

HOOKAH LOUNGE
(TITLE 30)

UPDATE
DESERT INN RD/SAMMY DAVIS JR. DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-22-0205-TYEB LLC:

AMENDED HOLDOVER USE PERMITS for the following: **1)** supper club; and **2)** hookah lounge.

WAIVERS OF DEVELOPMENT STANDARDS for the following **1)** reduce parking; **2)** waive parking lot design standards (previously not notified); and **3)** waive parking lot landscaping (previously not notified).

DESIGN REVIEW for modifications to a parking lot (previously not notified) in conjunction with an existing industrial complex on 2.5 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the northwest corner of Sammy Davis Jr. Drive and Mel Torme Way within Paradise. TS/sr/syp (For possible action)

RELATED INFORMATION:

APN:
162-17-504-011

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 154 spaces (previously notified as 128 spaces) where 200 spaces (previously notified as 210 spaces) are required per Table 30.60-1 (a 23% reduction).
2. Waive parking lot design standards where conformance with Section 30.60.050 is required (previously not notified).
3. Waive parking lot landscaping where landscaping per Figure 30.64-14 is required (previously not notified).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: **3415** Sammy Davis Jr. Drive
- Site Acreage: 2.5
- Project Type: Supper club with hookah lounge
- Number of Stories: 1
- Square Feet: 8,000 (supper club)/**38,115** (entire building)

- Parking Required/Provided: 200/154

Site Plans

The plans depict an existing 38,115 square foot industrial building located on the west side of Sammy Davis Jr. Drive. Various businesses exist within the building including a scooter rental, an adult bookstore, and a tavern. Access to the property is from Sammy Davis Jr. Drive, and elevation renderings have been provided by the applicant who will occupy a portion of the existing building.

Revised plans show the parking lot will be modified to accommodate additional parking. The area southeast of the existing building will remain unmodified and provides for parking along the building frontage. The area south of the existing building will be reconfigured to provide 6 rows of parking with no landscape fingers or islands. The area behind the building will now include 4 truck parking stalls parallel to the building, and parking stalls will be added along the northwest property line. Parking in this area will have no landscape fingers or islands, and the drive aisle between the parking stalls and truck parking is slightly greater than 14 feet in width where 24 feet is required.

Landscaping

Landscaping is not required or proposed as part of this application.

Elevations

The submitted photos depict a 1 story building with a stucco exterior and a flat roof behind parapet walls.

Floor Plan

The plan shows an 8,000 square foot suite space with seating areas, stage, restrooms, bar area, and kitchen.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the parking waiver will not have a negative impact because their hours of operation are from 11:00 a.m. to 3:00 a.m. **They also state the reduction of the required drive aisle width will not result in any vehicular traffic conflicts since the loading times for the truck parking will be different times than the proposed tavern; additionally the area behind the building will be marked one-way to control the flow of traffic. The applicant believes that this project will improve the area and be a great contribution to the neighborhood.**

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-21-900310	Outcall service	Approved by ZA	June 2021

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0979	Food cart – expired	Approved by BCC	February 2020
UC-0389-14	Medical cannabis establishment	Denied by BCC	December 2014

* Various other land use applications are associated with the subject site, including a number of land use applications for adults uses.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Business Employment	M-1	Office/warehouse
East	Entertainment Mixed-Use	H-1	Shopping Mall

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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.

In general, staff finds that the proposed uses can be conducted in a manner that are harmonious and compatible with the existing office/warehouse uses. However, staff cannot support the introduction of a supper club with hookah lounge that is proposing a **23** percent reduction in the required parking for the site. The supper club will have overlapping business hours with the traditional office/warehouse businesses **and the existing tavern**; therefore, parking could become a major problem at this location. Staff understands that several of the business spaces are currently vacant, which would make the current parking situation more favorable; however, that may not always be the case. For these reasons, staff cannot support the supper club with hookah lounge at this location.

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.

The applicant is proposing modifications to the parking lot layout and design which will be an improvement for the site; however, the required number parking spaces are still not being provided, and the design and landscaping are not in conformance with Code. This site is within the portion of the County that has a medium/high urban heat index and parking lot trees would provide shade which in turn could contribute to lowering the urban heat index for this area. Additionally, staff finds reduced drive aisle widths will result in an unsafe condition for all users of the site since other uses within the development may be operating at times when truck loading/unloading is occurring. For these reasons, staff cannot support the waivers.

Staff Recommendation

Denial.

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:

Current Planning

If approved:

- **Parking lot to be restriped per plans on file;**
- **One-way drive aisles to be properly marked/striped and signs shall be installed;**
- **Certificate of occupancy and/or business license shall not be issued without final zoning inspection.**
- Applicant is advised that **outside storage in any drive-aisles or parking areas will require a new land use application to further reduce parking and ensure modifications to the parking lot design is in conformance with Code; all parking areas must remain open and available to the public;** approval of this application does not constitute or imply approval of any other County issued permits, license, or approvals; 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; 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: Paradise - approval (1 year review as a public hearing).

APPROVALS: 1 card

PROTESTS: 2 cards

PLANNING COMMISSION ACTION: June 7, 2022 – HELD – To 06/21/22 – per the applicant.

PLANNING COMMISSION ACTION: June 21, 2022 – HELD – To 07/19/22 – per the applicant.

PLANNING COMMISSION ACTION: July 19, 2022 – HELD – No Date – per the Planning Commission.

APPLICANT: MARCUS DANIELS

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