



City of Las Vegas

Agenda Item No.: 52.

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: NOVEMBER 12, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN BAGO

☐ Consent ☒ Discussion

SUBJECT: SUP-5123 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: FAST BUCKS - OWNER: NORTHSORE PLAZA LLC for possible action on a request for a Major Amendment of a previously approved Special Use Permit (SUP-6378) TO RELOCATE AN EXISTING AND NEW LIQUOR USE IN THE SAME COMMERCIAL SUBDIVISION AND A WAIVER TO ALL THE 11,050 SQUARE FOOT AREA WHERE 1,500 SQUARE FEET IS THE MINIMUM AREA REQUIRED at 8370 West Cheyenne Avenue, Suite #109 (APN 138-09-420-000), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-58858]. Staff recommends DENIAL.

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

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. City Council Approval Letter for SUP-6378
6. Justification Letter
7. Protest/Support Postcards
8. Submitted after Final Agenda Protest Postcards

Motion made by TODD L. MOODY to Approve subject to conditions and adding the following condition as read for the record:

A. Approval of this Special Use Permit shall expunge the previously approved Special Use Permit (SUP-6378).

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

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

NOVEMBER 12, 2013

Minutes:

CHAIR FLANGAS declared the Public Hearing open.

DOUG RANKIN, Planning, stated the applicant indicated that the landlord relocated his business within the shopping center earlier in the year. However, this shopping center is located on several parcels and is not part of a commercial subdivision, and the new suite would be located on a different parcel with a new address. The relocation is supported; however, the applicant's original use permit had a waiver to allow operation of 250 square-foot space and the new waiver is for a smaller area. Staff recommended denial because it cannot support the increased intensity of the waiver.

ATTORNEY JENNIFER LAZOVICH representing the applicant, stated the applicant operated closer to Cheyenne Avenue for about 13 years but O'Reilly Auto Parts came in and needed more space than was available. Therefore, the applicant worked with the landlord and relocated within the same overall center. O'Reilly Auto Parts has moved into the new location. She requested approval.

COMMISSIONER SCHLOTTMAN asked if the previous space requirements could be expunged. CITY ATTORNEY BEN JERIC said relocation within a commercial center has been done previously, but he was unaware of how previous requirements could be expunged. CHAIR FLANGAS said a review period might be the easiest solution. ATTORNEY LAZOVICH stated that O'Reilly could not have the existing use permit at its current location because it is an auto parts store. MR. RANKIN commented that the use permit is being requested to move to the new location and the hearing was required because the space is smaller.

CHAIR FLANGAS asked if there is any way that the old location could be brought back, which is what COMMISSIONER SCHLOTTMAN is trying to guard against.

FLINN FAGG, Planning Director, recommended expunging the previous use permit, which has been done in certain cases with billboards.

CHAIR FLANGAS declared the Public Hearing closed.