

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 18, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-20199 - APPLICANT/OWNERS: ASIAN DEVELOPMENT, LLC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-1915) shall expire on May 7th, 2008 unless another Extension of Time is approved.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-1915) and all other subsequent related cases and as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is the second Extension of Time request of an approved Special Use Permit (SUP-1915) for a fifteen story office building where town center development standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) district on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive.

Since the first extension of time request the applicant has had a Tentative Map (TMP-15639) approved and is in the process of completing a drainage study. A traffic impact analysis has been completed. Approval of this request with a one year time limit is recommended, unless another extension of time is approved.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|---|---|
| 05/07/03 * | The City Council approved a Rezoning (ZON-1913) to TC (Town Center) on the remaining portion of this site, a Special Use Permit (SUP-1915) for a fifteen story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District, a Variance (VAR-1916) to allow no step backs where step backs are required after the fourth story in the Town Center Development Standards and a Site Development Plan Review (SDR-1914) for a fifteen story office/retail building with parking garage. The Planning Commission and staff recommended approval on 04/07/03. |
| 03/16/05 | The City Council approved related requests for an Extension of Time (EOT-6008) for Special Use Permit (SUP-1915) which allowed a fifteen-story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District and an Extension of Time (EOT-6009) for Variance (VAR-1916), which allowed no step backs where step backs are required after the fourth story in the Town Center Development Standards. |
| 09/21/06 | The Planning Commission approved a Tentative Map for a one-lot commercial subdivision on 3.08 acres on the north side of Deer Springs Way, approximately 330 feet west of Durango Drive. Staff recommended approval. |
| 04/18/07 | The City Council will hear two related Extensions of Time (EOT-20206 and EOT-20203) concurrently with this item. |
| <i>Related Building Permits/Business Licenses</i> | |
| There are no permits or licenses related to this request. | |
| <i>Pre-Application Meeting</i> | |
| A pre-application meeting is not required, nor was one held. | |

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| Neighborhood Meeting | |
| A neighborhood meeting is not required, nor was one held. | |

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|---------------------------------------|------|
| Details of Application Request | |
| Site Area | |
| Net Acres | 3.08 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|----------------------|---------------------------|--|---|
| Subject Property | Undeveloped | UC-TC (Urban Center Mixed Use - Town Center) | T-C (Town Center) |
| North | Multi-Family Residential | UC-TC (Urban Center Mixed Use - Town Center) | T-C (Town Center) |
| South | Undeveloped | UC-TC (Urban Center Mixed Use - Town Center) | U (Undeveloped) [TC (Town Center) General Plan Designation] |
| East | Undeveloped | UC-TC (Urban Center Mixed Use - Town Center) | T-C (Town Center) |
| West | Single Family Residential | ML-TC (Medium-Low Density Residential - Town Center) | T-C (Town Center) |

| Special Districts/Zones | Yes | No | Compliance |
|---|------------|-----------|-------------------|
| Special Area Plan | | | |
| T-C Town Center District | X | | Y |
| Special Districts/Zones | Yes | No | Compliance |
| Special Purpose and Overlay Districts | | | |
| T-C Town Center District | X | | Y |
| 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 request for the proposed project. At the time of the first request the applicant had not moved forward with the project since approval. Since the first extension of time request the applicant has had a Tentative Map (TMP-15639) approved and is in the process of completing a drainage study. A traffic impact analysis has been completed. Approval of this request with a one year time limit is recommended, unless another extension of time is approved.

Conditions of approval from SUP-1915:

1. Conformance to all Minimum Requirements under Title 19.06.110 and the Town Center Development Standards Manual for a building taller than 12 stories in the Durango Corridor area of Town Center.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1913) and Site Development Plan Review (SDR-1914).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

FINDINGS

Approval of the original Special Use Permit (SUP-1915) was granted on 05/07/03 with an Extension of Time request being approved on 03/16/05. This request for a second extension of time is deemed appropriate given the circumstances currently occurring on the subject property. Approval of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0