



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF JANUARY 21, 2014

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2014-4 - For Possible Action: Amends the Unified Development Code to establish the means of allowing a site with development approval entitlements to obtain separate and concurrent approval for temporary development. Proposed by: Scott D. Adams, Deputy City Manager

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will amend the Unified Development Code to establish the means of allowing a site with development approval entitlements to obtain separate and concurrent approval for temporary development. Under normal circumstances a parcel is not allowed to have more entitlement approval for more than one type of development. This bill will allow a site to have concurrent approvals--one for temporary development and one for long-term development--subject to limitations designed to manage and resolve the concurrent approvals.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2014-4

Motion made by STAVROS S. ANTHONY to Approve as a Do Pass as a First Amendment

Passed For: 3; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

BOB COFFIN, RICKI Y. BARLOW, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DOUG RANKIN, Planning Manager, explained that this will allow for temporary development of parcels that have already received full entitlement. The idea is that there are parcels which are not yet right for development of their major project, but would like to do a temporary

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development for up to five years. This ordinance would allow for temporary development while maintaining the other entitlement on the parcel. The temporary development would be subject to a five year approval; after five years, it would need an extension or it would terminate and the original development would become the primary development. MAYOR GOODMAN asked how the five year approval was determined. MR. RANKIN said it was the request of the City Manager's office; the entitlements for permanent development are for two years, then an extension of time request would be required. He confirmed for MAYOR GOODMAN that he would let DEPUTY CITY MANAGER SCOTT ADAMS know that the main question is why the time frame for the temporary development doesn't coincide with the permanent development. He said that the bill also includes a component that if the primary entitlement goes away, the temporary entitlement would require approval to become a permanent entitlement to ensure all of the permanent development requirements are met.

COUNCILMAN ANTHONY asked for an example of a temporary project that would be built. MR. RANKIN said the Container Park would be an example, and verified for DEPUTY CITY ATTORNEY VAL STIED that the Learning Center across from the Container Park was a construction site, however, if this bill was passed, it could possibly allow the Learning Center to get entitled as a temporary development with trailers. He said and for COUNCILMAN ANTHONY that the temporary projects go before the City Council for final action.

DOUG DeMASI, said the Ambassador site was entitled for a tall building and now it is a parking lot. He is wondering if it no longer has the entitlements and also if this is being done for anyone other than the downtown projects. MR. RANKIN said that other developers have expressed interest in this bill to allow them to build temporary developments where they have large projects entitled.

DEPUTY CITY MANAGER ORLANDO SANCHEZ said that the city is entitled to do an office building next door, but the space will be used for temporary level parking until there is a demand for additional office space. MR. RANKIN said there is a temporary parking lot within the Downtown Centennial Plan and parking lots are addressed as temporary use.

MAYOR GOODMAN stated that if it is a parking lot with a future that is already determined, a certain length of time would be given to get the project underway or be able to review and extend it, however, a modular building placed temporarily for five years, waving the requirements such as landscaping is too long. MR. RANKIN verified for MAYOR GOODMAN that temporary parking lots are good for three years; they have to provide one of four types of development improvements to get the administrative approval which include the centennial fence, perimeter landscaping, internal landscaping and he couldn't recall the fourth, but most are doing the centennial fence. MAYOR GOODMAN asked why it isn't consistent with the three year time frame. MR. RANKIN said the bill could be amended to recommend three years for a temporary development and that there is a provision in the bill for a one time extension of the temporary development which allows the temporary use to be extended one more time; 10 years maximum is the current bill.

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COUNCILMAN COFFIN said that the landscaping requirements for the full entitlement are very expensive and the vacant lot made into a parking lot looks decent if there is some landscaping, so some of this has been allowed. MR. RANKIN verified that some parking lots have been approved and are providing one of the four development improvements, but not the full Centennial Plan improvements. He verified again that parking lots are approved for three years.

MR. STEED asked MR. RANKIN asked if this is being limited to the Downtown Centennial Plan area. MR. RANKIN said that was not being requested by the drafter of the bill, but was a recommendation by the Planning Department.

MAYOR GOODMAN declared the Public Hearing closed.

