



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: WALGREEN CO. - OWNER: PPLAND, LP

THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 21, 2010 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-38211	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-38211 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Retail Establishment with Accessory Package Liquor Off-Sale use.
2. Conformance to the approved conditions for Rezoning (Z-0076-98) and Site Development Plan Review (SDR-3191).
3. This approval shall be void two years from the date of final approval, unless a business license has been issued to conduct the activity. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All beer and wine coolers shall remain in their original manufacturer's configuration of four- or six-packs.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 74 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 14,820 square-foot Retail Establishment at 7755 North Durango Drive. The proposed use will not require additional parking beyond that which is required for the principal use on the site. No more than 10 percent of the retail floor space is devoted to alcoholic beverage sales. This site location is well suited for this use, since it is located within a large shopping center. Staff recommends approval, since the Retail Establishment with Accessory Package Liquor Off-Sale use meets all minimum Special Use Permit requirements. If this request is denied, the existing retail establishment would remain.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/07/98	The City Council approved the Rezoning (Z-0076-98) to the T-C (Town Center) district on 1,468 acres, including this parcel. The Planning Commission and staff recommended approval.
11/07/01	The City Council approved the Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center.
01/07/04	The City Council approved Site Development Plan Review (SDR-3191) and a Waiver of Town Center Build-to-Line standard for 29,120 square feet of retail space on five pad sites. Planning Commission and Staff recommended denial on 12/04/03.
01/22/04	The Planning Commission approved a Tentative Map (TMP-3272) for a two-lot commercial subdivision on 4.91 acres. Staff recommended approval.
12/03/04	Planning Staff administratively approved a Minor Amendment to an approved Site Development Plan Review (SDR-3191) to allow minor changes of building footprints and to allow 29,315 square feet of retail space on four pad sites.
03/21/05	The Planning and Development Department administratively approved a minor amendment to an approved Site Development Plan Review (SDR-3191) to allow minor changes of building footprints and to allow 28,315 square feet of retail space on three pad sites.
05/04/04	The Centennial Hills Architectural Review Committee approved a request for a Master Sign Plan (CHARC-0014-04) at 7785 North Durango Drive.

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11/06/07	The Centennial Hills Architectural Review Committee approved a request for a Major Modification to an approved Master Sign Plan (CHARC-0014-04) at 7785 North Durango Drive.
06/24/10	The Planning Commission (7-0 vote) recommends DENIAL (PC Agenda Item #12/jg).
07/21/10	The City Council voted to hold this item in abeyance to the August 18, 2010 City Council meeting at the request of the applicant.

Most Recent Change of Ownership

04/11/200	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

06/09/04	A building permit (4014747) was issued for a Certificate of Occupancy for a 14,820 square-foot retail building at 7755 North Durango Drive. The permit was finaled on 02/25/05.
06/09/04	A building permit (4014746) was issued for on-site-hardscape. The permit was never finaled.
07/07/07	A building permit (4017017) was issued for on-site sewer, water and fire. The permit was finaled 07/21/04.
07/15/04	A building permit (4017733) was issued for Electrical Retail Store for a Certificate of Occupancy for a 14,820 square-foot retail building at 7755 North Durango Drive. The permit was finaled on 02/03/05.
10/15/04	A building permit (4020603) was issued for wall signs. The permit was finaled 02/25/05
03/09/05	A business license (C05-02366) was issued for a Tobacco Dealer Retail at 7755 North Durango Drive. The license is still active.
03/09/05	A business license (D11-00211) was issued for a Drug Store at 7755 North Durango Drive. The license is still active.
07/18/08	A business license (Q04-00087) was issued for a Pharmacy at 7755 North Durango Drive. The license is still active.

Pre-Application Meeting

04/13/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • Need to indicate retail floor space devoted for the sale of alcoholic beverages. • The proposed use is not within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City Park.
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<i>Neighborhood Meeting</i>
A neighborhood meeting was not required, nor was one held.

Field Check	
05/20/10	A field inspection was conducted by staff. The subject property was noted as a well maintained commercial center.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.66

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	General Retail Store	SC-TC (Service Commercial- Town Center)	T-C (Town Center)
North	Single-Family Residential	PCD (Planned Community Development)	R-CL (Single Family –Compact Lot)
South	Undeveloped	GC-TC (General Use Commercial)	T-C (Town Center)
East	Shopping Center	SC-TC (Service Commercial- Town Center)	T-C (Town Center)
West	Shopping Center	SC-TC (Service Commercial- Town Center)	T-C (Town Center)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Town Center Master Plan	X		Y
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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DEVELOPMENT STANDARDS

As approved by SDR-3191, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store, Other Than Listed (3,500 SF or More)	14,820 SF	1:250 SF	60		66		Y
TOTAL SPACES REQUIRED			60		66		Y
TOTAL (With Handicapped)			57	3	63	3	Y

ANALYSIS

This is a request for a Special Use Permit for a 74 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 14,820 square-foot Retail Establishment at 7755 North Durango Drive. This site location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. No additional parking beyond that which is required for the principal use on the site is required as a result of the addition of this use.

The sale of alcoholic beverages is ancillary to the retail use, and 74 square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages. The proposed use meets minimum requirements of Title 19.04; staff therefore recommends approval of this request.

FINDINGS (SUP-38211)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The proposed Retail Establishment with Accessory Package Liquor Off-Sale use will be located within the existing Retail Establishment and it is an accessory use. The proposed use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties.

August 18, 2010 - City Council Meeting**2.The subject site is physically suitable for the type and intensity of land use proposed.**

The subject site is physically suitable for the type and intensity of the proposed use. There is no additional parking requirement for a Retail Establishment with Accessory Package Liquor Off-Sale use other than that which is required for the principal use on site.

3.Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

Site access is provided from El Capitan Way, an 80-foot Town Center Arterial and Durango Drive, a 120-foot Town Center Parkway Arterial as designated by the Town Center Street Classifications in the Town Center Development Standards Manual. These streets are of sufficient size to accommodate the needs of the proposed Accessory Package Liquor Off-Sale use.

4.Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

5.The use meets all of the applicable conditions per Title 19.04.

The proposed use will be located within an existing Retail Establishment and complies with the minimum Special Use Permit requirements. The use will devote 74 square feet of the floor space within the existing Retail Establishment for the sale of alcoholic beverages.

PLANNING COMMISSION ACTION

The Planning Commission considered adding the condition: There shall be an administrative review one year after issuance of license for liquor use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

538 (By City Clerk)

APPROVALS

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PROTESTS

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