



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 01, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: EOT-29423 - EXTENSION OF TIME - REZONING -**  
**APPLICANT/OWNER: ROBERT D. LAWSON**

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**\*\* CONDITIONS \*\***

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

1. Conformance to the conditions for Rezoning (ZON-15411), and all other site related actions.
2. This Rezoning (ZON-15411), shall expire on 10/04/10 unless another Extension of Time is approved.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is the first request for a two year Extension of Time of an approved Rezoning (ZON-15411) of 0.27 acres from the R-1 (Single Family Residential) zoning district to the P-R (Professional Office and Parking) zoning district at 1148 South Maryland Parkway.

The applicant is seeking to retain the entitlement to the P-R (Professional Office and Parking) zoning district while submitting for a new Site Development Plan Review (SDR-29426) and Variances (VAR-29428 and VAR-29430) to redevelop the subject property.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
05/17/06	The City Council approved a General Plan Amendment (GPA-12043) to amend a portion of the Southeast Sector Plan from SC (Service Commercial) and L (Low Density Residential) to O (Office). Planning Commission and Staff recommended approval.
10/04/06	The City Council approved a Rezoning (ZON-15411) request from R-1 (Single Family Residential) to P-R (Professional Office And Parking) and a related Site Development Plan Review (SDR-15409) request for the conversion of a 1,051 square-foot residence to an office building and a Waiver of the landscape buffer requirements. Planning Commission and Staff recommended approval.
09/25/08	The Planning Commission will hear a request for a Site Development Plan Review (SDR-29426) for a proposed 3,132 square-foot two-story professional office with waivers of perimeter landscape buffer requirements to allow a zero-foot buffer on the east property line where 15 feet is required, a six-foot buffer on the south property line where 15 feet is required and a zero-foot buffer on the west property line where five feet is required.
<b><i>Related Building Permits/Business Licenses</i></b>	
08/14/07	Over-the-counter permit #95978 issued for demolition of existing single family dwelling at 1148 South Maryland Parkway.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required for this type of application request, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this type of application request, nor was one held.	

<b>Field Check</b>	
09/02/08	A field check was carried out by staff with the following observations: <ul style="list-style-type: none"> <li>• The property is undeveloped with all previously existing structures demolished.</li> <li>• The perimeter walls remain on the site as they are shared by, and provide screening for, the neighboring residential properties.</li> </ul>

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	0.17 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	R-1 (Single Family Residential) ROI to P-R (Professional Office and Parking)
North	Single Family Residential and Office	L (Low Density Residential) and O (Office)	R-1 (Single Family Residential) and P-R (Professional Office and Parking)
South	Office	SC (Service Commercial)	C-D (Designed Commercial)
East	Park	PR-OS (Parks / Recreation / Open Space)	C-V (Civic)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

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

## **ANALYSIS**

The subject site is currently undeveloped with the recent demolition of a single family residence. The property is located within the R-1 (Single Family Residential) zoning district and was placed under a Resolution of Intent to the P-R (Professional Office and Parking) zoning district with the approval of the requested Rezoning (ZON-15411).

Although no building permits have been requested for construction since the approval of the Rezoning (ZON-15411), the applicant has demolished and removed all structures in preparation for development. This application is seeking to maintain the Rezoning entitlement to the P-R (Professional Office and Parking) zoning district while requesting a new Site Development Plan Review to develop a two-story office building.

## **FINDINGS**

While staff has recommended denial of the related applications for the proposed development (SDR-29426, VAR-29428, and VAR-29430) due to the overdevelopment of the site and the related variance requests for self-imposed hardships, approval of a two year Extension of Time for the Rezoning (ZON-15411) is deemed appropriate.

The P-R (Professional Office and Parking) zoning district is consistent with the General Plan designation of O (Office), whereas an expiration of the Resolution of Intent will result in the property reverting back to the R-1 (Single Family Residential) zoning district with an incongruent O (Office) General Plan Designation. Therefore, staff recommends a two year extension of time of the approved Rezoning (ZON-15411), which will expire on 10/04/10 unless another Extension of Time is approved 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