

01/20/21 BCC AGENDA SHEET

RESTAURANT W/DRIVE-THRU
(TITLE 30)

DECATUR BLVD/WAGON TRAIL AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-20-0527-DECATUR & SUNSET, LLC:

DESIGN REVIEW for a restaurant with drive-thru in conjunction with an existing warehouse and an approved convenience store with gasoline sales and vehicle wash on a portion of 6.9 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the northwest corner of Decatur Boulevard and Wagon Trail Avenue within Enterprise. MN/jt/jd (For possible action)

RELATED INFORMATION:

APN:

176-01-510-001 ptn

LAND USE PLAN:

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 6525 S. Decatur Boulevard
- Site Acreage: 6.9 (portion)
- Project Type: Restaurant with drive-thru
- Number of Stories: 1
- Building Height (feet): 19
- Square Feet: 550
- Parking Required/Provided: 118/157 (entire complex)

Overview

A previous application (ZC-18-0959) approved the warehouse along the west side of the parcel along Hauck Street. However, that application included a condition of approval for a design review as a public hearing for future development on the subject portion of this site (the east half of the site, formerly APN 176-01-502-025). As a result, this application is a design review as a public hearing for a restaurant with drive-thru for the southeast portion of the site. A design review as a public hearing will still be required for future development on the remainder of the site that is undeveloped.

Site Plan

The site plan depicts a proposed restaurant with drive-thru in the southeast portion of the site. Setbacks include approximately 60 feet from the eastern property line along Decatur Boulevard, and approximately 40 feet from the southern property line along Wagon Trail Avenue. A drive-thru circles the building with a menu board on the southern portion of the drive-thru lane along Wagon Trail Avenue, and continues east and around the building to the pick-up window on the north side of the building. Four parking spaces are provided to the west of the building, and a trash enclosure will be located approximately 60 feet west of the parking spaces. Within the overall complex, a warehouse is located on the west side of the parcel along Hauck Street, and an approved convenience store with gasoline sales and a vehicle wash is in the northeast portion of the site. Driveways to the overall complex are provided on Decatur Boulevard to the east, Wagon Trail Avenue to the south, Hauck Street to the west, and Sunset Road to the north.

Landscaping

No changes are proposed for the existing perimeter landscaping and sidewalks along Decatur Boulevard, Wagon Trail Avenue, Hauck Street, and Sunset Road. Near the restaurant, landscaping will include rock mulch groundcover, Texas Ranger shrubs, Sweet Acacia, and Thornless Palo Verde trees. Trees are provided near the parking spaces and landscaping is provided around the base of the building per Title 30 standards.

Elevations

The 19 foot high building includes plank siding painted a neutral Inkwell Black and a sloped parapet wall above the roofline. Other exterior materials include a smooth finish panel system painted Skyline Steel, red awnings, and metal accents. Lighting includes wall-mounted exterior light fixtures that are shielded and project down, and an LED light band under the rooftop soffit around the top of the building.

Floor Plans

With drive-thru access only for customers, no interior seating is provided inside the restaurant. The 550 square foot building includes a barista station, back of house area, and a unisex restroom.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, no changes are proposed for the overall complex including the street landscaping and driveways. This application is only for a 0.5 acre portion of the site, and the proposed restaurant complies with all Clark County standards.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-19-900373	Modifications to a parking lot for a previously approved warehouse	Approved by ZA	June 2019

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0959	Reclassified the western portion of the site to M-D zoning for a warehouse. A condition of approval required a design review as a public hearing for future development on APN 176-01-502-025 (former parcel for the subject portion of the site)	Approved by BCC	January 2019
ADR-18-900738	Convenience store, gasoline station, and vehicle wash located in the northeast portion of the site	Approved by ZA	November 2018
ZC-1063-02	Reclassified the subject portion of the site from R-E to C-2 zoning	Approved by BCC	September 2002
ZC-0338-01	Reclassified the northeast portion of the overall site from R-E to C-2 zoning	Approved by BCC	May 2001
ZC-1384-99	Reclassified the northwest portion of the overall site from R-E to C-2 zoning	Approved by BCC	October 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2	Undeveloped
South	Business and Design/Research Park	C-2	Shopping center
East	Business and Design/Research Park	C-2 & M-D	Commercial building & undeveloped
West	Business and Design/Research Park	M-D	Southern Nevada Regional Transportation Commission facility

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

Policy 67 in the Comprehensive Master Plan encourages appropriate landscaping, setbacks, and building height and materials to ensure commercial development is compatible with abutting uses. Trees, shrubs, and groundcover will be installed around the building and the 4 new parking spaces. In addition, the building meets all setback requirements, and the building height is compatible with the warehouse and approved convenience store. The drive-thru is designed to provide adequate circulation and not impact vehicular movement within the complex. Lastly, the building materials contribute to an orderly and aesthetically pleasing built environment; therefore, staff can support this request.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- 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 this application must commence within 2 years of approval date or it will expire.

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 30.48 Part B of the Clark County Unified Development Code;
- 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.
- 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; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: COOL BEANZ, LLC

CONTACT: SCOOTER'S COFFEE, 10500 SAPP BROTHERS DR., OMAHA, NE 68138