WS-0656-17 – ABS SURPLUS-O, LLC:

WAIVER OF DEVELOPMENT STANDARDS for modified street standards. DESIGN REVIEWS for the following: 1) proposed restaurant with drive-thru; 2) proposed retail building; 3) proposed convenience store with fueling canopy; and 4) vehicle wash (car wash) in conjunction with a proposed shopping center on a 5.3 acre portion of an 8.4 acre parcel in a C-2 (General Commercial) P-C (Planned Community Overlay District) Zone in the Mountain’s Edge Master Planned Community.

Generally located on the northwest corner of Rainbow Boulevard and Cactus Avenue within Enterprise. SB/md/ja (For possible action)

RELATED INFORMATION:

APN:
176-27-801-019 ptn

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the driveway approach distance (driveway off-set) from Cactus Avenue, for a driveway along Rainbow Boulevard, to 130 feet where an approach distance of 150 feet is required per Uniform Standard Drawing 222.1 (a 13.4% reduction).

LAND USE PLAN:
ENTERPRISE – MAJOR DEVELOPMENT PROJECT – (MOUNTAIN’S EDGE) – GENERAL COMMERCIAL

BACKGROUND:
Project Description
General Summary
- Site Address: N/A
- Site Acreage: 5.3 portion/8.4 overall
- Project Type: Restaurant/retail/convenience store with fueling canopy/car wash
- Number of Stories: 1
- Building Height: Up to 29 feet
- Square Feet: Restaurant (2,000), retail (8,000), convenience store (3,850), car wash (1,250)
- Parking Required/Provided: 80/138 (phase 1)/185/195 (future phase 2)
Site Plans
The plans depict Phase 1 of a proposed shopping center featuring a proposed restaurant with a drive-thru, a retail building, a convenience store with a fueling canopy, and a car wash on the eastern half of the project site consisting 5.3 acres. A mini-warehouse was approved by action of ZC-0126-17 in May 2017 for the western portion of the site consisting of 3.1 acres. The restaurant measures 2,000 square feet in area with a 12 foot wide drive-thru lane with 8 stacking spaces. The restaurant is set back 64 feet from Cactus Avenue. The proposed retail building consists of 8,000 square feet and is located at the northeast corner of the site. The retail building is set back 21 feet from the eastern property line along Rainbow Boulevard. The convenience store (with liquor sales and gaming) consists of 3,850 square feet and is centrally located within the site. The convenience store is set back 83 feet from the eastern property line. A 1,250 square foot car wash is connected to the northern portion of the convenience store. A stacking lane measuring 12 feet in width circulates the eastern, northern, and western sides of the convenience store. A trash enclosure is located 80 feet to the east of the car wash. The 6 foot high wall of the trash enclosure, in conjunction with street landscaping, will screen the car wash from Rainbow Boulevard. A fueling canopy, with an area of 5,332 square feet, is located 60 feet south of the convenience store. The fueling canopy consists of 8 fueling islands, and is set back 74 feet and 61 feet from Cactus Avenue and Rainbow Boulevard, respectively. No immediate plans are proposed for Phase 2 of the commercial development; however 3 future retail buildings and a future restaurant with a drive-thru are depicted on the plans for illustrative purposes. Future retail building 2 consists of 5,000 square feet with an outdoor play area measuring 3,800 square feet. Future retail buildings 3 and 4 consist of 6,400 square feet each. The future retail buildings are located on the northwestern portion of the site. The future restaurant measures 3,300 square feet in area. The future restaurant is set back 22 feet from the eastern property line. Eighty parking spaces are required where 138 spaces are provided for Phase 1 of the development. Once Phase 2 of the commercial development is completed, a total of 185 parking spaces will be required for the site where 195 parking spaces will be provided. Three trash enclosures are distributed throughout the site. Two loading spaces are required where 2 loading spaces are provided.

Landscaping
The plan depicts an intense landscape buffer with a minimum width of 10 feet, including large 24 inch box evergreen trees planted 20 feet on center, along the north property line. A 6 foot high decorative block wall is also proposed along the north property line. A 5 foot wide meandering sidewalk is proposed along Rainbow Boulevard. A proposed 20 foot wide landscape area with large 24 inch box trees, located within the boundaries of the project site, is depicted along Rainbow Boulevard. A proposed landscape area located within the boundaries of the project site, ranging between 16 feet to 25 feet, is depicted along Cactus Avenue. An existing 5 foot wide meandering sidewalk is located adjacent to Cactus Avenue. Numerous large trees are depicted throughout the interior of the project site.

Elevations
The elevation plans for the restaurant depict a building height ranging from 20 feet to 23.5 feet to the top of the parapet wall. The restaurant consists of an aluminum storefront window system, stucco reveals, and an EIFS exterior. Wall pack lighting is depicted on the exterior of the building. The drive-thru window is located along the west elevation of the restaurant.
The retail building consists of a varying roofline with a height ranging from 20 feet to 29 feet to the top of the parapet wall. The exterior consists of an aluminum storefront window system and an EIFS exterior. Wall pack lighting is depicted on the exterior of the building.

The convenience store and car wash consists of a varying roofline with a height ranging from 17 feet to 23.5 feet. The exterior consists of an aluminum storefront window system and an EIFS exterior. Wall pack lighting is depicted on the exterior of the building. The fueling canopy has a maximum height of 22.5 feet with an EIFS exterior along the façade of the canopy.

Floor Plans
The restaurant floor plans depict a 2,000 square foot area consisting of a dining area, drive-thru window, restrooms, and a kitchen/back of house area. The plans for the retail building depict an 8,000 square foot open area for future tenant spaces. The convenience store floor plans depict a 3,850 square foot area consisting of a walk-in cooler and freezer area, walk-in beer cooler, restrooms, retail sales area, gaming area, and a cashiers and back of house area. The plans for the car wash depict an overall floor area of 1,250 square feet consisting of a car wash bay and car wash equipment.

Signage
Signage is not a part of this application.

Applicant’s Justification
The applicant states that all lighting will be designed to be contained within the commercial development. On-site landscaping is very dense and will soften the character of the development and enhance the visual appeal of the center. Furthermore, the applicant states this use is consistent with the needs of the immediate area and will be an important amenity for the residents of the surrounding Mountain’s Edge Community and beyond.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZC-0126-17</td>
<td>Reclassified 8.4 acres from R-E to C-2 zoning for a mini-warehouse facility &amp; future commercial development; waiver for off-site improvements and street landscaping</td>
<td>Approved by BCC</td>
<td>May 2017</td>
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<tr>
<td>MP-1009-02</td>
<td>Specific Plan for Mountain’s Edge Master Planned Community</td>
<td>Approved by BCC</td>
<td>December 2002</td>
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<tr>
<td>DA-1319-02</td>
<td>Development Agreement for Mountain’s Edge Master Planned Community</td>
<td>Approved by BCC</td>
<td>December 2002</td>
</tr>
<tr>
<td>MP-0420-02</td>
<td>Concept Plan for Mountain’s Edge Master Planned Community</td>
<td>Approved by BCC</td>
<td>July 2002</td>
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Surrounding Land Use

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<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>General Commercial &amp; Urban Residential (up to 14 du/ac)</td>
<td>C-2 &amp; RUD</td>
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<tr>
<td>South</td>
<td>Medium Residential (up to 18 du/ac)</td>
<td>R-2 &amp; C-2</td>
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</thead>
<tbody>
<tr>
<td>East</td>
<td>Public Facilities</td>
<td>M-1</td>
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<tr>
<td>West</td>
<td>Medium Residential (up to 18 du/ac)</td>
<td>R-3</td>
</tr>
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</table>

The subject parcel and the surrounding area are located within the Public Facilities Needs Assessment (PFNA) area.

**STANDARDS FOR APPROVAL:**
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis**

**Current Planning**

**Waiver 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 and value 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.

**Design Reviews**

Staff finds that the proposed restaurant, retail building, convenience store with fueling canopy, and car wash comply with Commercial Policy 67 of the Comprehensive Master Plan which states that site planning and building design of commercial developments should be compatible with abutting uses through the use of appropriate buffers, setbacks, landscaping, building height, and materials. The architectural materials utilized on the exteriors of the buildings create a cohesive and quality commercial development. The intense landscape buffer proposed along the northern property line of the development, adjacent to the residential use, complies with Commercial Policy 62 that encourages intense buffering and design features on the perimeter of parcels adjacent to single family uses. The proposed shopping center complies with Commercial Policy 66 that states commercial development should provide access points on arterial (Rainbow Boulevard) and collector (Cactus Avenue) streets and not on local neighborhood streets. Staff also finds the previously approved mini-warehouse facility will serve as a buffer between the residential use to the west and the proposed shopping center to the east. Therefore, staff has no objection to the proposed convenience store.

**Public Works – Development Review**

**Waiver of Development Standards**

Staff cannot support the request for the reduced driveway approach distance for the driveway on Rainbow Boulevard. Rainbow Boulevard is a major arterial with a minimum right-of-way width of 120 feet per the Transportation Element of the Comprehensive Master Plan. The ultimate design of Rainbow Boulevard at this intersection will likely include 3 through travel lanes and 2 left turn lanes. Bicycle lanes or an exclusive right turn lane may also be constructed. Therefore, with the access point so close to the intersection vehicles may have a difficult time exiting the gas station and shopping center when drivers intend to cross multiple lanes of traffic to access
the left turn lanes. Placing the access point farther north, even beyond the minimum 150 feet required by the standard drawings, will provide more room for vehicles to stack at the intersection while still allowing exiting vehicles to access any of the lanes on Rainbow Boulevard.

**Staff Recommendation**
Approval of the design reviews; and denial of waiver of development standards.

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;
- Full off-site improvements;
- Applicant shall work with Public Works – Design Division and Public Works – Development Review Division on the final design for Rainbow Boulevard;
- Vacate all unnecessary right-of-way and easements and dedicate pedestrian access easements per new driveway requirements.
- Applicant is advised that the final design of Rainbow Boulevard may require the vacation of excess right-of-way and easements and the dedication of new easements for pedestrian access, streetlights, and utilities.

**Building/Fire Prevention**
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show on-site fire lane, turning radius, and turnarounds; and to show fire hydrant locations both on-site and within 750 feet.

**Clark County Water Reclamation District (CCWRD)**
- Applicant is advised that a Point of Connection (POC) request has been completed for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0429-2017 to obtain your POC exhibit.
TAB/CAC: Enterprise – approval of the design reviews; and denial of waiver of development standards (design review as a public hearing for lighting and signage; and must comply with all Mountains Edge design standards).

APPROVALS:

PROTESTS:

APPLICANT: Abdus Asif

CONTACT: Jeff Looker, 2070 E. Southern Avenue, Tempe, AZ 85282