



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ROC-25030 - APPLICANT: SUPER AZTECA - OWNER: 3140 VALLEY VIEW, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Condition number eight of Special Use Permit (SUP-7359) shall be removed.
2. Conformance to all other Conditions of Approval for Special Use Permit (SUP-7359) and all other related actions as required by the Planning and Development Department and Department of Public Works shall be required.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition to remove Condition Number 8 of an approved Special Use Permit (SUP-7359) which stated that no single bottle sales shall be allowed. All alcohol sales shall be in their original containers at 3140 South Valley View Boulevard, Suites #3, #4 and #5.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|---|---|
| 09/07/05 | The City Council approved a request for a Special Use Permit (SUP-7359) for a Liquor Establishment (Beer/Wine/Cooler, Off-Sale) at 3140 South Valley View Boulevard, Suites #3, #4 and #5. The Planning Commission and staff recommended approval. |
| 12/06/06 | The City Council approved a Required Six Month Review (RQR-15420) of an approved Special Use Permit (SUP-7359) that allowed a Liquor Establishment (Beer/Wine/Cooler, Off-Sale) for an existing market at 3140 South Valley View Boulevard, Suites #3, #4 and #5. Staff recommended approval. |
| <i>Related Building Permits/Business Licenses</i> | |
| 06/29/06 | A business license (L10-00262) was issued for beer/wine/cooler off sale on the subject property. This license is currently active, as are all other business licenses related to the subject business. |
| <i>Pre-Application Meeting</i> | |
| 07/30/07 | A pre-application meeting was held. Submittal requirements, scheduling, the Review of Condition process, and elements related to this request were discussed. |
| <i>Neighborhood Meeting</i> | |
| A neighborhood meeting is not required, nor was one held. | |
| <i>Details of Application Request</i> | |
| <i>Site Area</i> | |
| Net Acres | 0.83 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|--------------------------|---------------------------------|--------------------------|
| Subject Property | Shops/Offices | L I/R (Light Industry/Research) | C-1 (Limited Commercial) |
| North | Shops/Offices | L I/R (Light Industry/Research) | C-1 (Limited Commercial) |
| South | Shops/Offices | L I/R (Light Industry/Research) | C-1 (Limited Commercial) |
| East | Shops/Offices | L I/R (Light Industry/Research) | M (Industrial) |
| West | Shops/Offices | Clark County | Clark County |

| Special Districts/Zones | Yes | No | Compliance |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | N/A |
| Special Districts/Zones | Yes | No | Compliance |
| Special Purpose and Overlay Districts | | | |
| A-O Airport Overlay District | X | | Y |
| Trails | | X | N/A |
| Rural Preservation Overlay District | | X | N/A |
| Development Impact Notification Assessment | | X | N/A |
| Project of Regional Significance | | X | N/A |

ANALYSIS

The applicant is requesting to remove condition number eight from Special Use Permit (SUP-7359). This condition prohibited the sale of single packages of alcohol. The applicant indicates that they wish to sell single containers of beer/wine/and coolers. This is primarily an industrial area comprised of warehouses, industrial shops, and other commercial uses. The nearest residential use is approximately 750 feet to the northwest. It is also noted that there is a high school approximately 1,400 feet to the northwest. These factors indicate that the sale of individual containers of alcohol is not compatible with the surrounding area. Denial of this request is recommended.

FINDINGS

The sale of individual containers of alcohol is not compatible with this location. Denial of this request is recommended. If approved, conditions of approval are included.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 211

APPROVALS 0

PROTESTS 0