

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0220-SINGH PETROLEUM CORP.:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** modify parking lot landscaping (no longer needed); **2)** reduce buffering and screening; and **3)** modify residential adjacency standards.

DESIGN REVIEW for a proposed retail and restaurant building with drive-thru within an existing commercial complex on 1.29 acres in a CG (Commercial General) Zone.

Generally located east of Nellis Boulevard and north of Lake Mead Boulevard within Sunrise Manor. MK/lm/kh (For possible action)

RELATED INFORMATION:

APN:

140-21-201-007; 140-21-201-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. Modify parking lot landscaping where a landscaping island shall be provided every 6 parking spaces and at the end of each row is required per Section 30.04.01D (no longer needed).
2. Reduce the landscape buffer along the north and east property lines to 10 feet where a 15 foot wide landscape buffer is required per Section 30.04.02C (a 33% reduction).
3.
 - a. Reduce the separation between the north drive-thru and the residential uses to the north to 10 feet where 200 feet is required per Section 30.04.06E (a 95% reduction).
 - b. Allow higher-activity areas of development (parking and drive-thru) along the north property line adjacent to residential development where not allowed per Section 30.04.06G.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2040 N. Nellis Boulevard
- Site Acreage: 1.29
- Project Type: Retail and restaurant with drive-thru
- Number of Stories: 1
- Building Height (feet): 28 feet 10 inches (Building A)/28 feet 2 inches (Building B)
- Square Feet: 2,100 (Building A)/3,494 (Building B)

- Parking Required/Provided: 33/33
- Sustainability Required/Provided: 7/6

Site Plan

The existing building was originally constructed as a drive-thru restaurant in 1978. The existing building will be removed, and 2 new buildings will be constructed along the north property line. There are 3 existing driveways along Nellis Boulevard, and the northern driveway will be removed. The 2 remaining driveways along Nellis Boulevard and the one along Lake Mead Boulevard will remain as is. Development and design standards for both streets are per Nevada Department of Transportation (NDOT) regulations. Parking is located south of the 2 proposed buildings and additional parking is provided along the north side of the existing convenience store. There are no proposed changes to the existing parking stalls or street landscaping to the west and south of the existing convenience store. New trash enclosures are provided at the northwest corner of the existing convenience store. The existing driveway between the car wash and the east property line will be reduced to 15.5 feet for a one-way drive aisle. All other driveways meet the minimum standard width for two-way drive aisles.

Landscaping

Along Nellis Boulevard, north of the northern driveway, a 10 foot wide landscape strip is shown behind the existing attached sidewalk, and a 10 foot wide landscape strip is shown along the east side of the easterly driveway along Lake Mead Boulevard. Along the north property line is a 10 foot wide landscape buffer with two rows of off-set trees and an 8 foot screen wall on top of a 2.5 foot high existing retaining wall. Along the east property line there is an existing screen wall and fence that ranges in height south to north from 3 feet to 6 feet in height with a landscape buffer that ranges in width south to north from 10 feet to 15 feet wide with two rows of off-set trees. Parking lot landscaping is provided adjacent to the new parking areas south of the proposed buildings to code standards. Within the parking lot landscaping adjacent to the new parking area north of the existing convenience store, a modified landscape design has been provided which does not include the landscape island for every 6 parking spaces or at the end of each row of parking as required per Title 30. However, the required number of trees has been provided, and trees are clustered at the northwest corner of the convenience store.

Elevations

The proposed restaurant and drive-thru (Building A) show with an overall height of 28 feet 10 inches with the menu order board located on the east side of the building and the pick-up window located on the north elevation. The proposed retail building (Building B) is shown with an overall height of 28 feet 2 inches. Both buildings include varying roof lines, storefront window and door systems, pre-finished metal coping, standing seam metal roof and canopy, painted smooth stucco finish with decorative metal panels.

Floor Plans

The proposed restaurant and drive-thru (Building A) consists of 2,100 square feet. The proposed retail building (Building B) consists of 3,494 square feet with 3 tenant spaces, and all entrances are on the south and west elevations.

Applicant's Justification

The applicant indicates that the uses are to complement the existing development and being repurposed to provide additional uses. Site improvements include reducing the number of driveways on Nellis Boulevard, installing street landscaping along Nellis Boulevard and Lake Mead Boulevard, providing landscaping along the east and north property lines, relocating trash enclosures, expansion of parking spaces to accommodate all uses, removing palm trees (not significant). Additionally, the proposed parking lot landscaping design meets the required coverage standards with the modification requested to allow for all required parking spaces to be provided. The reduction of the drive-thru lane to the north property line is appropriate due to the grade difference between the parcels, the location of the proposed landscape buffer, and that there are no residential units against the property line and the closest unit is over 100 feet from the drive-thru drive aisle.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0075-02	Waiver of development standards for landscaping adjacent to a less intensive use in conjunction with a previously approved car wash	Approved by PC	February 2002
UC-0811-01	Use permit for a car wash	Approved by PC	August 1001
DR-1762-99	Design review for addition to existing convenience Store	Approved by PC	January 2000
DR-0395-93	Design review for a remodel existing gasoline service station with convenience store	Approved by BCC	May 1993

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Urban Neighborhood (greater than 18 du/ac)	RM32	Multi-family residential
South	Corridor Mixed-use	CG	Retail
West	Corridor Mixed-use	CG	Bank

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

No longer needed.

Waivers of Development Standards #2 & #3

Title 30 requires buffering and screening to enhance the visual appearance of the community, reduce impacts of uses and activities on neighboring properties, reduce heat island effect, and mitigate stormwater run-off. The intent of residential adjacency standards is to promote compatible transitions between land use areas of differing intensities and to reduce potential negative impacts that may occur when higher-intensity development is located adjacent to residential zoning districts. The redevelopment of the site supports existing non-residential development that is adjacent to a multi-family residential district to the north and east. The existing site improvements will enhance existing compliance with the previous site design. Additional landscape buffering has been provided along the north and east property lines, where possible, to mitigate any impact on the adjacent residential uses. Therefore, staff can support these requests.

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 other 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.

The subject site is being redeveloped to modernize the site and drive-thru restaurant which meets Master Plan Policy SM-1.2, which encourages the repurposing and reinvention of vacant or functionally obsolete buildings through adaptive reuse to promote reinvestment in Sunrise Manor and support sustainability initiatives. The redevelopment of the subject property is compatible with adjacent development. The elevation and design characteristics and other architectural and aesthetic features are not unsightly or undesirable in appearance. Site circulation will remain the same and will not negatively impact adjacent roadways and neighborhood traffic. The proposed parking lot design provides the required number of spaces the proposed uses. The clustering of the parking lot landscaping to the northwest of the convenience store within the new parking area meets the intent of the Code. Therefore, staff can support this request.

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

- 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; 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

- Drainage study and compliance;
- Traffic study and compliance;
- Off-site improvement permit will be required;
- Reconstruct any unused driveways with 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 a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0538-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTESTS:

APPLICANT: SINGH PETROLEUM CORP.

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