



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: MAY 4, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: WALGREEN CO. - OWNER: ADSC, LLC

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-41276	Staff recommends APPROVAL, subject to conditions:	None

**** CONDITIONS ****

EOT-41276 CONDITIONS

Planning

1. This Special Use Permit (SUP-37376) shall expire on April 21, 2012 unless another extension of time is approved by the City Council.
2. Conformance to the conditions of approval of the Special Use Permit (SUP-37376) and all other site related actions as required by the Department of Planning and Department of Public Works.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently occupied by a drug store with previous approval for a Special Use Permit (SUP-37376) for accessory package liquor off-sale within an existing retail establishment located at 451 South Decatur Boulevard. The applicant is requesting an Extension of Time for the Special Use Permit (SUP-37376) to complete and submit the required paperwork for the business license.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/16/01	The City Council approved a request for a variance (V-0020-01) to allow 190 parking spaces where 230 spaces are required on the northeast corner of Decatur Boulevard and Alta Drive. The Planning Commission recommended approval.
06/18/03	The City Council approved a request for a Master Sign Plan (MSP-2240) for a 15,070 square-foot Walgreen's Drug Store at 451 South Decatur Boulevard. The Planning Commission recommended approval; staff recommended denial.
12/15/04	The City Council approved a request for a Required Review (RQR-5372) of a previously approved Variance (V-0020-01) to allow 190 parking spaces where 230 spaces are required on the northeast corner of Decatur Boulevard and Alta Drive.
04/21/10	The City Council approved a request for a Special Use Permit (SUP-37376) for a 48 square-foot accessory package liquor off-sale within the existing 15,070 square-foot retail establishment at 451 South Decatur Boulevard. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
05/25/07	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
08/12/03	Business licenses (C05-02274 and D11-00206) were issued for Tobacco Sales and a Drug Store at 451 South Decatur Boulevard. The licenses are still active.
07/18/08	A business license (Q04-00083) was issued for a Pharmacy Firm at 451 South Decatur Boulevard. The license is still active.

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Related Building Permits/Business Licenses	
12/31/09	A business license (V02-01900) was issued for a DVD vending Machine at 451 South Decatur Boulevard. The license is still active.
There have not been any recent building permits issued for the subject site.	

Pre-Application Meeting
A pre-application meeting was not required, nor was one held.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Details of Application Request	
Site Area	
Gross Acres	1.42

Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Retail Establishment	SC (Service Commercial)	C-2 (General Commercial)
North	Undeveloped Land/Retail Establishments/Restaurant	SC (Service Commercial)	C-2 (General Commercial)
South	Restaurant/Tavern/Financial Institution	SC (Service Commercial)	C-2 (General Commercial)
East	Mini-Storage Facility	SC (Service Commercial)	C-2 (General Commercial)
West	Shopping Center	GC (General Commercial)	C-2 (General Commercial)

Master Plan Areas	Yes	No	Compliance
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 feet)	X		Y
Trails		X	N/A
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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ANALYSIS

This is the first request for an Extension of Time of a previously approved Special Use Permit (SUP-37376) for a 48 square-foot accessory package liquor off-sale within an existing 15,070 square-foot retail establishment. There have not been any recent building permits issued for the site. Title 19.16.110 of the Unified Development Code deems a Special Use Permit exercised within an existing structure upon the issuance of a business license to conduct the activity.

FINDINGS

The Special Use Permit has not met the requirements of Title 19.16.110 of the Unified Development Code to exercise the entitlement as a business license has not yet been issued. The applicant is requesting an Extension of Time to complete and submit the required paperwork for the business license. Staff is recommending approval of this request with a one-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-37376) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0