



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 21, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-27700 - EXTENSION OF TIME - VARIANCE -
APPLICANT: GREAT AMERICAN CAPITAL - OWNER: SMOKE RANCH
DEVELOPMENT, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Variance (VAR-12669) shall expire on 02/21/09 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Variance (VAR-12669) and all other related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

Request for an Extension of Time for an approved Variance (VAR-12669) to allow a three-story building where two stories is the maximum height allowed on 2.72 acres at 7401 West Smoke Ranch Road. This Variance was initially approved in conjunction with Site Development Plan Review (SDR-10784) on 5/17/06 but is now associated with the approved Site Development Plan Review (SDR-18657) which was approved on 2/21/07.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/18/04	The City Council approved a request (GPA-3455) to amend a portion of the Southwest Sector Plan of the General Plan from ML (Medium-Low Density Residential) to O (Office) on 2.67 acres at 7401 Smoke Ranch Road. The Planning Commission failed to reach a supermajority vote, which is tantamount to a recommendation of denial, on 01/22/04. Staff had recommended approval.
02/18/04	The City Council approved requests for a Rezoning (ZON-3456) from U (Undeveloped) to P-R (Professional Office and Parking) and for a Site Development Plan Review (SDR-3457) for a 31,555 square-foot office building on the subject site. The Planning Commission recommended approval on 01/22/04. Staff had recommended approval.
01/26/06	The Planning Commission voted to abey an item and companion request for a Rezoning (ZON-10778) to a C-1 (Limited Commercial) zoning district, a Variance (VAR-10780) for reduction of landscape buffering, a Variance (VAR-10781) for residential adjacency, a Special Use Permit (SUP-10783) for Mixed-Use Development, and a Site Development Plan Review (SDR-10784) as VAR-10780 was withdrawn without prejudice and SDR-10784 required re-notification.
02/23/06	The Planning Commission abeyed an item and companion request for a General Plan Amendment (GPA-10776) to an SC (Service Commercial) land use designation, a Rezoning (ZON-10778) to C-1 (Limited Commercial), a Variance (VAR-10781) for Residential Adjacency, and a Special Use Permit (SUP-10783) for Mixed-Use Development, to allow the applicant to meet with area residents and address design changes to the project.

03/23/06	The Planning Commission considered an item and companion request for a General Plan Amendment (GPA-10776) to an SC (Service Commercial) land use designation, a Rezoning (ZON-10778) to C-1 (Limited Commercial), and a Special Use Permit (SUP-10783) for Mixed-Use Development. The Variance for Residential Adjacency (VAR-10781) has been addressed as a result of design changes and the applicant has requested that it be withdrawn without prejudice. Planning Commission approved the project and staff recommended denial. The Request for Rezoning (ZON-10778) from U (Undeveloped) [O (Office) Master Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) C-1 (Limited Commercial) was withdrawn without prejudice.
05/17/06	The City Council approved a request for a Site Development Plan Review (SDR-10784) for a proposed three-story, 45-foot high, mixed-use development consisting of 25 residential units and 13,243 square feet of office space, waivers to allow a minimum lot width of 59 feet where 100 feet is the minimum lot width required, and to allow a reduction of perimeter landscape standards. Companion item requests for a Variance (VAR-12669) to allow a three-story building where two stories is the maximum height allowed, and a Special Use Permit (SUP-10783) for a proposed Mixed-Use Development were considered as well. The Planning Commission recommended approval on 01/25/08.
02/21/07	The City Council approved a request for a Rezoning (ZON-18753) of 2.7 acres from the Undeveloped (U) [Office (O) General Plan Designation] Zoning District to the Professional Office and Parking (P-R) Zoning District and a request for a Site Development Plan Review (SDR-18657) for a proposed 3-story; 40,971 square-foot Office building with a waiver of perimeter landscape buffer requirements to allow no buffer along the southern property line and along the on-site public trail where an eight-foot buffer is required on property adjacent to the south side of Smoke Ranch Road.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses affiliated with this proposal.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application request, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application request, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.72 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	U (Undeveloped) [O (Office) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking)
North	Church	ML (Medium-Low Density Residential)	U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation]
South	Sports Field	PR-OS (Parks, Recreation, Open Space)	C-V (Civic)
East	High School	PF (Public Facilities)	C-V (Civic)
West	Single family Residential	ML (Medium-Low Density Residential)	R-CL (Single Family-Compact Lot)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District -	X		Y
Trails Multi-Use Transportation Trails	X		Y
Rural Preservation Overlay District		N	Y
Development Impact Notification Assessment		N	Y
Project of Regional Significance		N	Y

ANALYSIS

This is the first requested extension of time for an approved Variance (VAR-12669) for a proposed. Since the approval of the first Site Development Plan Review (SDR-10784) the applicant has received approval for a major amendment to this review under Site Development Plan Review (SDR-18657). This Variance (VAR-12669) is now affiliated with the new Site Development Plan Review (SDR-18657) which expunged the previous review (SDR-10784) as a condition of approval. Although the applicant has submitted plans for civil improvements, there have been no Plan Checks issued for construction on this site.

FINDINGS

Staff recommends that the expiration date for this requested Extension of Time, 05/17/08, coincide with the 02/21/09 expiration date of the current Site Development Plan Review (SDR-18657). The applicant has not shown progress towards the finalization of the requested Site Development Plan Review (SDR-18657). Staff recommends an Extension of Time to expire on 02/21/09, unless

another Extension of Time is granted by the City Council.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0