

06/07/22 PC AGENDA SHEET

SUPPER CLUB
(TITLE 30)

BLUE DIAMOND RD/DECATUR BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0207-LDR PARTNERS:

USE PERMIT to reduce the separation of a proposed supper club in conjunction with an existing restaurant on a portion of 8.0 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Blue Diamond Road and the west side of Decatur Boulevard within Enterprise. JJ/jor/syp (For possible action)

RELATED INFORMATION:

APN:

176-13-712-002; 176-13-712-005 through 176-13-712-007; 176-13-801-046 ptn

USE PERMIT:

Reduce the separation of a proposed supper club from a residential use to 83 feet where 200 feet is required per Table 30.44-1 (a 59% decrease).

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 5070 Blue Diamond Road
- Site Acreage: 0.5 (location of existing restaurant)/8.0 (entire shopping center)
- Project Type: Proposed supper club (Sharky's Modern Mexican Kitchen)
- Number of Stories: 1
- Square Feet: 2,915 (restaurant)
- Parking Required/Provided: 155/248 (overall shopping center)

Site Plan

The site plan depicts an existing shopping center on 8 acres. The proposed supper club within an existing restaurant (Sharky's Modern Mexican Kitchen) is located on APN 176-13-712-006, which is 0.5 acres. Access to the site is via existing driveways along Blue Diamond Road and Decatur Boulevard. DR-0600-16 was approved for the applicant's restaurant, which also included the existing outside dining area on the south facing elevation of the restaurant. Today, the applicant is requesting to add a supper club service to the existing restaurant. This use permit request is to reduce the 200 foot separation to 83 feet from the nearest residential use to the

north. Parking spaces are located on the south, east, and northern areas of the subject parcel; however, cross-access and shared parking exist throughout the shopping center.

Landscaping

There is landscaping throughout the existing shopping center. Landscaping is not a part of this request.

Elevations

The elevation plans show an existing restaurant with an overall height of 24 feet. Exterior materials include anodized aluminum framing with insulated glass assembly, horizontal Timber Tex siding, and other details such as wall sconces, cement siding details, and wooden beam features.

Floor Plan

The floor plan shows the dining area, kitchen, back of house areas, restrooms, outside dining area, and storage areas.

Signage

Signage is not a part of this request.

Applicant's Justification

Sharky's Modern Mexican Kitchen is an existing restaurant with hours of operation from 10:30 a.m. to 11:30 p.m. daily. The restaurant currently has an outside dining area, and the restaurant is fully operational. The applicant would like to add a supper club service to the existing restaurant to help diversify the menu. The request is to reduce the 200 foot separation to 83 feet from the nearest residences to the north. The site plan shows that there is an existing 24 foot wide drive aisle, existing landscaping, and screen wall, which helps buffer the proposed supper club and existing restaurant to the residences to the north.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|--|-----------------|----------------|
| WS-18-0575 | Increased the sign area for a projecting/hanging sign (Sharky's Modern Mexican Kitchen) | Approved by PC | September 2018 |
| DR-0600-16 | Restaurant (Sharky's Modern Mexican Kitchen) | Approved by BCC | October 2016 |
| UC-0488-16 | Reduced the separation of an outside dining area from a residential use; and design review for a commercial building with a drive-thru | Approved by BCC | September 2016 |
| DR-0851-15 | Retail building (Goodwill) | Approved by BCC | February 2016 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|-----------------|----------------|
| WS-1370-07 | Reduced trash enclosure setbacks, alternative street landscaping, and driveway separation; design review for a shopping center; waivers of conditions to WS-1646-05 for landscaping and restrictions on public address system or speakers | Approved by BCC | February 2008 |
| WS-1765-06 | Reduced driveway throat depth in conjunction with the shopping center | Approved by PC | February 2007 |
| WS-1646-05 | Allowed landscaping within the Blue Diamond Road right-of-way; design review for a pharmacy within the shopping center | Approved by BCC | December 2005 |
| ZC-1256-05 | Reclassified the site to C-2 zoning for future commercial development subject to a design review as a public hearing | Approved by BCC | September 2005 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|---|------------------------|---------------------------|
| North | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | RUD | Single family residential |
| South & East | Corridor Mixed-Use | C-2 | Shopping centers |
| West | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | M-D & R-2 | Undeveloped |

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 since the restaurant is existing and the outside dining has had no reported problems, adding a supper club can be a positive addition to the restaurant. Reducing the 200 foot separation requirement to 83 feet is acceptable to staff because the existing parking spaces at the rear of the building, the 24 foot wide drive aisle, the 13 foot wide landscape area, and the existing screen wall adjacent to the landscape area provides an adequate buffer. Staff supports this 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:

Current Planning

- Applicant is advised that approval of this application does not constitute or imply approval of 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: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: MARK EVENSVOLD

CONTACT: MARK EVENSVOLD, 236 TOWER ST, LAS VEGAS, NV 89101