



City of Las Vegas

Agenda Item No.: 28.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 22, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
BEYAN T-C - SUP-26866 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT:
MAE UNLIE - OWNER: AZURKA MIZENAYA, LLC - Request for a Special Use Permit
FOR A PACKAGED LIQUOR OFF-SALE ESTABLISHMENT on the south side of Azure Drive,
approximately 1/2 mile west of Tenaya Way (APN 125-27-222-012), T-C (Town Center) Zone
[S2-TC (Suburban Retail Use - Town Center) Special Land Use Designation], Ward 6 (Ross)

C.C.: 06/18/08

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	48	Planning Commission Mtg.	3
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards, Protest Letters and Protest Emails
7. Submitted After Final Agenda Revised Site, Landscape, Elevations, Floor and Material Plans

Motion made by DAVID STEINMAN to Approve subject to conditions

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0
DAVID STEINMAN, RICHARD TRUESDELL, BYRON GOYNES, GLENN TROWBRIDGE,
VICKI QUINN; (Against-SAM DUNNAM, STEVEN EVANS); (Abstain-None); (Did Not Vote
-None); (Excused-None)

Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 28 and 29.

DOUG RANKIN, Planning and Development Department, explained that these items had been held to allow the applicant to meet with the neighbors and stated the outcome of that meeting

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was a revised plan. Noting the proposed use and development are compatible with the area, he recommended approval with a revision to Condition 3 to indicate revised site plans and building elevations date stamped 5/21/08.

DAVE CLAPSADDLE, GC Garcia; 1711 Whitney Mesa Drive, appeared with HAE UN LEE. MR. CLAPSADDLE briefly described the project and the surrounding area. He stressed that the project would meet all Town Center development standards and that the residential areas would be adequately buffered. MR. CLAPSADDLE noted that the revisions to the site plan made the parking easier to use and the changes to the elevations made the building more attractive. He agreed to all conditions and respectfully requested approval.

COMMISSIONER TROWBRIDGE observed that the majority of the protests were related to concerns regarding littering, drunk drivers and under-age drinking and driving, noting those issues are addressed by existing laws. He noted that a boutique winery is currently operating under restrictions and he invited the business operator to come forward with a request for condition changes. COMMISSIONER TROWBRIDGE stated that land use planning and zoning are not intended for business protection and expressed his support of the project.

MR. CLAPSADDLE stated that he had attempted to speak with the operator of Vino 100, the boutique winery, and noted the applicant would support the request to change the restrictions on that business.

COMMISSIONER QUINN expressed her surprise at the lack of opposition in attendance, pointing out the large volume of citizen protests. She stated her support, noting that that Mr. Lee's reputation speaks for itself.

COMMISSIONER EVANS acknowledged that the two businesses are very different and that MR. LEES stores are well-managed. However, he expressed concern that one business is required to conform to generous restrictions while another is not.

COMMISSIONER DUNNAM noted the large number of written protests and stated he could only support this application if the same restrictions placed on Vino 100 were also placed on this project.

MR. CLAPSADDLE informed COMMISSIONER DUNNAM that this request and the boutique winery are very different uses and pointed out that this request meets all the City standards without waiver or variance requests.

COMMISSIONER STEINMAN stated that competitive factors should not be part of this decision. He noted that MR. LEE runs an outstanding business and expressed his support of the applications as presented.

COMMISSIONER TRUESDELL commented that this application is separate from the boutique winery shop and this use does not create a saturation issue. He expressed his support, noting that

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the project is an appropriate use on this site and that the applicant has worked well with neighbors and staff.

CHAIR GOYNES stated that from a land use perspective, this project is an appropriate fit. He expressed his support, pointing out the project has no waivers and has raised the level of development for the area.

MR. LEE informed the Commissioners that he had been operating his stores in the Las Vegas Valley since 1981 and stressed that he runs a clean operation. He noted that his stores had over 6 million dollars collected in sales tax each year and he also pointed out his business community involvement.

CHAIR GOYNES declared the Public Hearing closed for Items 28 and 29.

