



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-22660 - APPLICANT/OWNER: CIELO VISTA LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 1, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Variance (VAR-6413), and all other site related actions.
2. This Variance (VAR-6413) shall expire on June 15, 2009 unless another Extension of Time is approved.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Variance (VAR-6413) to allow a 38.66 foot setback where residential adjacency standards require 936 feet for a proposed mixed use development on 2.8 acres adjacent to the southeast corner of Washington Avenue and Veterans Memorial Drive.

This is the first extension of time request for the proposed project. The applicant has made progress on the proposed project through the approval of a Tentative Map (TMP-9121). This Extension of Time request is deemed appropriate with a two year time limit. Approval of this request is recommended.

It is noted that there are three related extension of time requests that shall be heard concurrently with this item.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|---|--|
| 06/15/05 | The City Council approved a Site Development Plan Review (SUP-6411) for a 312 foot tall 1,300,455 square-foot, 414 residential unit mixed use development, a Rezoning (ZON-6412) from R-1 (Single Family Residential) to C-2 (General Commercial), a Variance (VAR-6413) to allow a 38.66 foot setback where residential adjacency standards require 936 feet for a proposed mixed use development, and a Special Use Permit (SUP-6414) for a proposed mixed use development adjacent to the southeast corner of Washington Avenue and Veteran Memorial Drive. The Planning Commission and staff recommended approval. |
| 10/20/05 | The Planning Commission approved a Tentative Map (TMP-9121) Map for a 414-unit mixed-use condominium development on 2.80 acres adjacent to the southeast corner of Veterans Memorial Drive and Washington Avenue. 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 | 2.8 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|---|--|--|
| Subject Property | Undeveloped | C (Commercial) | C-2 (General Commercial) R-1 (Single Family Residential) under Resolution of Intent to C-2 (General Commercial) |
| North | Industrial Undeveloped | PF (Public Facilities) M (Medium Density Residential) | C-V (Civic) R-1 (Single Family Residential) |
| South | Library | PF (Public Facilities) | C-V (Civic) |
| East | Mortuary | C (Commercial) | R-1 (Single Family Residential) |
| West | School Single Family Residential | PF (Public Facilities) MXU (Mixed Use) | C-V (Civic) R-4 (High Density Residential) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|-------------------|------------------|--------------------------|
| Special Area Plan | | | |
| Redevelopment Plan Area | X | | Y |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | | |
| A-O Airport Overlay District (200-foot) | X | | N |
| 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 extension of time request for the proposed project. The applicant proceeded through the Tentative Map stage as TMP-9121 was approved on 10/20/05. It is noted that the proposed project is located in the Airport Overlay District 200-foot zone. As the proposed project is 312 feet in height a Special Use Permit is required. During the initial approval phase this Special Use Permit was not applied for. Per Title 19.06.080: Prior to the issuance of a building permit a Special Use Permit to allow a height greater than the Airport Overlay District permits shall be required. Approval of this request is deemed appropriate with a two year extension.

FINDINGS

The applicant has made progress on the proposed project through the approval of a Tentative Map (TMP-9121). This Extension of Time request is deemed appropriate with a two year time limit. 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