



*City of Las Vegas*

Agenda Item No.: 77.

**AGENDA SUMMARY PAGE - PLANNING  
CITY COUNCIL MEETING OF: MARCH 16, 2011**

**DEPARTMENT: PLANNING**  
**DIRECTOR: FLINN FAGG, Acting**

☐ Consent ☒ Discussion

**SUBJECT:** UP-4052 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT/OWNER: FREMONT PLACE, LLC - Request for Special Use Permit FOR A 100 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE ESTABLISHMENT IN CONJUNCTION WITH AN EXISTING 550 SQUARE-FOOT CONVENIENCE STORE at 228 North Las Vegas Boulevard (APN 4-501-016), C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission 7-0 vote recommends DENIAL. Staff recommends APPROVAL.

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**RECOMMENDATION:**

The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for U-0106-02
6. Justification Letter
7. Protest Postcards/Letter and E-mails
8. Submitted at Meeting - E-mail from Michael Cornthwaite by Mayor Goodman

Motion made by RICKI Y. BARLOW to Approve subject to conditions, amending Condition 1 and adding the following conditions as read for the record:

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Beer/Wine/Cooler Off-Sale Establishment Use.

A. The Beer/Wine/Cooler Off-Sale Use shall be permitted as an accessory to the convenience store use as defined in LVMC Title 19.04.010 and in accordance with the floor plan submitted with this application, date stamped 12/17/2010.

B. A landscape plan shall be submitted to the Department of Planning for review and approval prior to the issuance of Certificate of Occupancy for the business.

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Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

**Minutes:**

MAYOR GOODMAN declared the Public Hearing open.

RAY and NISSAN KOROSHILI appeared and MR. R. KOROSHILI stated that meetings have taken place with COUNCILMAN BARLOW and representatives from the Fremont East Entertainment District and El Cortez, and the concern dealing with packaged liquor has been addressed.

MAYOR GOODMAN submitted the correspondence he received from the Fremont East Entertainment District, who opposed liquor sales of any kind.

TODD BARLOW and COUNCILMAN BARLOW inquired about the applicant's plan for landscaping. The Councilman recalled past problems with wine and single sales within the downtown area, as there has been an issue that is not changing. He wants this area to continue its beautification progress and thanked the applicants for their efforts. COUNCILMAN BARLOW preferred having a condition prohibiting liquor but permitting the sale of beer and wine in its original packaging. He believed the grant from the Visual Improvement Program will assist in enhancing the landscaping in the area on Las Vegas Boulevard.

FLINN FAGG, Acting Director of Planning, read the amendment to Condition 1 and two additional conditions regarding beer and wine sales only and a landscape plan. COUNCILMAN BARLOW confirmed the applicant's acceptance of all conditions.

See Item 39 for related discussion.

MAYOR GOODMAN declared the Public Hearing closed.