Title 30 recommendations. As a result, C-2 zoning conforms to the Comprehensive Master Plan and Title 30 and is compatible with development in the area.

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
Although portions of the street landscaping on the site along Boulder Highway will be 2 feet 6 inches in width, approximately 10 feet of landscaping is located in the right-of-way, and landscaping on either side of the parking spaces extends to approximately 20 feet wide. Nevertheless, the site includes an excess of parking spaces, and the 5 parking spaces along Boulder Highway could be converted to landscaping, which would comply with Urban Specific Policy 67 that encourages appropriate landscaping to be incorporated into commercial developments. Since the project could meet the minimum width of street landscaping with minimal changes to the site, staff cannot support the request to reduce landscaping.

Design Review
The layout of the site accommodates existing site constraints by placing the primary building on an existing pad site and utilizing existing parking spaces and on-site circulation. In addition, the design provides an adequate landscape buffer to the existing single family residences to the southwest, which should help reduce any potential visual or auditory negative impacts. The design of the project also complies with the following Urban Specific Policies in the Comprehensive Master Plan: Policy 73, which encourages parking lot trees for shade and visual relief; Policy 77, which encourages the placement of required parking areas behind the principal building; and Policy 78, which encourages architectural treatments on all building sides to eliminate blank building elevations. As a result, the proposed project will enhance the visual quality of the community while providing necessary medical services to the area; however, since staff does not support the waivers of development standards, staff cannot support the design review.

Public Works - Development Review
Waiver of Development Standards #2
Staff cannot support the request to allow one of the existing pan driveways where a curb return driveway is required. A curb return driveway will allow safer vehicular movements into the site.

Staff Recommendation
Approval of the zone change; and denial of the waivers of development standards and 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**
If approved:
- 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 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 waivers of development standards and design review must commence within 2 years of approval date or they will expire.

**Public Works - Development Review**
- Drainage study and compliance;
- Traffic study and compliance;
- Nevada Department of Transportation approval;
- Reconstruct any unused driveways with full off-site improvements.

**Building Department - Fire Prevention**
- No comment.

**Clark County Water Reclamation District (CCWRD)**
- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0227-2019 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

**TAB/CAC:** Paradise - approval.
**APPROVALS:**
**PROTESTS:**

**APPLICANT:** ROBERT PEARCE
**CONTACT:** ROBERT PEARCE, 12425 N. 27TH PLACE, PHOENIX, AZ 85032