

01/20/21 BCC AGENDA SHEET

RESTAURANT W/DRIVE-THRU
(TITLE 30)

LAMB BLVD/LAKE MEAD BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-20-0510-HD LAMB TWIST LLC & DAWSON, TERESA ANNE:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce landscaping; and 2) alternative driveway geometrics.

DESIGN REVIEW for a restaurant with drive-thru on a portion of 2.8 acres in a C-1 (Local Business) Zone and C-1 (Local Business) (APZ-2) Zone.

Generally located on the southeast corner of Lamb Boulevard and Lake Mead Boulevard within Sunrise Manor. WM/jt/jd (For possible action)

RELATED INFORMATION:

APN:

140-20-301-001 & 140-20-311-001 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce street landscaping along Lake Mead Boulevard to 5 feet where 15 feet is required behind an existing attached sidewalk per Section 30.64.030 (a 67% reduction).
2.
 - a. Reduce approach distance for a driveway on Lamb Boulevard to 125 feet where 150 feet is the minimum per Uniform Standard Drawing 222.1 (a 17% reduction).
 - b. Reduce throat depth for a driveway on Lamb Boulevard to 5 feet where 25 feet is the minimum distance per Uniform Standard Drawing 222.1 (an 80% reduction).
 - c. Reduce throat depth for a driveway on Lake Mead Boulevard to 3 feet where 25 feet is the minimum distance per Uniform Standard Drawing 222.1 (an 88% reduction).

LAND USE PLAN:

SUNRISE MANOR - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: 1928 N. Lamb Boulevard & 4365 E. Lake Mead Boulevard
- Site Acreage: 2.8 (portion)
- Project Type: Restaurant with drive-thru
- Number of Stories: 1
- Building Height (feet): 19
- Square Feet: 4,407

- Parking Required/Provided: 84/95 (including shared parking with retail building to the east)

Overview

This application is for a restaurant with a drive-thru. The northeast portion of the western parcel is in the Accident Potential Zone II (APZ-2), while the southwest portion of the site is not located in the APZ-2. As a result, the restaurant building is in the southwest (non APZ-2) portion of the site, and only the drive-thru extends into the northeast (APZ-2) portion of the site. Restaurants are not allowed in the APZ-2 per Title 30 standards. The remainder of the site includes parking spaces, drive aisles, and landscaping, which is described below.

Site Plan

The proposed restaurant, located in the southwest portion of the site, is set back 65 feet from the northern property line along Lake Mead Boulevard, 134 feet from the eastern property line, 60 feet from the southern property line, and 40 feet from the western property line along Lamb Boulevard. Double drive-thru lanes are located on the northern portion of the building, adjacent to Lake Mead Boulevard. Menus, speakers, and talk boxes are on the north side of the building. The double drive-thru lanes then converge into one lane with multiple pick-up windows on the western side of the building, adjacent to Lamb Boulevard. The drive-thru lane then expands into 2 adjacent 12 foot wide drive aisles to allow vehicles to maneuver around other vehicles waiting at a pick-up window.

Access to the site is provided by a driveway entrance from Lamb Boulevard, which is in the southernmost portion of the street frontage. Waivers of development standards are necessary to reduce the approach distance and reduce the throat depth for this driveway. Vehicular access is also provided by a cross access drive aisle with the parcel to the east. Four parking spaces will be removed on the eastern parcel to allow for the cross access. Also, a waiver of development standards is necessary to reduce the throat depth for the existing driveway entrance on Lake Mead Boulevard since the new cross access will reduce the existing throat depth.

On the western parcel, parking spaces, loading zone, and a trash enclosure are located on the eastern side of the restaurant building.

Landscaping

New landscaping is located around the perimeter of the western parcel and on both sides of the shared property line between the 2 parcels. Along the southern property line and on both sides of the shared property line (eastern side of the western parcel), trees will be spaced 20 feet on center. Trees are also located in the parking lot and around the restaurant building. Along the western property line, adjacent to Lamb Boulevard, the landscaping behind an existing attached sidewalk ranges in width from 15 feet to 26 feet. Along the north property line, adjacent to Lake Mead Boulevard, a waiver of development standards is necessary to reduce the landscaping width behind an existing attached sidewalk to 5 feet adjacent to the drive-thru and adjacent to 6 parking spaces. In other areas, the landscaping along Lake Mead Boulevard extends up to 23 feet wide.

Elevations

Exterior materials for the 19 foot high restaurant include fiber cement lap siding, vertical aluminum batten system accents, Exterior Insulation Finish System (EIFS), metal fascia, and aluminum canopies. A parapet wall surrounds the roof and mechanical equipment at a consistent height. Glass windows are located along the entire lower half of the southern elevation, and 3 drive-thru windows are located on the western elevation.

Floor Plans

The 4,407 square foot restaurant building includes a dining area, restrooms, ordering counter, kitchen area, cooler, freezer, office, and crew room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed restaurant includes all required parking spaces, cross access, pedestrian walkways, landscaping, and setbacks. The street landscaping reduction along Lake Mead Boulevard is only for a portion of the street frontage adjacent to the drive-thru and parking spaces. Other areas of the street landscaping along Lake Mead Boulevard and along Lamb Boulevard exceed the minimum required width. Although the approach distance for the driveway on Lamb Boulevard is reduced to 125 feet, this is the maximum distance that can be provided due to the length of the street frontage. Regarding the reduced throat depth for the Lamb Boulevard driveway entrance, the available space to increase the throat depth is limited since the building must be located outside of the APZ-2 area. Lastly, the reduced throat depth on Lake Mead Boulevard is appropriate since the driveway is existing and the applicant is providing cross access rather than adding another driveway on Lake Mead Boulevard.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0728-16	Comprehensive sign plan for an approved restaurant with drive-thru on the western parcel - expired	Approved by BCC	December 2016
DR-0440-15	Restaurant with drive-thru, in-line retail building, vivid hues, and increased finished grade on the western parcel - expired	Approved by BCC	August 2015
ZC-0275-07	Reclassified the western parcel to C-1 zoning for a retail building	Approved by BCC	April 2007
DR-1463-02	Design review for a retail building on the eastern parcel	Approved by BCC	November 2002
ZC-0408-00	Reclassified the eastern parcel to C-1 zoning	Approved by BCC	April 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-T & M-D	Manufactured home park & undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Residential Suburban (up to 8 du/ac)	R-2	Single family residential
East	Business and Design/Research Park	R-T & C-1	Single family residential & undeveloped
West	Commercial General	C-2	Vehicle sales & furniture sales

Related Applications

Application Number	Request
WC-20-400138 (ZC-0275-07)	A waiver of conditions of a zone change is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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

Urban Specific Policy 67 in the Comprehensive Master Plan encourages appropriate landscaping with all commercial development. Although the street landscaping width is reduced to 5 feet for a 24 foot section adjacent to the drive-thru lane and for a 54 foot section adjacent to 6 parking spaces, the remainder of the 171 foot long street frontage exceeds the minimum landscaping width requirements. Since additional landscaping is provided in other areas of the Lake Mead Boulevard and Lamb Boulevard street frontages, staff does not anticipate any negative visual impacts from reducing the street landscaping width in the 2 areas. However, since staff does not support the design review, staff cannot support the waiver of development standards.

Design Review

The proposed site layout and design of the restaurant will reduce conflicts with both the APZ-2 area and the adjacent single family residential development to the south. Due to the APZ-2 area, the restaurant must be in the southwest portion of the site. Although this area is also adjacent to single family residential uses, the site layout locates the talk boxes for the drive-thru on the northernmost portion of the site, where they will be buffered from the residential uses by the restaurant building. In addition, trees spaced 20 feet on center along the southern property line will help reduce the visual impacts on the residential properties. Lastly, the height of the

building, exterior materials, and building location are appropriate for the site and compatible with the area. Although the site is consistent with Urban Specific Policy 61, which states that commercial development should prevent incompatible uses, noise, and lighting from existing residential development, Public Works - Development Review staff does not support the waiver of development standards for throat depth; therefore, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #2a

Staff has no objection to the location of the Lamb Boulevard commercial driveway in relation to the distance from Lake Mead Boulevard. The driveway is located as far away from the intersection as possible. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Waiver of Development Standards #2b

Staff has concerns with the reduction in the throat depth for the Lamb Boulevard driveway. As mentioned with waiver #2a, staff can support a driveway at this location, but the design of the site creates a problem with this driveway since vehicles entering the site will face immediate conflicts and confusion with 2 drive thru lanes exiting directly into the driveway. Also, drivers exiting the western drive thru lane to access the Lamb Boulevard driveway will need to negotiate a tight turn, which may limit visibility and reaction time with regard to vehicles on Lamb Boulevard.

Waiver of Development Standards #2c

Staff has concerns with the reduced throat depth for the Lake Mead Boulevard driveway. The reduction may create conflicts with the traffic movements on the site, thereby negatively affecting traffic on the street. Therefore, staff cannot support this request.

Staff Recommendation

Denial. Approval of this application is contingent upon approval of WC-20-400138 (ZC-0275-07).

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:

- 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;
- Nevada Department of Transportation approval;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards.
- Applicant is advised that off-site improvement permits may be required.

Building Department - Fire Prevention

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that a cross-access agreement will be required at time of submittal for fire review.

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: ACG DESIGN

CONTACT: ACG DESIGN, 4310 CAMERON ST, STE 12-A, LAS VEGAS, NV 89103