



City of Las Vegas

Agenda Item No.: 173.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 6, 2006**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT: REQUIRE SIX MONTH REVIEW

RDR-15420 PUBLIC HEARING - APPLICANT: RAMZI SULIMAN - OWNER: 3140 VALLEY VIEW - Requesting Six Month Review of an approved Special Use Permit (SUP-7359) THAT ALLOWS AN ALIQUOR ESTABLISHMENT (BEER/WINE/COOLER, OFF-SALE) for an existing building at 3140 South Valley View Boulevard, Suites #3, #4 and #5 (APN 162-08-410-010) Ward 1 (Tarkanian). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting documentation
4. City Council approval letter for SUP-7359

Motion made by LOIS TARKANIAN to Hold in Abeyance to 10/4/2006

Passed For: 0; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
None; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

RAMZI SULIMAN appeared and requested approval.

COUNCILWOMAN TARKANIAN expressed concern about citations issued at the location and requested that JIM DiFIORE, Manager of Business Licensing, present a report.

MR. DiFIORE stated that in December 2005 a temporary license was issued for beer/wine off sale purposes. During the six-month temporary period MR. SULIMAN reappeared 6/7/2006 and was approved for an extension of a temporary license. One week ago a routine inspection was conducted which revealed the business offered drug paraphernalia such as water bongs, pipes,

CITY COUNCIL MEETING OF: September 06, 2006

scales and other various drug-related objects. In addition, the only employee on site did not have a proper work card nor health card. Upon speaking with MR. SULIMAN, citations were issued and made part of the report. MR. DiFIORE recommended the Special Use Permit and temporary license be given serious consideration before a decision is made.

MR SULIMAN explained the conflict arose because he had recently closed his smoke shop business. He only sold those items to exhaust his smoke shop inventory. Once he received knowledge that those actions were unacceptable, he removed all items in question.

In response, MR. DiFIORE stated that in November MR. SULIMAN was put on notice and signed an acknowledgment that he would not be allowed to sell the same items at any other location. MR. SULIMAN replied that he never possessed illegal paraphernalia and clarified he was aware since he was given a picture of items not to sell, which he also posted in his store as items he did not sell.

DEPUTY CITY ATTORNEY BRYAN SCOTT stated he needed to modify his advice to COUNCILWOMAN TARKANIAN because he has reviewed the Code which allows that the Council may hold a hearing but the applicant must be served with written notice 10 days prior so that they may properly acquire an attorney if desired.

DEPUTY CITY ATTORNEY SCOTT read and clarified the Code. MARGO WHEELER, Director of Planning and Development Department, confirmed that the business already has a Special Use Permit; it is the privilege license that is temporary and under review. COUNCILWOMAN TARKANIAN expressed desire not to grant the review because the use is not compatible nor harmonious but rather contributes to the challenges in that area. DEPUTY CITY ATTORNEY SCOTT stated that because these circumstances would remove a right MR. SULIMAN currently possesses, he suggested the matter be held in abeyance to conduct the necessary procedural steps and allow him time to prepare for defense. He suggested a 30-day abeyance.

MAYOR GOODMAN declared the Public Hearing closed.