



City of Las Vegas

Agenda Item No.: 11.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 24, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
UP-2592 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GALLERIA -
OWNER: SEABREEZE VILLAGE, LLC - Request for a Special Use Permit FOR A
PROPOSED UPPER CLUB at 1302 North Buffalo Drive, Suite #101 (APN 138-22-418-008), C-
1 Limited Commercial Zone, Ward 1 (Parkanian)

C.C. 02/20/08

PROTESTS RECEIVED BEFORE

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location, Aerial, and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters
6. Protest/Support Postcards
7. Submitted after final agenda Protest/Support Postcards and Condition Confirmation Letter by Seabreeze Village, LLC

Motion made by VICKI QUINN to Approve subject to conditions

Passed For: 6; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0
SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, GLENN TROWBRIDGE,
STEVEN EVANS, VICKI QUINN; (Against-RICHARD TRUESDELL); (Abstain-None); (Did
Not Vote-None); (Excused-None)

Minutes:

CHAIRMAN GOYNES declared the Public Hearing open.

This item was under the One Motion/One Vote portion of the agenda and was pulled at the request of a member of the public.

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ANDY REED, Planning and Development Department, stated the application meets the separation requirements and recommended approval.

RAMIRO RUBIO, Galeria Restaurant, was present.

ROGER SACHS, 8416 Willow Star Court, co-owner of Steiner's Pub and co-tenant in the shopping center, opposed the requested gaming machines. He expressed surprise that a supper club license would be permitted in a shopping center that already had restricted licenses. He concluded by saying he had not been notified of this application and was only informed by the posted signs.

MARGO WHEELER, Director of the Planning and Development Department, explained that only property owners listed on the County Assessor's rolls are notified.

In response to COMMISSIONER EVANS' request for clarification, MR. SACHS explained that he opposed the gaming machines and expressed concern with the distance separation between the two businesses. COMMISSIONER EVANS observed that MR. SACHS appeared to oppose the competition and MR. SACHS agreed.

MR. RUBIO informed COMMISSIONER TRUESDALE that his restaurant was already operating and he was seeking the Special Use Permit. In response to COMMISSIONER QUINN'S request for clarification, he explained that the restaurant was not operational and he was waiting for approval for his licenses, noting that no one had ever informed him of any restrictions on his plan.

DOUG RANKIN, Planning and Development Department, noted that all the notices for this application had been sent to the same address and that Steeze Steiners, LLC. had also been notified.

MR. RANKIN confirmed for COMMISSIONER TROWBRIDGE that a supper club license would allow the applicant to have five gaming machines while the tavern license for Steiner's Pub allowed them to have 15 machines.

MR. SACHS requested that the application be held so the all the owners of Steiner's could meet with the applicant. CHAIRMAN GOYNES stated that it would not be appropriate to hold the application as the applicant has met all the requirements for the Special Use Permit as well as staff's recommendation for approval.

COMMISSIONER DUNNAM noted that the owner has to sign the application and suggested this situation is the result of some communication issues at the property owner's office.

COMMISSIONER EVANS encouraged MR. SACHS to meet with the applicant prior to the application's hearing before the City Council.

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MR. RANKIN informed COMMISSIONER STEINMAN and MR. SACHS that there are no distance separation requirements between supper clubs no any use protection for taverns from supper clubs.

CHAIRMAN GOYNES declared the Public Hearing closed.

