



City of Las Vegas

Agenda Item No.: 23.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 5, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: **RENOTIFICATION - SUP-35-91 - SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICATION: LEE'S DISCOUNT LIQUOR - OWNER: THOMSON SUMMERLIN
HOLDING LLC - Request for a Special Use Permit FOR A 10,565 SQUARE-FOOT
PACKAGE LIQUOR OFF-SALE ESTABLISHMENT at 780 South Rampart Boulevard (APN
138-32-312-002) - Planned Development) Zone, Ward 2 (Wolfson)**

FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

14

Planning Commission Mtg.

35

City Council Meeting

0

City Council Meeting

0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

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

Motion made by RICHARD TRUESDELL to Deny

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

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

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development, explained that the proposed site is located in a vacant building within a large commercial center. He stated that approval would create an oversaturation of package liquor off-sale use. He recommended denial of the Special Use Permit.

PLANNING COMMISSION MEETING OF: NOVEMBER 5, 2009

JOHN VORNSAND, 2650 Southern Windmill Parkway, represented the applicant. He explained that the intent of the Special Use Permit is to establish a liquor store in the Boca Park area, in a soon-to-be vacated building which the applicant is currently in the process of purchasing. MR. VORNSAND disagreed that there is oversaturation and challenged that approval of this application would promote healthy competition. He added that a number of residents from the adjacent Queensridge Towers expressed support for the proposed liquor establishment.

MR. VORNSAND stated that the proposed use meets all of the requirements of Title 19 and is compatible with the existing land uses especially since the area is predominantly commercial. He remarked that this use would be beneficial to the Center as it will occupy a soon-to-be vacated building.

ATTORNEY PAUL LARSEN, 300 South 4th Street, appeared with JAMES GRINDSTAFF, representing the applicant. ATTORNEY LARSEN recalled that several months prior, the City Council endorsed a new policy regarding oversaturation of liquor establishments in certain neighborhoods. He asked the Council to consider staffs recommendations noting that it specifically articulates the new policy. Within the Boca Park Center, ATTORNEY LARSEN acknowledged that there are several liquor providers already situated in that location and he strongly urged the policy be applied uniformly.

MR. GRINDSTAFF referenced the proposed site plan indicating the location and names of each of the existing liquor establishments. He emphasized that having four package liquor stores would be too much for this Center. MR. GRINDSTAFF, referring to the nature of Boca Park as high end expressed that he preferred not to have any stores that indicate discount, especially another package liquor store.

RICHARD PORTERO remarked that he has long been associated with Boca Park and has worked hard to ensure that the integrity of the Center maintains itself. He agreed that Boca Park is a high end Center and stated that approving Lees Liquor would be inappropriate for the area.

COMMISSIONER EVANS asked ATTORNEY LARSEN to explain, in the case of Lees Discount Liquor, whether Boca Park would be the landlord. ATTORNEY LARSEN stated that the applicant is in the process of purchasing the building.

MARGO WHEELER, Director of Planning and Development, clarified that the statement regarding a new policy on liquor uses, is non-existent. Recommendation is based on this one instance at this specific location.

COMMISSIONER TRUESDELL agreed that the area is an excellent location but he felt strongly that there would be an enormous amount of floor space dedicated to the sale of liquor. MR. VORNSAND replied that each liquor establishment caters to the specific needs of their customers. The Commissioner concurred but acknowledged that when Boca Park was approved, the intent was to maintain a tenant mix that would promote success of its development.

PLANNING COMMISSION MEETING OF: NOVEMBER 5, 2009

DEPUTY CITY ATTORNEY JAMES LEWIS stated that the City Council chooses to make liquor uses of this nature a special use permit, not a permitted use. Therefore, the compatibility guidelines need to be considered and there needs to be a determination as to whether or not there are enough of these uses in the area.

COMMISSIONER ELLSWORTH, having visited the area on numerous occasions, expressed that he did not find the proposed use to be compatible with the existing land uses.

COMMISSIONER GOYNES commented on MR. GRINDSTAFF'S remarks about discounts stores. He stated that, with all the liquor establishments owned by the applicant, he has never seen any of them closed because of the recession.

CHAIR TROWBRIDGE declared the Public Hearing closed.