

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-17091 - EXTENSION OF TIME - SPECIAL USE PERMIT -
APPLICANT/OWNER: JAMES & ELIZABETH BRACY, JR.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on October 18, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Special Use Permit (U-0072-00) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/18/00	The City Council approved a Special Use Permit (U-0072-00) to allow the church/house of worship on this site. The Planning Commission and staff recommended approval on September 14, 2000.
01/22/03	The City Council approved an Extension of Time (EOT-1227) for the Special Use Permit (U-0072-00) which allowed the church/house of worship on this site. The Planning Commission and staff recommended approval on December 19, 2002.
11/17/04	The City Council approved an Extension of Time (EOT-5421) an approved Special Use Permit (U-0072-00) which allowed a Church/House of Worship at 330 N. 9 th Street. Staff recommended approval of the request.
<i>Related Building Permits/Business Licenses</i>	
	To date, no building permits have been filed for the proposed church/house of worship.
<i>Pre-Application Meeting</i>	
	A pre-application meeting is not required for this type of application.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.25

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church/House of Worship	MXU (Mixed-Use)	R-4 (High Density Residential)
North	Single Family Dwelling	MXU (Mixed-Use)	R-2 (Medium-Low Density Residential)
South	Single Family Dwelling	MXU (Mixed-Use)	R-4 (High Density Residential)
East	Multi-Family Dwelling	MXU (Mixed-Use)	R-4 (High Density Residential)
West	Single Family Dwelling	MXU (Mixed-Use)	R-3 (Medium Density Residential)

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

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (U-0072-00) that allowed a Church/House of Worship at 330 North 9th Street.

ANALYSIS

This is the third Extension of Time for the subject Special Use Permit (U-0072-00), which was approved by the City Council on 11/17/04. The applicant indicates that the project has been delayed due to financial constraints. The applicant indicates they will be moving forward with constructing of on-site parking. Therefore, the Extension of Time can be supported to allow for additional time to construct on-site parking.

Previous Conditions of Approval from Special Use Permit (U-0072-00) and Extension of Time (EOT-5421)

(U-0072-00)

1. The three spaces shown adjacent to the north wall of the proposed church building shall be deleted.
2. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. The plan shall show the addition of 24 inch box trees spaced 20 feet on center along the north and west property lines.
3. Replace the existing chain link fence on the south property line with a 6 foot tall decorative perimeter wall with a minimum of 20 percent contrasting material, as required by the Planning and Development Department.
4. The Special Use Permit includes only such activities as religious services, religious instruction, church club activities and similar activities. Functions such as child care facilities, formal educational programs preschool classes and similar related activities shall require an additional public hearing.

5. Thrift shops, homeless shelters and other similar activities are prohibited.
6. The property will have to meet all requirements of a commercial structure, as required by the Building and Safety Department.
7. Dedicate a 25 foot radius on the southeast corner of 9th Street and Mesquite Avenue prior to the issuance of any permits.
8. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards prior to occupancy of this site.
9. Construct full-width alley paving adjacent to this site concurrent with development of this site.
10. Landscape and maintain all unimproved rights-of-way on 9th Street and Mesquite Avenue adjacent to this site.
11. Submit an Encroachment Agreement for all landscaping and private improvements located in the 9th Street and Mesquite Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
12. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways should be designed, located and constructed to meet the intent of Standard Drawing #224.
13. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rightsofway required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of onsite development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

14. All development shall be in conformance with the Site Development plan and building elevations.
15. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
16. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.
17. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).
18. All City Code requirements and design standards of all City departments must be satisfied.
19. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.
20. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

(EOT-5421)

1. This Extension of Time will expire on October 18, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit U-0072-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

FINDINGS

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. The Extension of Time will allow enough time for the applicant to construct on-site parking. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0