

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: OCTOBER 11, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

Consent  Discussion

**SUBJECT:**

**SUP-24251 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: BUFFALO WASHINGTON I, LLC - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFICALLY AN AUTO TITLE LOAN AND A WAIVER TO ALLOW A DISTANCE SEPARATION OF ZONE FEES FROM AN EXISTING PAWN, AUTO USE WHERE 1,000 FEET IS THE MINIMUM SEPARATION REQUIRED at 7591 West Washington Avenue, Suites 140 and 150 (APN 138-273391-015), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkenton)**

**IF APPROVED, C.C.: 11/7/2007**

**IF DENIED, P.C.: FINANCIAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPEALS RECEIVED BEFORE:**

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

**RECOMMENDATION:**

**DENIAL**

**BACKUP DOCUMENTATION:**

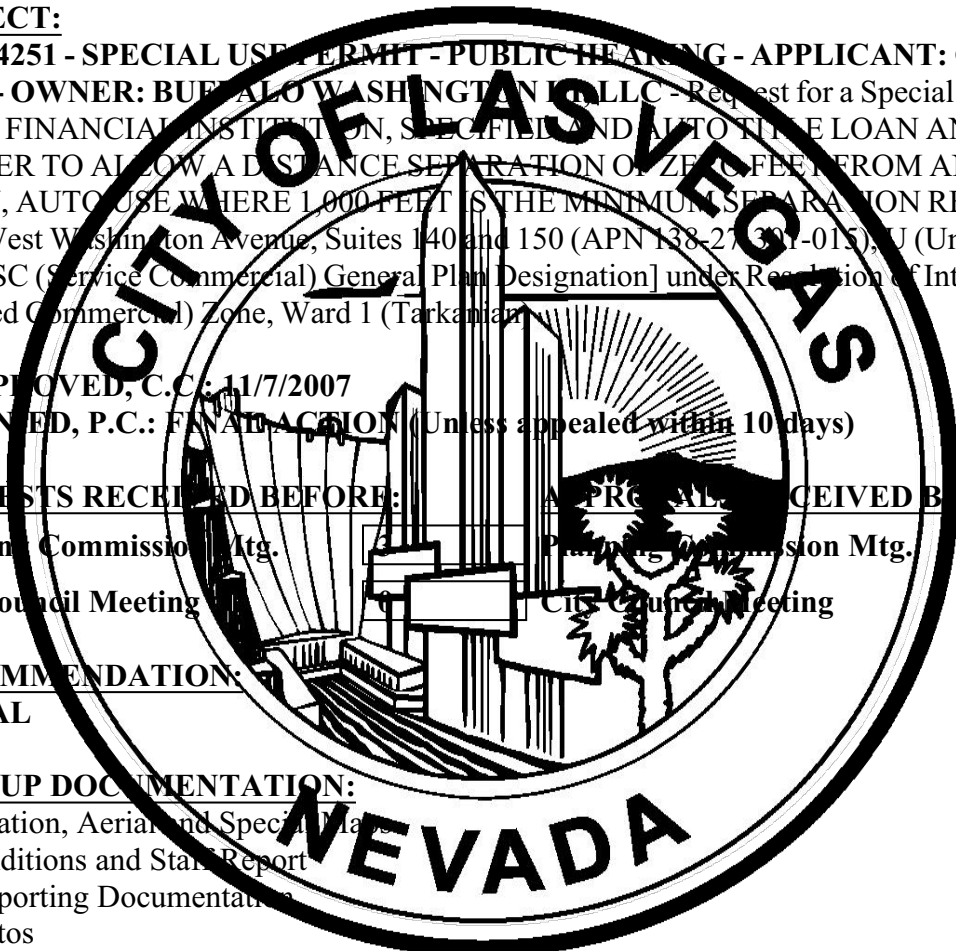
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest postcard
7. Submitted after final agenda Protest postcards

Motion made by BYRON GOYNES to Approve subject to conditions

Passed For: 4; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 2

STEVEN EVANS, LEO DAVENPORT, BYRON GOYNES, DAVID STEINMAN; (Against-None); (Abstain-SAM DUNNAM); (Did Not Vote-None); (Excused-GLENN TROWBRIDGE, RICHARD TRUESDELL)

NOTE: COMMISSIONER DUNNAM disclosed that he graduated from the same high school as MS. STEWART and would abstain on Item 54.



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Minutes:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated that staff could not support the waiver request and recommended a denial.

JAY BROWN, 520 South 4th Street, with LUCY STEWART, appeared on behalf of the application. He stated that one year ago, this item was presented to the Planning Commission and approved. Prior to going before the City Council, the applicant decided to withdraw the application. Subsequently, with the closure of one of the financial institutions at the same location, the applicant has reconsidered and wished to move forward. MS. STEWART concurred with MR. BROWN'S comments.

TODD FARLOW, 240 North 19th Street, asked if the SUP was still valid despite the title loan business being closed. ASSISTANT CITY ATTORNEY BRYAN SCOTT stated that the validity of the SUP depends on the length of time the title loan company had been inoperative. MR. RANKIN clarified that there are no active licenses at that location.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

