



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 17, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-31672 EXTENSION OF TIME REZONING -
APPLICANT/OWNER: GREYMOUTH LLC

**** CONDITIONS ****

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

Planning and Development

1. This Rezoning (ZON-5062) shall expire on 11/03/10 unless another Extension of Time is approved by the Planning and Development Department.
2. Conformance to all conditions of approval for Rezoning (ZON-5062) and all other related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Rezoning from C-2 (General Commercial) under Resolution of Intent to R-3 (Medium Density Residential) on 2.25 acres adjacent to the northeast corner of Searles Avenue and 23rd Street.

It is noted that an additional Extension of Time (EOT-31673) will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/03/04	The City Council approved a request for a General Plan Amendment (GPA-5060) to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to M (Medium Density Residential); a Rezoning (ZON-5062) from C-2 (General Commercial) to R-3 (Medium Density Residential); and a Site Development Plan Review (SDR-5063) for a 52-unit apartment complex on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23 rd Street. The Planning Commission recommended approval.
02/14/06	Code Enforcement processed a case (#38392) for a complaint of the empty lot at the northeast corner of Searles Avenue and 23 rd Street filled with trash and litter, and homeless people wandering around. The complainant thought the property owners were supposed to maintain the property. The case was resolved on 03/10/06.
12/06/06	The City Council approved a request for an Extension of Time (EOT-17462) of an approved Rezoning (ZON-5062) from C-2 (General Commercial) to R-3 (Medium Density Residential); and an Extension of Time (EOT-17460) of an approved Site Development Plan Review (SDR-5063) for a 52-unit apartment complex on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23 rd Street.
04/18/07	The City Council approved a request for a Site Development Plan Review (SDR-19352) for a proposed 48-unit multi-family residential development on 2.25 acres at 2380 Searles Avenue. The Planning Commission recommended approval.

<i>Related Building Permits/Business Licenses</i>
No building permits have been issued for this site.
<i>Pre-Application Meeting</i>

A pre-application meeting is not required for this type of application, nor was one held.

Neighborhood Meeting	
A neighborhood meeting is not required for this type of application, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	2.25

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartments	M (Medium Density Residential)	C-2 (General Commercial) Under Resolution of Intent to R-3 (Medium Density Residential)
North	Vacant Land	SC (Service Commercial)	R-1 (Single Family Residential) & C-2 (General Commercial)
South	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Auto Repair Facility & Market	SC (Service Commercial)	C-2 (General Commercial)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
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 second extension of time request for the approved Rezoning (ZON-5062). The first Extension of Time (EOT-17462) was approved by the City Council on 12/06/06 and expired on 11/03/08. In the time since the approval of the first Extension of Time, the applicant submitted civil improvement plans on 07/24/07, which were later abandoned due to a change in the scope of the project. Title 19.18.040 allows an extension of time or reinstatement of zoning approval as long as the zoning continues to conform to the use and density classification of the General Plan, and remains consistent with the surrounding area and pattern of development.

FINDINGS

The C-2 (General Commercial) zoning with a Resolution of Intent to R-3 (Medium Density Residential) remains consistent with the surrounding area and pattern of development. Additionally, the zoning continues to conform to the approved use for a 48-unit multi-family residential development (SDR-19352), and density classification of the M (Medium Density Residential) General Plan Designation; therefore, staff recommends approval of this request with a two-year time limit. Conformance to the conditional requirements for Rezoning (ZON-5062) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0