



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 01, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-29620 - REQUIRED REVIEW - PUBLIC HEARING -
APPLICANT/OWNER: RANCHO SANTA FE ENTERPRISES LTD

**** CONDITIONS ****

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

1. Conformance to all Conditions of Approval for Variance (V-0032-02).
2. No further review shall be required.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required One Year Review of an approved Variance (V-0032-02) to allow 696 parking spaces where 1,149 are required at 5081 North Rainbow Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/18/92	The City Council approved a request for a Reclassification of Property (Z-0004-92) located on the east side of Rancho Drive and the west side of Rainbow Boulevard from: N-U (Non-Urban) and C-2 (General Commercial), to: R-CL (Single Family Compact Lot), R-PD18 (Residential Planned Development) and C-2 (General Commercial). The Planning Commission recommended approval on 02/13/92.
07/06/94	The City Council approved a Site Development Plan Review [Z-0004-02(3)] for a proposed 115,668 square foot commercial center on this site as part of a larger request. NOTE: The total Gross Floor Area constructed to date is 68,329 square feet.
05/17/95	The City Council approved a request for a Special Use Permit (U-0039-95) to allow Off-Premise Sale of Beer and Wine in co the Planning Commission recommended approval on 04/25/95.
06/07/95	The City Council granted an appeal of the Planning Commissions recommendation for denial of a Special Use Permit (U-0008-95) to allow a Tavern
02/09/00	An Administrative Site Development Plan Review [Z-0004-92(9)] was approved by staff for 50,000 square feet of Office within three separate buildings on property located on the west side of Rainbow Boulevard, north of the intersection of Rainbow Boulevard and Rancho Drive.
02/20/00	The City Council approved a request for a Variance (V-0081-99) on property located on the west side of Rainbow Boulevard, north of the intersection with Rancho Drive to allow 674 parking spaces where 1,094 parking spaces are the minimum allowed. The Board of Zoning Adjustment recommended approval on 12/07/1999.
09/04/02	The City Council approved a request for a Variance (V-0032-02) to allow 696 parking spaces where 1,149 are required at 5081 North Rainbow Boulevard, subject to a one year review. The Planning Commission recommended approval on 08/08/02.

<i>Related Building Permits/Business Licenses</i>	
04/08/08	Business license #R09-01442 issued for a Cafe located at 5081 N. Rainbow Blvd, Suite 100.
03/09/99	Business license #B05-02715 issued for a Day Spa/ Salon with accessory Massage (#M03-00130) located at 5081 N. Rainbow Blvd., Suite 101.
01/26/98	Business license #R07-00309 issued for a Restaurant located at 5081 N. Rainbow Blvd., Suite 103.
10/15/03	Business license #K10-00075 issued for an Insurance Firm located at 5081 N. Rainbow Blvd, Suite 104.
08/22/07	Business license #P35-00262 issued for a Party Planning business located at 5081 N. Rainbow Blvd, Suite 105
11/05/04	Business license #M15-03108 issued for a Videography business located at 5081 N. Rainbow Blvd, Suite 108.
04/18/97	Business license #Q07-00880 issued for a Dental Firm located at 5081 N. Rainbow Blvd, Suite 110.
<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>Field Check</i>	
09/12/08	A field check was carried out by staff with the following observations: • The entire Theater Complex is currently unoccupied and available for lease. • There are two other commercial retail buildings with multiple suites available for lease. • There is an abundance of available parking spaces near each occupied tenant suite.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.92 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Center	SC (Service Commercial)	C-2 (General Commercial)
North	Multi-Family Residences	M (Medium Density Residential)	R-PD18 (Residential Planned Development - 18 Units per Acre)

South	Undeveloped/ ROW	SC (Service Commercial)/ ROW	C-1 (Limited Commercial)/ ROW
East	Single Family Dwelling	SC (Service Commercial)	R-E (Residence Estates)
West	ROW (US-95)	ROW (US-95)	ROW (US-95)

<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 200 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

Since the initial approval of Variance V-0032-02, Title 19.04 has been updated to include a Shopping Center Use (Over 25,000 square feet GFA). By today's standard, this 68,329 square-foot Shopping Center would require 274 parking spaces at a ratio of one space per 250 square feet of gross floor area. As it stands, this Variance was approved to allow 696 parking spaces where 1,149 spaces were required in 2000.

There is additional consideration for the provision of parking as there are uses such as a multi-screen Cineplex and Restaurants that would off-set the parking requirements for the Office and Retail uses located in the Shopping Center as they have different peak hours of operation.

Conditions of Approval of Variance (V-0032-02):

1. If this Variance is not exercised within one (1) year from date of approval by the City Council it will become void unless an Extension of Time is granted by the City Council.
2. Variance Application (V-0081-99) shall be expunged by this approval.
3. Any change in use requires a parking analysis be reviewed by the Planning and Development Department prior to the issuance of any building permits, business licenses, or certificate of occupancy.

4. City Code requirements and design standards of all City Departments, which are not affected by approval of this Variance, must be satisfied.

5. This Variance shall be subject to a one (1) year review.

FINDINGS

The applicant has met the conditions of approval as the Shopping Center use has been developed for the passed 12 years and business licenses have been issued at this location, thus the Variance has been exercised. The subject site has a substantial amount of parking offered beyond the original requirements placed during the approval of this Variance that would satisfy the needs of this Shopping Center at full occupancy by todays code requirements. Therefore, staff recommends final approval of this review with no further review 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>	343
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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