



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 20, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-25992 - REZONING - PUBLIC HEARING -
APPLICANT/OWNER: CORNUCOPIA INVESTMENTS, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Rezoning of 0.94 acres from the R-1 (Single Family Residential) Zoning District to the C-1 (Limited Commercial) Zoning District. The subject property is generally located adjacent to the south side of Vegas Drive, approximately 580 feet west of Pyramid Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/03/76	The City Council approved a Rezoning (Z-0002-76) from R-E (Residence Estates) to R-1 (Single Family Residential) on the subject site. The Planning Commission and staff recommended approval.
08/06/86	The City Council approved a Rezoning (Z-0053-86) from R-1 (Single Family Residential) to R-PD5 (Residential Planned Development 5 Units Per Acre) on the subject site, subject to a 12-month Resolution of Intent. The Planning Commission recommended approval. The Resolution of Intent expired 08/06/87.
01/21/04	The City Council approved a Rezoning (ZON-3326) from R-1 (Single Family Residential) to C-1 (Limited Commercial) and a related Site Development Plan Review (SDR-3327) for a proposed 9,000 square foot office complex on the subject site. The Planning Commission and staff recommended approval. A Resolution of Intent expired on 01/21/06.
01/24/08	The Planning Commission recommended approval of companion item SDR-25995 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/mh).
<i>Related Building Permits/Business Licenses</i>	
05/27/04	A building permit application (#0711488, Plan check C-31-04) was received for onsite and hardscape improvements at 3991 Vegas Drive. A permit was never issued.
05/27/04	A building permit application (#0711486, C-31-04) was received for Shell Building A (located closest to the street) at 3991 Vegas Drive. A permit was never issued.
05/27/04	A building permit application (#0711487, C-31-04) was received for Shell Building B at 3995 Vegas Drive. A permit was never issued.
<i>Pre-Application Meeting</i>	
11/29/07	The applicant explained that the property was acquired after the existing rezoning and Site Development Plan Review expired. The applicant would be using the same plans as were previously approved. Staff explained that the plans would need to be revised to reflect upgrades in city codes since the original approval. The plan presented at the pre-application meeting did not meet current driveway standards, and landscaping was missing.

Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	

Field Check	
12/17/07	The site is undeveloped and level. It is enclosed by a wire mesh fence with a gate on Vegas Drive. Other than an abandoned shopping cart on the west side of the property, the site is free of litter and debris. A bus stop is located adjacent, and utility poles run along the south side of Vegas Drive.

Details of Application Request	
Site Area	
Net Acres	0.94

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	R-1 (Single Family Residential)
North	Office	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Office	SC (Service Commercial)	C-1 (Limited Commercial)
West	Municipal Golf Course	PF (Public Facilities)	C-V (Civic)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (70 Feet)	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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Office	9,000 SF	1/300 SF GFA	28	2	29	2	Y
TOTAL			30		31		Y
Loading Spaces			0		0		Y*

ANALYSIS

The proposed rezoning to the C-1 (Limited Commercial) Zoning District is consistent with the existing SC (Service Commercial) General Plan designation. An identical proposal (ZON-3326) was submitted and approved 1/21/04, but expired due to the lack of construction activity. This rezoning request would be consistent with the office and commercial uses to the north and east of the property while serving as a buffer to the single-family residential properties to the south. For these reasons, staff is recommending approval of this request.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

A land use designation of SC (Service Commercial) was approved at the time of the first commercial rezoning on this site. The proposed rezoning to C-1 (Limited Commercial) conforms to this existing land use designation.

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The C-1 (Limited Commercial) Zoning District allows most retail and personal services as well as office developments. Such uses are compatible with the adjacent office and commercial developments along Vegas Drive, and with the municipal golf course to the west.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

This particular section of Vegas Drive is no longer appropriate for residential development where it does not already exist. The proposed rezoning to C-1 is therefore appropriate.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

Site access is provided from Vegas Drive, classified by the Master Plan of Streets and Highways as an 80-foot wide Secondary Collector Street. This road will be adequate to meet the traffic demands for any proposed project on this site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 34

SENATE DISTRICT 4

NOTICES MAILED 193 by Planning Department

APPROVALS 0

PROTESTS 3