



City of Las Vegas

Agenda Item No.: 111.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF FEBRUARY 20, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
SPECIAL USE PERMIT

SUP-25923 PUBLIC HEARING APPLICANT: GALLERIA - OWNER: SEABREEZE VILLAGE, LLC Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB at 1780 North Buffalo Drive, Suite #101 (APN 138-22-418-008), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). NOTE: Public hearing in conjunction with Morning Session Item 54. The Planning Commission (6-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	6	Planning Commission Mtg.	4
City Council Meeting	13	City Council Meeting	10

RECOMMENDATION:

The Planning Commission (6-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location, Aerial, and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters
6. Support postcards
7. Submitted after final agenda Protest/support postcards
8. Submitted after meeting Protest/support postcards and recordation notice of Council action and conditions of approval
9. Backup referenced from the 01-24-08 Planning Commission Meeting Item 11

Motion made by LOIS TARKANIAN to Approve subject to conditions and adding the following condition as read for the record:

A. Approval of this Special Use Permit is subject to a six-month review after the issuance of the business license for liquor.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

CITY COUNCIL MEETING OF: FEBRUARY 20, 2008

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 111 and 54.

CAROL MEYER, Finance and Business Services, stated the investigative report indicates an area of concern from the Las Vegas Metropolitan Police Department (LVMPD) regarding MR. RUBIO. Therefore, staff's recommendation is to issue a temporary license with a six-month review.

CHARLES RODGERS, 619 South 6th Street, appeared with the owner, MR. RUBIO, and agreed to staff's recommendation.

Regarding Item 111, MR. RODGERS added that MR. RUBIO applied for a liquor license, as well as gaming to not exceed five gaming machines, but he was not aware of any issues. He was aware that COUNCILWOMAN TARKANIAN received one letter from a tenant in the facility, but it is a contract dispute between the landlord and MR. RUBIO and not this application. ASSISTANT CITY ATTORNEY BRYAN SCOTT clarified that the request is to allow liquor and does not deal with gaming. MS. MEYER noted that the applicant has not applied for gaming.

COUNCILWOMAN TARKANIAN reiterated to MR. RUBIO to make sure he has proper permits before applying for gaming. ASSISTANT CITY ATTORNEY SCOTT clarified for the Councilwoman that if this application is approved for the proposed supper club, it would allow for liquor only and not gaming; however, the applicant would be allowed to apply for five gaming machines.

MR. RODGERS stated he was not aware of anything in MR. RUBIO'S background that would cause a concern for the LVMPD. MR. RUBIO informed MS. MEYER that he has not received a copy of the investigative report. MS. MEYER explained that the concern was with MR. RUBIO'S license he had in Seattle, relative to serving alcohol to minors. MR. RUBIO explained that he has had the Seattle liquor license for over 14 years; unfortunately, it was one of his waiters that served the minor alcohol. However, he appeared before the Board and understands that ultimately the actions of his employees are his responsibility; the matter has since been resolved.

ASSISTANT CITY ATTORNEY SCOTT informed COUNCILWOMAN TARKANIAN that a six-month review can be placed on both applications. Thereafter, the Councilwoman confirmed for MARGO WHEELER, Director of Planning and Development, that the six-month review will be after issuance of a business license for the alcohol.

MR. RUBIO described for the Mayor their menu entailing Mexican gourmet foods, to which MR. RODGERS attested to being delicious.

MAYOR GOODMAN declared the Public Hearing closed for Items 111 and 54.