

DRIVE-THRU RESTAURANT
(TITLE 30)

FORT APACHE RD/MAULE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-20-0580-JO FAM PROPERTY LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce parking; and **2)** modify driveway design standards.

DESIGN REVIEWS for the following: **1)** proposed site lighting; **2)** a restaurant with drive-thru; and **3)** alternative parking lot landscaping in conjunction with an approved shopping center on a portion of 4.2 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Fort Apache Road and the north side of Maule Avenue within Spring Valley. JJ/lm/jd (For possible action)

RELATED INFORMATION:

APN:

176-05-226-003 through 176-05-226-005 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 159 spaces where 168 spaces are required per Table 30.60-1 (a 5.3% reduction).
2. Allow a 23 foot deep commercial throat depth along Fort Apache Road where a 75 foot commercial driveway throat depth is required per Uniform Standard Drawing 222.1 (a 69% reduction).

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

SPRING VALLEY - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.2 (portion)
- Project Type: Drive-thru restaurant (McDonald's), lighting, and parking lot landscaping
- Number of Stories: 1
- Building Height (feet): 18 feet 10 inches
- Square Feet: 4,497
- Parking Required/Provided: 159/168

Site Plan & Request

The plan depicts an approved shopping center consisting of an existing daycare facility with outdoor play area at the northeast corner of the site, and a convenience store with gasoline station on the southwest corner of the site. This request is to redesign a portion of the parking lot and pad site for the construction of a new drive-thru restaurant (McDonald's). Access to the site is from an existing driveway entrance on Maule Avenue and two existing driveway entrances on Fort Apache Road. The northerly driveway entrance along Fort Apache Road is proposed to be redesigned to accommodate the proposed restaurant and drive-thru lanes located on the north and west sides of the building. Dual drive-thru lanes run along with north of the building with a pick-up window along the west side, as well as a pass-thru lane.

The proposed restaurant is located between the two driveway entrances on Fort Apache Road with the parking redesigned to mimic the existing parking areas with parking located to the east of the proposed restaurant. Existing parking lot lighting will remain with the addition of 2 new light poles, 1 located on the south side of the restaurant and the second in a landscape finger adjacent to the redesigned parking area east of the restaurant.

Landscaping

The plans depict existing 20 foot wide landscape areas along the street frontages that will not be impacted by the proposed construction. There is additional required existing landscaping along the east property line per prior conditions of approval of WC-18-400196 (UC-0667-17). The applicant is proposing reducing the number of required parking lot fingers along the east side of the building. The number of required trees has been relocated to the north side of the building with 2 trees placed on each side of the drive-thru lanes (4 trees total where 2 trees are required). The proposed redesigned in-line parking landscape finger is designed at an interior width of 5.5 feet wide where 6 feet is required under current development standards and is similar to the existing landscape fingers within the shopping center.

Elevations

The proposed restaurant will have an overall height of 18 feet 10 inches with flat parapet features, and screened roof mounted equipment. The design is modern with metal exterior facia, metal canopies over storefront windows and entries. The design is similar to, but distinct from the existing buildings within the shopping center. Wall pack lighting is provided at the building entries.

Floor Plans

The plans depict a 4,497 square foot fast food restaurant layout with customer order and dining areas, and kitchen and storage areas.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the existing pad site is designed to accommodate a 3,000 square foot restaurant with single lane drive-thru. The redesigned pad site will provide for a larger restaurant building and additional drive-thru lane. The proposed site lighting will match and complement

the existing site lighting. The applicant also indicates that the reduction to required parking spaces is due to a change in the required parking calculation in Code, from the original design of the center. The applicant has submitted a parking analysis indicating that hours of operation of the uses within the shopping center vary. The learning center's peak parking times are early in the morning and in the evening for pick-up and drop-off and the drive-thru use is a high turnover restaurant. Therefore, the parking demands will vary throughout the day with the varying uses. The redistribution of parking lot landscaping in lieu of a parking lot landscape finger is proposed to relocate parking lot trees adjacent to the drive-thru lanes on the north side of the building. Lastly, the applicant indicates that the reduction to the egress throat depth is mitigated by the 3 driveway access points to the center. Additionally, the ingress driveway throat depth is sufficient to mitigate on-site traffic circulation from stacking into the right-of-way.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-19-0600	Signage in conjunction with a convenience store with gasoline station	Approved by BCC	October 2019
WS-18-0655	Allowed alternative landscaping with design review for proposed lighting, signage (wall signs for The Learning Experience), and modified landscaping in conjunction with a shopping center	Approved by BCC	October 2018
WC-18-400196 (UC-0667-17)	Waived conditions of a use permit regarding phasing of construction and landscaping	Approved by BCC	October 2018
WS-1003-17	Allowed modified driveway design standards in conjunction with a shopping center	Approved by BCC	January 2018
VS-1004-17	Vacated and abandoned a portion of right-of-way	Approved by BCC	January 2018
TM-0198-17	1 lot commercial subdivision	Approved by BCC	January 2018
UC-0667-17	Shopping center with convenience store, gasoline station, day care facility, and future restaurants; reduce the separation between a convenience store and a residential use and reduce the separation between a gasoline station and a residential use	Approved by BCC	September 2017
DR-1566-03	Tavern and convenience store in conjunction with an approved shopping center - expired	Approved by BCC	January 2004
UC-1275-01	Reduced separations from a convenience store and gasoline station to a residential use - expired	Approved by BCC	December 2001
ZC-0017-01	Reclassified the site to C-2 zoning for a proposed shopping center	Approved by BCC	March 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-E	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Major Development Project (Rhodes Ranch)	R-2	Single family residential
East	Residential High (8 to 18 du/ac)	R-3	Multiple family residential
West	Commercial Neighborhood	R-2	Single family residential & Faiss Middle School

This property is located within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-20-0581	Vacate and abandon existing pedestrian access, streetlight, and traffic control device easement along Fort Apache Road 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

Staff finds the reduction to parking to be minimal and should not be materially detrimental to the other uses within the shopping center. A high volume of business is done via the drive-thru, reducing the need for parking demand; therefore, staff can support the request.

Design Reviews

The proposed changes to the pad site are typical for drive-thru restaurant pad sites providing dual drive-thru lanes. Staff can support the design of the restaurant, parking lot landscaping and site lighting. By rotating the building and redistributing the parking lot landscaping, the proposed design provides for an additional parking space closer to the building to help mitigate the reduction in parking.

Public Works - Development Review**Waiver of Development Standards #2**

Staff has no objection to the reduction in the throat depth for the Fort Apache commercial driveway. The applicant provided information that shows the reduction will not create a negative impact on traffic.

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 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; 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

- Traffic study and compliance;
- Grant new easements as required.
- Applicant is advised that off-site improvement permits may be required.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JO FAM PROPERTY LLC

CONTACT: ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135