



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 16, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-28465 - EXTENSION OF TIME - SPECIAL USE PERMIT
- PUBLIC HEARING - APPLICANT/OWNER: SPINNAKER HOMES VII**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-12662) shall expire on 06/07/10 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-12662) 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 first requested Extension of Time of an approved Special Use Permit (SUP-12662) to allow a Restaurant with Drive-Through (coffee kiosk) on 4.62 acres at 6690 Grand Montecito Parkway.

There is a related Extension of Time (EOT-28464) request for the related Site Development Plan Review (SDR-12661) that will be heard with this item.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/07/01	The City Council approved the current version Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center.
03/06/02	The City Council approved the Montecito Town Center Development Agreement. One of the key elements of the approval was the assurance that the standards of the agreement would meet or even exceed the Town Center Development Standards.
07/16/03	The City Council approved a Modification (MOD-2315) of the Montecito Town Center Development Agreement to add 10.8 acres to the plan and increase the permitted residential density of developments in Montecito Town Center. The Planning Commission recommended approval.
01/21/04	The City Council approved a Site Development Plan Review for a 46,760 square-foot office and retail complex and a waiver of the Town Center Development Standards to allow a minimum build-to setback line of 47 percent where 70 percent is the minimum required (SDR-3271). The Planning Commission and staff both recommended approval.
06/07/06	The City Council approved a Site Development Plan Review (SDR-12661) and Special Use Permit (SUP-12662) for a 900 square-foot Restaurant with Drive-Through (Coffee Kiosk). The Planning Commission and staff recommended approval on 05/11/06
<i>Related Building Permits/Business Licenses</i>	
There are no building permits for the subject proposal. However, there have been civil plans and building permits issued for the surrounding commercial shopping center.	
<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	4.62 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Shopping Center	MS-TC (Montecito Town Center Mixed Use Commercial)	T-C (Town Center)
North	Single Family Subdivision	MS-TC (Main Street Mixed Use Town Center)	T-C (Town Center)
South	Private School - Elementary	MS-TC (Main Street Mixed Use Town Center)	T-C (Town Center)
East	Single Family Subdivision	L-TC (Low Density Residential Town Center)	T-C (Town Center)
West	Single Family Subdivision	MS-TC (Main Street Mixed Use Town Center)	T-C (Town Center)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Town Center	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Montecito Development Agreement	X		Y
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 project. This Special Use Permit (SUP-12662) is exercised upon the issuance of a business license, which has not been requested yet due to the facility not being constructed. Although the applicant has not requested any building permits for the proposed coffee kiosk the surrounding commercial center has submitted civil plans and has had building permits issued in the time since the original approval.

FINDINGS

Staff recommends approval of this request with a two-year extension of time which will expire on 06/07/10, unless another extension of time is approved by the City Council. Conformance to the conditions of approval for Special Use Permit (SUP-12662) shall be required.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
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<u>ASSEMBLY DISTRICT</u>	N/A
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<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	N/A
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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