



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 31, 2007

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:
NEW BILL

Bill No. 2007-35 Allows additional types of alcoholic beverage-related uses in the C-V (Civic) Zoning District. Bill requires a special use permit. Sponsored by: Councilwoman Lois Tarkanian

Fiscal Impact

- No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

Currently, the only alcohol-related use permitted in the C-V Zoning District is a tavern, which is permitted only by means of special use permit and only when the parcel or use is operated or controlled by a government agency. No provision is made in that district for alcohol-related uses that are more restrictive and of lesser impact. This bill will allow supper clubs, restaurant service bars, banquet facilities and other uses of similar impact in the C-V District, subject to the same approval process and limitations applicable to a tavern.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2007-35

Motion made by LOIS TARKANIAN to Hold in Abeyance to 8/14/2007

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:
COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED explained what this bill proposes by summarizing the Purpose/Background section.

RECOMMENDING COMMITTEE MEETING OF: JULY 31, 2007

TED RUSSELL, Las Vegas resident, said that he is familiar with the ordinance, which is pragmatic. Therefore, he recommended approval.

COUNCILMEMBERS TARKANIAN and BARLOW, CHIEF DEPUTY CITY ATTORNEY STEED and FLINN FAGG, Planning and Development Department, held discussion regarding COUNCILMAN BARLOW's concern that approval of this bill might open the door for more alcohol-related uses, because there are already so many uses in Civic zoning, and the possibility of churches establishing a tavern, as churches and childcare facilities are zoned Civic. The bill language would allow beer and wine sales in City facilities, such as community centers, for special events that are located in Civic zoning. CHIEF DEPUTY CITY ATTORNEY STEED clarified that the bill opens the door for application, but the Council has the ultimate discretion. MR. FAGG conceded that churches are permitted in Civic zoning districts; however there are separation distances that apply to taverns that do not apply to supper clubs, restaurant service bars, banquet facilities or other similar uses. Taverns must also undergo the special use permit process.

COUNCILWOMAN TARKANIAN said she would like the language modified to reflect the true intent; otherwise, citizens are going to misinterpret it and the alcohol uses being expanded. It was never her intent to allow more liquor uses in Civic zoning, but rather to allow the Las Vegas Springs Preserve to have a supper club. She suggested holding this matter in abeyance to clarify the language, as she certainly does not want to enable more alcohol uses.

MR. FAGG pointed out that, with the separation distance requirements, the use of churches is protected, as are parks, schools, etc. There is no way to have a church and a tavern on the same property. Certainly, the property could be converted from a church to a tavern, but, still, the separation distance requirements would have to be met. With that said, and with the fact that the Council has the ultimate discretion, COUNCILMAN BARLOW felt more comfortable in moving this bill forward.

MR. FAGG noted that this matter was being fast tracked. COUNCILWOMAN TARKANIAN clarified that it is mainly for the Las Vegas Springs Preserve. So, this could be moved forward as is, or let the Springs Preserve have a tavern, which is already permitted. MR. FAGG indicated that he would be happy to further research the issue of the Civic zoning within the next two weeks, if the Committee members felt inclined to hold this matter in abeyance, but staff could not research by August 1, 2007, which is the date this bill would be eligible for adoption. COUNCILMAN BARLOW interjected that he pointed out some of the issues because he wanted them on the record. But, he certainly would not have a problem with approval of this bill, because, as a member of the body that will be considering the applications for this use, he will be policing it closely.

COUNCILWOMAN TARKANIAN indicated her preference to hold this matter in abeyance, as it would give her a greater level of comfort if all aspects of this bill were considered.

CHIEF DEPUTY CITY ATTORNEY STEED pointed out that this bill was already published to make it eligible for adoption, because of its time sensitivity. He noted that perhaps the solution

RECOMMENDING COMMITTEE MEETING OF: JULY 31, 2007

would be to create a new category for government that is different than the current Civic zoning, so that government and churches not fall within the same category. COUNCILWOMAN TARKANIAN noted that it would be her preference to create a different category, so as to not expand it.

MR. RUSSELL pointed out that the intent of this bill is parallel to what was done for the World Market Center trade shows, and it is a good model. COUNCILWOMAN TARKANIAN noted that the model is good. The problem is there are ample locations zoned Civic. MARK VINCENT, Director of Finance and Business Services, interpreted that the two bills are similar but different. The World Market Center involved a specific license category; whereas, this bill pertains to land-use zoning. Therefore, this bill would have a broader impact.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

