



*City of Las Vegas*

Agenda Item No.: 23.

**AGENDA SUMMARY PAGE - PLANNING  
PLANNING COMMISSION MEETING OF: MAY 14, 2013**

DEPARTMENT: PLANNING  
DIRECTOR: FLINN RAGG

Consent  Discussion

**SUBJECT:** BEYANET - SUP-48184 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MY GRILL LLC - OWNER: WILLY V. BIZ - For possible action on a request for a Special Use Permit FOR PROPOSED 10,086 SQUARE FOOT SUPPER CLUB WITH A WAIVER TO ALLOW A ZERO FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP WHERE SEPARATION IS REQUIRED at 2670 Regatta Drive, Suite #118 (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

**P.C.: FINAL ACTION Unless Appeared Within 10 Days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>26</b>	<b>Planning Commission Mtg.</b>	<b>11</b>
<b>City Council Meeting</b>	<b>0</b>	<b>City Council Meeting</b>	<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location, Aerial and Special Maps
2. Conditions and Staff Report - SUP-48184 and SDR-48185
3. Supporting Documentation - SUP-48184 and SDR-48185
4. Photos - SUP-48184 and SDR-48185
5. Justification Letter - SUP-48184 and SDR-48185
6. Protest Postcards/Letter, Support Postcards and Concern Postcard - SUP-48184 and SDR-48185
7. Comment submitted by: Rhonda Ventress-Settles, Jeremy Settles - PC04092013-24-1
8. Submitted at Meeting Support Letter from Chabad of Summerlin/Desert Shores by Lucy Stewart SUP-48184 and SDR-48185

Motion made by TODD L. MOODY to Deny

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0  
VICKI QUINN, BYRON GOYNES, GUS FLANGAS, TODD L. MOODY, RICHARD TRUESDELL; (Against-TRINITY HAVEN SCHLOTTMAN, RICHARD P. BONAR); (Abstain -None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR FLANGAS declared the Public Hearing open for Items 23 and 24.

## PLANNING COMMISSION MEETING OF: MAY 14, 2013

PETER LOWENSTEIN, Planning, gave the staff report. Staff recommended denial of the special use permit because the proposed use fails to meet the 400-foot distance separation requirement. Staff recommended approval of the site development plan review because the existing expansion meets the limited commercial zoning district's setbacks and will be in conformance with code standards once building permits are secured.

LUCY STEWART, representing the applicant, was accompanied by DANIEL SILVERS, 2620 Regatta Drive, and RUDY STARK, DLR Group. MS. STEWART submitted a support letter for backup documentation from the synagogue and explained that Garfield's would like to operate as a supperclub to avoid having to frequently pull permits for Monday Night Football events that have a tendency to run over the three-hour limit, to be able to serve food at the bar and to hold wine tasting events. This matter was previously held in abeyance to meet with the residents because someone circulated a newsletter indicating that Garfield's would become a large nightclub, but that is not the case. COMMISSIONER SCHLOTTMAN commented that he did see the newsletter, and he regarded it as a misrepresentation of the application.

TODD FARLOW, Las Vegas resident, wondered how the shopping center was built without obtaining proper permits.

COMMISSIONER SCHLOTTMAN referenced the justification letter and asked MS. STEWART what she meant by stating that the covers were enclosed with glass without the benefit of building permits. MS. STEWART explained that the front and rear awnings were installed with permits, but they were enclosed with glass without pulling permits. MR. STARK commented that the applicant is in the process of obtaining the proper permits for the enclosures, as well as on any other deficient items that plan check staff might consider.

Regarding the parking accommodations for events, MS. STEWART explained to COMMISSIONER BONAR that vinyl parking is offered for events, including weddings, and there is no problem with parking because the events are held when the retail space is closed. MR. SILVERS commented that the shared-use parking table showed that parking is well within the required number of spaces.

COMMISSIONER SCHLOTTMAN stressed that he would like a condition added requiring the improvements be approved by Building and Safety within 60 days.

CHAIR FLANGAS observed that more and more people are requesting forgiveness rather than permission to make improvements, which is understandable for a residential property, but not for a commercial property. This greatly concerns him, especially when this is located in the same shopping center as an existing tavern. He supported the site development plan but could not support the special use permit. MS. STEWART explained the difference between a supperclub and a tavern.

CHAIR FLANGAS declared the Public Hearing closed for Items 23 and 24.