

09/20/22 PC AGENDA SHEET

ON-PREMISES CONSUMPTION OF ALCOHOL      WARM SPRINGS RD/DURANGO DR  
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0429-RAVA ORANGE GROVE, LLC:**

**USE PERMITS** for the following: **1)** on-premises consumption of alcohol (supper club); and **2)** reduce the separation between a supper club and residential use in conjunction with an existing restaurant within an existing shopping center on 6.1 acres in a C-1 (Local Business) Zone.

Generally located on the north side of Warm Springs Road, 550 feet west of Durango Drive within Spring Valley. JJ/md/syp (For possible action)

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RELATED INFORMATION:

**APN:**

176-05-819-001; 176-05-819-003 through 176-05-819-005; 176-05-820-002; 176-05-820-003

**USE PERMITS:**

1. Allow on-premises consumption of alcohol (supper club) per Table 30.44-1.
2. Reduce the separation between a supper club and a residential use (multiple family development) to 6 feet where a minimum of 200 feet is required per Table 30.44-1 (a 97% reduction).

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 8680 W. Warm Springs Road
- Site Acreage: 6.1
- Project Type: Supper club
- Number of Stories: 1
- Square Feet: 2,511 (supper club)/52,068 (overall shopping center)
- Parking Required/Provided: 209/267

**Site Plan & Request**

This is a request to operate a supper club in conjunction with an existing restaurant. The use permit for the supper club is necessary to permit the applicant to sell packaged beer and wine as an accessory use to the primary use of a restaurant. The plans depict an existing shopping center consisting of 6 buildings with a cumulative area of 52,068 square feet. The subject property

(APN 176-05-820-002) consists of an L-shaped in-line retail building located at the southwest corner of the shopping center. More specifically, the existing restaurant is located at the southern most portion of the building, adjacent to Warm Springs Road. The shopping center requires 209 parking spaces where 267 parking spaces are provided. Cross access is provided between each building throughout the project site. Access to the site is granted via commercial driveways located adjacent to Durango Drive and Warm Springs Road. An existing 5 foot wide detached sidewalk is located along Durango Drive and a 5 foot wide attached sidewalk is located adjacent to Warm Springs Road. A second use permit is required to reduce the separation between the supper club use and the existing residential development (multiple family).

#### Landscaping

All street and site landscaping exists and no additional landscaping is required or proposed.

#### Elevations

The plans depict a single story in-line retail building with varying rooflines measuring between 25 feet to 39 feet, including a copper standing seam domed metal roof above the supper club. The exterior of the building consists of stucco, stone veneer, and an aluminum storefront window system.

#### Floor Plans

The plans depict an existing tenant space consisting of 2,511 square feet currently being utilized as a restaurant. The restaurant includes a dining area, bar area, cook line, kitchen, dishwashing area, food preparation area, walk-in cooler/freezer, pizza kitchen, restroom facilities, storage and office areas.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant would like to have the supper club designation to allow them to have retail beer and wine sales within the existing restaurant. The wine sales would be ancillary to the existing restaurant and would allow the restaurant patrons to purchase wine for off-premises consumption. The restaurant would be open between 11:00 a.m. and 11:00 p.m., 7 days a week. The requested reduction in separation distance would not have a significant impact on the adjacent multiple family development. The retail sales would be a small portion of the business. The restaurant would continue to function as it currently does. The multiple family development is located to the back side of the shopping center. The entrance to the restaurant would be shielded from view by the shopping center building itself. None of the activities of the restaurant are visible to the residents. The nearest residential building is also separated from the shopping center by the gated entry drive of the residential complex. The proposed use is compatible with adjacent uses in terms of design and operating characteristics and will not adversely affect the value of other properties in the area. The proposed uses will not have a negative impact on public safety, transportation, or utility services for any adjacent development.

**Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>                                                                                                                                                                                                                                                                                                                                                                  | <b>Action</b>   | <b>Date</b>   |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|---------------|
| UC-0169-17                | On-premises consumption of alcohol (supper club) and reduced separation from an existing residential use                                                                                                                                                                                                                                                                        | Approved by PC  | April 2017    |
| ADR-0646-16               | Patio cover in conjunction with an existing outside dining area and restaurant within an existing shopping center                                                                                                                                                                                                                                                               | Approved by ZA  | August 2016   |
| UC-0179-14                | Reduced the separation for outside dining areas from a residential use, allowed an outside dining area without a protective barrier, waived the minimum 48 inch wide pedestrian access around the perimeter of the outside dining areas, and an outside dining area with on-premises consumption of alcohol without primary means of access from the interior of the restaurant | Approved by PC  | May 2014      |
| UC-0618-10                | On-premises consumption of alcohol (service bar) for the northeast tenant space                                                                                                                                                                                                                                                                                                 | Approved by PC  | February 2011 |
| UC-0611-09                | On-premises consumption of alcohol (service bar) for the far southwest tenant space                                                                                                                                                                                                                                                                                             | Approved by PC  | November 2009 |
| WS-0224-09                | Freestanding sign                                                                                                                                                                                                                                                                                                                                                               | Approved by PC  | May 2009      |
| WS-1478-07                | Redesigned a previously approved shopping center with reduced parking and alternative landscaping                                                                                                                                                                                                                                                                               | Approved by BCC | February 2008 |
| DR-1121-07                | Restaurant on a pad site in conjunction with an approved shopping center                                                                                                                                                                                                                                                                                                        | Approved by BCC | November 2007 |
| NZC-0483-07               | Reclassified the site from R-E to C-1 zoning for a shopping center                                                                                                                                                                                                                                                                                                              | Approved by BCC | July 2007     |

**Surrounding Land Use**

|              | <b>Planned Land Use Category</b>                    | <b>Zoning District</b> | <b>Existing Land Use</b>    |
|--------------|-----------------------------------------------------|------------------------|-----------------------------|
| North & West | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-4                    | Multiple family residential |
| South        | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | C-2                    | Shopping center             |
| East         | Corridor Mixed-Use                                  | C-2                    | Shopping center             |

The subject site is 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**

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.

Staff finds that the proposed land use complies with the Master Plan which encourages land uses that are complementary and of similar scale and intensity. While staff is typically concerned with a 97% reduction in separation, the primary entrance to the supper club is oriented on the east side of the building away from the residential use. Furthermore, the supper club and nearest multiple family residential building are separated by a minimum distance of 90 feet. A 6 foot high block wall is located along the west side of the commercial building, providing additional buffering between the commercial and residential uses. The proposed use is consistent with the existing and adjacent uses and the supper club should not negatively impact the surrounding area. The supper club will place no additional demands on the site in terms of required parking, landscaping, or design features; therefore, staff can support these requests.

### **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:**

### **Current 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 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.

### **Fire Prevention Bureau**

- 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:** Spring Valley - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** JASON JAMES PIZZA BISTRO

**CONTACT:** ROBERT MESSIANA, JAWA STUDIO LTD., 107 E. CHARLESTON BOULEVARD, SUITE 250, LAS VEGAS, NV 89104