

**AGENDA MEMO - COMMUNITY DEVELOPMENT****CITY COUNCIL MEETING DATE: JUNE 4, 2025****DEPARTMENT: COMMUNITY DEVELOPMENT****ITEM DESCRIPTION: APPLICANT/OWNER: GOOD CLUCK WEST, LLC**

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
25-0046-SDR1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ******NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 5**NOTICES MAILED** 246 (by City Council)**PROTESTS** 0**APPROVALS** 0

**** CONDITIONS ****

25-0046-SDR1 CONDITIONS

Planning

- A. Prior to the exercising of the Site Development Plan Review as expressed in Title 19.16.100(J), the Developer shall be required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties and on behalf of all current and future property owners. The DPMR shall include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each of the subject site's landscaped areas including, but not limited to, perimeter landscape buffers, parking lot landscaping, and foundation landscaping, and shall provide a brief description of the required level of maintenance for privately maintained components including, but not limited to, building elevations, parking lot striping, trash enclosures and driveway pans. The DPMR must be reviewed and approved by the City of Las Vegas Department of Community Development prior to the exercising of the Site Development Plan Review as expressed in Title 19.16.100(J) and shall include a statement that all properties within the subject site are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Following recordation, the Developer shall submit a copy of the recorded DPMR document to the City of Las Vegas Department of Community Development.
1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
 2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 02/11/25, except as amended by conditions herein.
 3. A Waiver of Title 19.08.070 is hereby approved to allow an 11-foot wide landscape buffer along the southern property line where 15 feet is required.
 4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
 5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

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6. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
7. Trash enclosures shall be provided in conformance with the provisions of Title 19.08.040.E.
8. Mechanical equipment shall be screened in accordance with Title 19.08.040 development standards.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - a) All planting materials shall adhere to the recommendations of the Southern Nevada Regional Plant List.
 - b) A minimum size 24-inch box trees shall be planted at least 30 feet on center within the eastern landscape buffer area.
10. Prior to the submittal of a building permit application, the applicant shall meet with Department of Community Development staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Construct a bus turnout / deceleration lane meeting Standard Drawing #234.3 for the existing bus stop on Carey Avenue adjacent to this site concurrent with development of this site.

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13. In accordance with code requirements of Title 13.56 and Section 2.2 of the City's Vision Zero Action Plan, remove all substandard offsite improvements and unused driveway cuts, if any, and replace with new improvements meeting Public Right-of-Way Accessibility Guidelines (PROWAG) to the satisfaction of the City Engineer concurrent with development of this site. Grant Pedestrian Access Easement(s) if necessary to comply with this requirement. All existing paving damaged or removed by this development shall be restored at its original location, width and depth concurrent with development of this site.
14. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-6594 or emailed at ece@lasvegasnevada.gov.
15. Coordinate sewer connection at a size, depth, and location acceptable to the Sanitary Sewer Engineering Section of the Department of Public Works.
16. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Comply with the approved Traffic Impact Analysis (TIA-76110).
18. Queues for the overall shopping center shall not extend into the public right-of-way as a result of the drive-thru operations on this site
19. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage study update.

Fire & Rescue

20. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Site Development Plan Review request for a proposed commercial development including an office building and restaurant with drive-through on 1.53 acres at the southeast corner of Martin L King Boulevard and Carey Avenue.

ISSUES

- The City Council previously approved the subject development via Site Development Plan Review (20-0118-SDR1) on December 16, 2020. The entitlement expired as of December 16, 2024.
- Pursuant to Title 19.16.100, a Site Development Plan, which is not exercised with the issuance of a building permit within the approval period shall be void, unless an extension of time is granted.
- An Office, other than listed use is permitted in the C-1 (Limited Commercial) zoning district.
- A Restaurant use is permitted in the C-1 (Limited Commercial) zoning district.
- A Drive Through use requires approval of an administrative Conditional Use Permit in the C-1 (Limited Commercial) zoning district.
- A Waiver of Title 19.08.070 is requested to allow an 11-foot landscape buffer along the south property line where 15 feet is required. Staff supports the request.
- A condition of approval has been added requiring the applicant to work with City Staff regarding combining the subject lots via mapping action.

ANALYSIS

The subject undeveloped lots are located at the southeast corner of Martin L King Boulevard and Carey Avenue. The properties are zoned C-1 (Limited Commercial) and subject to Title 19 development standards. It is directly adjacent to the City of North Las Vegas to the north. The applicant proposes to develop the subject site with a proposed commercial development consisting of an office building and restaurant with drive-through.

The submitted plans depict a 3,067 square-foot Office building and a 2,380 square-foot Restaurant with Drive Through use. Both buildings are single-story with a maximum height of 21 feet. Ingress and egress access points are provide on Miller Avenue, Carey Avenue and Martin L King Boulevard.

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The applicant exceeds the minimum parking requirement, providing a total of 64 parking spaces where 36 are required. A Waiver of Title 19.08.070 is requested to allow an 11-foot landscape buffer along the southern property line where 15 feet is required. Staff finds the request to be minor in nature and will not have a negative impact on the surrounding area. The subject buffer area will still meet the required amount of planting materials. A Condition of Approval has been added requiring compliance with the recommendations of the Southern Nevada Regional Plant List.

Per Title 19, a Drive Through Use is defined as, “The use of a dedicated drive lane that, incidental to a principal use, provides access to a station, such as a window, door or mechanical device, from which occupants of a motor vehicle receive or obtain a product or service.”

Minimum Conditional Use Regulations:

1. A single-station drive-through shall have a stacking lane that will accommodate a minimum of six vehicles, including the vehicle at the station. A multiple-station drive-through shall have stacking lanes that will accommodate a minimum of three vehicles per station, including the vehicle at that station.

This requirement is met, as the site plan depicts a drive through that can accommodate a minimum of six vehicles.

1. The drive-through shall be screened in accordance with LVMC 19.08.040(F).

This requirement is met, as an adequate amount of landscape buffer screening is provided.

2. In the O (Office) and C-D (Designed Commercial) Districts, a drive-through shall be separated from any residentially zoned property by an intervening building and shall not have access to local residential streets.

This requirement is not applicable to the subject site as it is not zoned O (Office) or C-D (Designed Commercial).

Title 19 requires proposed buildings on corner lots to be oriented to the corner and to the street fronts in order to maintain a strong street edge. The applicant complies with this requirement as the proposed restaurant building is oriented to the corner of Martin L King Boulevard and Carey Avenue. The submitted elevation plans depict single story buildings featuring a modern industrial color palate. The proposed building materials are compatible with the existing development in the surrounding area.

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Per the City Traffic Engineering Division, “this project is expected to add an additional 1,146 trips per day on Carey Avenue and Martin L King Boulevard. Currently, Carey Avenue is at about 45 percent of capacity and Martin L King Boulevard is at about 87 percent of capacity. With this project, Carey Avenue is expected to be at about 48 percent of capacity and Martin L King Boulevard to be at 89 percent of capacity. Based on Peak Hour use, this development will add into the area roughly 111 additional peak hour trips, or about two every minute.”

The proposed development as designed is compatible and harmonious with the surrounding and future land development in the area. It also adheres to minimum Title 19 development standard requirements. Therefore, staff recommends approval of the requested Site Development Plan Review, subject to conditions.

FINDINGS (25-0046-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development is compatible with the existing commercial and recreational development in the surrounding area.

- 2. The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

Except for a landscape buffer Waiver which staff finds to be minor in nature, the proposed development adheres to all other applicable city plans, policies and standards.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Access to the site is provided by two 100-foot Primary Arterials, as designated by the Master Plan of Streets and Highways. Both Martin L King Boulevard and Carey Avenue are sufficient in size to accommodate the needs of the proposed development.

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4. Building and landscape materials are appropriate for the area and for the City;

The proposed development will utilize building materials appropriate for the area. A condition of approval has been added to ensure the proposed landscape materials adhere to the recommendations of the Southern Nevada Regional Coalition Plant List.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The submitted building elevation design characteristics are not unsightly, undesirable or obnoxious in appearance. They will be compatible with the existing development in the surrounding area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

If approved, the proposed development will be subject to building permits and business licensing, thereby ensuring the protection of public health, safety and welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
03/03/10	The City Council approved a General Plan Amendment (GPA-36841) to amend a portion of the Southeast Sector Plan of the General Plan From SC (Service Commercial) and MLA (Medium-Low Attached Density Residential) to GC (General Commercial) on 1.77 acres at the southeast corner of Martin L King Boulevard and Carey Avenue. Planning Commission and staff recommended approval.
	The City Council approved a Rezoning (ZON-36839) from R-2 (Medium-Low Density Residential) and C-2 (General Commercial) to C-2 (General Commercial) on 1.77 acres at the southeast corner of Martin L King Boulevard and Carey Avenue. Planning Commission and staff recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
03/10/20	The applicant withdrew without prejudice Variance (VAR-78100) request to allow 72 parking spaces where 131 are required at 2360 N Martin L King Boulevard.
	The applicant withdrew without prejudice Site Development Plan Review (SDR-78101) for an 18,180 square-foot commercial development at 2360 N Martin L King Boulevard.
04/15/20	The City Council approved General Plan Amendment (GPA-77891) from MXU (Mixed Use) to SC (Service Commercial) at 2360 N Martin L King Boulevard. The Planning Commission and Staff recommended approval.
10/13/20	The Planning Commission voted (7-0) to hold 20-0118-SDR1 in ABEYANCE to the November 10, 2020 Planning Commission meeting.
12/16/20	The City Council approved a request for a Site Development Plan Review (20-0118-SDR1) for a commercial development including an Office building and Restaurant with Drive Through on four parcels located at the southeast corner of Martin L King Boulevard and Carey Avenue. The Planning Commission and staff recommended approval.
06/02/21	The City Council Approved a General Plan Amendment (21-0029-GPA1) to adopt the City Of Las Vegas 2050 Master Plan and amend the City Of Las Vegas general plan from: various categories to TOD-1 (Transit Oriented Development-1), TOD-2 (Transit Oriented Development-2), TOC-1 (Transit Oriented Corridor-1), TOC-2 (Transit Oriented Corridor-2), Or NMU-U (Neighborhood Center Mixed Use) within the City Of Las Vegas.
02/01/23	The City Council approved Extension of Time (22-0705-EOT1) request for the first Extension of Time of an approved Site Development Plan Review (20-0118-SDR1) for a 2,380 square-foot restaurant with drive through and a 3,000 square-foot office building development on 1.69 acres at the southeast corner of Carey Avenue and Martin L king Boulevard. Staff recommended approval.
04/08/25	The Planning Commission voted (7-0) to recommend APPROVAL for possible action on a Land Use Entitlement project request FOR A PROPOSED 2,380 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH AND A 3,067 SQUARE-FOOT OFFICE BUILDING DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 1.69 acres at the southeast corner of Martin L King Boulevard and Carey Avenue (APNs 139-21-501-008 and 009), C-1 (Limited Commercial) Zone, Ward 5 (Summers-Armstrong). Staff recommends APPROVAL.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
05/21/25	The City Council voted (7-0) to HOLD IN ABEYANCE for possible action on a Land Use Entitlement project request FOR A PROPOSED 2,380 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH AND A 3,067 SQUARE-FOOT OFFICE BUILDING DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 1.69 acres at the southeast corner of Martin L King Boulevard and Carey Avenue (APNs 139-21-501-008 and 009), C-1 (Limited Commercial) Zone, Ward 5 (Summers-Armstrong). Staff recommends APPROVAL.

<i>Most Recent Change of Ownership</i>	
12/18/20	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
There are no related building permits/business licenses of note.	

<i>Pre-Application Meeting</i>	
01/23/25	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Site Development Plan Review.

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
02/27/25	Staff conducted a routine field check and found an undeveloped site. No issues were noted.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.77

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	NMX-U (Neighborhood Mixed Use Center)	C-1 (Limited Commercial)
North	Government Facility (City of North Las Vegas)	CC (Community Commercial)	C-1 (Neighborhood Commercial)
		P/SP (Public/Semi-Public)	
South	Undeveloped	TOC-2 (Transit Oriented Corridor - Low)	C-2 (General Commercial)
	Single Family, Detached	MLA (Medium-Low Attached Density Residential)	

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
East	Undeveloped	NMX-U (Neighborhood Mixed Use Center)	C-2 (General Commercial)
		SC (Service Commercial)	N-S (Neighborhood Service)
West	General Retail	NMX-U (Neighborhood Mixed Use Center)	C-1 (Limited Commercial)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: West Las Vegas	Y
West Las Vegas Plan	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (105 Feet)	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Setbacks			
• Front	10 Feet	37 Feet	Y
• Side	10 Feet	164 Feet	Y
• Corner	10 Feet	30 Feet	Y
• Rear	20 Feet	24 Feet	Y
Max. Lot Coverage	50%	7%	Y
Max. Building Height	N/A	21 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	By Condition	Y
Mech. Equipment	Screened	By Condition	Y

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	10 Trees	10 Trees	Y
• South	1 Tree / 30 Linear Feet	8 Trees	8 Trees	Y
• East	1 Tree / 30 Linear Feet	6 Trees	6 Trees	Y*
• West	1 Tree / 20 Linear Feet	7 Trees	7 Trees	Y
TOTAL PERIMETER TREES		31 Trees	31 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	18 Trees	18 Trees	Y
Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		17 Feet	Y
• South	15 Feet		11 Feet	N**
• East	8 Feet		10 Feet	Y
• West	15 Feet		15 Feet	Y

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*A Condition of Approval has been added requiring 24-inch box trees to be planted at a minimum of 30 feet on center within the eastern landscape buffer area.

**A Waiver is requested to allow an 11-foot landscape buffer width along the south property line.

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Martin L King Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y
Carey Avenue	Primary Arterial	Master Plan of Streets and Highways	100	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other than Listed	3,067 SF	1:300 SF	11				
Restaurant	841 SF of seating & waiting; 1,539 SF other	1:50 SF of seating & waiting; 1:200 SF other	25				
TOTAL SPACES REQUIRED			36				
Regular and Handicap Spaces Required			34	2	61	3	Y
Loading Spaces	5,447 SF	<10,000	1				Y

Waivers		
Requirement	Request	Staff Recommendation
Provide a 15-foot wide landscape buffer adjacent to the right-of-way	To allow an 11-foot wide landscape buffer adjacent to the southern property line	Approval