



Agenda Item No.: 23.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2011**

DEPARTMENT: PLANNING & DEVELOPMENT
ACTING DIRECTOR: FLINN FAGG

☐ Consent ☒ Discussion

SUBJECT: UP-4052 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT/OWNER: FREMONT PLACE, LLC - Request for Special Use Permit FOR A 100 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR STORE SALE ESTABLISHMENT IN CONJUNCTION WITH AN EXISTING 1550 SQUARE-FOOT CONVENIENCE STORE at 228 North Las Vegas Boulevard (APN 40-501-0106), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

C.C.: 03/16/2011

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for U-0106-02
6. Justification Letter

Motion made by BYRON GOYNES to Deny

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

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

Minutes:

CHAIR EVANS declared the Public Hearing open.

DOUG RANKIN, Planning, indicated that the proposed use is less than 10 percent of the total retail space of the establishment and will not require additional parking and can be conducted in a harmonious manner. Staff recommended approval.

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NEISSAN KOROGHLI, Fremont Place, LLC, agreed with staff's conditions and verified with MR. RANKIN that Condition 8 will be deleted.

CHAIR EVANS received a message from the East Fremont Business Alliance Association, who has concerns and asked for clarification. The Chairman urged MR. KOROGHLI to meet with these business owners to mitigate their concerns. MR. KOROGHLI explained that a 7-11 convenience store will be at this location and package liquor was approved in 2002. He asked that the Commission take action on the application and he will speak with the business owners prior to City Council.

COMMISSIONER TROWBRIDGE verified with MR. RANKIN that accessory package liquor is distilled liquor more so than beer and wine; it is typical of 7-11 products. COMMISSIONER GOYNES understood the East Fremont Business Alliance Association's concern but did not believe it has any bearing on holding the item.

COMMISSIONER TRUESDELL commented that there was a previous 7-11 convenience store at this location and one of the biggest problems was loitering and the lack of maintenance. It was not until the operation left this corner that the neighborhood district started to take shape. The City has made great strides to recruit businesses to come downtown. Similar uses have come forward many times and continue to be denied. MR. KOROGHLI indicated he has the license but it is not active. MR. RANKIN clarified that the current permitted use is liquor and to be sold within a gift basket only. COMMISSIONER TRUESDELL believes in this area and could not support this application. MR. KOROGHLI understood the Commissioner's concerns; however, he would operate the business and knows that his business will benefit Zappos and Streamline developments.

COMMISSIONER GOYNES remarked there is sufficient liquor in this area, and the concept of a car wash and hard liquor is not appropriate.

CHAIR EVANS hoped that MR. KOROGHLI would have agreed to an abeyance and meet with the other stakeholders, in hopes that they could have come to a resolution or a compromise.

CHAIR EVANS declared the Public Hearing closed.