



City of Las Vegas

Agenda Item No.: 95.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 18, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT: UP-26860 SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: HAE UN LEE - OWNER: AZURE AND THANYA KLU request for a special Use Permit FOR A PACKAGE LIQUOR ON SALES ESTABLISHMENT on the south side of Azure Drive, approximately 740 feet west of Tenaya Way (APN 106-27-424-012), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center Special Land Use Designation), Ward 6 (Ross)]. The Planning Commission (5-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:

The Planning Commission (5-2 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 Postcards, Protest Letter and Support Postcard
8. Submitted at Meeting Letters from Henderson and North Las Vegas Police Departments by David Clapsaddle for Items 95-96
9. Backup Referenced from the 05-22-08 Planning Commission Meeting Item 28

Motion made by STEVEN D. ROSS to Hold in Abeyance Items 95 and 96 to 7/2/2008

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)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 95 and 96.



Las Vegas

APRIL 18, 2008

DAVID CLAPSADDLE, GC Garcia, 1711 Whitney Mesa Drive, Henderson, appeared with the applicant, JAE UN LEE. MR. CLAPSADDLE noted that some of the existing established uses within the commercial center are a Honda dealership and a tavern. The proposal is SX-TC (Suburban Mixed Use), and there are no requests for waivers. The use fits in with the overall existing commercial uses in the subject area. MR. CLAPSADDLE showed diagrams depicting the establishment and the landscaping. The applicant owns 15,000 square feet of retail. The special use permits for the proposed establishment, which is 11,605 square feet, but MR. LEE desires to build out the remaining square footage at the same time as the establishment is built. MR. CLAPSADDLE noted the heights of other adjacent nearby structures and then respectfully asked for Council's approval.

TOM MCGOWAN, Las Vegas resident questioned what MR. LEE'S desire is for the proposed establishment, as he felt there is a need for supper clubs within the Asian culture. MR. MCGOWAN added that MR. LEE was represented well by MR. CLAPSADDLE.

TERESA BARRY and NATALIE RUSCHKE, Vino 100, 7220 West Azure, appeared and expressed concerns that upon approval of their business, they were given strict conditions entailing operating hours from 9 a.m. to 9 p.m. closed on Sundays, no beer at any time and their liquor area is restricted to a six by six table. Upon their six-month review, their request for amendments was denied, except for the approval of two additional hours of operation.

SANDY LUBRESKE, 2505 Burlwood, expressed her support of the proposal, as she resides behind a similar use. With MR. LEES reputation, she believed this project could be successful as well.

MR. CLAPSADDLE is a member of Vino 100 but respectfully rebutted that the owners business is a boutique winery and has on site liquor consumptions; their business is in no way similar or the same as MR. LEE'S request. In addition, he submitted letters from governmental agencies verifying that MR. LEE'S business has not attracted negative elements. He added that at the time of application, the Vino 100 owners did not oppose the conditions that were imposed. He stressed that MR. LEE runs a reputable business and his character speaks for itself.

MS. BARRY added that their neighborhood does not necessarily have a liquor store and felt the residents would be accommodated if the restrictions on their license were lifted when they appear before Council again.

In an effort to find an amenable solution, COUNCILMAN WOLFSON suggested MR. LEES license, if approved, consist of similar business hours as Vino 100. COUNCILWOMAN TARKANIAN supported the Councilmans suggestion, as she desired to see some level of equity.

COUNCILMAN ROSS expressed gratefulness for MR. LEE'S reputation and was very impressed with the design. He has made a commitment to the residents of this neighborhood, although business owners have communicated to him the need for more business in the area. This area has always been challenging for him, but his goal is to see it blossom. He has visited



ME 18, 2008

MR. LEE'S other businesses on Craig Road/Rancho Drive and Lake Mead Boulevard/Rainbow Boulevard and was impressed. In addition, he stressed that MR. LEE'S business hours differ from the business, VINO 100.

In response to some of the Council members' suggestion of having similar hours, MR. LEE informed the Council that the hours of operation for his other business locations entail Monday through Thursday from 9 a.m. to 10 p.m., Friday and Saturday from 9 a.m. to 11 p.m. and Sunday from 10 a.m. to 9 p.m. MR. LEE confirmed to COUNCILMAN WOLFSON that he is agreeable to adjusted hours varying from his other business locations. He added that his competition is not with VINO 100 and his gross sales are much greater than VINO 100. Prior to purchasing the subject site, he reviewed the area and is well aware that there are no schools or churches within the proposed site.

COUNCILMAN ROSS stated that he is well aware of MR. LEE'S reputation and has the utmost respect for him. He really liked the proposed structure but did not believe it was compatible with the surrounding area and preferred having it at another location. However, he understood and appreciated MR. LEE'S assessment and was willing to give a two-week abeyance for further discussion. The Council has its most concerns about compatibility, equity and the nearby residents behind the proposed business and those to the east of the proposed business. Due to scheduling conflicts, MR. CLAPSADDLE expressed a meeting has not taken place with the owners of VINO 100. However, he had a discussion with them, COUNCILMAN ROSS and the neighborhood.

MAYOR GOODMAN declared the Public Hearing closed for Items 95 and 96.