



Las Vegas

Agenda Item No.: 3.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 4, 2008

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2008-49 Authorizes the City Council to grant distance separation waivers for taverns located within larger mixed-use developments. Sponsored by: Councilman Steve Wolfson

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

This bill will authorize the City Council to grant distance separation waivers for taverns located within approved mixed-use developments with a minimum net site area of 15 acres and a minimum gross floor area of 250,000 square feet. It is believed that multiple tavern uses, where part of an appropriate mix of dining, entertainment and other retail uses, can be integrated into such developments without negative impact.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2008-49

Motion made by RICKI Y. BARLOW to Approve Do Pass with First Amendment

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

MARGO WHEELER, Director of Planning and Development, stated this text amendment would add a distance separation waiver allowance for proper projects consisting of a minimum 15 acres with 250,000 square feet of commercial area and mixed-use development with residential on the same parcel. This text amendment is comparable to other projects within the County, such as Town Square, and will allow for multiple tavern licenses within a commercial center. The City

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Council would still have the authority to grant each license, as each one would still require a special use permit and justification for a waiver. Staff felt the text amendment was appropriate and recommended approval.

COUNCILWOMAN TARKANIAN confirmed with MS. WHEELER that the distance separation relates to distances from other businesses within the center itself.

ALEX BEATON, City Mark Development, expressed support of the bill but believed the minimum 15 acres was too large. Being one of the developers of the JUHL Las Vegas (JUHL) project, which is located on a 101,000 square-foot site, a future restaurant is included in the design plans. He felt the proposed minimum acreage would limit the opportunity to develop if another tavern is developed prior to the completion of JUHL. MR. BEATON preferred a reduction in the minimum acreage amount if possible.

MS. WHEELER explained the JUHL project does not have 250,000 square feet of retail and is a free-standing mixed-use tower within the downtown area, which is a different product. Supper clubs and on-sale of alcohol is allowed anywhere; taverns are different and not addressed within the downtown free-standing mixed-use projects. This bill relates to multiple buildings having multiple tenants within a larger project, which is why the distance separation waiver would be appropriate.

COUNCILMAN BARLOW commented that projects like JUHL and other high-rise developments are welcome additions within the downtown community and benefit more by having supper clubs as opposed to a tavern, in that alcohol as well as food can be served to patrons. MR. BEATON appreciated the explanation and is looking forward to the opening of JUHL.

MS. WHEELER noted that the 250,000 square feet relates to the commercial component and not the residential component. She also verified for ATTORNEY JAY BROWN, 520 South Fourth Street, that commercial can include retail, entertainment and office.

CHIEF DEPUTY CITY ATTORNEY VAL STEED recommended amending the language from 250,000 square feet to 250,000 square feet of non-residential space.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.