



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 15, 2008
DEPARTMENT: RQR-29761 - REQUIRED REVIEW - PUBLIC HEARING -
APPLICANT/OWNER: DMD LIVING TRUST

**** CONDITIONS ****

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

1. Conformance to the conditions for Special Use Permit (U-0145-01), and all other site related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Two-Year Review of an approved Special Use Permit (U-0145-01) which allows a Bail Bond Service at 816 East Ogden Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/06/02	The City Council approved a request for a Special Use Permit (U-0145-01) for a Bail Bond Service at 816 East Ogden Avenue. The Planning Commission and staff recommended approval on 12/20/01.
08/07/02	The City Council approved a Review of Condition [(U-0145-01(1))] to remove Condition Number Six which required the removal and repaving of an adjacent alley on property located at 816 East Ogden Avenue.
<i>Related Building Permits/Business Licenses</i>	
09/21/07	Business license #B01-01082 issued for a Bail Bond Service at 816 East Ogden Avenue.
<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>	
09/18/08	A field check was carried out by staff with the following observations: • The Bail Bond Service is currently operational. • The adjacent alley way has been recently resurfaced. • The property maintains a well-kept appearance with no graffiti or trash and debris on premises.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.07 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Bail Bond Service	C (Commercial)	C-2 (General Commercial)
North	Retail/Motel	MXU (Mixed Use)	C-2 (General Commercial)
South	Retail	C (Commercial)	C-2 (General Commercial)
East	Church	C (Commercial)	C-2 (General Commercial)
West	Undeveloped	C (Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			N/A
Downtown Centennial Plan East Fremont District	X		Y
Live Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first review of the approved Special Use Permit (U-0145-01). Since this approval, the applicant has also received approval for a Review of Condition [U-0145-01(1)] to delete the requirement to complete alleyway improvements. Staff supported this review as the City was scheduled to complete the repaving of the alleyway later that year. The subject site is located within the East Fremont Boundaries of the Downtown Urban Design Master Plan, which designates this site as being appropriate for new commercial ventures. The continuation of this Bail Bonds use is an appropriate business activity related to the new Regional Justice Center facility in the downtown area.

FINDINGS

Staff finds that the approved Bail Bond Service has operated in the downtown area in conformance with the Conditions of Approval since its approval. This use will be consistent with the future land uses in the area, and specifically will be appropriate in the vicinity of a regional justice facility.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 114

APPROVALS 0

PROTESTS 0