City of Las Vegas

Agenda Item No.: **37.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 9, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐**Consent** ☒ **Discussion**

SUBJECT:
SUP-3460[illegible] - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARIANA''S ENTERPRISES - OWNER: B. E. [illegible], LLC - Request for a Special Use Permit FOR A PROPOSED [illegible]7,500 SQUARE-FOOT GROCERY STORE WITH ACCESSORY PACKAGE LIQUOR OFF-SALE at 2551 East Bonanza Road (APN 139-36-111-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

C.C: 08/05/2009
IF DENIED, P.C. FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**3**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Final Agenda Protest/Support Postcards

Motion made by STEVEN EVANS to Approve subject to conditions and adding the following condition as read for the record:

A. There shall be an administrative review one year after the issuance of the business license for the off-sale use.

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 1
MICHAEL E. BUCKLEY, VICKI QUINN, BYRON GOYNES, GLENN TROWBRIDGE, STEVEN EVANS; (Against-None); (Abstain-RICHARD TRUESDELL); (Did Not Vote-None); (Excused-KEEN ELLSWORTH)

NOTE: VICE CHAIR TRUESDELL abstained from voting, as DAVE EDER currently represents one of his tenants in a licensing application pending with the City of Las Vegas.

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Minutes:
CHAIR TROWBRIDGE declared the Public Hearing open.

STEVE GEBEKE, Planning and Development, indicated an approval will allow for packaged sales. Staff recommended approval, as the proposed use can be operated in a compatible manner.

DAVE EDER, 777 Palace Court, appeared on behalf of the applicant and gave a brief history of the site. He showed diagrams of the applicants plans, which is to expand the business over into the previous Indoor Swap Meet. He noted that 2,000 of the 7,000 square feet will be the area where alcohol is sold.

COMMISSIONER EVANS was aware of the applicants good reputation, but he expressed concern when there are multiple tenants within such a shopping center and there are issues with vagrancy and lack of maintenance. MR. EDER replied that the business is family owned and operated. The applicant has always provided their own security within the business and around the parking lot. The Commission could support the request, provided there would be a review period. MARGO WHEELER, Director of Planning and Development, read the additional condition into the record, to which MR. EDER accepted, including the existing conditions.

TODD FARLOW was pleased to see the business expanding, as it is very much needed.

MR. EDER believed the correct address for the business should be 574 North Eastern Avenue. MR. RANKIN clarified that per [illegible], the correct address is 2551 East Bonanza Road, as indicated in staffs report.

CHAIR TROWBRIDGE declared the Public Hearing closed.