



*City of Las Vegas*

Agenda Item No.: 125.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
CITY COUNCIL MEETING OF OCTOBER 18, 2006**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

SUBJECT:  
SPECIAL USE PERMIT

SUP-14684 - REVENANCE ITEM - PUBLIC HEARING - APPLICANT: DESERT INN CVS, L.L.C. DBA CVS PHARMACY 235. OWNER: SC 2002E-40, L.L.C. - Request for a Special Use Permit for a RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE at 3250 South Fort Apache Road (APN 163-08-421-004), C-1 (Limited Commercial), Ward 2 (Wolfson) NOTE: To be heard in conjunction with Morning Session Item 65. The Planning Commission (7-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting	2	City Council Meeting	0

**RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting documentation
4. Justification Letter
5. Two protest letters
6. Submitted at meeting - 1-25-2006 Planning Commission minutes and e-mail from Donna Toussaint by Councilman Wolfson
7. Backup referenced from the 08-10-06 Planning Commission meeting Item 8

Motion made by STEVE WOLFSON to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0  
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,  
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);  
(Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Item 125 [SUP-14684] and Item 65.

ATTORNEY MATTHEW DUSHOFF appeared on behalf of the applicant and thanked COUNCILMEN WOLFSON and WEEKLY for working with him. He explained this

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application was an attempt to ensure uniformity among the CVS stores which included all Sav-On stores. ATTORNEY DUSHOFF noted that no one attended the neighborhood meeting held in COUNCILMAN WEEKLY'S Ward besides the applicant's representatives. He added that alcohol advertisements would not be displayed and that vagrants would not become an issue at this site.

DEPUTY CITY ATTORNEY BRYAN SCOTT informed COUNCILMAN WEEKLY that site-specific conditions are appropriate in this situation and others because neighborhoods widely vary in their needs and concerns.

COUNCILMAN WEEKLY recalled that the applicant had informed him that alcohol would not be sold at the 6391 West Lake Mead Boulevard location. He noted the lack of comment from the neighbors and stated that while he did not feel alcohol sales were appropriate at this site, it was apparent that the neighbors were not opposed to this use.

COUNCILMAN WOLFSON expressed his disappointment in the lack of attendance at the neighborhood meeting held for the 3290 South Fort Apache location and referenced a letter of opposition. COUNCILMAN WOLFSON referenced Planning Commission minutes regarding this site and pointed out the applicant had promised this store would not have any gaming or liquor sales.

ATTORNEY DUSHOFF responded that all concerns regarding vagrancy and signage had been addressed.

COUNCILMAN WOLFSON expressed his support for the neighborhood's concern and stated he could not support this application because the applicant had made a commitment that liquor sales and gaming would not occur at this location. ATTORNEY DUSHOFF explained that the business had changed.

JIM DiFIORE, Manager of Business Services, explained that a denial of the liquor license would prevent CVS from applying for any liquor licenses at other locations within the City of Las Vegas for one year. He recommended the liquor license application be stricken.

MAYOR GOODMAN declared the Public Hearing closed for Item 125 [SUP-14684] and Item 65.

