



**City of Westlake**

**Planning and Zoning Department – Staff Report**

City Council Meeting - 4/7/2026

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**PETITION DESCRIPTION**

**PETITION NUMBER:** VAR-2026-01 - Walmart Supercenter Alcohol Distance Variance  
**APPLICANT:** Cortleur & Hearing  
**OWNER:** Minto PBLH, LLC  
**LOCATION:** 5353 SEMINOLE PRATT WHITNEY RD  
**PCN:** 77-40-43-01-34-007-0000

**REQUEST**

The applicant is requesting a distance exception pursuant to Chapter 4, Section 4-10 (Alcoholic Beverages) of the City of Westlake Code of Ordinances to allow a reduction of the required 1,000-foot distance from another establishment licensed for the retail sale of alcoholic beverages.

**SUMMARY**

The applicant, Cotleur & Hearing, on behalf of Minto PBLH, LLC, is requesting approval of a variance from the distance separation requirement for the retail sale of alcoholic beverages for the proposed Walmart Supercenter. The request seeks an exception to the distance separation requirement outlined in Chapter 4, Section 4-8(b)(1), which mandates a minimum of 1,000 feet separation from another establishment licensed for the retail sale of alcoholic beverages for on- or off-premises consumption.

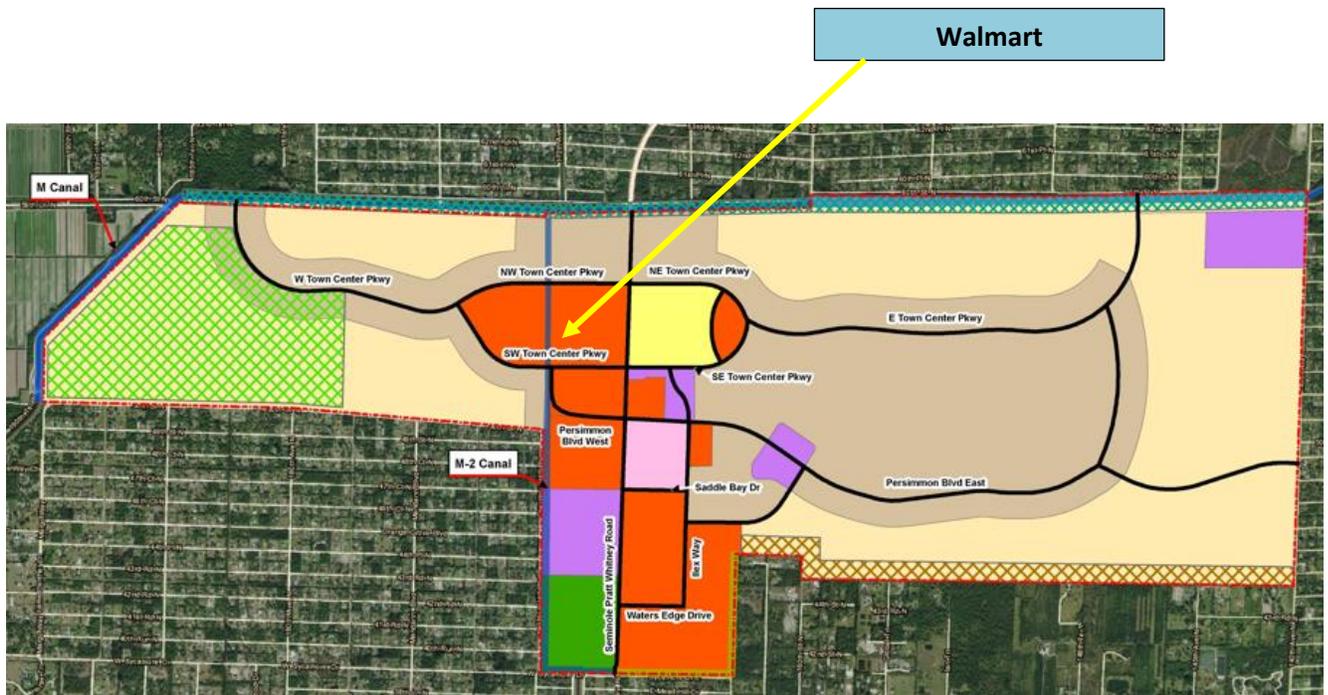
The proposed Walmart Supercenter is approximately 812 feet (airline distance measurement from door to door) from an existing business, “Xcel Padel,” which currently holds a liquor license. The subject facility will include multiple retail departments such as clothing, household goods, toys, electronics, grocery items, pharmacy services with drive-through, a vision center, a package store for off-premises alcohol sales, an auto center, an outdoor garden center, and an online pickup and delivery area. The applicant is requesting a package liquor license allowing alcohol sales strictly for off-premises consumption only. No on-site consumption, bar service, or entertainment is proposed.

**STAFF RECOMMENDATION**

Based on the analysis contained herein, City staff finds that the requested distance exception satisfies the criteria of Chapter 4, Section 4-10 of the City of Westlake Code of Ordinances. Therefore, City staff have no objections to the approval of application VAR-2026-01.

## PETITION FACTS

- a. Total Gross Site Area: 24.29 acres
- b. Building Data: 190,397 sq. ft. Walmart Supercenter including a 4,816 sq. ft. package liquor store for off-premises consumption
- c. Land Use and Zoning  
Existing Land Use: Vacant  
Future Land Use: Mixed Use  
Zoning: Mixed Use



## BACKGROUND

The subject property has a Downtown Mixed Used and corresponding Mixed Used zoning classification. The development has the following approvals:

- On April 1, 2025, the City Council approved the plat for Pod G including North Parcel C (Lowe's site).
- On August 5, 2025, the City Council approved the application SPR-2025-02 with six (6) conditions for the proposed 107,547 sq. ft. retail sale and service known as "Lowe's."
- On October 27, 2025, the City Council approved application MSP-2025-05 with one (1) condition for the proposed "Lowe's" Master Sign Plan, including six (6) waivers.
- On January 6, 2026, City Council approved application MSP-2025-03 with two (2) conditions for the proposed Pod G North Master Sign Plan, including five (5) waivers.
- On January 20, 2026, the plat for Pod G, including North Parcels G and H, was approved, where the subject site "Walmart Supercenter" will be located.
- On April 7, 2026, the City Council is scheduled to consider application SPR-2025-01 for the Walmart Supercenter site plan located within Pod G North, Parcels G and H.

## VARIANCE REQUEST

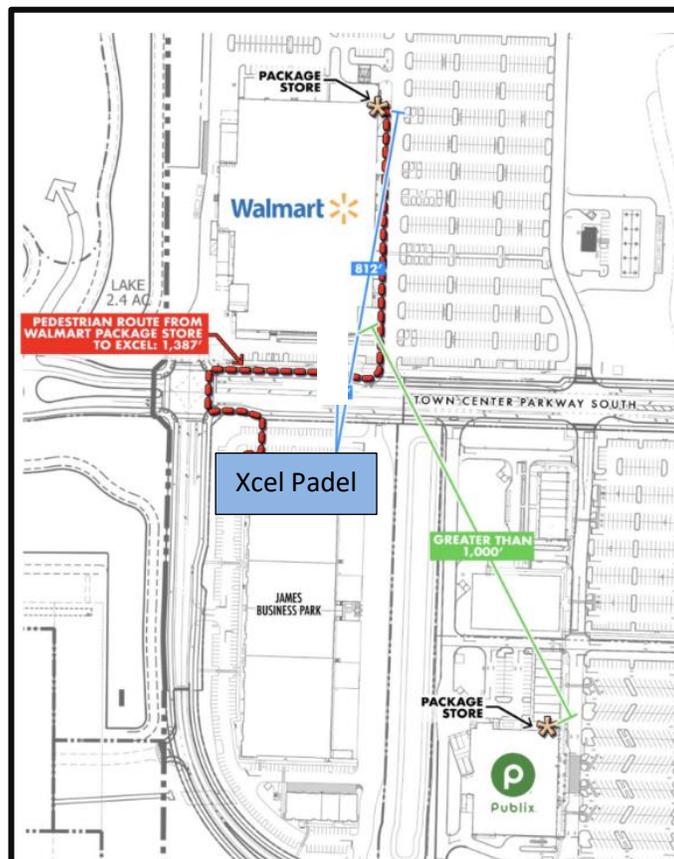
The subject application was reviewed according to the City of Westlake Land Development Code. The Applicant is requesting one (1) Variance as follows:

1. To allow Walmart Supercenter to obtain a liquor license within approximately 800 feet of another establishment that is already licensed for the sale of alcoholic beverages.

The City of Westlake Code per Chapter 4, Section 4-8(b)(1) requires the following:

*“No license for the sale of alcoholic beverages at retail, including malt beverages and wine, for consumption on or off the premises, shall be issued where the place of business designated in the application therefor is located within one thousand (1,000) feet from another place of business for which there is already issued a license for the retail sale of alcoholic beverages for consumption on or off the premises; **such distance to be the airline measurement taken from the center of the main entrance of the proposed business to the center of the main entrance of the existing business for which there is already a license for the retail sale of alcoholic beverages for consumption on or off the premises.**”* The applicant submitted a distance exhibit demonstrating that the airline distance between the proposed Walmart package store entrance and the entrance to Xcel Padel is approximately 812 feet.

### Distance from Walmart to Xcel Padel and Publix



## STAFF ANALYSIS AND FINDINGS

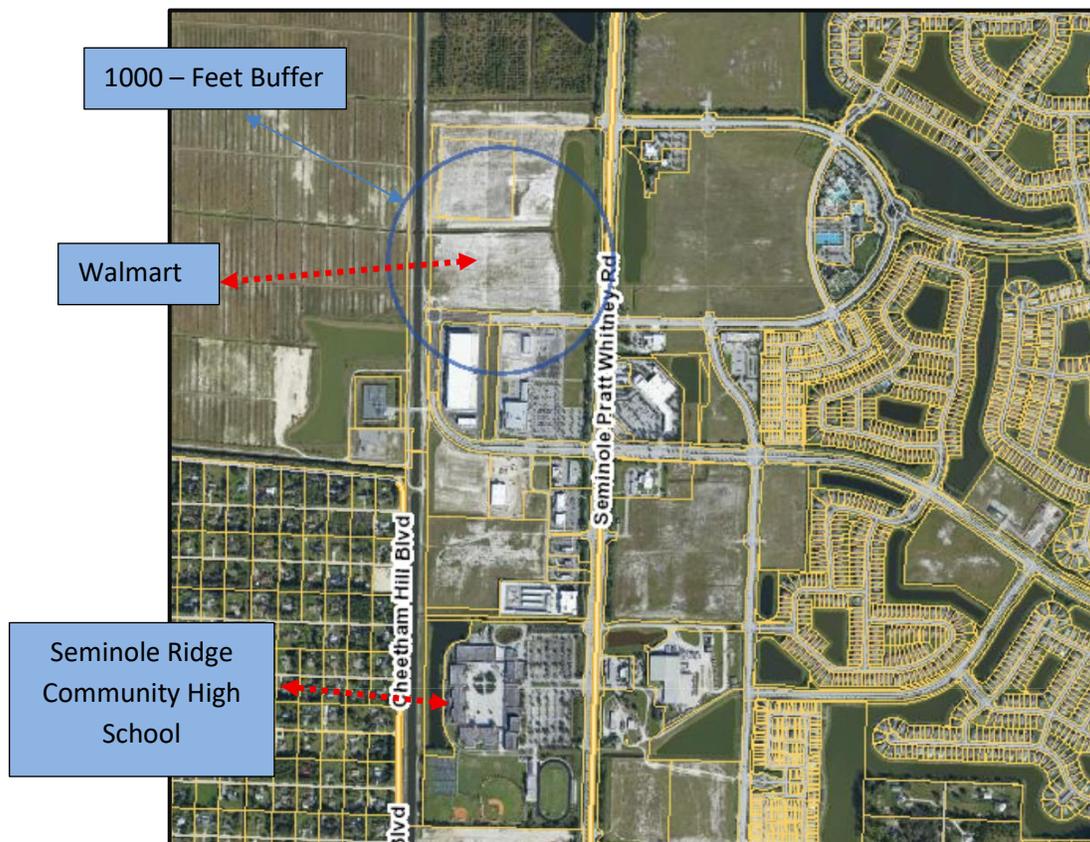
Chapter 4, Section 4-8 of the City Code establishes minimum distance requirements between establishments licensed for the retail sale of alcoholic beverages. Chapter 4, Section 4-10 allows the City Council to grant a distance exception when specific findings are met following a public hearing. Distance requirements are primarily intended to promote the safety, health, morals, and general welfare of residents. The City Council may grant exceptions to the required distance separations between businesses when deemed appropriate.

Per Chapter 4, Sec 4-10, the City Council may grant a variance to the distance requirements if it finds the following requirements are met:

1. **The established distance requirement of one thousand (1,000) feet from an established public or private elementary school, middle school, or secondary school is not violated. The distance shall be the airline measurement taken from the center of the main entrance of the school grounds.**

*Applicants Response: The 1,000-foot distance from an established public or private elementary, middle, or secondary school is not violated.*

**Staff Analysis:** Pursuant to Section 4-10(2)(a) of the City Code, the subject property is not located within one thousand (1,000) feet of any public or private elementary school, middle school or secondary school. Based on the City's staff analysis, the subject application is in compliance with this code standard.



- 2. In the opinion of the city council, the granting of the modification will not materially impair the safety, health, morals, or general welfare of the citizens of the city which this chapter is intended to promote.**

***Applicants Response:*** *The subject property is located within the Downtown Mixed-Use zoning district, a planned commercial area. Surrounding uses include large-format retail, grocery, warehouse, and undeveloped commercial property. The proposed use is consistent with commercial retail activity and does not introduce on-premises consumption or entertainment components that would elevate intensity or impact.*

**Staff Analysis:** Pursuant to Chapter 4, Section 4-10(2)(b), the granting of this variance will not be injurious to the surrounding area, nor will it be detrimental to the health, safety, or general welfare of the public. The subject property is located within the Downtown Mixed-Use zoning district and is surrounded by planned commercial development including Lowe’s, Publix, and other retail uses. The subject application is in compliance with this code standard.

#### **FINAL REMARKS**

Based on the analysis contained herein, staff finds that the requested distance exception satisfies the criteria set forth in Chapter 4, Section 4-10 of the City of Westlake Code of Ordinances. Specifically, the proposed package store is not located within 1,000 feet of a public or private elementary, middle, or secondary school, and the granting of the distance exception will not materially impair the safety, health, morals, or general welfare of the citizens of the City. Therefore, staff have no objections to the approval of Application VAR-2026-01.