



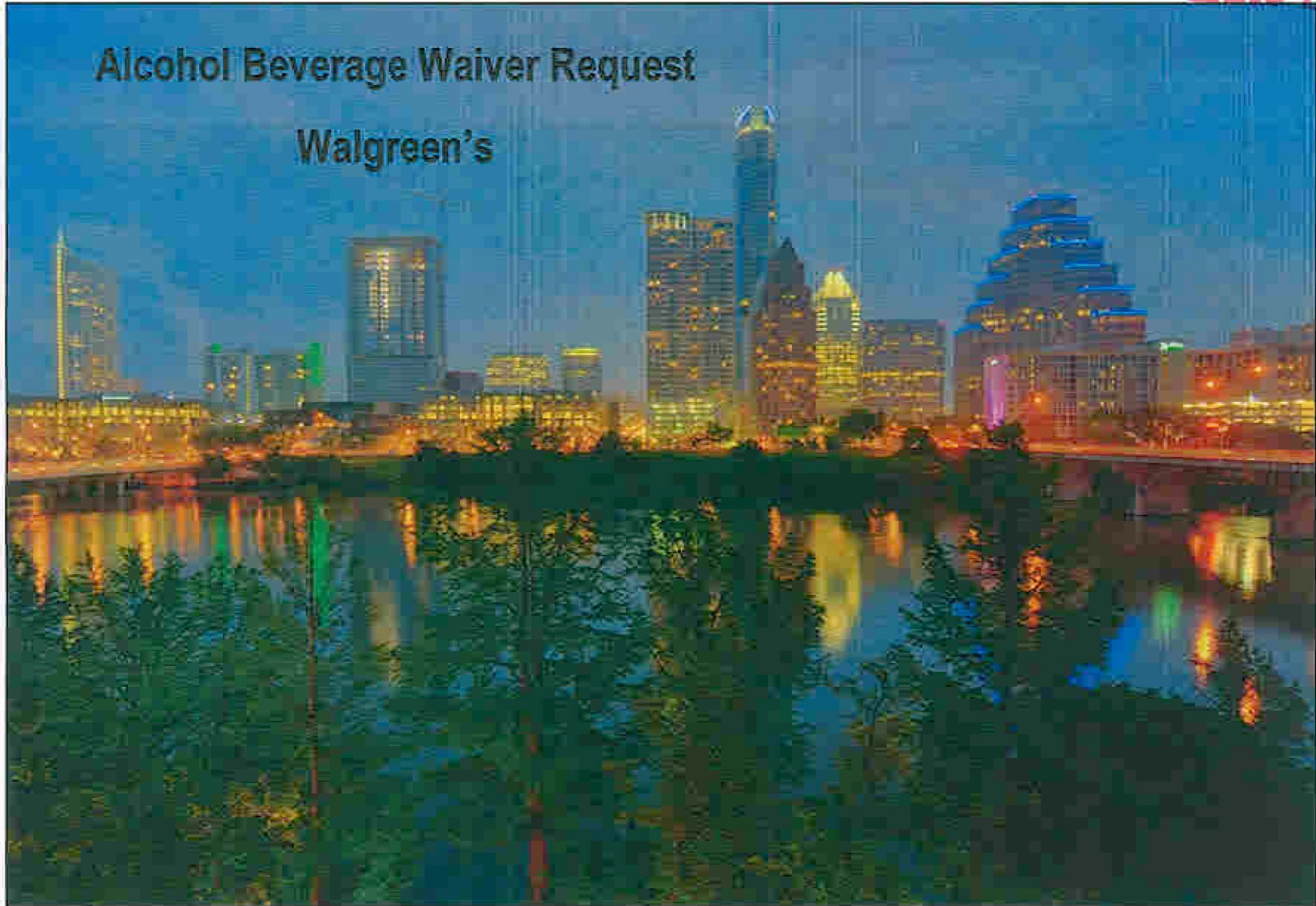
Planning and Development Review Department

#67

Late Backup

Alcohol Beverage Waiver Request

Walgreen's



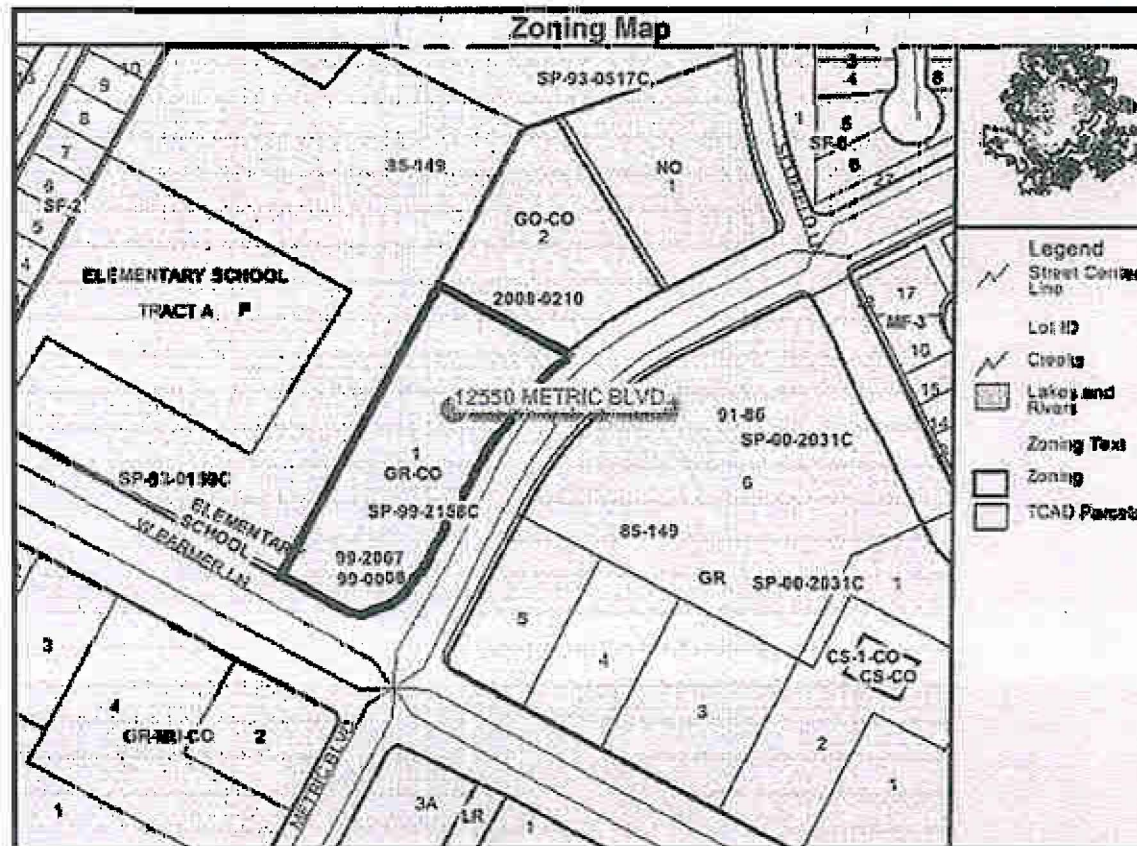


Applicant Request

- Walgreen's proposes to sell alcoholic beverages at 12550 Metric Blvd., which adjoins the property line for a pair of public schools, Parmer Lane Elementary, located at 1806 W Parmer Ln, and Westview Middle School, located at 1805 Scofield Ln.
- The owner requests a waiver of the prohibition under Section 4-9-5 (A).

Site Location

- Property adjoins both schools along the west property line



Site Photos

View of Walgreen's Relative to Subject Schools





LDC §4-9-5 Waiver Requirements

§4-9-5(A) states: City Council may consider the waiver of the 300 foot distance requirement if it is determined that the enforcement in a particular instance:

- 1) is not in the best interest of the public;
- 2) constitutes waste or inefficient use of land or other resources;
- 3) creates undue hardship on the applicant;
- 4) does not serve its intended purpose;
- 5) is not effective or necessary; or
- 6) for any other reason the council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.”



LDC §4-9-5 Waiver Requirements (cont.)

- **Under §4-9-5(B), the City Council may consider the written consent to a waiver from a church located within 300 feet from the applicant's proposed place of business to be sufficient justification for waiver approval**



Staff Recommendation

- Based upon Subsection A and B of the Code and letter of support received from the school district, staff recommends approval of the waiver.