



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-31317 EXTENSION OF TIME SPECIAL USE PERMIT -

APPLICANT: TERRITORY INC. - OWNER: CENTENNIAL CENTER LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-10128) shall expire on 01/18/11 unless another Extension of Time is approved by the Planning and Development Department.
2. Conformance to all conditions of approval of Special Use Permit (SUP-10128) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (SUP-10128) for a proposed Liquor Establishment (Tavern) adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway.

It is noted that there are two related Extension of Time (EOT-31316 and EOT-31320) that will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a request for Rezoning (Z-0076-98) on property located within the area designated Town Center on the Northwest Amendment to the General Plan from U (Undeveloped), R-E (Residence Estates), R-PD7 (Residential Planned Development- 7 Units per Acre), R-PD11 (Residential Planned Development- 11 Units per Acre), R-PD13 (Residential Planned Development- 13 Units per Acre), R-PD18 (Residential Planned Development- 18 Units per Acre), R-CL (Single Family Compact Lot), C-1 (Limited Commercial), C-2 (General Commercial), C-V (Civic), and PD (Planned Development) zones to T-C (Town Center) on 1,468 acres. The Planning Commission recommended approval on 11/05/98.
01/14/99	The Planning Commission approved a request for a Tentative Map (TM-0066-98) for eight (8) lots on 158.80 acres located on the southwest corner of Centennial Parkway and US-95.
02/08/99	The City Council approved a request for a Site Development Plan Review [Z-0076-98(1)] for a proposed retail development totaling approximately 827,000 square feet and seven proposed Automobile Dealerships on property located on the southwest corner of Centennial Parkway and US-95. The Planning Commission recommended approval on 12/17/98.
05/10/99	The City Council approved a request for a Required 90-Day Review [Z-0076-98(4)] for the frontage road landscaping/street section issue on property located on the southwest corner of Centennial Parkway and US-95.

08/26/99	The Planning Commission approved a request for a Final Map (FM-0068-99) for four (4) lots on 101.22 acres located on the west side of Rancho Road, south of Centennial Parkway.
05/25/00	The Planning Commission approved a request for a Final Map (FM-0035-00) for 4-lots on 98.41 acres adjacent to the west side of Rancho Drive, approximately 1,050 feet south of Centennial Parkway.
12/05/01	The City Council approved a request for a Special Use Permit (U-0138-01) for a proposed Outdoor Sales Lot for a Farmers Market on property located adjacent to the southwest corner of Centennial Parkway and Tropical Parkway. The Planning Commission recommended approval on 11/01/01.
08/13/04	A Temporary Commercial Permit (TCP-4231) was issued for a mobile office for elections at 7881 West Tropical Parkway for the period of 08/1/04 through 11/19/04.
01/18/06	The City Council approved a request for a Site Development Plan Review (SDR-10127) for a proposed 10,000 square-foot Restricted Gaming Use and Liquor Establishment (Tavern) on 1.96 acres adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. The Planning Commission recommended approval on 12/15/05.
01/18/06	The City Council approved a request for a Special Use Permit (SUP-10128) for a proposed Liquor Establishment (Tavern) adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. The Planning Commission recommended approval on 12/15/05.
01/18/06	The City Council approved a request for a Special Use Permit (SUP-10129) for a proposed Gaming (Restricted) Use adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. The Planning Commission recommended approval on 12/15/05.
11/21/07	The City Council approved a request for an Extension of Time (EOT-25080) of an approved Special Use Permit (SUP-10129) for a proposed Gaming (Restricted) Use adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. A one-year extension of time was approved for the Special Use Permit, expiring on 01/18/09 unless another extension of time is granted.
11/21/07	The City Council approved a request for an Extension of Time (EOT-25081) of an approved Special Use Permit (SUP-10128) for a proposed Liquor Establishment (Tavern) adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. A one-year extension of time was approved for the Special Use Permit, expiring on 01/18/09 unless another extension of time is granted.

11/21/07	The City Council approved a request for an Extension of Time (EOT-25082) of an approved Site Development Plan Review (SDR-10127) for a proposed 10,000 square-foot Restricted Gaming Use and Liquor Establishment (Tavern) on 1.96 acres adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. A one-year extension of time was approved for the Site Development Plan Review, expiring on 01/18/09 unless another extension of time is granted.
----------	--

Related Building Permits/Business Licenses

04/15/05	A building permit (40593) was issued for an electrical meter for a pedestal for irrigation at 5881 Centennial Center Boulevard. The permit was finalized on 05/25/05.
----------	---

No business licenses have been issued for the subject site.

Pre-Application Meeting

A pre-application meeting is not required for this type of application, nor was one held.

Neighborhood Meeting

A neighborhood meeting is not required for this type of application, nor was one held.

Details of Application Request

Site Area

Gross Acres	1.96
-------------	------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Land	TC (Town Center)	T-C (Town Center) [SC-TC (Service Commercial-Town Center) Special Land Use designation]
North	Restaurant	TC (Town Center)	T-C (Town Center) [GC-TC (General Commercial-Town Center) Special Land Use designation]
South	Detention Basin	TC (Town Center)	T-C (Town Center) [PF-TC (Public Facilities-Town Center) Special Land Use designation]
East	US-95 Freeway	ROW (Right-of-Way)	ROW (Right-of-Way)

West	Shopping Center	TC (Town Center)	T-C (Town Center) [SC-TC (Service Commercial-Town Center) Special Land Use designation]
------	-----------------	------------------	--

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
T-C (Town Center) District	X		Y
Trails	X		Y
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 request for an extension of time for the proposed development. Title 19.18.060 deems a Special Use Permit exercised upon the issuance of a business license to conduct the activity, if one is required, or otherwise, upon the issuance of a certificate of occupancy or approval of a final inspection. Since the original approval of the Special Use Permit (SUP-10128), the applicant has not made any progress on the development of the proposed Tavern. The project is part of a commercial development, where construction and development is ongoing and completed in phases.

FINDINGS

The Special Use Permit (SUP-10128) has not met the requirements outlined in Title 19.18.060 to exercise the entitlement. The previous Extension of Time (EOT-25081) was granted for one year, expiring on 01/18/09. The applicant is requesting an additional two-year extension to enable their anticipated tenant time to develop the site according to their business plan. Staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of Special Use Permit (SUP-10128) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0