



*City of Las Vegas*

Agenda Item No.: 46.

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

**DEPARTMENT: PLANNING  
DIRECTOR: FLINN BAGO**

☐ Consent ☒ Discussion

**SUBJECT:** SUP-4869 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: SUNS BEEF JERKY (TIA STYLE), LLC - OWNED BY SA PROPERTIES, LLC - For possible action on a request for a special use permit for a PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITH AN EXISTING 1,800 SQUARE-FOOT RESTAURANT WITH A WAIVER TO ALL MINIMUM ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY WHERE 400 FEET IS REQUIRED at 4041 West Craig Road (APN 138-01-712-002), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

**C.C.: 06/19/2013**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**6**

**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**6**

**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL.

**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 after Final Agenda Protest/Support Postcards and Concern Letter
8. Submitted at Meeting Email Correspondence by Michael Balthazor

Motion made by RICHARD TRUESDELL to Approve subject to conditions

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

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

NOTE: CHAIR FLANGAS abstained because his law firm represents the applicant.

Minutes:

VICE CHAIR MOODY declared the Public Hearing open.

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PETER LOWE, Planning, stated that staff recommended denial because the proposed use fails to meet Title 19 minimum requirements.

MICHAEL BALTHAZOR, representing the applicant, explained that the applicant is seeking a beer/wine license at the request of the customers. He submitted a e-mail from the owner of the Creative Kids Learning Center concurring with the proposed use, as the learning center's hours of operation differ from restaurant, and assuring that the children are not allowed off the premises without an escort.

TODD FARLEY, Las Vegas resident, asked if the wall is six feet tall, and then questioned the intended signage in the window. MICHAEL BALTHAZOR explained that what appears to be signage are menu boards featuring the foods that are served. There are a total of five windows plus the glass door.

COMMISSIONER TRUDY JOHNSON was satisfied with the applicant's efforts to reach out to the neighbors.

VICE CHAIR MOORE declared the Public Hearing closed.