



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 17, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-37321 - APPLICANT: BLOKHAUS CAPITAL CORPORATION - OWNERS: PARKHAUS, LLC AND VIDA ENT., LLC

**** CONDITIONS ****

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. This Special Use Permit (SUP-9673) shall expire on January 4, 2012 unless another Extension of Time is approved by City Council.
2. Conformance to the conditions of approval of the Special Use Permit (SUP-9673) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently vacant land with a previously approved Special Use Permit (SUP-9673) for a mixed use development at 1001 North Main Street. No plans have been submitted nor have building permitted been issued for the proposed project. No new development or changes in land use in the surrounding areas have occurred. The applicant is requesting an Extension of Time to develop the land as previously approved. Staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/04/06	The City Council approved a request to amend a portion of the Southeast Sector of the Master Plan (GPA-9154) from M (Medium Density Residential) to SC (Service Commercial) on 11.0 acres at 1001 North Main Street. The Planning Commission recommended approval on 11/17/05.
	The City Council approved a related request for a Rezoning (ZON-9668) from R-3 (Medium Density Residential) to C-1 (Limited Commercial).
	The City Council approved a related request for a Special Use Permit (SUP-9673) for a proposed mixed-use development.
	The City Council approved a related request for a Site Development Plan Review (SDR-9672) for a mixed-use development consisting of 442 residential units and 31,000 square feet of retail space with a waiver for a reduction of perimeter landscaping.
06/27/06	A Code Enforcement case (43789) was processed for vagrant camps set up on property located at 1001 North Main Street. Code Enforcement closed the case on 01/22/10.
04/23/07	A Code Enforcement case (52413) was processed for high weeds and trash/debris on property at 1001 North Main Street. Code Enforcement closed the case on 01/22/10.
05/07/07	A Code Enforcement case (53001) was processed for a vacant lot covered with litter at 1001 North Main Street. Code Enforcement closed the case on 01/22/10.
08/13/07	A Code Enforcement case (56646) was processed for a chain link fence knocked down at 1001 North Main Street. Code Enforcement closed the case on 01/22/10.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/20/08	The City Council approved a request for an Extension of Time (EOT-26294) of a previously approved Rezoning (ZON-9668) from R-3 (Medium Density Residential) to C-1 (Limited Commercial) at 1001 North Main Street.
	The City Council approved a related request for an Extension of Time (EOT-26292) for a Special Use Permit (SUP-9673) for a proposed mixed-use development.
	The City Council approved a related request for an Extension of Time (EOT-26293) of a previously approved Site Development Plan Review (SDR-9672) for a mixed-use development consisting of 442 residential units and 31,000 square feet of retail space and a waiver for a reduction of perimeter landscaping.
04/11/08	A Code Enforcement case (64387) was processed for a chain link fence knocked down at 1001 North Main Street. Code Enforcement closed the case on 01/22/10.
06/23/09	A Code Enforcement case (79288) was processed for trash/debris and an unsafe fence at 1001 North Main Street. Code Enforcement closed the case on 01/22/10.
08/27/09	A Code Enforcement case (81295) was processed for the fence damaged and persons camping on property at 1001 North Main Street. Code Enforcement closed the case on 01/22/10.
<i>Related Building Permits/Business Licenses</i>	
No business licenses or building permits have been issued for the proposed project.	
<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.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	10.89

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Land-Proposed Mixed-Use Development	SC (Service Commercial)	C-1 (Limited Commercial)
North	Indian Reservation	M (Medium Density Residential)	M (Industrial)
South	Warehouses	C (Commercial)	M (Industrial)
East	Warehouses, Tavern, Motel	GC (General Commercial)	C-2 (General Commercial)
West	Railroad, Junk Yard	LI/R (Light Industry/Research)	M (Industrial)

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown North Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 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

This is the second request for an Extension of Time of a previously approved Special Use Permit (SUP-9673) for a mixed use development located at 1001 North Main Street. No plans have been submitted nor have building permitted been issued for the proposed project. Since the approval of the Special Use Permit (SUP-9673), there have been seven (7) Code Enforcement cases processed and closed for the property that ranged from trash, debris, high weeds, a damaged fence, and vagrants living on the lot.

Title 19.18.060 deems a Special Use Permit exercised upon the approval of a business license, if required, or upon the issuance of a certificate of occupancy or approval of a final inspection.

FINDINGS

The Special Use Permit (SUP-9673) has not met the requirements as outlined in Title 19.18.060 to exercise the entitlement. There have not been any changes in land use or new development for properties in the surrounding areas. The applicant is requesting an Extension of Time to develop the land as previously approved. Staff recommends approval of this request with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-9673) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0