



City of Las Vegas

Agenda Item No.: 88.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 18, 2009**

**DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

SUBJECT: SUP-3249 ABEYANCE ITEM SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT/OWNER: MICHAEL D. PLAZA, LLC - Request for a Special Use Permit
FOR A PROPOSED PACKAGE STORE/OFF-SALE ESTABLISHMENT at 5100 West
Charleston Boulevard, PNs 38-34-303-008 and 011, C-1 (Limited Commercial) Zone, Ward 1
(Tarkanian). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 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. Backup Referenced from the 01-22-2009 Planning Commission Meeting Item 59

Motion made by LOIS TARKANIAN to Hold in abeyance to 4/1/2009

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN,
GARY REESE; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-STEVEN D.
ROSS, DAVID W. STEINMAN)

NOTE: An initial motion for Approval by COUNCILWOMAN TARKANIAN, which carried
unanimously, was reconsidered upon a motion by COUNCILWOMAN TARKANIAN and was
carried unanimously.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DAVID LEVY, owner of the Center, was present and asked for approval.

CITY COUNCIL MEETING OF: MARCH 18, 2009

Addressing the applicant, COUNCILWOMAN TARKANIAN asked whether he had any questions regarding what he would be allowed to sell and emphasized that the Council would only take action on the special use permit request for the sale of packaged liquor. MR. LEVY replied he understood, although he was advised by City staff that he would be able to sell 24-ounce bottles that are packaged like bottled water.

ASSISTANT CITY ATTORNEY BRYAN SCOTT clarified that the sale of 40-ounce cans are prohibited and referenced Condition 4, which specifically prohibits individual sales of any size of beer or wine containers. MR. ROO WHEELER, Director of the Planning and Development Department, suggested the deletion of the first sentence of Condition 4, which would meet the objectives of the Councilwoman as well as the needs of the applicant.

At the recommendation of MAYOR GOODMAN, COUNCILWOMAN TARKANIAN stated she preferred to hold the item for two weeks to do a thorough assessment.

MAYOR GOODMAN declared the Public Hearing closed.

