



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 6, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-28702 - EXTENSION OF TIME - VARIANCE -
APPLICANT/OWNER: NEVADA EQUITIES, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. This Variance (VAR-12933) shall expire on 06/21/10 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Variance (VAR-12933) 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 an Extension of Time of an approved Variance (VAR-12933) to allow a 10-foot front yard setback where 20 feet is the minimum setback required and to allow a 17-foot rear yard setback where 20 feet is the minimum setback required. The initial approval of the Variance, and the associated Site Development Plan Review (SDR12930), were given an expiration date of 06/21/08. The proposed development is on a 4.36 acre parcel located at the northeast corner of Torrey Pines Drive and Garwood Avenue.

It is noted that three companion Extensions of Time (EOT-28697, EOT-28698, and EOT-28700) shall be heard concurrently with this item.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/21/06	The City Council approved a request for a Rezoning (ZON-12932); a Site Development Plan Review (SDR-12930) for a proposed 34-unit addition to an existing condominium development and a waiver for a reduction of perimeter landscaping; a Variance (VAR-12933) to allow; and a Variance (VAR-13352) on 4.14 acres at the northeast corner of Torrey Pines Drive and Garwood Avenue and Vacation (VAC-12934) were also considered with the request. The Planning Commission recommended approval on 05/25/06 with staff recommending denial.
11/16/06	The Planning Commission recommended approval of a Tentative Map (TMP-17237) for a for a proposed 32-unit addition to an existing condominium development on 4.14 acres at the northeast corner of Torrey Pines Drive and Garwood Avenue. NOTE: This Tentative Map (TMP-17237) will expire on 11/16/08 unless FMP-21857 is recorded.
05/09/07	A Final Map (FMP-21857) for a 32-unit addition to an existing condominium development was submitted for processing with staff sending an action letter on 06/08/07. This map has not recorded.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related with this request.	
<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>	
Gross Acres	4.36 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
North	Right-of-Way (US 95)	Right-of-Way (US 95)	Right-of-Way (US 95)
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Public Elementary School	PF (Public Facilities)	C-V (Civic)

<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			
A-O (Airport Overlay) District 175 feet	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

ANALYSIS

The applicant is requesting an two-year extension of time for an approved Variance (VAR-12933) to allow a 10-foot front yard setback where 20 feet is the minimum setback required and to allow a 17-foot rear yard setback where 20 feet is the minimum setback required. This Variance was approved with a related Site Development Plan Review (SDR-12930) for the addition of 32 units to an existing 36-unit Multi-Family residential complex. There have been no major changes in the surrounding land use that would affect this proposed development. This Variance (VAR-12933) will be exercised upon the issuance of building permits for the related Site Development Plan Review (SDR-12930).

FINDINGS

This request for an extension of time for a Variance (VAR-12933) is deemed appropriate with a two-year time limit that will expire on 06/21/10, unless another extension of time is granted by the City Council.

<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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