

11/16/21 PC AGENDA SHEET

SUPPER CLUB
(TITLE 30)

RENO AVE/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0539-APACHE 3, LLC:

USE PERMITS for the following: **1)** on-premises consumption of alcohol (supper club); **2)** reduced separation; and **3)** a hookah lounge.

DESIGN REVIEW for a proposed outside dining and drinking area in conjunction with a proposed supper club in an existing shopping center on a portion of 4.0 acres in a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone.

Generally located on the south side of Reno Avenue and the west side of Fort Apache Road within Spring Valley. JJ/nr/jo (For possible action)

RELATED INFORMATION:

APN:

163-30-601-010 ptn

USE PERMITS:

1. On-premises consumption of alcohol (supper club).
2.
 - a. Reduce the separation of a supper club to a residential use to 40 feet where 200 feet is required per Table 30.44-1 (a 80% decrease).
 - b. Reduce the separation of a proposed outside dining and drinking area in conjunction with an existing restaurant to a residential use to 80 feet where 200 feet is required per Table 30.44-1 (a 60% decrease).
3. A hookah lounge.

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5135 S. Fort Apache Road, Suite 100
- Site Acreage: 4 (portion)
- Project Type: Supper club
- Number of Stories: 1
- Square Feet: 2,564 (supper club)/465 (outside dining area)
- Parking Required/Provided: 170/175

Site Plan

The existing shopping center is located south of Reno Avenue and west of Fort Apache Road. Access to the shopping center is located via commercial driveways along the north property line (Reno Avenue) and the east property line (Fort Apache Road). The parcel was reclassified from R-E zoning to C-2 zoning on the north half of the parcel and to C-1 zoning on the south half of the site via ZC-1287-01. Buildings A and B are 2 in-line retail buildings along the west property line, that are oriented north to south with the front of the buildings facing east toward Fort Apache Road. In addition, the northeast and southeast corners of the shopping center have identical designed retail buildings (Buildings C and D). There is an existing drive aisle and landscape strip along the west property line in between the existing residences to the west and Buildings A and B.

The applicant is requesting a supper club with outside dining, drinking, and a hookah lounge in an existing lease space on the southernmost portion of Building A. UC-0378-12 (Streets of New York) was previously approved for the same location related to this application. UC-0378-12 reduced the separation from a supper club to a residential use and reduced the separation from an outside dining area to a residential use for a proposed supper club, this application has since expired. The proposed outside dining and drinking area has a 40 foot separation distance, where 200 feet is required from the existing residential use to the west.

Landscaping

Landscaping is located throughout the site and changes to the landscaping are neither required nor a part of this request. The proposed outside dining and drinking area is directly adjacent to an existing landscape area which includes palm trees, medium size trees, shrubs, and groundcover.

Elevations

The submitted photos depict stucco exterior walls, stone veneer columns, and black aluminum storefront and window systems. The proposed outside dining and drinking area is located within an existing walkway adjacent to the south facing elevation of the lease space.

Floor Plan

The floor plan depicts a proposed outside dining and drinking area with an overall area of 465 square feet. The applicant is proposing a 4 foot high black metal fence around the proposed outside area that includes an access gate on the southeast side in addition there is an entrance/exit door from the lease space (south facing elevation) into the proposed outside area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed requests are consistent with the uses existing within the shopping center. The applicant states that the proposed uses would be in compliance with Code requirements and requests approval.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0151	Reduced separation for outside dining for northernmost portion of Building B	Approved by PC	May 2018
UC-0320-16	Allowed on-premises consumption of alcohol (service bar) in conjunction with an existing restaurant (C-1 portion of the site)	Approved by PC	June 2016
UC-0378-12	Allowed on-premises consumption of alcohol (supper club) and a waiver to reduce the separation from on-premises consumption of alcohol (supper club) to a residential use (C-1 portion of the site) - expired	Approved by PC	September 2012
UC-0485-11	Reduced the separation from on-premises consumption of alcohol (supper club) to a residential use, and reduced separation from outside dining to a residential use (C-2 portion of the site) - expired	Approved by PC	December 2011
UC-0107-09	Allowed on-premises consumption of alcohol (service bar) and reduced the separation of an outdoor dining area from a residential use (C-1 portion of the site)	Approved by PC	March 2009
UC-0203-08	Reduced the separation between a convenience store and a residential use (C-2 portion of the site)	Approved by PC	April 2008
VS-1098-06	Vacated and abandoned government patent easements - recorded	Approved by PC	September 2006
DR-0548-06	Design review for an office and retail center, and a waiver of conditions of a zone change (ZC-1287-01) requiring right-of-way dedication to include 25.5 feet for Ali Baba Lane	Approved by BCC	May 2006
ZC-1287-01 (ET-0304-04)	First extension of time of a zone change from R-E to C-2 zoning for a proposed shopping center	Approved by BCC	November 2004
TM-0089-03	1 lot commercial subdivision	Approved by PC	April 2003
VS-0285-03	Vacated government patent easements - expired	Approved by PC	April 2003
ZC-1287-01	Reclassified the site from R-E to C-2 zoning for the northern portion of the site, and C-1 zoning for the southern half of site for a proposed shopping center	Approved by BCC	January 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Retail building

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Commercial General	U-V	Multiple family residential & commercial pad sites
East	Commercial General	C-2	Shopping center
West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permits & Design Review

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.

A previous application approved in this suite location and several applications within the existing shopping center have been approved for reduced separation for supper clubs and outside dining and drinking. The hookah lounge would be a permitted use without a use permit on the northern portion of the site. Staff does not oppose the reduced separation request to 40 feet where 200 feet is required for a supper club and 80 feet for an outside dining and drinking area in conjunction with a supper club. The site plan depicts existing landscaping with trees and shrubs and a 32 foot wide drive aisle along the west property line of the site which provides a physical barrier between the proposed outside dining and drinking area and the residences to the west. Additionally, the reduction for the outside dining is similar to the previous reduction granted with UC-21-0151 for 81 feet. Staff also does not anticipate any negative impacts from reducing the separation from residential uses and the allowance of a hookah lounge in an existing shopping center. Staff supports the design review of the proposed outside dining and drinking area since the proposed area is compatible to the existing building and the overall shopping center. Therefore, staff supports 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 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 any other County issued permit, license, or approval; that 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.

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: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: TUSHIL SINGH

CONTACT: TUSHIL SINGH, LAS VEGAS, 5135 S. FORT APACHE RD, STE A-100, LAS VEGAS, NV 89148