

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-18039 - APPLICANT/OWNER: NEVADA H.A.N.D., INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on November 17, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-5177) 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>	
11/17/04	The City Council approved a Rezoning (ZON-5176) from R-3 (Medium Density Residential) to R-5 (Apartment) and a Site Development Plan Review (SDR-5177) for a proposed 5 story, 60 unit, multi-family development on 0.80 acres. The Planning Commission and staff recommended approval on 10/21/04.
12/20/06	The City Council will consider a related Extension of Time (EOT-18040) of an approved Rezoning (ZON-5176) from R-3 (Medium Density Residential) to R-5 (Apartment) on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street. Staff is recommending approval of the related case.
<i>Related Building Permits/Business Licenses</i>	
11/13/06	A Final Map (FMP-18139) was submitted on 11/13/06 for blue line technical review, so the Final Map has not yet been reviewed. Staff has thirty days to review and submit its comments, after which the Final Map Mylar may be submitted for review. Upon submission of the Final Map Mylar, the staff has 10 days to review the Map for compliance before it can be recorded. The Final Map could record at or around the end of December or the middle of January at the earliest.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.80

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MXU (Mixed Use)	R-3 (Medium Density Residential) under Resolution to R-5 (Apartment)
North	Retail Use	MXU (Mixed Use)	C-2 (General Commercial)
South	Multi-Family Residential	MXU (Mixed Use)	R-3 (Medium Density Residential) under Resolution to R-5 (Apartment)
East	Multi-Family Residential	MXU (Mixed Use)	R-3 (Medium Density Residential) under Resolution to R-5 (Apartment)
West	Multi-Family Residential/Retail	MXU (Mixed Use)	C-2 (General Commercial)

<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 Site Development Plan Review (SDR-5177) that allowed a 5 Story, 60 Unit, Multi-Family Development on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street.

ANALYSIS

This is the first Extension of Time for the subject Site Development Plan Review (SDR-5177), which was approved by the City Council on 11/17/04. The City Council will also consider a related Extension of Time (EOT-18040) of an approved Rezoning (ZON-5176) on the subject site. The applicant indicates that they have financing ready to begin construction of the proposed multi-family development. A Final Map (FMP-18139) was submitted on 11/13/06, but has not been reviewed. This demonstrates that the applicant is moving forward with the intent to develop the subject site. The Site Development Plan is exercised upon the issuance of a building permit for the principal structure on this site. Therefore, the Extension of Time can be supported to allow for additional time.

Previous Conditions of Approval from Site Development Plan Review (SDR-5177)

1. A Rezoning (ZON-5176) to an R-5 Zoning District approved by the City Council.
2. The development shall be limited to a maximum of 57 units.
3. The development shall conform to the definition of Senior Citizen Apartment as listed in Title 19.20.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All development shall be in conformance with the site plan and building elevations, date stamped October 18, 2004, except as amended by conditions herein.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

7. Turf shall be limited to 15% of the total landscape area. No turf shall be permitted in the non-recreational common areas.
8. A property line wall shall be constructed along the south property line in accordance with the requirements of Title 19.12. The property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall height shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. All City Code requirements and design standards of all City departments must be satisfied.
13. Coordinate with the City Surveyor to determine whether a Merger and Re-subdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.
14. Driveways shall be designed, located and meet the intent of Standard Drawing #222A.
15. Site development to comply with all applicable conditions of approval for ZON-5176 and all other subsequent site-related actions.

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 continue with the plan review and permitting process. 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