



City of Las Vegas

Agenda Item No.: 124.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 7, 2009**

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

☐ Consent ☒ Discussion

SUBJECT: SUP-3485 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT: FUN CITY MOTEL OWNER: CHETAK DEVELOPMENT CORPORATION -
Request for a Special Use Permit for a PROPOSED TAVERN WITH A WAIVER TO ALLOW
A DISTANCE SEPARATION OF 20 FEET WHERE 1500 FEET IS REQUIRED FROM A
SIMILAR USE at 1200 Las Vegas Boulevard (APN 162-03-410-007), C-2 (General Commercial)
Zone, Ward 3 (Reese). The Planning Commission (6-0-1 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 (6-0-1 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. Parking Analysis
7. Dust Permit
8. Protest/Support Postcards
9. Submitted after Meeting Recordation Notice of City Council Action and Conditions of Approval
10. Backup referenced from the August 13, 2009 Planning Commission Meeting Item 17

Motion made by GARY REESE to Approve subject to conditions and adding the following conditions:

- A. The tavern special use permit is limited to the service of beer and wine, and all other alcohol must be served in conjunction with drinks served from a frozen cocktail machine.
- B. The hours of operation shall be from 10:00 a.m. to midnight daily.
- C. There shall be a three-month review after the issuance of liquor license at this location at a public hearing of the City Council.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

NOTE: MAYOR GOODMAN indicated that RICHARD TRUESDELL, who has an interest in this application, was his appointment to the Planning Commission and is a long-time friend of his. The Mayor confirmed with ASSISTANT CITY ATTORNEY BRYAN SCOTT that there was no conflict, as he felt comfortable in voting on the item.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

JUSTIN MICHAELS, 1791 Covington Cross Drive, appeared on behalf of the applicant and thanked staff and the City attorney for their assistance with the condition.

YVONNE DUPLAIN, Manager, Holiday House Motel, informed the Council that the motel abuts the subject property. She inquired as to the exact location of the proposed tavern and where the similar use. MR. MICHAELS explained that it will be located within the Fun City Motel. Bartenders will manage the bar area and they will have the required health cards. MS. DUPLAIN expressed concern with these types of uses because of the proximity to her business and the potential illegal activity that could take place in and around the area. She and nearby owners have worked very hard to rid negative elements and do not want to see history repeating itself.

COUNCILMAN REESE added that he would support this request, despite the concern for setting a precedent, as the site is located on Las Vegas Boulevard. There will be no slot machines, only a pre-mixed daiquiri dispenser and beer/alcohol. The issue with occupancy will be addressed by the Fire Department.

ASSISTANT CITY ATTORNEY BRYAN SCOTT noted that, to date, the applicant had not applied for a liquor license.

MR. MICHAELS suggested the hours of operation from 10:00 a.m. to midnight, which the Councilman supported with a three-month review. MARGO WHEELER, Director of Planning and Development, suggested added conditions.

MAYOR GOODMAN declared the Public Hearing closed.