

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 3, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-23426 - APPLICANT/OWNER: PHSSA, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Review of Condition (ROC-11856) 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 a request for a Required Six Month Review of an approved Review of Condition (ROC-11856) to amend conditions regarding hours of operation and allowing office instead of retail use on 4.36 acres at 1250 South Buffalo Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/17/03	The City Council approved a General Plan Amendment (GPA-2993), which changed the land use on the subject property from DR (Desert Rural Density Residential) to O (Office), a Rezoning (ZON-3176) from R-E (Residence Estates) to O (Office) and a Site Development Plan Review (SDR-3177) for a proposed 42,500 square-foot office and retail building Review and a Waiver of the Commercial Development Standards for reflective glass on 4.26 acres adjacent to the northeast corner of Buffalo Drive and Del Rey Avenue. The Planning Commission and staff recommended approval.
03/02/05	The City Council approved Reviews of Condition (ROC-5975 and ROC-5976) for a Review of Conditions for an approved Rezoning (ZON-3176) and an approved Site Development Plan Review (SDR-3177).
05/03/06	The City Council approved a request for a Review of Condition Numbers 14 and 15 of an approved Site Development Plan Review (SDR-3177) to remove conditions limiting retail hours of operation and delineating use on 4.36 acres at 1250 South Buffalo Drive. Staff recommended denial.
06/22/07	There was a neighborhood complaint in reference to graffiti on the subject property. The graffiti was removed the same day.
06/29/07	There was a neighborhood complaint in reference to graffiti on the subject property. The graffiti was removed the same day.
<i>Related Building Permits/Business Licenses</i>	
03/29/07	A Certificate of Occupancy was issued for a clinic on the subject property in relation to the subject Review of Condition.
<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	4.36

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	O (Office)	O (Office)
North	Multi Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Single Family Residential	L (Low Density Residential)	R-PD5 (Residential Planned Development 5 Units per Acre)
East	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Park	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)

<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 Review of Condition. The Review of Condition permitted a change in the hours of operation on the site as well as allowing office use instead of retail at this location. It the time since the approval of the Review of Condition there have not been any complaints or Code Enforcement action related to these changes on the subject property. The businesses are in conformance to the conditions of approval and are in compliance with requirements. Approval of this request is recommended. No further review shall be required. Conformance to the conditions of approval for Review of Conditions (ROC-11856) and all other site related action shall be required.

FINDINGS

Approval of this request is recommended. No further review shall be required. Conformance to the conditions of approval for Review of Conditions (ROC-11856) and all other site related action shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 104 by Planning Department

APPROVALS 0

PROTESTS 0