



City of Las Vegas

Agenda Item No.: 46.

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

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
UP-2846 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
AMAX ENTERPRISES, LLC - Request for a Special Use Permit FOR A PROPOSED
BEER/WINE COOLER OFF-SALE ESTABLISHMENT WITHIN A PROPOSED GENERAL
RETAIL STORE WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 370 FEET
FROM A PROTECTED USE WHERE 400 FEET IS REQUIRED at 540 North Eastern Avenue,
Suite #145 (APN 139-082-10-040) R-E (Residence Estates) Zone under Resolution of Intent to C-
1 (Limited Commercial) Zone, Ward 3 (Reese)

IF APPROVED, C.C.: 08/20/08
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="1"/>	Planning Commission Mtg.	<input type="text" value="4"/>
City Council Meeting	<input type="text" value="0"/>	City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:
DENIAL

- BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps
 2. Conditions and Staff Report
 3. Supporting Documentation
 4. Photos
 5. Justification Letter
 6. Support Postcards
 7. Submitted after Final Agenda Protest Postcard

Motion made by STEVEN EVANS to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
SAM DUNNAM, DAVID STEINMAN, RICHARD TRUESDELL, BYRON GOYNES,
GLENN TROWBRIDGE, STEVEN EVANS, VICKI QUINN; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:
CHAIR GOYNES declared the Public Hearing open.

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DOUG RANKIN, Planning and Development Department, explained that when the applicant submitted the applications, a specific address could not be provided as the building was under construction. He stated that the public hearing notice had included the parcel number and a general business address and noted the specific address was 546 North Eastern Avenue, Suite 145. He stated he could not support the requested waiver and recommended denial.

STEPHANIE ALLEN, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She noted the request was for a Special Use Permit for a beer/wine cooler as part of a convenience store. She pointed out the 100-foot right-of-way separating the subject property from the church and assured the Commissioners that the church would not be negatively impacted by this use. She added that similar uses had been previously approved for the site.

TODD FANLOW, 240 North 19th Street, stated his preference for a supper club with a sit-down bar service rather than this project.

COMMISSIONER EYBIS disclosed that he met with MS. ALLEN in his office regarding this application and stated she had presented the same compelling argument that she had given to the Commissioners. He noted the lack of opposition and suggested the proposal meets the spirit of the Code. He expressed his support.

CHAIR COYNES declared the Public Hearing closed.

