



City of Las Vegas

Agenda Item No.: 12.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: SUP-3821 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: WALGREEN CO.
OWNER: PLAND LLC - Request for a Special Use Permit FOR A 74 SQUARE-FOOT
ACCESSORY PACKAGE LIQUOR & GROCERY SALE USE WITHIN AN EXISTING 14,820
SQUARE-FOOT RETAIL ESTABLISHMENT at 775 North Durango Drive (APN 125-17-611-
002, T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use
Designation], Ward 6 (East) Staff recommends APPROVAL.

P.C.: FINAL ACTION Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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RECOMMENDATION:

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. Protest/Support Postcards
7. Submitted after Final Agenda Condition Confirmation Letter and Protest Postcards

Motion made by KEEN ELLSWORTH to Deny

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

GLENN TROWBRIDGE, VICKI QUINN, BYRON GOYNES, RICHARD TRUESDELL,
KEEN ELLSWORTH, STEVEN EVANS, GUS FLANGAS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

CHAIR TRUESDELL declared the Public Hearing open.

STEVE GEBEKE, Planning and Development, indicated the site location is well suited for the proposed use, as the store would be situated within a large shopping center. Staff recommended approval, as the proposal meets all special use permit requirements. If denied, the retail establishment would remain as is.

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ATTORNEY JENNIFER ROBERTS, 300 South Fourth Street, No. 1700, appeared on behalf of the applicant and requested approval.

COMMISSIONER TROWBRIDGE and CHAIR TRUESDELL pointed out the applicants previous representation that a liquor license would not be requested at any time for locations, such as this site, and the importance of keeping that promise. For the Commissioner, DOUG RANKIN, Planning and Development, confirmed that this application, along with subsequent Items 13 and 14, have been reviewed, specifically dealing with proximity to areas such as residential, churches and other liquor establishments and there are no issues. MARGO WHEELER, Director of Planning and Development, added that the maps and other documentation pertaining to these items have been included in each item's backup for the Commission's review.

COMMISSIONER EVANS questioned if a review period is standard on these applications. MS. WHEELER responded there is not; however, the Commission can require one to increase the comfort level. The Commissioner noted that in some urban areas, there is a fair saturation of liquor sales, which increases the amount of mischief. Both COMMISSIONER EVANS and CHAIR TRUESDELL felt it was appropriate to place a review period on these applications, so the Commission will have an opportunity to address any issues at time.

ATTORNEY ROBERTS explained that the applicant is attempting to remain competitive, and the site is surrounded by commercial. In addition, there is less than one percent of floor space for liquor sales, and the liquor will be situated next to the cash registers for close monitoring. To address COMMISSIONER TROWBRIDGE'S comment regarding the previous representation, she explained that Walgreens decided to reinstate alcohol sales due to the economy and the need for additional sources of revenue. She was amenable to accepting a condition regarding a one-year review.

CHAIR TRUESDELL asked ATTORNEY ROBERTS to address the store's policy regarding minors shoplifting, but she was unaware of the policy and offered to look into it.

COMMISSIONERS ELLSWORTH and GOYNES believed the applicant was disingenuous, and it was unfair to the residents to make such a representation. In addition, there is already a sufficient amount of liquor establishments in the area. ATTORNEY ROBERTS pointed out that alcohol sale is a permitted use within drug stores and Walgreens' competitors utilize that privilege as well. COMMISSIONER GOYNES stressed just because it is, in fact, a permitted use, does not make it right.

See Item 6 for related discussion.

CHAIR TRUESDELL declared the Public Hearing closed.