

06/15/21 PC AGENDA SHEET

SUPPER CLUB
(TITLE 30)

WARM SPRINGS RD/EASTERN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0206-TXM REAL ESTATE HOLDINGS, LLC:

USE PERMIT to reduce the separation from a residential use to a proposed supper club in conjunction with an existing restaurant on 1.0 acre in a C-2 (General Commercial) Zone.

Generally located on the north side of Warm Springs Road, 1,140 feet west of Eastern Avenue within Paradise. MN/md/jo (For possible action)

RELATED INFORMATION:

APN:

177-02-816-007

USE PERMIT:

Reduce the separation from a residential use to a supper club to 20 feet where 200 feet is required per Table 30.44-1 (a 90% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 2250 Warm Springs Road
- Site Acreage: 1
- Project Type: On-premises consumption of alcohol (supper club)
- Number of Stories: 1
- Building Height (feet): 31
- Square Feet: 6,000
- Parking Required/Provided: 60/60

Site Plans

The plans depict an existing restaurant centrally located on a parcel consisting of 1 acre. The applicant is proposing a supper club in conjunction with an existing restaurant. Due to the proximity of an existing residential (multiple family) use to the north and east of the site, a use permit is required to reduce the minimum separation distance between the supper club and the residential use. Outside dining is not proposed with the supper club. Sixty parking spaces are

required for the supper club where 60 spaces are provided. Access to the site is granted via an existing commercial driveway along Warm Springs Road. No site or exterior modifications to the building are proposed with this application.

Landscaping

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

Elevations

The plans depict an existing 31 foot high building with exterior wood siding, stone veneer accents, and a standing seam metal roof.

Floor Plans

The plans depict an existing restaurant building consisting of 6,000 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the existing restaurant has been an integral part of the neighborhood since 1998 providing residents with a convenient full service restaurant that is directly connected to the community by a sidewalk. In addition, the north side of the parking lot allows easy ingress and egress to the adjacent multiple family development. To the north, the restaurant is separated from the multiple family development by a 6 foot high block wall. To the east, the distance from the restaurant building to the property line bordering the multiple family residential development egress is approximately 20 feet. The restaurant hours are 11:00 a.m. to 8:00 p.m. Sunday through Thursday and 11:00 a.m. to 9:00 p.m. Friday and Saturday to ensure the residents within the adjacent residential development enjoy a peaceful night. Many patrons are from the adjacent residential neighborhood and previously dined at Memphis BBQ. Patrons are accustomed to enjoying a beer or wine with their meal (Memphis BBQ had a supper club license) and they wish to continue to have that option. The applicant requests to continue to provide the same level of service that the neighbors experienced in the past and desire to continue to receive.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-2039-95	Reclassified the project site to C-2 zoning	Approved by BCC	January 1996
VC-1782-95	Variance for on-premises consumption of alcohol in conjunction with an existing restaurant - expired	Approved by BCC	January 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Commercial General and Residential High (8 du/ac to 18 du/ac)	R-3	Multiple family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Institutional & Residential High (8 du/ac to 18 du/ac)	R-E & R-3	Multiple family development & place of worship
West	Commercial General	C-1	Tire sales & installation

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 Comprehensive 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 complies with Urban Land Use Policy 7 of the Comprehensive Master Plan which encourages land uses that are complementary and of similar scale and intensity. Furthermore, a supper club was previously approved within the same building in January 1996; however, that use has expired. While staff is typically concerned with a 90 percent reduction in separation, the entrance to the supper club is oriented on the south side of the building away from the residential use. Furthermore, the supper club and nearest residential building are separated by a minimum distance of 105 feet. A 6 foot high block wall is also located along the north property line of the project site, 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 other design features; therefore, staff can support 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 Comprehensive 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; 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.

Building Department - Fire Prevention

- 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.

APPROVALS:

PROTESTS:

APPLICANT: LAWRENCE M. LEHRNER

CONTACT: LAWRENCE LEHRNER, LAS VEGAS, 9709 CAMDEN HILLS AVE, LAS VEGAS, NV 89145