



City of Las Vegas

Agenda Item No.: **93.**

AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2010

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: SUP-38211 ABEYANCE ITEM SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT: WALGREEN CO. - d/b/a WALGREEN PHARMACY LP - Appeal filed from the denial by the
Planning Commission of a request for a Special Use Permit FOR A 74 SQUARE-FOOT
ACCESSORY BUILDING AND OUT-OF-SALE USE WITHIN AN EXISTING 14,820
SQUARE-FOOT RETAIL ESTABLISHMENT at 7755 North Durango Drive (APN 125-17-611-
002), T-C (Town Center) Zone SC-T-C (Service Commercial - Town Center) Special Land Use
Designation], Ward 6 (Ross). The Planning Commission (7-0 vote) recommends DENIAL. Staff
recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

7

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

1

RECOMMENDATION:

The Planning Commission (7-0 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. Backup referenced from the June 24, 2010 Planning Commission Meeting for SUP-38211

Motion made by STEVEN D. ROSS to Deny

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF: AUGUST 18, 2010

ATTORNEY JENNIFER ROBERTS, Lionel Sawyer and Collins, appeared with DAVID CASUM, Store Manager, on behalf of the applicant. ATTORNEY ROBERTS indicated the reason behind the Planning Commission's recommendation for denial was due to previous representations indicated that alcohol would not be sold at the subject location. However, in doing her research, she found that no such representations were made. Although Walgreens stopped selling alcohol for approximately 10 years, the company has since adopted a change in its store policy, which reflects the sale of alcohol.

The proposed location for alcohol sales in this store is 10 square feet, which is less than one percent of the overall floor space. The area for alcohol sales would be situated next to the manager's office and at the opposite end of the entrance. In addition, the applicant is willing to accept a condition limiting the sales to beer and wine only and prohibiting the sale of singles. Allowing alcohol sales at this location would be a convenience for its customers and Walgreen's would remain competitive amongst other similar establishments. A neighborhood meeting was held, but those in attendance were not located within the notification area. ATTORNEY ROBERTS referred to MAYOR GOODMAN'S previous query regarding shoplifters and informed him that Walgreen's corporate policy is to prosecute violators. MAYOR GOODMAN appreciated the feedback.

COUNCILMAN ROSS appreciated ATTORNEY ROBERTS' presentation and the applicant meeting with the neighborhood. He understood Walgreen's intentions; however, he realizes the number of existing similar establishments within this neighborhood. COUNCILMAN ROSS acknowledged several individuals and their efforts in being active in the community, and he understands the neighborhood's goal in not wanting another liquor establishment in an area that is already over-saturated with this use.

COUNCILMAN ROSS and MAYOR GOODMAN wondered if the applicant would close its business if the request is denied. Mr. CASUM assured the Council that the business would remain. MAYOR GOODMAN commented that he tends to support the ward representative, who is more familiar with his/her ward than he. However, he felt he could support a license if it entailed only beer and wine and not packaged liquor, and the applicant would be on equal footing with the nearby establishments, such as 7-11.

MAYOR GOODMAN declared the Public Hearing closed.