

11/07/23 PC AGENDA SHEET

SUPPER CLUB  
(TITLE 30)

WARM SPRINGS RD/EASTERN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0613-E-BEVERLY HOLDINGS, LLC:**

**USE PERMIT** to reduce the separation from a proposed on-premises consumption of alcohol establishment (supper club) to a residential use, in conjunction with an existing shopping center on 6.3 acres in a C-2 (General Commercial) Zone.

Generally located on the south side of Warm Springs Road and the east side of Eastern Avenue within Paradise. JG/jor/syp (For possible action)

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RELATED INFORMATION:

**APN:**

177-12-110-002

**USE PERMIT:**

Reduce the separation from a proposed on-premises consumption of alcohol establishment (supper club) to a residential use to 148 feet where 200 feet is the standard per Table 30.44-1 (a 26% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 7380 S. Eastern Avenue, Suite 118
- Site Acreage: 6.3
- Project Type: Supper club for Vito's Tacos
- Number of Stories: 1
- Building Height (feet): 32 (maximum)
- Square Feet: 2,330 (overall lease space)
- Parking Required/Provided: 288/364

**Site Plan**

The site plan depicts an existing shopping center that was constructed in 1990. The semi- "J" shaped building was constructed along the south and east property lines of the parcel, with 2 additional buildings on the northwest corner of the site. The northwestern convenience store and gasoline station is not a part of this complex, and cross access between these 2 areas is not

provided. Per the submitted parking analysis, 288 parking spaces are required where 364 is provided. Access to the shopping center is provided via existing driveways along the west property line (adjacent to Eastern Avenue) and along the north property line (adjacent to Warm Springs Road).

The applicant is requesting to reduce the separation between a proposed supper club (in conjunction with an existing restaurant – Vito’s Tacos) to a residential use to the south. The lease space for this existing restaurant (Suite 118) is located on the southwest corner of the shopping center building. The request is to reduce the separation to 148 feet where 200 is required per Code.

#### Landscaping

There is existing landscaping and minimal parking lot landscaping; however, landscaping is neither required nor a part of this request.

#### Elevations

The existing shopping center building has an overall height of 32 feet. The exterior finishes and architectural elements include stucco walls, a parapet roof, storefront awning with a shingle tile roof, and round stucco finished columns. Aluminum storefront and window systems are also a part of the exterior of the building.

#### Floor Plans

The floor plan has an overall area of 2,330 square feet (lease space). The existing restaurant includes the dining area, kitchen area, restrooms, and other back of house areas. The floor plan depicts a new bar area, office, additional restrooms, and storage rooms.

#### Applicant’s Justification

Vito’s Tacos is an existing restaurant. Per the applicant, adding a supper club would allow the business to expand and provide an area to serve alcohol within the lease space. There are existing building permits via BD23-22915 for tenant improvements to the restaurant. The hours of operation are from 10:30 a.m. to midnight, 7 days a week. The request to reduce the separation between a proposed supper club from a residential use is appropriate since there is an existing drainage channel separating the proposed supper club from the condominium complex to the south.

#### **Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>   | <b>Action</b>  | <b>Date</b>   |
|---------------------------|--|----------------|---------------|
| ADR-21-900315             | Building expansion for Advance Auto Parts within an existing retail building along the north property line of this shopping center - expired | Approved by ZA | July 2021     |
| ADR-18-900736             | Restaurant with a drive-thru only (Scooter’s Coffee) located along the west property line of this shopping center                            | Approved by ZA | November 2018 |
| UC-0313-17                | Allowed a kennel with an outdoor dog run   | Approved by PC | June 2017     |

**Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>                                       | <b>Action</b>  | <b>Date</b>   |
|---------------------------|--|----------------|---------------|
| ADR-900453-16             | Allowed a water vending kiosk                        | Approved by ZA | June 2016     |
| UC-0579-15                | Allowed a supper club via Suite 110                  | Approved by PC | October 2015  |
| VC-1764-99                | Reduce parking to 381 spaces where 417 were required | Approved by PC | December 1999 |

\*Additional land use applications have approved within this shopping center for a myriad of uses but are not a part of this application.

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>                   | <b>Zoning District</b> | <b>Existing Land Use</b>                     |
|-------|--|------------------------|--|
| North | Public Use   | P-F                    | Sunset Park (Dog Park) & softball fields     |
| South | Public Use & Compact Neighborhood (up to 18 du/ac) | C-2 & R-3              | Drainage channel & Condominiums at Southpark |
| East  | Neighborhood Commercial (up to 8 du/ac)            | R-2                    | Single family residences                     |
| West  | Corridor Mixed-Use                                 | C-1 & C-2              | Commercial uses and a shopping center        |

**STANDARDS FOR APPROVAL:**

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

**Analysis****Comprehensive Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. The proposed supper club is self-contained within the existing shopping center. The existing condominium complex to the south is buffered from the proposed supper club via an existing 100 foot wide drainage channel. Staff finds that this drainage channel provides an adequate physical barrier, and the proposed supper club should not pose a negative impact to the residential use to the south. Staff supports the applicant's request.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; 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**

- 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:** MCKEE DEVELOPMENT, LLC

**CONTACT:** JIMMI MCKEE, MCKEE DEVELOPMENT LLC, 7495 W. AZURE DR., SUITE 110, LAS VEGAS, NV 89130