



City of Las Vegas

Agenda Item No.: 49.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 14, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
UP-2881 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: IMRAN KHUWANI - OWNER: JOE BAKNAJIK request for a Special Use Permit FOR A BEER/WINE COOLER OFF SALE ESTABLISHMENT WITHIN AN EXISTING GENERAL RETAIL ESTABLISHMENT (CONVENIENCE STORE) at 2981 East Charleston Boulevard (APN 139-36-415-001 M (Industrial) Zone, Ward 5 Reese)

IF APPROVED, C.C.: 09/17/2008
IF DENIED, P.C. FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	2	Planning Commission Mtg.	1
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Final Agenda Protest/Support Postcards

Motion made by STEVEN EVANS to Deny

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3
SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, STEVEN EVANS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICHARD TRUESDELL, GLENN TROWBRIDGE, VICKI QUINN)

Minutes:
CHAIR GOYNES declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development, recommended approval as the proposed use complies with all Special Use Permit requirements.

PLANNING COMMISSION MEETING OF: AUGUST 14, 2008

FARIN KHUWAJA, 6051 Canter Glen Avenue, appeared on behalf of the applicant and concurred with the conditions.

TODD FARLOW, 240 North 19th Street, verified that the Webers Outlet was located on this site and stated that the person that acquired the site promised to put in a meat market and not to turn it into a liquor establishment.

COMMISSIONER EVANS agreed with MARGO WHEELER's concern about liquor. He asked what percentage of sales would be dedicated to beer/wine, and MS. KHUWAJA answered that only 12 packs would be sold for patrons to take home, with sales of beer/wine at about 20 percent.

COMMISSIONER EVANS wondered if the signage on the establishment is legal. MARGO WHEELER, Director of Planning and Development, advised that any signage concerns would have to be handled by Code Enforcement Officers.

CHAIR GOYNES pointed out that, according to a field check, the advertising banners made it difficult to distinguish the name of the business, the trash dumpsters were located to the side of the main entrance in front of the parking lot and numerous trucks were parked to the south of the building within a gated area. Additionally, Code Enforcement Officers discussed Title 19 violations with the property owner who indicated that the discrepancies would be resolved.

CHAIR GOYNES stated that Planning services and Planning and Development staff were also working with the owner to resolve discrepancies involving required parking and excess spaces available for lease for the rest of the trucks. MS. KHUWAJA commented that she did receive a letter and assured CHAIR GOYNES that the trash container was relocated to the rear and the parking spaces for ice cream trucks were reduced, noting that the ice cream trucks were only parked on the property overnight and were provided electricity.

CHAIR GOYNES asked if the signage helps the business, and MS. KHUWAJA replied that it helps the business and the ice cream trucks.

COMMISSIONER EVANS noted that the applicant needed to demonstrate compliance with all the standards before seeking a Special Use Permit. He could not support the application.

CHAIR GOYNES declared the Public Hearing closed.