

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 7, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-24162 - PUBLIC HEARING APPLICANT: CULLEY, INC - OWNER: CAP II-FARM/DURANGO, LLC - Request for a Special Use Permit For A GAMING ESTABLISHMENT (RESTRICTED) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE (WITHOUT FUEL PUMPS) AND A WAIVER OF THE TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW A ZERO FOOT DISTANCE SEPARATION FROM SINGLE FAMILY DETACHED DWELLINGS WHERE 330 FEET IS REQUIRED located on the northwest corner of Durango Drive and El Capita Way (APN 125-17-611-001) T-C (Town Center) Zone [SC/TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

9

Planning Commission Mtg

0

City Council Meeting

15

City Council Meeting

2

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest postcards
7. Submitted after final agenda Protest/support postcards
8. Backup referenced from the 10-11-07 Planning Commission Meeting Item 48

Motion made by STEVEN D. ROSS to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-OSCAR B. GOODMAN)

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Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated that the approval would allow for seven slot machines in the 7-Eleven Store. Due to the site's proximity to residential to the northeast, they were required to have a meeting with the residents most impacted. The meeting was held and upon explaining that there would be no gas pumps, they supported the application.

MAYOR PRO TEM REESE declared the Public Hearing closed.

