



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 6, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-33580 REQUIRED REVIEW SPECIAL USE PERMIT -

APPLICANT/OWNER:

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-25031).
2. This Special Use Permit (SUP-3128) shall be reviewed administratively by October 1, 2011.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a Required Review of a previously approved Special Use Permit (SUP-25031) for an existing Halfway House for recovering alcohol and drug abusers with approved waivers to allow a 300-foot separation from an existing Group Residential Care Facility where 1,500 feet is the minimum separation distance required; and to allow a 6,136 square-foot lot where 6,500 square feet is the minimum required at 2621 Brady Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/11/03	A Code Enforcement case (2498) was processed for housing code and operating a Halfway House without a license at 2621 Brady Avenue. The case was resolved on 09/03/03.
07/26/04	A Code Enforcement case (19132) was processed to check for violations- vehicles in yard at 2621 Brady Avenue. The case was resolved on 08/04/04.
04/20/06	A Code Enforcement case (40086) was processed for no permit for a Halfway House at 2621 Brady Avenue. The case was resolved on 03/03/09.
10/01/08	The City Council approved a request for a Variance (VAR-29242) to allow one off-street parking space where three off-street spaces are required at 2621 Brady Avenue. The Planning Commission recommended approval on 08/28/08.
10/01/08	The City Council approved a request for a Special Use Permit (SUP-25031) for a Halfway House for recovering alcohol and drug abusers with waivers to allow a 300-foot separation from an existing Group Residential Care Facility where 1,500 feet is the minimum separation distance required; and to allow a 6,136 square-foot lot where 6,500 square feet is the minimum required at 2621 Brady Avenue. The Planning Commission recommended approval on 08/28/08.
<i>Related Building Permits/Business Licenses</i>	
02/13/09	A business license (N34-00002) was issued for a Non-Profit Halfway House at 2621 Brady Avenue. The license is still active.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application, nor was one held.	
<i>Neighborhood Meeting</i>	

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

Field Check	
04/07/09	Staff conducted a field check of the subject site with the following observations: • The front of the property presented a neat appearance (no debris), though there were a few weeds. • The side-gated area is screened from view from the front of the house.

Details of Application Request	
Site Area	
Gross Acres	0.14

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Halfway House	L (Low Density Residential)	R-1 (Single-Family Residential)
North	Single Family Residences	L (Low Density Residential)	R-1 (Single-Family Residential)
South	Single Family Residences	L (Low Density Residential)	R-1 (Single-Family Residential)
East	Single Family Residences	L (Low Density Residential)	R-1 (Single-Family Residential)
West	Single Family Residences	L (Low Density Residential)	R-1 (Single-Family 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 first Required Review of an approved Special Use Permit (SUP-25031) for a Halfway House for recovering alcohol and drug abusers with waivers to allow a 300-foot separation from an existing Group Residential Care Facility where 1,500 feet is the minimum separation distance required; and to allow a 6,136 square-foot lot where 6,500 square feet is the minimum required at 2621 Brady Avenue.

Staff conducted a field check of the subject site and found that the area surrounding the house was in good overall condition, though there were a few weeds growing in the front yard. The house appeared to be one of the few houses on the block that presented a good appearance. The most recent Code Enforcement violation (40086) was processed in April 2006, but was resolved with the approval of the Special Use Permit (SUP-25031) and the issuance of a business license.

FINDINGS

The subject site is located in an R-1 (Single-Family Residential) zoning district. The business was issued a license (N34-00002) on February 13, 2009 to operate a Halfway House on the subject site. There have been no complaints by neighbors, no new Code Enforcement violations, or business license complaints filed; therefore, staff is recommending approval subject to a two-year review.

<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>	342
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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