

11/15/22 PC AGENDA SHEET

SUPPER CLUB
(TITLE 30)

RAINBOW BLVD/WARM SPRINGS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0550-DYNAMIC WARM SPRINGS INVESTMENTS, LLC:

USE PERMITS for the following: **1)** on-premises consumption of alcohol (supper club); and **2)** outside dining and drinking.

DESIGN REVIEW for an outdoor dining and drinking area in conjunction with a proposed restaurant within an existing shopping center on a portion of 9.0 acres in a C-1 (Local Business) Zone.

Generally located on the southwest corner of Rainbow Boulevard and Warm Springs Road within Enterprise. MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-10-514-002 ptn

USE PERMITS:

1. Permit an on-premises consumption of alcohol (supper club) per Table 30.44-1.
2. Eliminate the 48 inch pedestrian access around the perimeter of the outside dining area where required per Table 30.44-1.

LAND USE PLAN:

ENTERPRISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 7377 S. Rainbow Boulevard, Suite 101 & Suite 102
- Site Acreage: 9 (portion)
- Project Type: Supper club and outdoor dining and drinking
- Number of Stories: 1
- Square Feet: 6,180 (lease area)
- Parking Required/Provided: 62 (supper club)/474 (shopping center)

Site Plans

The plans show a proposed supper club with an outdoor dining and drinking area in conjunction with a restaurant 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 and throughout the shopping center. Access to the site is from Warm Springs Road, Mardon Avenue, and Rainbow Boulevard via cross access with the adjacent property to the northeast. The plans also depict an outdoor dining and drinking area at the northeast corner of the commercial building on the west side of the property. The area is located within an existing concrete area outside of the supper club, with landscaping along the east side of the area. Although protective barriers are provided along the perimeter of the outdoor area for customer safety; the outside dining abuts the landscape area without the required 48 inch pedestrian access. The business was approved for a service bar and is proposing to expand the restaurant to an additional suite and add a supper club.

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. The plans also depict a 48 inch protective barrier along the perimeter of the outdoor dining area.

Floor Plans

The plans show a 6,180 square foot lease area consisting of a dining area, kitchen, and restrooms and an outdoor patio for drinking and eating.

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. The proposed supper club and outdoor dining and drinking area will provide for a more enjoyable customer experience.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0423	Service bar in conjunction with a restaurant	Approved by PC	September 2022
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

Prior Land Use Requests

Application Number	Request	Action	Date
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**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.

Staff finds that the proposed use will not adversely impact the surrounding area. 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. Staff does not anticipate any negative impacts to the surrounding area since the primary function of the suites will still be a restaurant. Furthermore, there are no residential uses adjacent to the site. Although the pedestrian access is not provided on the east side of the outside dining area, a sidewalk is provided to the north and south, and the landscape area protects the patrons of the outside dining area and should prevent pedestrians from walking on the east side of the area. Therefore, staff can support the proposed request.

Design Review

Staff finds this request is compliant with the goals and policies of the Master Plan. Furthermore, the uses requested, and the design of the project are compatible with the existing shopping center and with the immediate area. The proposed uses and outdoor dining and drinking area should not

pose a negative impact to the surrounding establishments; therefore, staff does not object to the applicant's 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 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 (per plans presented; install steel bollards every 4 feet where outside dining is adjacent to parking area).

APPROVALS:

PROTESTS:

APPLICANT: THONGUTHAI, LLC

CONTACT: ARGENTUM LAW, 6037 S. FORT APACHE RD., STE 130, LAS VEGAS, NV 89148