USE PERMIT to allow a banquet facility in conjunction with an existing retail building on 0.4 acres in a C-1 (Local Business) Zone in the Russell Road Transition Corridor Overlay District.

Generally located on the south side of Russell Road and the west side of Merrill Avenue within Paradise. MBS/dg/ml (For possible action)

RELATED INFORMATION:

APN:
161-32-104-002

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:
Project Description
General Summary
- Site Acreage: 0.4
- Project Type: Banquet facility
- Number of Stories: 1
- Building Height: 20 feet
- Square Feet: 4,066
- Parking Required/Provided: 17/18

Site Plan
The plans depict a 4,066 square foot existing vacant retail building that will be converted into a banquet facility. Parking is located in the front of the building. Access to the site is from Merrill Avenue which is a cul-de-sac street. No changes to the site design are proposed with this request.

Landscaping
All landscaping currently exists and the plans indicate some new trees along all property lines to comply with original site design approved in 2005, inclusive of the single row of 24 inch box trees, 20 feet on center along the west and south property lines.
Elevations
The existing building consists of decorative split-face CMU block and is 20 feet in height at the parapet walls with all mechanical roof equipment screened. The front elevation (east) includes 4 existing storefronts with canopies. No exterior changes are proposed with this request.

Floor Plans
The banquet facility will occupy the entire 4,066 square foot building and consist of the following: 1) lobby area; 2) restrooms; 3) kitchen; and 4) large open area for the banquet hall.

Signage
Signage is not a part of this request.

Applicant’s Justification
The applicant indicates that the property was previously approved and contained a supper club with a sit down bar. The supper club went out of business and the building was abandoned. The property was subsequently purchased late last year by the present owners. The property has been in disrepair for a long time and the new property owner has been in the process of cleaning up the property. However, the property needs to be placed back into a productive use as it is currently an eyesore in the neighborhood and abandoned buildings are nuisances. The owner proposes to operate a banquet facility. Parking conforms to Code. The existing kitchen will be used for the preparation of food for events. Landscaping presently exists on the street frontages as well as along the south and west property lines. The landscaping will be upgraded with additional plants and by replacing plants that have died.

Finally, the applicant indicates this is an excellent transitional use between the more intense commercial uses to the north and east and the C-P and R-E zoned uses to the west and south. Placing the building back into a productive use will be a definite asset and enhance the neighborhood.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>UC-0775-12</td>
<td>Allow a vehicle (automobile) maintenance facility with waivers to allow service bay doors to face a street (Merrill Avenue) and reduce the separation from an automobile maintenance facility to a residential use</td>
<td>Withdrawn</td>
<td>February 2013</td>
</tr>
<tr>
<td>UC-0561-08</td>
<td>Supper club with a reduction from a residential use and waiver of development standards for reduced parking – expired</td>
<td>Approved by PC</td>
<td>July 2008</td>
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<tr>
<td>ZC-1114-99 (ET-0325-06)</td>
<td>Third extension of time on the original zone boundary amendment to C-1 zoning – time limit was removed and ordinance was prepared to adopt the zoning</td>
<td>Approved by BCC</td>
<td>January 2007</td>
</tr>
<tr>
<td>Application Number</td>
<td>Request</td>
<td>Action</td>
<td>Date</td>
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<tr>
<td>WS-1235-05</td>
<td>Reduce the landscape buffer adjacent to a residential use to 9 feet wide with a single row of trees where a 10 foot wide intense buffer was required and modify parking lot design standards with a design review for the existing retail building</td>
<td>Approved by PC</td>
<td>October 2005</td>
</tr>
<tr>
<td>ZC-1114-99</td>
<td>Zone boundary amendment to C-1 zoning</td>
<td>Approved by BCC</td>
<td>October 1999</td>
</tr>
</tbody>
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**Surrounding Land Use**

<table>
<thead>
<tr>
<th></th>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Commercial General</td>
<td>C-2</td>
<td>Undeveloped &amp; convenience store</td>
</tr>
<tr>
<td>East</td>
<td>Commercial Neighborhood</td>
<td>R-E</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>South</td>
<td>Rural Neighborhood Preservation</td>
<td>R-E</td>
<td>Single family residences</td>
</tr>
<tr>
<td>South</td>
<td>(up to 2 du/ac)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>Office Professional</td>
<td>C-P</td>
<td>Office building</td>
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**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 Plan and includes, among other items, assessing any potential impact to the immediate area. One of several criteria the applicant must establish is 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 a banquet hall is consistent with the land uses in the immediate area and the provisions of the Russell Road Transition Corridor Overlay District which state, in part, that non-residential development should be limited to proposed uses that will not generate more traffic than general office uses. The parking requirements for a banquet hall are the same as a general office use. Staff also agrees with the applicant’s assertion regarding this use functioning as a transitional use between the more intense commercial uses to the north and east and the C-P and R-E zoned uses to the west and south. This specific use and establishing an operational property again will address the disrepair and general nuisance of the property since it’s been vacant for some time. Therefore, staff finds this use will complement the area and is a compatible use based on the following: 1) the applicant has demonstrated compatibility with all applicable community goals per Chapter 30.16.010 that include, in part, complementing or enhancing the character of the neighborhood; and 2) the applicant has provided the necessary justification to merit approval of the use permits.

Finally, the request is compliant with the following policies in the Winchester/Paradise Land Use Plan: 1) Policies 1.3 which encourages, in part, infill developments that are compatible with existing adjacent developments; and 2) 1.21 which recommends, in part, that special uses that are adjacent to existing land uses are compatible and appropriately buffered. Therefore, staff can support this request with conditions.
**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 Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**
- 2 years to commence and review as a public hearing to ensure use and associated traffic does not require additional mitigation measures;
- Banquet facility to operate only during daytime hours.
- 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; no outside uses are a part of this request; any audible or discernible noise of interior entertainment from the exterior of the building may require additional land use applications for live entertainment; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

**Public Works – Development Review**
- 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:** May 14, 2013 Paradise Town Board – approved - subject to banquet facility to operate during daytime hours until 1:00 a.m. on Friday and Saturdays, and daytime hours to 10:00 p.m. from Sunday to Thursday; and all other staff conditions. /bv

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** 3F International Investments, LLC
**CONTACT:** John Vornsand, AICP, 62 Swan Circle, Henderson, NV 89074