



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 04, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-27820 - EXTENSION OF TIME - SPECIAL USE PERMIT
- APPLICANT/OWNER: SHADOW HILLS PLAZA, LLC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-11640) shall expire on 04/19/09 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-11640) and all other related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is the first request for an extension of time of an approved Special Use Permit (SUP-11640) to allow a proposed Liquor Establishment (Tavern) at 10490 West Cheyenne Ave.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/07/94	The City Council approved a request to annex this property as part of a larger request. (A-0006-94). The Planning Commission recommended approval of this request on 06/09/94. The effective date of this annexation was 09/16/94.
06/23/97	The City Council approved a request for Rezoning (PD-0001-97) PD (Planned Development). The Planning Commission and staff recommended approval of this request.
03/17/04	The City Council approved a Site Development Plan Review and a Waiver of the foundation-landscaping buffer for a proposed 87,790 square-foot retail center (SDR-3651). The Planning Commission and staff recommended approval of these requests.
03/17/04	The City Council approved a Special Use Permit (SUP-3653) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed grocery store. The Planning Commission and staff recommended approval of this request.
01/27/05	Staff approved an Administrative Site Development Plan Review (SDR-5733) for an aesthetic review of approved pad sites "a" through "h" and perimeter landscaping on 15.23 acres adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street.
07/14/05	The Planning Commission approved the Master Sign Plan (MSP-6910). Staff recommended approval.
03/01/06	The City Council approved a Site Development Plan Review (SDR-10787) for a proposed 4,738 square-foot Financial Institution, General with drive-through on 6.77 acres at the northwest corner of Cheyenne Avenue and Shady Timber Street.
04/19/06	The City Council approved a Site Development Plan Review (SDR-11639) for the proposed modification of parking, circulation, and pads a, b, c, d, e, f, and h of an approved commercial development on 6.76 acres of an 11.64-acre site at the northwest corner of Cheyenne Avenue and Shady Timber Street. Planning Commission and staff recommended approval.

04/19/06	The City Council approved a Special Use Permit (SUP-11640) for a proposed Liquor Establishment (Tavern) on pad "e" of an approved commercial development (SDR-5733) on 0.10 acres of an 11.64-acre site at the northwest corner of Cheyenne Avenue and Shady Timber Street. Planning Commission and staff recommended approval.
12/21/06	The Planning Commission approved an amendment to a Master Sign Plan (MSP-17815). Staff recommended approval.
09/05/07	The City Council approved a request for a Special Use Permit (SUP-22703) to allow a proposed Financial Institution, Specified with a Waivers to allow a 60-foot separation distance from a residential use where a 200-foot separation is required and to allow a distance separation of approximately 875 feet from another Financial Institution, Specified where 1,000 feet is the minimum required at 10470 West Cheyenne Avenue. The Planning Commission recommended approval on 08/09/07 with staff recommending denial.

Related Building Permits/Business Licenses	
03/04/08	Plan check #109834 was processed for a 1,000 square-foot tenant improvement at 10490 West Cheyenne Avenue. This permit has not received a final inspection yet.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application request, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application request, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	15.23 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center (under construction)	PCD (Planned Community Development)	Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation]
North	Single Family Residential	PCD (Planned Community Development)	PD (Planned Development)
South	Single Family Residential	PCD (Planned Community Development)	P-C (Planned Community)

		Development)	
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East	Single Family Residential	PCD (Planned Community Development)	PD (Planned Development)
West	R.O.W. I-215	R.O.W I-215	R.O.W I-215

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Lone Mountain Master Plan	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

ANALYSIS

This is the first extension of time request for the proposed Tavern. In the time since the initial approval on 04/19/06, the applicant has submitted a plan check #109834 for a tenant improvement of pad E, now officially addressed as 10490 West Cheyenne Avenue. The applicant has requested a one-year extension in order to provide more time to complete the construction improvements underway.

FINDINGS

Approval of this request is recommended with a one-year time limit which will expire on 04/19/09, unless another Extension of Time is approved by the City Council. Conformance to the conditions of approval for Special Use Permit (SUP-11640) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS

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