



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 26, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: WALGREEN CO. - OWNER: ASRV GENERAL WL, LLC, ET AL

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-38239	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-38239 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. 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.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. The sale of alcoholic beverages is ancillary to the retail use and in which no more than 74 square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages as shown in the floor plan date stamped on 05/10/10.
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 15,120 square-foot General Retail Store at 900 North Rancho Drive. This location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. The proposed use will not add 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 beer and wine sales. 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. For all of these reasons, staff recommends approval with conditions. If this request is denied, no alcoholic beverages may be sold on the premise without approval of another Special Use Permit.

ISSUES

- The Special Use Permit application is required by Title 19.04 as the applicant would like to add a business license to enable the establishment to sell alcohol beverages.
- The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is permitted in the C-1 zoning district with the approval of a Special Use Permit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
02/06/91	The City Council approved the request for Reclassification of property (Z-0157-90) located on the northwest corner of Washington Avenue and Robin Street, from R-1 (Single Family Residence) (under Resolution of Intent to C-1), to: C-PB (Commercial – Planned Business Park). Planning Commission recommended approval, whereas staff recommended denial.
10/12/98	The City Council approved the request for a Rezoning of property (Z-0062-98) located on the northeast corner of Washington Avenue and Rancho Drive, from: C-2 (General Commercial) and R-1 (Single Family Residential) under Resolution of Intent to C-PB (Commercial-Planned Business Park), to: C-1 (Limited Commercial), Proposed Use: A 17,026 square-foot retail drug store. Planning Commission and staff recommended approval.
	The City Council approved the request for a Special Use Permit (U-0098-98) to allow the Off-Premise Sales of Packaged Liquor in conjunction with a proposed 17,026 square-foot General Retail Store at the northeast corner of Washington Avenue and Rancho Drive. The Planning Commission and staff recommended approval.

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<i>Most Recent Change of Ownership</i>	
12/13/06	A deed was recorded for a change in ownership for 139-29-612-003 and 139-29-201-005.

<i>Related Building Permits/Business Licenses</i>	
12/02/00	A building permit (#18337) was issued for a General Retail Store at 900 North Rancho Drive. The project was completed on 05/11/01.
10/23/01	A business license (C05-02104) was issued for a Tobacco Dealer at 900 North Rancho Drive. The license is currently active.
	A business license (D11-00186) was issued for a Drug Store at 900 North Rancho Drive. The license is currently active.
02/21/06	A Code Enforcement case (#38590) was opened regarding illegal signage at 900 North Rancho Drive. The case was closed by Code Enforcement on 01/22/10.
07/18/08	A business license (Q04-00084) was issued for a Pharmacy at 900 North Rancho Drive. The license is currently active.

<i>Pre-Application Meeting</i>	
04/27/10	A pre-application meeting with 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 site does not have any churches, school, child care facilities or city parks within the required 400-foot distance separation radius. • 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.

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
07/22/10	Staff conducted a field check of the site and found it to be well maintained general retail store.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.08

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<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	LI/R (Light Industry/Research)	C-1 (Limited Commercial)
		SC (Service Commercial)	
North	Single Family Residence	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development – 8 units per acre)
	Shopping Center	SC (Service Commercial)	C-2 (General Commercial)
South	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single Family Residence	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development – 8 units per acre)
West	Financial Institution, Specified/Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)

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

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DEVELOPMENT STANDARDS

Pursuant to Title 19.10, 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 Square Feet or More)	15,120 SF	1/175	87		88		
TOTAL SPACES REQUIRED			87		88		
TOTAL (With Handicapped)			83	4	83	5	

ANALYSIS

This site location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. This site is located within the Airport Overlay District. It contains an existing building with no additional height proposed. There is an existing pedestrian path parallel to Rancho Drive. This property is within the Las Vegas Redevelopment Plan Area and no redevelopment will occur at this location. The West Las Vegas Plan area is included in the Neighborhood Revitalization area of the Master Plan 2020. The Master Plan seeks to stabilize and improve these areas that form the heart of the community, protect them from intrusion of non-residential activities is underway, to integrate these uses in a sensitive and attractive manner. There is no additional parking beyond that which is required for the principal use on the site is required as a result of the addition of the use. The sale of alcoholic beverages is ancillary to the retail use, and 74 square feet of the retail floor spaces is devoted to the display or merchandising of alcoholic beverages. The proposed use meets minimum requirements of Title 19.04 and can be conducted in a manner that is harmonious and compatible with the surrounding uses; staff therefore recommends approval of this request.

FINDINGS (SUP-38239)

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.**

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The proposed Retail Establishment with Accessory Package Liquor Off-Sale use will be located within the existing General Retail Store 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.

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 Rancho Drive, a 150-foot Expressway and Washington Avenue, an 80-foot Secondary Collector as designated in the Master Plan of Streets and Highways. These streets are of sufficient size to accommodate the needs of the proposed Retail Establishment with 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 General Retail Store for the sale of alcoholic beverages.

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