



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABYANCE - RENOTIFICATION - ROC-36960 -
APPLICANT/OWNER: SHARON ROTH

**** CONDITIONS ****

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-3474) and all other subsequent site-related conditions of approval, except as amended herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition to delete Condition of Approval Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis. The rezoning applied to nine properties along Jones Boulevard (600-804 N. Jones Boulevard), but only two of the properties have been hard-zoned to P-R (Professional Office and Parking) as a result of the action. The Resolution of Intent to Rezone subsequently expired on 02/18/08 for the other properties, which remain single-family residences, and a new Rezoning and Site Development Plan Review would be required to convert any of the residences to a commercial use. In addition, a plan that was previously submitted to meet the conditions is not consistent with existing building locations and site conditions. Although staff recommended denial of a similar request in 2004 when the Resolution of Intent to Rezone was still valid for all the affected properties, staff is now recommending approval of the associated Review of Condition for these reasons.

ISSUES

- Approval of this request is necessary for an associated Site Development Plan Review (SDR-36959) for the proposed conversion of an existing 1,770 square-foot single-family residence to a medical office to be approved.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/18/04	The City Council approved a General Plan Amendment (GPA-3388) to O (Office) and a Rezoning (ZON-3474) to P-R (Professional Office and Parking) at 600-804 North Jones Boulevard. The Planning Commission and staff recommended approval.
10/20/04	The City Council denied a request for a Review of Condition (ROC-5250) for Condition Number 3 of an approved Rezoning (ZON-3474) which required a comprehensive site plan, including all lots, to be submitted for approval by the Planning and Development Department and the Department of Public Works prior to the issuance of a certificate of occupancy for any of the lots involved in the rezoning to allow the lots to submit site development plan reviews on an individual basis at 600 to 804 North Jones Boulevard. Staff recommended denial.

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04/20/05	The City Council approved Ordinance #5760, which amended the zoning map by changing the zoning designations of multiple parcels of land. Included in this action were 708 and 800 North Jones Boulevard, which were part of Rezoning (ZON-3474).
04/05/06	The City Council approved a request for an Extension of Time (EOT-11905) of an approved Rezoning (ZON-3474) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 600-804 North Jones Boulevard. Staff recommended approval. The rezoning subsequently expired on 02/18/08.
09/25/09	A change of ownership was recorded.
01/28/10	The Planning Commission voted to abey this item and its associated requests for a Variance (VAR-36958) to allow four parking spaces where nine are required and a Review of Condition (ROC-36960) to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis at 708 North Jones Boulevard.
02/25/10	The Planning Commission will consider associated requests for a Variance (VAR-36958) to allow four parking spaces where nine are required and a Review of Condition (ROC-36960) to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis at 708 North Jones Boulevard.

Related Building Permits/Business Licenses

c. 1964	A single-family residence was constructed at 708 North Jones Boulevard.
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Pre-Application Meeting

10/21/09	A pre-application meeting was held to discuss the requirements for the conversion of a single-family residence to medical office use. Topics included: • Requirement for a Variance for parking, a Review of Condition for conditions 3 and 5 of a previously approved Rezoning (ZON-3474) and a Site Development Plan Review. • Parking requirements, including drive aisle widths, turning radii and an ADA route from the public right-of-way to the building. • Landscape requirements, including required Waivers and Exceptions.
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Neighborhood Meeting

A neighborhood meeting was neither required nor held.

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Field Check	
12/22/09	A field check was conducted by staff. The subject site contains a well-maintained single-family residence.

Details of Application Request	
Site Area	
Gross Acres	0.18 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-Family Residence	O (Office)	P-R (Professional Office and Parking)
North	Single-Family Residence	O (Office)	P-R (Professional Office and Parking)
South	Single-Family Residence	O (Office)	R-1 (Single Family Residential)
East	Single-Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single-Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District (140 Feet)			
Trails			
Rural Preservation Overlay District			
Development Impact Notification Assessment			
Project of Regional Significance			

ANALYSIS

A Rezoning (ZON-3474) was previously approved for nine properties along Jones Boulevard, including the subject site, which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis. This request has been submitted to delete the requirements of Condition of Approval numbers 3 and 5, and is necessary for the approval of an associated Site Development Plan Review (SDR-36959) on one of the lots for the proposed conversion of an existing 1,770 square-foot single-family residence to a medical office at 708 North Jones Boulevard. Of the nine properties affected by the rezoning, only two have been hard-zoned to

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P-R (Professional Office and Parking) as a result of the action. The Resolution of Intent to Rezone subsequently expired on 02/18/08 for the other properties, which remain single-family residences, and a new Rezoning and Site Development Plan Review would be required to convert any of the residences to a commercial use. In addition, a plan that was previously submitted to meet the conditions is not consistent with existing building locations and site conditions.

As a general note, The Department of Public Works would prefer to see adjacent property owners work together to present multi-lot conversions with common access drives and common parking areas wherever possible, as cooperative redevelopment efforts allow for greater flexibility in the design of site access, parking and landscaping. The department has no comments on the deletion of Condition Number Three, and notes that Condition Number Five requiring a Traffic Impact Analysis was recommended for a larger area that contemplated the joint use of nine separate parcels. Since only one of the parcels is being considered with Site Development Plan Review (SDR-36959), the Department of Public Works has no objection to this request provided all other conditions imposed on this site by Rezoning (ZON-3474) and all other subsequent site-related conditions of approval are ultimately complied with.

Although staff recommended denial of a similar request in 2004 when the Resolution of Intent to Rezone was still valid for all the affected properties, staff is now recommending approval of the associated Review of Condition due to the expiration of the Resolution of Intent to Rezone for seven of the nine parcels, and the limited applicability of the conditions for the remaining two parcels.

FINDINGS

Conditions of Approval Numbers 3 and 5 of Rezoning (ZON-3474) that required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis were intended to facilitate the cooperative redevelopment of nine parcels along Jones Boulevard. To date, only two of the nine parcels have been hard-zoned to P-R (Professional Office and Parking) as a result of the action. The Resolution of Intent to Rezone has subsequently expired for the remaining seven parcels, and they are no longer subject to the conditions of approval for ZON-3474; therefore, staff is recommending approval of this request.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 356

APPROVALS 1

PROTESTS 2