



City of Las Vegas

Agenda Item No.: 24.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 25, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: SUP-3735 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: YEON MIN, LLC -
OWNER: ELECTRONIC, LLC - Request for Special Use Permit FOR A BEER/WINE/COOLER
ON-SALE ESTABLISHMENT WITHIN A FORMER 7,888 SQUARE FOOT RESTAURANT
WITH A WAIVER TO ALLOW A 20 FEET DISTANCE SEPARATION REQUIREMENT
WHERE 400 FEET IS REQUIRED FROM A SCHOOL at 8427 West Lake Mead Boulevard
(APN 138-20-614-004) PC-4 (Planned Community) Zone, Ward 4 (Anthony)

IF APPROVED, V.C.: 04/21/2010

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

12

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

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RECOMMENDATION:

Staff recommends 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
7. Submitted after Final Agenda - Protest Postcards

Motion made by GUS FLANGAS to Approve subject to conditions

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

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

NOTE: CHAIR TRUESDELL disclosed he sits on the board of the school located within the
notification area; therefore he would abstain from voting on this item.

NOTE: VICE CHAIR ELLSWORTH made a verbal correction to show CHAIR TRUESDELL
abstaining.

PLANNING COMMISSION MEETING OF: MARCH 25, 2010

Minutes:

VICE CHAIR ELLSWORTH declared the Public Hearing open.

DOUG RANKIN, Planning and Development, explained that the applicant is requesting a waiver to allow a 40-foot distance separation from a school, which is located across Scholar Lane, a 40-foot local street with direct access to the adjacent commercial shopping center. Staff recommended denial, as this request cannot be conducted in a compatible and harmonious manner with the surrounding land uses, including the school. If the application is denied, the subject site will remain as a restaurant and cannot sell beer and wine on the premises.

YEON MIN, 8427 West Lake Mead Boulevard, stated that she intends to open a Japanese Restaurant with beer and wine sales. The previous restaurant was licensed to sell beer and wine.

JUANITA CLARK appeared in opposition on behalf of the Charleston Neighborhood Preservation. It is unconscionable for a company to request the sale of alcohol within 370 feet of a school. This shows disrespect to a neighborhood. She asked that the commission deny the application.

MARGE WHEELER, Director of Planning and Development, stated that the previous business has been closed since May of 2008, and that the license to sell beer and wine was granted in June of 2006. MS. CLARK suggested that the code be enforced to ensure that the appropriate distance requirements between schools and parks are met.

COMMISSIONER FLANNERY is familiar with the site and that a restaurant has been at this location since 1994. The site is near the Meadows School; however, the adjacent condominiums provide a buffer, and there is no access from the school to the commercial center. Additionally, another restaurant located closer to the school is licensed to serve beer and wine.

COMMISSIONER TROWBRIDGE indicated he drives past this particular area, and he has yet to see students within the school crossing zone. He would support the application.

See Item 15 for related backup.

VICE CHAIR ELLSWORTH declared the Public Hearing closed.