



City of Las Vegas

Agenda Item No.: 30.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 26, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: UP-3890 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: DURANGO MARKET OWNER MIKE LUCERNO Request for a Special Use Permit FOR A PACKAGE LIQUOR ON-SALE ESTABLISHMENT USE WITHIN AN EXISTING 2,326 SQUARE-FOOT GENERAL BUILDING FOR 655 North Durango Drive, Suite #1114 (APNs 125-20-215, 269 and 270), Town Center Zone [UC-TC Urban Center Mixed Use - Town Center] Special Land Use Designation, Ward 6 (Ross). Staff recommends APPROVAL.

P.C.: FINAL ACTION Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

7

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

459

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Protest/Support Postcards
7. Submitted at Meeting Support Petition by Nathan Taylor

Motion made by KEEN ELLSWORTH to Hold in abeyance to 9/23/2010

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

CHAIR TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning and Development, commented that the proposed liquor addition meets all minimum special use permit requirements and can be conducted harmoniously and compatibly with the surrounding uses; therefore, staff is recommending approval.

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NATHAN TAYLOR, Taylor Consulting, representing the applicant, concurred with the conditions.

COMMISSIONER ELLSWORTH was under the impression that the surrounding homeowners were against a liquor store and questioned the reason for this application. He asked if a neighborhood meeting was held. MR. TAYLOR explained that a neighborhood meeting was not held because the owner was petitioned by the residents to add packaged liquor. He submitted a petition with approximately 400 signatures in support. The owner originally wanted to open a liquor store, but decided to open the convenience store, with the intent to apply for packaged liquor in the future, as he is doing now.

COMMISSIONER ELLSWORTH could not believe that so many residents, who were previously and adamantly opposed to liquor would now petition for liquor. Therefore, he questioned the validity of the petition and did not feel comfortable with this application. He preferred that a neighborhood meeting, with the Commissioners being invited, be held to obtain a sense of what the residents truly want. MR. TAYLOR assured the Commissioner that he would not represent anyone that would misrepresent the Commissioners or the Council.

COMMISSIONER ELLSWORTH asked if the store is part of a mixed-use building and how much space would be dedicated to packaged liquor. MARGO WEBSTER, Director of Planning and Development, interjected that an application for packaged liquor sales was approved by the Council on 12/4/2004 in an adjacent site, however, that was never exercised.

TODD FARROW, Las Vegas resident, pointed out that the proposed application complies with the original intent of Town Center for low-density residential with mixed-use, even though the area was not developed as intended.

COMMISSIONER ELLSWORTH insisted on a neighborhood meeting, noting that this application has been held numerous times. MR. TAYLOR explained that it was held because the property owner is in California, and he had difficulty having the application properly notarized in California.

CHAIR TRUESDELL declared the Public Hearing closed.