

RESTAURANT
(TITLE 30)

BLUE DIAMOND RD/BUFFALO DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-23-0169-BLUE DIAMOND M-E, LLC:

DESIGN REVIEWS for the following: **1)** drive-thru restaurant; and **2)** finished grade on 1.2 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Blue Diamond Road between Cimarron Road and Buffalo Drive within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-21-610-013; 176-21-610-014; 176-21-717-013

DESIGN REVIEWS:

1. Restaurant with drive-thru.
2. Increase finished grade to 81 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 125% increase).

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.2
- Project Type: Drive-thru restaurant
- Number of Stories: 1
- Building Height (feet): 21
- Square Feet: 837
- Parking Required/Provided: 4/4 (drive-thru)/1,119 (shopping center)

Site Plan

The development is located on the south side of Blue Diamond Road between Cimarron Road and Buffalo Drive. The shopping center contains anchor stores, retail shops, and various smaller in-line shops and pad site buildings. This application is for a proposed drive-thru restaurant at the northeast corner of Blue Diamond Road and Buffalo Drive. Access to the property is from Blue

Diamond Road and Buffalo Drive. There are also several ingress/egress points along Blue Diamond Road and Buffalo Drive. The shopping center has a common property line with a paseo and single family development to the south. In 2016, an application was approved for the Mountain's Edge project identification sign.

Landscaping

The plans depict landscaping along Blue Diamond Road to screen the drive-thru lane from the public right-of-way. Landscaping is also shown along portions of the drive-thru and along the western edge that is adjacent to an existing driveway, and internally within the parking lot.

Elevations

The plans depict a proposed restaurant with a drive-thru lane. The height is up to 21 feet to parapet wall, stucco finish, cast stone veneer, metal awning, and store glazed windows.

Floor Plans

The plans depict an 837 square foot restaurant with an order area, drive-thru window, utility room, restroom, and office.

Signage

Signage is not a part of this request. Previous applications were approved for signage for the Mountain's Edge Project and total of 3 sets of 2 project identification signs at each entry drive along Blue Diamond Road.

Applicant's Justification

The applicant states this application is for a fast food restaurant that will be an amenity with the surrounding area to provide for diverse services. In addition, the increase in grade is to ensure the proposed sites can adequately drain to the existing drainage facilities on-site.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0910	Reduced the setback from an outside dining and drinking establishment to a residential use (Shop 8B) and the required setback from an on-premises consumption of alcohol establishment (supper club) to a residential use (southwest portion of in-line shops)	Approved by PC	January 2019
UC-0678-16	Reduced the setback from an outside dining and drinking establishment to a residential use (Shop 8B), reduced the separation from a convenience store to a residential use, reduced the separation from a vehicle wash facility to a residential use, allowed a vehicle repair facility in a C-2 zone, and reduced the separation from a vehicle repair facility to a residential use (redesign of portions of overall shopping center)	Approved by BCC	November 2016

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0501-16	Waived the separation between monument type signage, and a design review for an overall sign plan for the commercial development	Approved by BCC	September 2016
ZC-0043-16	Reclassified the overall shopping center to C-2 zoning for a supper club in conjunction with a restaurant, a convenience store with gasoline sales, and vehicle car wash, and a use permit for the reduction in the separation from a supper club to a residential use	Approved by BCC	March 2016
DR-0654-14	Redesign for a shopping center	Approved by BCC	September 2014
UC-1433-06	Redesign of a mixed-use development	Approved by BCC	December 2006
ZC-1004-05	Reclassified the property to C-2 zoning for a mixed-use development	Approved by BCC	August 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2	Remaining areas of the shopping center & mixed-use development
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-3	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**Design Review #1

The design of the proposed fast food restaurant is harmonious to the overall shopping center and does not pose a visual nuisance to the site or to the neighboring establishments. The design is aesthetically pleasing and does not pose unwarranted effects. Furthermore, the parking lot re-design provides additional parking, and the circulation does not impede pedestrian and vehicular flow along Warm Springs Road. Therefore, staff can support this request.

Public Works - Development ReviewDesign Review #2

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application.

Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

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 final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be 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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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 #0433-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval (maximum grade increase to 65 inches).

APPROVALS:

PROTESTS:

APPLICANT: ATWELL, LLC

CONTACT: CATHERINE ATCHLEY, ATWELL, LLC, 9001 AIRPORT FREEWAY, SUITE 660, NORTH RICHLAND HILLS, TX 76180