



*City of Las Vegas*

Agenda Item No.: 78.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
CITY COUNCIL MEETING OF: JULY 2, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:**  
UP-26860 ABYSSANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT:  
MAE UN LIA - OWNER MAURE AND ANAYA, LLC - Request for a Special Use Permit FOR  
A PACKAGE LIQUOR OFF-SALE ESTABLISHMENT on the south side of Azure Drive,  
approximately 1/4 mile west of Tennyson Way (APN 125-77-222-012), T-C (Town Center) Zone [SX-  
TC Suburban Mix Use - Town Center Special Land Use Designation], Ward 6 (Ross). The  
Planning Commission has reviewed and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

Planning Commission Mtg.   
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 Postcards, Protest Letter and Support Postcard
7. Letters from Henderson and North Las Vegas Police Departments by David Clapsaddle
8. Submitted after Meeting Recordation Notice of Council Action and Conditions of Approval for Items 78 and 79
9. Backup Referenced from the 05-22-08 Planning Commission Meeting Item 28

Motion made by STEVEN D. ROSS to Approve subject to conditions and adding the following conditions as read for the record:

- A. Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m., Monday through Saturday only.
- B. There will be a required review at a public hearing of the City Council six months after issuance of Certificate of Occupancy.

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)

## CITY COUNCIL MEETING OF: JULY 2, 2008

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 78 and 79.

DAVID CLAPSADDLE, GC Garcia, 1711 Whitney Mesa Drive, appeared on behalf of the applicant. He clarified that since the last meeting, he met with COUNCILMAN ROSS and the owners of Vino 100. The applicant has agreed to limit the hours of operation to 9:00 a.m. to 9:00 p.m., Mondays through Saturdays and closed on Sundays.

DR. THERESA BERRY, Vino 100, once again asked that the applications be denied.

COUNCILMAN ROSS stated he reviewed the oppositions received from area residents regarding this project. He pointed out that at two separate meetings the same concern was raised about MR. LEE'S liquor store. The Councilman indicated he asked Metro for crime statistics and reports on MR. LEE'S liquor stores located on Lake Mead Boulevard and Rancho Drive. Approximately 70 incidents were not directly associated with MR. LEE'S business but showed the traffic volume generated by MR. LEE'S businesses. The Councilman was still concerned about the store's compatibility in this area, but this location is different and, he would support the applications if MR. Lee would agree limiting the hours.

MARGO WHEELER, Director of Planning and Development, had additional conditions on Item 78 regarding the hours of operation and a required review after six months.

MR. CLAPSADDLE agreed to the hours of operation condition but expressed concern about the six-month review. It was clarified that six-month reviews are common on special use permits. MR. CLAPSADDLE accepted the conditions with a caveat that MR. LEE have the opportunity to come back to review the hours of operations.

COUNCILMAN ROSS was appreciative that the applicant met with the residents. He made a commitment to this community to protect it to the best of his ability. Vino 100 agreed to the restricted hours and is adhering to those hours. He feels the hours of operation imposed on MR. LEE'S business are fair.

COUNCILMAN WOLFSON complimented COUNCILMAN ROSS for the way he cares about the community and his constituents. COUNCILMAN WOLFSON pointed out he researched MR. LEE'S businesses ranging in different square footage. He also found that MR. LEE is a leader in the community and supports many charities. He is a person to aspire to be like. It is difficult to make a decision when a neighborhood does not want this type of business, and he commended COUNCILMAN ROSS for a fair and right decision.

ASSISTANT CITY ATTORNEY BRYAN SCOTT clarified that the six-month review condition imposed on Item 78 should be after the issuance of the Certificate of Occupancy.

MAYOR GOODMAN declared the Public Hearing closed for Items 78 and 79.