



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 18, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-28036 - APPLICANT/OWNER: CSC INVESTMENTS, INC
ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Variance (VAR-1916) shall expire on 05/07/09 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Variance (VAR-1916) and all other related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is the third request for an Extension of Time of an approved Variance (VAR-1916) to allow no Stepback where a Stepback is required after the fourth story in the Town Center Development Standards. The subject site is located on 3.8 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive. This proposal is located within the UC-TC (Urban Center Town Center Land Use)

It is noted that two related requests for an Extension of Time (EOT-28034 and EOT-28035) will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/07/03	The City Council approved a Rezoning (ZON-1913) to TC (Town Center) on the remaining portion of this site, a Special Use Permit (SUP-1915) for a fifteen story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District, a Variance (VAR-1916) to allow no step backs where step backs are required after the fourth story in the Town Center Development Standards and a Site Development Plan Review (SDR-1914) for a fifteen story office/retail building with parking garage. The Planning Commission and staff recommended approval on 04/07/03.
03/16/05	The City Council approved related requests for an Extension of Time (EOT-6008) for Special Use Permit (SUP-1915) which allowed a fifteen-story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District and an Extension of Time (EOT-6009) for Variance (VAR-1916), which allowed no step backs where step backs are required after the fourth story in the Town Center Development Standards.
09/21/06	The Planning Commission approved a Tentative Map (TMP-15639) for a one-lot commercial subdivision on 3.08 acres on the north side of Deer Springs Way, approximately 330 feet west of Durango Drive. Staff recommended approval. NOTE: This map will expire on 09/21/08 unless a Final Map is recorded on all or a portion of the mapped area. No Final Maps have been submitted for technical review to date.

04/18/07	The City Council approved the second request for a one-year Extension of Time (EOT-20199, EOT-20203, EOT-20206) for a Site Development Plan Review (SDR-1914) for a fifteen story office/retail building with parking garage; a Special Use Permit (SUP-1915) which allowed a fifteen-story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District and for Variance (VAR-1916), which allowed no step backs where step backs are required after the fourth story in the Town Center Development Standards.
07/11/07	The City Council denied a request for an Extension of Time (EOT-22312) of an approved Site Development Plan Review (SDR-6317) for a proposed Mixed-Use Development consisting of two 24-story towers containing 474 residential units and 144,200 square feet of commercial space on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive. NOTE: This is a separate proposal on the eastern neighboring property (APNs 125-20-201-016 and 025).
<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	3.8 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
North	Multi-Family Residential	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
South	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	U (Undeveloped) [TC (Town Center) General Plan Designation]
East	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
West	Single Family Residential	ML-TC (Medium Low Density Residential - Town Center)	T-C (Town Center)

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

ANALYSIS

Since the date of the original approval for the Variance (VAR-1916) on 01/18/06, the applicant has received approval for a Tentative Map (TMP-15639) for a one-lot commercial subdivision. However, there has not been a consolidation of the three parcels by means of a Reversionary Map or Merger and Resubdivision since the initial approval. There has been no requested Plan Checks or building permits issued for the proposed development.

It is important to note that an Extension of Time (EOT-22312) for an approved Site Development Plan Review (SDR-6317) on neighboring property to the immediate west of this proposal was denied. This proposal (SDR-6317) was for a Mixed-Use Development consisting of two 24-story towers containing 474 residential units and 144,200 square feet of commercial space on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive. Although the subject site of this requested extension of time is located within the UC-TC (Urban Center Town Center land use area), the scope of this 15-story Office/Retail Building proposal has been arguably affected by the denial of the neighboring 24-story twin tower proposal.

FINDINGS

This is the third extension of time request for the proposed project. Since the original approval request, the applicant has not moved forward with construction of the project since approval. The applicant has had a Tentative Map (TMP-15639) approved and has completed a drainage study and a traffic impact analysis since the second extension of time request, but no plan checks or buildings permits have been issued.

Approval of this request with a one year time limit is recommended, unless another extension of time is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0