



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 28, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-36949 - APPLICANT: J & N DEVELOPMENT - OWNER:
ISAIAH 54:17, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) District on 5.93 acres at the southwest corner of Rome Boulevard and Riley Street. The site encompasses two contiguous parcels of undeveloped land that are already included within the Town Center Land Use Plan. Approval of this Rezoning will bring these parcels into conformance with the Centennial Hills Sector Plan, which designates them as TC (Town Center). For these reasons, staff recommends approval. The U (Undeveloped) District is intended to be a temporary classification to be used until property is ready for development for a more intense, permanent use. If this request is denied, the properties cannot be developed.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/03/96	The City Council approved the Annexation (A-0002-96) of approximately 115.72 acres generally located south of Deer Springs Way between El Capitan Way and Durango Drive, including current APN 125-20-801-005. The Planning Commission and staff recommended approval. The annexation became effective 07/12/96.
02/05/03	The City Council approved the Annexation (A-0038-02) of approximately 495 acres, including current APN 125-20-802-003. The Planning Commission and staff recommended approval. The annexation became effective 02/14/03.
06/10/09	A deed was recorded indicating change of ownership of the property.
01/28/10	The Planning Commission will consider companion applications for a Major Modification (MOD-36955), a Rezoning (ZON-36949), two Variances (VAR-36954 and VAR-37101), a Special Use Permit (SUP-36950), a Vacation (VAC-37100) and a Site Development Plan Review (SDR-36953) associated with development of the site with a proposed 6,126 square-foot Auto Repair Garage (Minor).

<i>Related Building Permits/Business Licenses</i>
There are no building permits or business licenses associated with the subject site.

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<i>Pre-Application Meeting</i>	
11/17/09	A pre-application meeting was held to discuss development of the subject site, with the following topics addressed: • Rezoning to T-C (Town Center) is required. • A Modification (MOD) of the Town Center Land Use Plan from UC-TC (Urban Center Mixed Use – Town Center) to SC-TC (Service Commercial – Town Center) or GC-TC (General Commercial – Town Center) or EC-TC (Employment Center Mixed Use – Town Center) is required. • A Special Use Permit is required for an Auto Repair Garage (Minor) because the proposed use does not meet Condition B: Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties. • A Variance will be required for building setbacks; the proposed structure does not meet the required 20-foot rear setback. • Waivers are required for building placement (build-to-line standards), which require 80% of the building façade to abut the build-to-line on the side of the building facing the street. • The development must comply with Town Center and Title 19 landscaping requirements, or a waiver will be required. • A Waiver is required for the 20% open space requirement. • A Vacation of portions of adjacent public right-of-way in conflict with the development is required. • Minimum 24-foot drive aisles are required.

<i>Neighborhood Meeting</i>	
A neighborhood meeting was neither required nor held.	

<i>Field Check</i>	
12/22/09	During a routine site visit, it was noted that the site was undeveloped. Completed half-street improvements and a perimeter wall exist along Rome Boulevard, with weeds growing adjacent.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	5.93 acres
Gross Acres	6.21 acres (includes rights-of-way proposed to be vacated)

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center) and MS-TC (Main Street Mixed Use – Town Center) [PROPOSED: SC-TC (Service Commercial – Town Center) (APN 125-20-801-005 only)]	U (Undeveloped) [PROPOSED: T-C (Town Center)]
North	Shopping Center	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
South	ROW (CC 215)	ROW (CC 215)	ROW (CC 215)
East	Undeveloped	MS-TC (Main Street Mixed Use – Town Center)	T-C (Town Center)
West	ROW (CC 215)	ROW (CC 215)	ROW (CC 215)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		N
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
T-C Town Center District	X		N
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

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
U (Undeveloped)	2.18 du/ac	12 (based on 5.93 acres)
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
T-C (Town Center)	Varies	Varies (for mixed-use or residential use districts)
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
TC (Town Center) [UC-TC (Urban Center Mixed Use – Town Center) Special Land Use Designation]	Varies (Unlimited in UC-TC District)	Varies (for mixed-use or residential use districts)

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ANALYSIS

The site encompasses two contiguous parcels of undeveloped land that are already included within the Town Center Land Use Plan. Approval of this Rezoning will bring these parcels into conformance with the Centennial Hills Sector Plan, which designates them as TC (Town Center). For these reasons, staff 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 proposed Rezoning to T-C (Town Center) will bring the subject properties into conformance with the Centennial Hills Sector Plan, which currently designate the properties TC (Town Center).

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 potential uses allowed in the proposed T-C (Town Center) District are appropriate for the area, which is developed with predominantly retail commercial and single-family residential uses that are also zoned T-C (Town Center).

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

The subject properties are already included within the Town Center Land Use Plan and are intended for mixed-use commercial and residential development appropriate for areas near freeways.

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.”

Rome Boulevard, a 60-foot Collector street, provides access to the properties. Future development of these parcels will require completion of half-street improvements on Rome Boulevard. This street will provide adequate capacity to meet the needs of development on the subject parcels. More intense uses on the site, if approved, may require future improvements to increase capacity.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 164

APPROVALS 0

PROTESTS 0