



City of Las Vegas

Agenda Item No.: 22.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 8, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: UP-3573 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LA LUPITA MEAT, MARKET LLC - OWNER: WEST LAKE MEAD PROMENADE, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE COOLER OFF-SALE ESTABLISHMENT WITH AN EXISTING 4,240 SQUARE-FOOT CONVENIENCE STORE WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 160 FEET FROM A CHURCH WHERE 400 FEET IS REQUIRED at 6450 West Lake Mead Boulevard, Suite #115 (APN 188-23-201-008), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

C.C.: 11/04/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter

Motion made by BYRON GOYNES to Approve subject to conditions

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
VICKI QUINN, BYRON GOYNES, RICHARD TRUESDELL, STEVEN EVANS, GUS FLANGAS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-KEEN ELLSWORTH, GLENN TROWBRIDGE)

Minutes:

VICE CHAIR TRUESDELL declared the Public Hearing open.

STEVE SWANTON, Planning and Development, indicated that the applicant is proposing to add on-premise sale of beer, wine and cooler in an existing convenience store that is part of an existing strip commercial development. Staff does not support the waiver request and recommended denial.

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ATTORNEY LORA DREJA, 520 South Fourth Street, appeared on behalf of La Lupita, which is a meat market. It has been in operation since 2005 and the owner had no intention at that time to sell wine and beer until the customers requested this amenity. ATTORNEY DREJA indicated that if the store were to be parceled off, it would be more than 400 feet from the church's property line. The front doors of the two buildings do not face each other.

TODD FARLOW asked if there is a restriction on the square footage allowed for the liquor. MARGO WHEELER, Director of Planning and Development, replied that the applicant submitted a floor plan and if the project is approved, then the allowable liquor is restricted to the area shown on the plan. MR. FARLOW stated he would support the request limiting the alcohol to a percentage of the square footage. ATTORNEY DREJA added that the applicant will be using the existing coolers for beer and wine and the rest will have soft drinks. She was amenable to a condition prohibiting single sales.

COMMISSIONER GOYNES pointed out he visited this unique store and noticed that only a small portion of the store will have beer and wine. It is truly a meat market. COMMISSIONER EVANS concurred and stated there is a disconnect between what is considered a grocery store and a convenience store. There are a number of other stores that have a significant produce aspect, in this case a meat market and it would be a disadvantage not to be able to compete while meeting all the standards and conditions.

VICE CHAIR TRUESDALE declared the Public Hearing closed.

