



City of Las Vegas

Agenda Item No.: 100.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 21, 2010**

**DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

SUBJECT: SUP-38240 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: WALGREEN CO.
OWNER: JOSEPH BROWN was denied from the denial by the Planning Commission of
a request for Special Use Permit E-2 for 15,905 SQUARE-FOOT ACCESSORY PACKAGE
LIQUOR OR SALE USE WITHIN AN EXISTING 15,905 SQUARE-FOOT RETAIL
ESTABLISHMENT 25501 West Lake Mead Boulevard (APN 138-23-702-003), C-1 (Limited
Commercial) Zone, Ward 2 (Barlow). The Planning Commission (5-2 vote) recommends
DENIAL. Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

7

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

3

RECOMMENDATION:

The Planning Commission (5-2 vote) recommends DENIAL. 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. Justification Letter
6. Appeal Letter Submitted by Jennifer Roberts (Lionel Sawyer & Collins)
7. Protest/Support Postcards
8. Submitted after Meeting Recordation Notice of Council Action and Conditions of Approval
9. Backup referenced from the June 24, 2010 Planning Commission Meeting for SUP-38240

Motion made by RICKI Y. BARLOW to Approve subject to conditions

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

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN,
GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-
None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF: JULY 21, 2010

ATTORNEY JENNIFER ROBERTS, Lionel, Sawyer and Collins, 300 South 4th Street, and GREG BORGEL, 300 South 4th Street, were present on behalf of the applicant. ATTORNEY

ROBERTS explained that this matter involves an appeal of the denial by the Planning Commission due to its concern regarding oversaturation of alcohol uses in the area; however, she alleged that they are all within grocery stores. This application meets all distance separation requirements to schools and churches. Another concern by the Planning Commission was whether a promise was made by Walgreens to not sell alcohol. MAYOR GOODMAN indicated that to his understanding, such a commitment was made. ATTORNEY ROBERTS indicated that the summary minutes do not reflect such a commitment, and the audiotape is no longer available for a verbatim transcript. CITY CLERK BEVERLY BRIDGES rejoined that audiotapes had a ten-year record retention at that time, so the 1995 audiotapes were purged in 2005 and a verbatim transcript is not available.

MR. BORGEL asserted that no representation was ever made that alcohol would not be sold at this Walgreens.

ATTORNEY ROBERTS affirmed that Walgreens is not in selling singles, and only wishes to add the sale of alcohol as a matter of convenience for customers.

TODD FARLOW, Las Vegas resident, expressed concern about comment made at the Planning Commission meeting that Walgreens does not prosecute minors shoplifting alcohol, which discourages deterrent. ATTORNEY ROBERTS offered to verify Walgreens shoplifting policy.

MR. BORGEL stated that the liquor area will be very small and will be well supervised.

MAYOR GOODMAN declared the Public Hearing closed.