

10/08/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-25-0600-DECATUR POST, LLC:

DESIGN REVIEW for a proposed restaurant in conjunction with a previously approved retail complex on a portion of 2.66 acres in a CG (Commercial General) Zone within the Airport Environs (AE-65) Overlay.

Generally located south of Post Road and west of Decatur Boulevard within Spring Valley.
MN/bb/kh (For possible action)

RELATED INFORMATION:

APN:

163-36-811-001 ptn

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 6315 S. Decatur Boulevard
- Site Acreage: 2.66 (portion)
- Project Type: Restaurant building with a drive-thru
- Number of Stories: 1
- Building Height (feet): 22
- Square Feet: 1,921 (proposed restaurant building)
- Parking Required/Provided: 56/65 (includes 12 EV spaces and 6 accessible spaces)
- Sustainability Required/Provided: 7/7

History, Site Plan, & Request

The previously approved retail complex currently under construction was approved under WS-23-0520 in October 2023. A tentative map for a 1 lot commercial subdivision was approved in 2023. The applicant is requesting a design review for a new restaurant building with a drive-thru on an existing pad site at the southeast corner of the parcel. The previously approved retail complex is located at the southwest corner of Decatur Boulevard and Post Road. The retail center is currently under construction and consists of a convenience store, gas station, restaurants with a drive-thru, and a vehicle maintenance and repair use. A combined 3,500 square foot convenience store and 1,258 square foot fast food service restaurant was approved in the northwest portion of the site with a proposed gasoline canopy located 56 feet to the east of the convenience store building. The convenience store building is set back 44.5 feet from the western property line, 76.5 feet from the northern property line, and 141 feet from Decatur Boulevard. This building

includes 1 drive-thru lane, the entrance is on the northeast corner of the building and vehicles maneuver in a counterclockwise direction eventually exiting on the southeast corner of the building. The gasoline canopy is set back an additional 40 feet from Decatur Boulevard.

To the southeast of the convenience store building and in the east-central portion of the site is a 1,130 square foot restaurant building with an accompanying 800 square foot outside dining area and 2 drive-thru lanes. This restaurant building is set back 39 feet from Decatur Boulevard and the drive-thru lanes can stack 10 cars and will be accessed through the central portion of the site. The outside dining area is located to the south of the restaurant building with a protective barrier located along the perimeter of the dining area.

In the southwestern portion of the site is a 5 bay, 4,800 square foot vehicle maintenance facility. The vehicle maintenance bays face Decatur Boulevard and are set back 8 feet from the western property line.

The development proposed with the original application was identified as a future pad site at the southeast corner of the parcel with a required design review as a public hearing. As a part of this application, the applicant is proposing a restaurant building with a drive-thru area on the southeast corner of the site. The plan depicts that the drive-thru connects at 2 points on the pad site at the northeast and northwest corners of the restaurant building. Seven parking spaces are provided on the pad site with shared parking through an access agreement located on the remainder of the parcel. A trash enclosure is located west of the building. Shared loading zones are provided throughout the retail complex with 1 located at the northwest corner of the pad site. Access to the drive-thru is from the northwest entrance driveway wrapping around the south end of the building and exiting at the northeast corner of the building. A shared access driveway is located north of the building and connects this pad site with the restaurant/drive-thru that is currently under construction to the north.

Landscaping

A variety of previously approved landscaping is provided along the street, the perimeter, and within the parking lot. Along Decatur Boulevard, 21 Desert Museum Palo Verde (*Parkinsonia x Desert Museum*) trees have been provided in 2 rows, where possible, in 5 foot and 10 foot landscaping strips with 1 row on each side of a 5 foot detached sidewalk. In some places, particularly in the southern portion of the landscape strip, trees have been spaced every 10 feet to screen the vehicle maintenance bays and drive-thru lanes, otherwise, trees are spaced every 20 feet on center. Along Post Road, 9 Desert Museum Palo Verde trees are provided where 9 medium trees are required. The trees are mostly provided in a single row 20 feet on center in the 5 foot landscaping strip on the south side of a 5 foot detached sidewalk, due to sight visibility zones. Within the parking lot, 23 Mulga Acacia (*Acacia Aneura*) trees are provided within the terminal landscape islands or landscaping strips and an additional 4 Mulga Acacia trees are provided in various landscape strips throughout the parking lot. A total of 21 trees are required with a total of 27 parking lot trees provided for the previously approved retail complex. The landscape plan depicts 4 large parking lot trees where 3 are required, and the street trees and shrubs are as shown on the previously approved landscape plan. This pad site is not subject to buffer landscaping.

Elevations

The plan depicts a single-story structure with stucco siding and decorative exotic wood plank with staggered siding on the north, west, and east elevations. A main entrance with glass doors and transom windows are located on the west side of the building, facing the parking lot. Three additional covered windows are located on the west façade on both sides of the main entrance. A parapet wall surrounds the rooftop mechanical, with 3 projections on the north, west, and east sides of the building. A cedar plank fence surrounds a cooler on 3 sides at the south end of the building. The north façade of the proposed restaurant building includes the exotic wood plank tower, a covered window, and transom window. The east façade of the building has a glass drive up window surrounded by glass windows set into the exotic wood plank siding. The proposed building will be 22 feet high at the highest point.

Floor Plan

The plan depicts a proposed 1,705 square foot restaurant building that includes a 218 square foot attached cooler with a customer area, restroom, counter space, prep area, drive-thru station, kitchen, and a walk-in cooler accessed through the restaurant on the south side of the building. The primary customer entrance is located on the west side of the building with employee access on the south side of the building separate from the walk-in cooler.

Applicant's Justification

The applicant states the site has been previously approved for the commercial retail development of 3 buildings currently under construction. The proposed pad site was included as future pad site development on the approved plans. Development of a restaurant and drive-thru is consistent with the previous plans, existing and proposed access, parking, landscaping, and architectural elements anticipated with development of this property.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-25-0251	Driveway modifications and modifications to a previously approved retail center	Approved by BCC	May 2025
TM-23-500110	1 lot commercial subdivision	Approved by BCC	October 2023
VS-23-0521	Vacated and abandoned patent easements and a portion of Decatur Boulevard - recorded	Approved by BCC	October 2023
WS-23-0520	3 building retail complex with a gas station	Approved by BCC	October 2023
ZC-22-0648	Reclassified the site from C-2 and R-E zoning to C-2 zoning for future commercial uses	Approved by BCC	February 2023
PA-22-700006	Redesignated the land use for the site to Corridor Mixed-Use from Business Employment	Adopted by BCC	February 2023
ZC-0814-05	Reclassified the site from R-E to C-2 zoning for a future commercial development	Approved by BCC	July 2005

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1469-00	Reclassified the site from R-E and M-D zoning to C-2 and M-1 zoning for a convenience store, gas station, shopping center, taxing staging, and maintenance facility	Approved by BCC	November 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	CG (AE-65)	Motorcycle sales
South	Corridor Mixed-Use	CG (AE-65)	Undeveloped
East	Business Employment	CG & RS20 (AE-65)	Undeveloped
West	Business Employment	IL (AE-65)	Freight terminal

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**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.

The proposed new restaurant building is compatible with the approved commercial retail development that is currently being developed. This restaurant is not proposing additional access to public streets and is using a previously approved access plan. Development of this pad site will complete the perimeter landscaping, parking lot landscaping, and connect the interior driveways for safe and harmonious access. The aesthetic features of the building are decorative and enhance the development and are not unsightly or undesirable in appearance considering the decorative elements, covered windows, and variety of façade treatments and shielded mechanical equipment. Therefore, staff supports the design review.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies within the AE-65 (65-70 DNL) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel

and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand.

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.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation. The Determination of No Hazard must not be expired;
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's

airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment;

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised that operational permits and fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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 #0108-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: INTERPLAN, LLC

CONTACT: INTERPLAN LLC, 220 E. CENTRAL PARKWAY, SUITE 4000, ALTAMONTE SPRINGS, FL 32701