



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 18, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-27944 - APPLICANT: PACIFIC DESIGN CONCEPTS -
OWNER: TRIMMER FAMILY, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Variance (VAR-9957) shall expire on 05/03/10 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Variance (VAR-9957) and all other related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is the first request for a two-year Extension of Time of an approved Variance (VAR-9957) to allow a 10-foot Residential Adjacency Setback of where a minimum 54-foot setback is required. The proposed development is located on at the northeast corner of Ann Road and Rio Vista Street.

It is noted that two related requests for an Extension of Time (EOT-27942 and EOT-27943) will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/18/03	The City Council approved a General Plan Amendment (GPA-1988) from the R (Rural Density Residential) land use designation to the O (Office) land use designation and a Rezoning (ZON-1987) from the U (Undeveloped) [R (Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zoning Districts to the O (Office) Zoning District on 9.39 acres adjacent to the northwest corner of Ann Road and Balsam Street. The subject property was not included in the request. The Planning Commission and staff recommended denial.
08/10/04	Planning and Development Department staff approved a Temporary Commercial Permit (TCP-4993) for a Temporary Contractors Construction Yard on the subject property, with an expiration date of 12/31/04.
03/16/05	The City Council approved a General Plan Amendment (GPA-5820) from O (Office) to ML (Medium-Low Density Residential), a Rezoning (ZON-5880) from U (Undeveloped) [O (Office) General Plan Designation] and R-E (Residence Estates) under Resolution of Intent to O (Office) to R-PD9 (Residential Planned Development 9 Units Per Acre), and a Site Development Plan Review (SDR-5881) for a proposed 93-lot single family residential development on 10.76 acres adjacent to the northeast corner of Rio Vista Street and Ann Road, not including the subject property. The Planning Commission and staff recommended approval. The City Council amended ZON-5880 to R-PD8 (Residential Planned Development 8 Units Per Acre) and added a condition to SDR-5881 limiting the development to 90 lots.

05/03/06	The City Council approved a General Plan Amendment (GPA-9946) to change the Master Plan Land Use designation from R (Rural Density Residential) to O (Office); a request for Rezoning (ZON-9947) from U (Undeveloped) [R (Rural Density Residential) Master Plan Designation] to P-R (Professional Office and Parking); a Site Development Plan Review (SDR-9952) for a proposed 18,090 square-foot office complex; and a Variance (VAR-9957) to allow a building above the required Proximity Slope. The Planning Commission and staff recommended denial on all items on 01/26/06
10/16/07	A Reversionary Map (PMP-22677) for a 1.78 acre commercial lot located at the northeast corner of Ann Road and Rio Vista Street was recorded.
05/27/08	Civil plans L-Civil #19192 for an 18,090 square-foot office complex received final approval.
Related Building Permits/Business Licenses	
There are no building permits or business licenses affiliated with this proposed development.	
Pre-Application Meeting	
A pre-application meeting is not required, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	1.78 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	U (Undeveloped) and R-E (Residence Estates) Under a Resolution of Intent to P-R (Professional Office and Parking)
North	Single-Family Residence (under construction)	ML (Medium-Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-PD8 (Residential Planned Development 8 Units Per Acre)
South	Single-Family Residence	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
East	Undeveloped	ML (Medium-Low Density Residential)	U (Undeveloped) under Resolution of Intent to R-PD8 (Residential Planned Development 8 Units Per Acre)
West			

	Single-Family Residence (under construction)	L (Low Density Residential)	R-1 (Single Family Residential)
--	--	-----------------------------	---------------------------------

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	NA
Trails		X	NA
Rural Preservation Overlay District	X		NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

ANALYSIS

This is the first extension of time request for the proposed Variance (VAR-9957). In the time since the original approval the applicant has made minor progress in the recordation of a Reversionary map that consolidated two parcels and received final approval on the submitted civil plans. However, there has not been any plan checks filed for the proposed construction to date which is required in order to exercise the Variance (VAR-9957) to allow a 10-foot Residential Adjacency Setback of where a minimum 54-foot setback is required.

FINDINGS

The applicant has made positive progress towards initiating the proposed office development in recording a reversionary map and submitting completed civil plans. Staff recommends approval of this request with a two-year time limit. Conformance to the conditions of approval for Variance (VAR-9957) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

