



City of Las Vegas

Agenda Item No.: 43.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 25, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
UP-2943 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SUJATHA MOCHERLA - OWNER: NG FAMILY TRUST - Request for a Special Use Permit FOR A BEER/WINE COOLER ON-SALE RESTAURANT WITHIN AN EXISTING RESTAURANT. WALKER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RELIGIOUS FACILITY WHERE 400 FEET IS REQUIRED at 6840 West Sahara Avenue (APN 163-02-111-004) C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

IF APPROVED, F.C.: 11/05/2008
IF DENIED, F.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="7"/>	Planning Commission Mtg.	<input type="text" value="5"/>
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/Support Postcards

Motion made by GLENN TROWBRIDGE to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
SAM DUNNAM, BYRON GOYNES, GLENN TROWBRIDGE, RICHARD TRUESDELL, STEVEN EVANS, DAVID STEINMAN, 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, stated the requested waiver could not be supported and recommended denial. He noted that additional protest and support postcards had been received.

SUJATHA MOCHERLA was present and explained that he was attempting to open a fine-dining Indian restaurant. He stated that he currently operates the Asian buffet directly adjacent to the site which serves alcohol and explained that he would like to serve beer and wine at his new location.

MR. MOCHERLA informed COMMISSIONER EVANS that this use would be associated with a restaurant. MARGO WHEELER, Director of the Planning and Development Department, explained that staff recommendation for denial was based on the locations proximity to a church on the same property. MR. MOCHERLA pointed out that the church is over 400 feet from the proposed location.

COMMISSIONER TROWBRIDGE observed that there were several restaurants in the same shopping center that had existed before the church moved into the development. He stated that, as the restaurants were there before the church, this site should be able to serve alcohol with food.

CHAIR GOYNES declared the Public Hearing closed.

