



City of Las Vegas

Agenda Item No.: **95.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF: APRIL 6, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting

☐ Consent ☒ Discussion

SUBJECT: OC-4105 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: BROWNMAIL, INC. - OWNER: TOFFY ENTERPRISES - Request for: Review of Condition to delete Conditions 1 and Number 2 of a previously approved Special Use Permit (SUP-13271) WHICH RESTRICTED HOURS OF OPERATION FROM 6 A.M. TO MIDNIGHT, SEVEN DAYS A WEEK"; AND STATES "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE BEER, WINE COOLER OR SCREW CAP WINE IS PROHIBITED. ALL SUCH PRODUCTS SHALL REMAIN IN THEIR ORIGINAL CONFIGURATIONS AS SHIPPED BY THE MANUFACTURER. FURTHER REPACKAGING OF CONTAINERS INTO GROUPS SMALLER THAN THE ORIGINAL SHIPPING CONTAINER SIZE SHALL BE PERMITTED" at 8251 West Charleston Boulevard (APN 163-04-117-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for RQR-21914
5. City Council Approval Letter for SUP-13271
6. Justification Letter
7. Protest/Support Postcards

Motion made by STEVE WOLFSON to Approve subject to conditions and the following added condition as read for the record:

A. There shall be a one-year review at a public hearing by the City Council.

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

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

Minutes:

CITY COUNCIL MEETING OF: APRIL 6, 2011

MAYOR GOODMAN declared the Public Hearing open.

ARSHIND RAJ stated that her husband, INDERJEET SWATCH is the owner of Express Modern Liquor Store and requested that restrictions on the sale of single cans of beer and wine be lifted. The store is located in an area where most of their clientele are on a strict budget and usually look to buy only one can of beer. The restriction is a burden on the business. They plan to convert the current business to a 7-Eleven franchise and one of the requirements of the franchisor is that they sell individual containers, as well as be operational 24 hours a day.

RASHAD JOSHUA COLLINS read from a Review Journal article where ASSEMBLYWOMAN FINA NEAL stated that alcohol has a negative effect on families and distributors try to market to poor people. He encouraged the Council to deny the permit.

DOROTHY PANZEK, Tuffy Enterprises, urged the Council to lift the restrictions. The entire shopping center would be impacted if the business should shut down.

COUNCILMAN WOLFSON thanked MS. PANZEK for her presence. MS. PANZEK remarked that it is important that the applicant succeed. She has owned the entire shopping center since 1994.

TERESA TOWNS stated that if people can't buy alcohol from this business, they will get it elsewhere. She stated that Ward 2 does not have sufficient community centers, such as the American Legions.

COUNCILMAN WOLFSON thanked the applicant and pointed out that this business has limited calls for service, and added a condition for a one year review. He believes that a 7-Eleven will be appropriate for this area. MS. RAJ indicated they will be hiring more people to facilitate the longer hours.

MAYOR GOODMAN declared the Public Hearing closed.