

09/20/22 PC AGENDA SHEET

SERVICE BAR
(TITLE 30)

RAINBOW BLVD/MARDON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0423-DYNAMIC WARM SPRINGS INVESTMENTS, LLC:

USE PERMIT for on-premises consumption of alcohol (service bar) in conjunction with a restaurant within an existing shopping center on a portion of 9.0 acres in a C-1 (Local Business) Zone.

Generally located on the northwest corner of Rainbow Boulevard and Mardon Avenue within Enterprise. MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:

176-10-514-002 ptn

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 7379 S. Rainbow Boulevard, Suite 170
- Site Acreage: 9 (portion)
- Project Type: Service bar
- Number of Stories: 1
- Square Feet: 2,328 (lease area)

Site Plans

The plans show a proposed service bar in conjunction with a restaurant (Café Lola) within an existing shopping center. An in-line commercial building is located on the west side of the site, 2 pad sites are located on the east side adjacent to Rainbow Boulevard, and parking is located in between. The lease area is located within the southernmost tenant space of the in-line commercial building, adjacent to Mardon Avenue. Access to the site is from Warm Springs Road, Mardon Avenue, and Rainbow Boulevard via cross access with the adjacent property to the northeast.

Landscaping

No changes are proposed or required to the existing landscaping.

Elevations

The photos depict a 1 story building consisting of stucco, decorative metal siding, masonry block, metal awnings, and aluminum storefront systems. The roof is flat with parapet walls.

Floor Plans

The plans show a 2,328 square foot lease area consisting of a dining area, kitchen, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed use will not negatively impact the surrounding area. It is anticipated that the hours of operations for the restaurant will be 8:00 a.m. to 5:00 p.m., with the possibility of extending the hours to 7:00 p.m. in the future.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0661	Service bar in conjunction with a restaurant	Approved by PC	January 2022
UC-21-0601	Service bar in conjunction with a restaurant	Approved by PC	December 2021
TM-0097-17	Commercial subdivision	Approved by PC	July 2017
ZC-0923-16	Reclassified 2.1 acres from R-E to C-1 zoning for the southeast portion of the site and a design review for a shopping center on the overall site	Approved by BCC	March 2017
ZC-1458-07	Reclassified 5 acres from R-E to C-1 zoning for the center portion of the site	Approved by BCC	February 2008
ZC-1180-01	Reclassified 5 acres from R-E to C-1 zoning for the western portion of the site	Approved by BCC	October 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	M-D	Warehouses
South	Neighborhood Commercial & Open Lands	C-1 & P-F	Undeveloped & public park
East	Neighborhood Commercial & Corridor Mixed-Use	C-1 & C-2	Commercial centers
West	Neighborhood Commercial	C-1	Undeveloped

The subject site and surrounding area are 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 use will not adversely impact the surrounding area. Other service bars have been approved and operated within the same shopping center without any issues or complaints filed with the Clark County Public Response Office. Furthermore, there are no residential uses adjacent to the site. Therefore, staff can support the proposed 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 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: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: BOSS BABES 4, LLC

CONTACT: JOSEPH DAGHER, BALLARD SPAHR LLP, 1980 FESTIVAL PLAZA
DRIVE, SUITE 900, LAS VEGAS, NV 89135