

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 11, 2007
DEPARTMENT: **PLANNING AND DEVELOPMENT**
ITEM DESCRIPTION: RQR-22348 - APPLICANT: CHARLESTON FESTIVAL -
OWNER: WAL-MART STORES, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-3790), and all other site related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required One Year Review of an approved Review of Condition (ROC-5940) to allow delivery hours between 5:30 A.M. and 10 PM. where the hours were restricted to 8:00 A.M. to 8:00 P.M. for an approved 94,978 Square Foot Retail Center on 9.74 acres adjacent to the north side of Charleston Avenue, approximately 375 feet east of Torrey Pines Drive.

No complaints have been noted by Planning and Development or Code Enforcement regarding the change to the delivery hours on this site. The hours of operation are considered appropriate and approval of this request is recommended with no further review required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/07/04	The City Council approved a Site Development Plan Review (SDR-3790) a Site Development Plan Review and a waiver of perimeter buffering and landscaping standards for a proposed 95,250 square-foot retail center on this site. The Planning Commission and staff recommended approval.
03/02/05 *	The City Council approved a request for a Review of Condition Number 17 of an approved Site Development Plan Review (SDR-3790) to allow delivery hours between 5:30 a.m. and 10 pm. where the hours were restricted to 8:00 a.m. to 8:00 p.m. for an approved 94,978 Square Foot Retail Center on 9.74 acres adjacent to the north side of Charleston Boulevard, approximately 375 feet east of Torrey Pines Drive. Staff recommended approval.
<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.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	9.74

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

South	School (CCSN)	PF (Public Facilities)	C-V (Civic)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
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 first review of the subject property. No complaints have been noted by Planning and Development or Code Enforcement regarding the change to the delivery hours on this site. This site is a part of a large commercial center and activity at this location is common. The streets of Casada Way and Blair Way provide additional buffers between the subject property and the adjacent single and multi-family residential neighborhoods. The hours of operation are considered appropriate and approval of this request is recommended with no further review required.

FINDINGS

No complaints have been noted by Planning and Development or Code Enforcement regarding the change to the delivery hours on this site. The hours of operation are considered appropriate and approval of this request is recommended with no further review required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 374

APPROVALS 0

PROTESTS 0