



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 15, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-29766 - REQUIRED REVIEW - PUBLIC HEARING -
APPLICANT/OWNER: BELL REAL ESTATE, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Conformance to all Conditions of Approval for Rezoning (ZON-3067).

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Review of an approved Rezoning (ZON-3067) from R-4 (High Density Residential) to C-2 (General Commercial) on 0.92 acres adjacent to the north side of New York Avenue, approximately 110 feet east of Industrial Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/17/03	The City Council approved a request for Rezoning (ZON-3067) from R-4 (High Density Residential) to C-2 (General Commercial), in addition to approving a Site Development Plan Review (SDR-3070) for a proposed Parking Lot on the north side of West New York Avenue, approximately 100 feet east of Industrial Road. The Planning Commission recommended approval on both applications on 10/23/03.
12/15/04	The City Council approved a request for a One-Year Review (RQR-5589) for an approved Rezoning (ZON-3067) from R-4 (High Density Residential) to C-2 (General Commercial).
<i>Related Building Permits/Business Licenses</i>	
07/27/04	Building permits (#4018551 and 4018552) were issued for parking lot lighting.
10/07/04	A building permit (#28472) was issued for chain link fencing along the east and west property lines for the parking lot. Wrought iron screen fencing (in conformance with Downtown Centennial Plan Design Standards) runs along the south property line. The permit was finalized on 12/16/04.
<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>	
9/18/08	A field check of the site was conducted. There was trash both inside the parking areas and along the perimeter, not excessive, but still noticeable. The landscaping along New York Avenue was green, but needed to be trimmed. One tree along the south perimeter appeared to have grown inward towards the parking lot and looks like it might fall over.

Details of Application Request			
Site Area			
Gross Acres	0.92		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Lot	Mixed-Use	C-2 (General Commercial)
North	Auto Sales	LI/R (Light Industry/Research)	M (Industrial)
South	Apartments	Mixed-Use	R-4 (High Density Residential)
East	Apartments	Mixed-Use	R-4 (High Density Residential)
West	Tavern	Mixed-Use	C-2 (General Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	X		Y
Downtown Centennial Plan	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District- 200 feet	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

Since the approval of the Rezoning (ZON-3067) from R-4 (High Density Residential) to C-2 (General Commercial) in 2003, the property received a Required Review (RQR-5589) in December 2004. The concerns from the Required Review pertained to conformance with the approved Rezoning (ZON-3067) and Site Development Plan Review (SDR-3070), along with whether landscaping and decorative walls would be required. The site does have landscaping along New York Avenue that appears adequate, though in need of a trimming. The perimeter landscaping and fencing are in accordance with the approved site plans that were approved by the City Council.

Conditions of Approval of Rezoning (ZON-3067):

1. There shall be a one-year review.
2. Perimeter fence shall be decorative wrought iron on the front and chain link side and rear.

3. Landscaping may be desert-type.
4. A Resolution of Intent with a two-year time limit.
5. A Site Development Plan Review (SDR-3070) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
7. Meet with the Flood Control Section of the department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

Conditions of Approval for Required One-Year Review (RQR-5589):

1. Conformance to the Conditions of Approval for Rezoning (ZON-3067) and the Site Development Plan Review (SDR-3070).
2. This site shall be reviewed again in one year at which time it shall be determined whether or not landscaping and decorative walls will be required.
3. All City Code requirements and design standards of all City departments shall be satisfied.

FINDINGS

The Rezoning to the C-2 (General Commercial) zoning district is consistent with the existing Mixed-Use General Plan designation. It would also make it consistent with surrounding land uses to the north and west, which consist of auto sales and a Tavern and with the properties to the east and south, which are apartment complexes.

The applicant has met the conditions of approval for Rezoning. The site conforms to the conditional requirements as outlined in both the Rezoning and Site Development Plan Review. The landscaping and perimeter fencing conform to the requirements of the site plan dated December 1, 2003, which was approved by the City Council on December 17, 2003. In addition, the wrought iron fencing running along the southern perimeter conforms to the Downtown Centennial Plan Design Standards. Both appear adequate for the surrounding area. Therefore, staff recommends final approval of this review with no further review required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 138

APPROVALS 0

PROTESTS 0