



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 28, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - ZON-36347 - APPLICANT/OWNER: JUSTO SATARAY

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL

ZON-36347 - Staff Report Page One
January 28, 2010 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to rezone property at 216 North Lamb Boulevard from R-1 (Single Family Residential) to P-R (Professional Office and Parking), containing 0.17 acres. Currently, a single family residence is located on this lot. The lot is adjacent to an existing professional office and is already designated for O (Office) land uses by the General Plan, as are all the lots along the east side of Lamb Boulevard between Stewart Avenue and Sunrise Avenue. As the proposed zoning conforms to the General Plan and the proposed uses would be compatible with the existing surrounding land uses, staff recommends approval. If denied, the lot will remain designated R-1 (Single Family Residential), the zoning designation will remain inconsistent with the existing land use designation and no commercial uses may exist on the property except for those allowed by Title 19.

ISSUES

- The proposed zoning would allow for conformance with the existing General Plan land use designation for this lot, approved in 2000.
- The lot abutting the subject property to the north was rezoned to P-R (Professional Office and Parking) in 2004 and now accommodates a medical office.
- This segment of Lamb Boulevard is in a high traffic area and is more appropriate for commercial uses than residential uses.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
1962	The City Council approved a Rezoning (Z-0117-62) to R-1 (Single Family Residential) on properties located on the east side of Lamb Boulevard, south of Stewart Avenue, including the lots at 216 and 220 North Lamb Boulevard.
1973	Single Family residences were constructed at 216 and 220 North Lamb Boulevard.
05/17/00	The City Council approved a request for a General Plan Amendment (GPA-0004-00) to amend the land use designation from L (Low Density Residential) to O (Office) on approximately 6.53 acres on the east side of Lamb Boulevard, south of Stewart Avenue, including the lots at 216 and 220 North Lamb Boulevard. The Planning Commission and staff recommended approval.
04/07/04	The City Council approved a Rezoning (ZON-3678) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on 0.16 acres at 220 North Lamb Boulevard. The Planning Commission and staff recommended approval.

ZON-36347 - Staff Report Page Two
January 28, 2010 - Planning Commission Meeting

04/05/06	The City Council approved a request for an Extension of Time (EOT-11858) of a previously approved Rezoning (ZON-3678) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 220 North Lamb Boulevard.
06/06/06	A deed was recorded indicating change of ownership of the property at 220 North Lamb Boulevard.
06/07/06	The City Council approved a Site Development Plan Review (SDR-12619) for the conversion of an existing single family residence to an office use and a waiver of the perimeter landscaping requirements on 0.17 acre at 220 North Lamb Boulevard. The Planning Commission and staff recommended approval. A request for a Variance (VAR-12617) for a reduction in required parking on the site was struck by the Planning Commission.
05/26/09	A deed was recorded indicating change of ownership of the property at 216 North Lamb Boulevard.
12/17/09	The Planning Commission voted to hold this item and a related item for a Rezoning (ZON-36347) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 216 North Lamb Boulevard in abeyance to the 01/28/10 Planning Commission meeting at the applicant's request.
<i>Related Building Permits/Business Licenses</i>	
12/27/07	A building permit (#07003360) was issued for a tenant improvement remodel for a medical office conversion at 220 North Lamb Boulevard. A final inspection was completed on 07/17/08.
01/31/08	A building permit (B-106646) was issued for mechanical work related to the medical office conversion permit (#07003360) at 220 North Lamb Boulevard. A final inspection was completed 05/28/08.
05/06/08	A building permit (B-111299) was issued for a city-design masonry wall in the rear and left side of the property at 220 North Lamb Boulevard. A final inspection was completed 05/29/08.
08/20/08	A business license (Q07-01568) was issued for a medical practice at 220 North Lamb Boulevard. The license remains active.
08/20/08	A business license (C14-00545) was issued for a medical clinic at 220 North Lamb Boulevard. The license expired 10/15/09 for unpaid bills older than 75 days.
<i>Pre-Application Meeting</i>	
09/16/09	A pre-application meeting was held with the applicant's representative, where requirements for submittal of Rezoning and Site Development Plan Review applications were explained. The following topics were discussed: • Waivers for landscaping would be required along all applicable property lines; • Rezoning of the lot at 216 North Lamb Boulevard to P-R (Professional Office and Parking) would be required under a separate application; • Remapping of the two lots to combine into a single lot would be required; • An exception of parking lot landscaping standards would need to be requested;

ZON-36347 - Staff Report Page Three
January 28, 2010 - Planning Commission Meeting

09/16/09	• A copy of the Joint Access Agreement between the owners of the properties at 220 North Lamb Boulevard and 224 North Lamb Boulevard would be required at time of submittal; • Location of the required ADA accessible route to the right-of-way; • Final inspection of the medical office (this was found to have been completed in July 2008).
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<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
11/12/09	A field check was performed at the subject location. Staff made the following observations: • The site contains two structures on two lots; • An existing professional office is located on the northern lot and a single family residence is located on the southern lot; • The southern lot contains a large palm tree in the front yard with no other landscaping; • There are stuccoed walls with wrought iron and an opening for an iron roll gate located in the front yard of the residential lot.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.17 (approximately 7,560 square feet)

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	O (Office)	R-1 (Single Family Residential)
North	Office, Medical	O (Office)	P-R (Professional Office and Parking)
South	Single Family Residential	O (Office)	R-1 (Single Family Residential)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential (Townhouses)	ML (Medium-Low Density Residential)	R-PD11 (Residential Planned Development – 11 Units per Acre)

ZON-36347 - Staff Report Page Four
January 28, 2010 - Planning Commission Meeting

<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		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

DEVELOPMENT STANDARDS

Existing Zoning	Permitted Density	Units Allowed
R-1 (Single Family Residential)	5.49 du/ac	2 (on 0.35 acres) 1 (on 0.17 acres)
Proposed Zoning	Permitted Density	Units Allowed
P-R (Professional Office and Parking)	N/A	N/A
General Plan	Permitted Density	Units Allowed
O (Office)	N/A	N/A

ANALYSIS

If approved, this request would rezone the subject site from R-1 (Single Family Residential) to P-R (Professional Office and Parking). Such action would conform to the existing O (Office) General Plan land use designation on this lot. Rezoning of this lot is appropriate, as the area along Lamb Boulevard, an arterial street, is no longer suitable for continuation of low density residential uses due to increased traffic volumes. Staff therefore recommends approval.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The site is designated O (Office) on the Southeast Sector Land Use Plan Map of the General Plan. The proposed P-R (Professional Office and Parking) Zoning designation is in conformance with the existing General Plan designation.

ZON-36347 - Staff Report Page Five
January 28, 2010 - Planning Commission Meeting

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The proposed P-R (Professional Office and Parking) zoning will be compatible with surrounding land uses and zoning districts. The low-intensity commercial uses allowed in this district are intended to transition from more intense commercial development to existing residential uses by maintaining a residential character, thereby ensuring compatibility with the adjacent residential uses.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

Several residential properties along the east side of Lamb Boulevard south of Stewart Avenue have already begun to transition to professional office uses. Because of the high volume of vehicular traffic in the area, this segment is no longer suitable for the continuation of low density residential uses. This was reflected in a change in the General Plan land use for this area in 2000.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

Access to this site is provided from Lamb Boulevard, a fully improved 100-foot wide Arterial Street as designated by the Master Plan of Streets and Highways. The proposed development of the site will be sufficiently served by existing roadway facilities.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

NOTICES MAILED 476

APPROVALS 3

PROTESTS 1