



*City of Las Vegas*

Agenda Item No.: 90.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
CITY COUNCIL MEETING OF: APRIL 16, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:**  
SPECIAL USE PERMIT

SUP-26625 PUBLIC HEARING APPLICANT: DRAKE DEVELOPMENTS, LLC - OWNER: NEVADA HENRI INVESTMENTS - Request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH BEER/WINE/COOLER OFF-SALE on 1.78 acres located at 6100 Vegas Drive (APN: 23-801-002), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	10	Planning Commission Mtg.	8
City Council Meeting	15	City Council Meeting	6

**RECOMMENDATION:**

The Planning Commission (7-0 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 Letter
6. Protest/Support Postcards
7. Submitted after Final Agenda Protest/Support Postcards
8. Submitted after Meeting Recordation Notice of Council Action and Conditions of Approval
9. Backup Referenced from the 03-13-08 Planning Commission Meeting Item 36

Motion made by RICKI Y. BARLOW to Approve subject to conditions and amending Condition 4 as read for the record:

4. The sale of individual containers of any size of beer or wine coolers is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

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)

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Minutes:

By way of reading the item, MAYOR GOODMAN declared the Public Hearing open.

LENI SKAAR, 3753 Howard Hughes Parkway, appeared on behalf of the applicant. She noted the site is an old Rite Aid store and gave an overview of the proposed project. The requested special use permit will allow for beer, wine and cooler off sales. Beer is sold only by six-packs and not in singles, and no distilled spirits are sold at any of their locations. Tobacco will not be sold nor will there be slot machines. The proposed store hours will be 8 a.m. to 10 p.m. Fifty percent of products sold will be the store's brand name; the remaining will be standard brand name items.

COUNCILMAN BARLOW noted that his office has received numerous calls with concern for alcohol sales. He pointed out that the proposal is a typical grocery store. MS SKAAR believed the public hearing notices that are sent out can be misleading. In an effort to provide a better comfort level for residents, the Councilman confirmed with MARGO WITTELER, Director of Planning and Development, that staff will follow up on his request for staff to review the Code as it pertains to definitions, such as a grocery store versus a convenient store or a tavern versus a supper club.

ANTHONY HODGE did not believe the wording for the items was clear, and felt that the public hearing notices should be revised to allow site and context. In addition, he complimented staff and Planning's concurrent recommendations for several items on this agenda.

MAYOR GOODMAN declared the Public Hearing closed by the taking of a motion.

