



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 15, 2008
DEPARTMENT: EOT-29815 - EXTENSION OF TIME - VARIANCE - APPLICANT:
DAVID MASON - OWNER: H & GG LP

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Conformance to the Conditions of Approval for Variance (VAR-4671) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.
2. This Variance (VAR-4671) will expire on 10/06/10 unless another Extension of Time is approved by the City Council.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is the second request for an Extension of Time of an approved Variance (VAR-4671) to allow a rear setback of 28.9 feet where residential adjacency standards require a minimum of 84.75 feet in conjunction with a proposed Self-Service Car Wash and Pet Wash on 0.43 acres adjacent to the northeast corner of Sky Pointe Drive and Ranch House Road.

A related Extension of Time (EOT-29814) for an approved Site Development Plan Review (SDR-4606) will accompany this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/06/04	The City Council approved a General Plan Amendment (GPA-4609) to amend the Centennial Hills Interlocal Land Use Plan of the General Plan from ML (Medium Low Density Residential) to GC (General Commercial; Variance (VAR-4671) to allow a rear setback of 28.9 feet where residential adjacency standards require a minimum of 84.75 feet in conjunction with a proposed self-serve car wash and pet wash; and a Site Development Plan Review (SDR-4606) for a Self Serve Car Wash and Pet Wash; a Waiver of Distance Requirement for Trash Enclosure and a Waiver to reduce Perimeter landscaping requirements on 0.42 acres adjacent to the northeast corner of Sky Pointe Drive and Ranch House Road. The Planning Commission recommended approval on 09/09/04 with staff recommending denial.
11/01/06	The City Council approved an Extension of Time (EOT-16951) of an approved Site Development Plan Review (SDR-4606) that allowed a Self Serve Car Wash and Pet Wash with a Waiver of Distance Requirement for Trash Enclosure and a Waiver to reduce Perimeter landscaping requirements and an Extension of Time (EOT-16950) of an approved Variance (VAR-4671) to allow a rear setback of 28.9 feet where Residential Adjacency Standards require a minimum of 84.75 feet on 0.42 acres adjacent to the northeast corner of Sky Pointe Drive and Ranch House Road.
<i>Related Building Permits/Business Licenses</i>	
There have been no building permits or business licenses issued for this property.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application request, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application request, nor was one held.	

Field Check	
09/12/08	A field check was carried out by staff with the following observations: <ul style="list-style-type: none"> • The subject site is currently undeveloped. • No noticeable change in development appears to have occurred since the original 10/06/04 approval.

Details of Application Request	
Site Area	
Gross Acres	0.42 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	GC (General Commercial)	C-2 (General Commercial)
North	Undeveloped/Convenience Store	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development 7 Units per Acre)
South	Multi-Family Housing	M (Medium Density Residential)	R-PD18 (Residential Planned Development 18 Units per Acre)
East	Single Family Dwellings	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development 7 Units per Acre)
West	Right-of-Way (U.S. 95)	Right-of-Way (U.S. 95)	Right-of-Way (U.S. 95)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the second Extension of Time for the subject Variance (VAR-4671), which was approved by the City Council on 10/06/04. There was an associated Site Development Plan Review (SDR-4606) also approved by City Council during this request. The applicant indicates that the project was delayed due to the construction of adjacent roadways which has since been resolved. The applicant indicates they will be moving forward with the plan review and permitting process, which are the necessary steps to exercise this Variance (VAR-4671)

FINDINGS

Although the applicant has not submitted and civil plans or plans checks to date, there have been no notable changes to the surrounding land use since the approval of the original application. Approval of this request will allow more time for the applicant to begin the plan review and permitting process which will exercise the approved Variance (VAR-4671). Therefore, staff has no objection to this request for an Extension of Time which will expire on 10/06/10 unless another Extension of Time is approved by the City Council.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0