

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 13, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:

SUP-23422 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: STREETS OF NEW YORK - OWNER: VILLAGE OF CRYSTAL SPRINGS PARTNERS, LLC -
Request for a Special Use Permit FOR A PROPOSED BEER/WINE COOLER ON-SALE ESTABLISHMENT IN CONNECTION WITH A PROPOSED RESTAURANT AND A WAIVER TO ALLOW A DISTANCE SEPARATION OF 375 FEET FROM A CHILD CARE FACILITY WHERE 400 FEET IS REQUIRED at 7570 Norman Lockwell Lane (APN 125-17-712-004), TC (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross).

IF APPROVED: C.C.: 10/17/07

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

APPEALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

6

City Council Meeting

City Council Meeting

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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support postcards
7. Submitted after final agenda Protest/support postcards

Motion made by to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
GLENN TROWBRIDGE, DAVID STEINMAN, [NAME NOT FOUND], LEO DAVENPORT, RICHARD TRUESDELL, SAM DUNNAM; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-BYRON GOYNES)

Minutes:

CHAIRMAN DAVENPORT declared the Public Hearing open.

ANDY REED, Planning and Development Department, stated that there is no basis to support the requested separation requirement and recommended denial.

CHRIS KAEMPFER and JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. MS. LAZOVICH acknowledged the shortage of distance separation from the daycare center but noted that the entire application has received positive comments as a result of the neighborhood meeting.

CHAIRMAN DAVE PORT declared the Public Hearing closed.

