



AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: SEPTEMBER 13, 2016

DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO

Consent Discussion

SUBJECT: VAR-65772 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: TB JACK, LLC For possible action on the part of the Planning Commission for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON LOT 1 OF A PROPOSED 12-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION of 3.59 acres at 8425 La Mancha Avenue (APN 125-29-808) ZONED R-D (Single Family Residential-Restricted), Ward 6 (Ross) [PRJ-65552]. Staff recommends DENIAL.

P.C.: FINAL ACTION UNLESS APPEALED WITHIN 10 DAYS)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	9	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:

Staff recommends DENIAL, if approved, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - VAR-65772, VAR-65773, VAR-65774, VAR-65775, VAR-65776, VAR-65778, VAR-65779, VAR-65780, VAR-65781, VAR-65782 and VAR-65777 [PRJ-65552]
2. Conditions and Staff Report - VAR-65772, VAR-65773, VAR-65774, VAR-65775, VAR-65776, VAR-65778, VAR-65779, VAR-65780, VAR-65781, VAR-65782 and VAR-65777 [PRJ-65552]
3. Supporting Documentation - VAR-65772, VAR-65773, VAR-65774, VAR-65775, VAR-65776, VAR-65778, VAR-65779, VAR-65780, VAR-65781, VAR-65782 and VAR-65777 [PRJ-65552]
4. Photo(s) - VAR-65772, VAR-65773, VAR-65774, VAR-65775, VAR-65776, VAR-65778, VAR-65779, VAR-65780, VAR-65781, VAR-65782 and VAR-65777 [PRJ-65552]
5. Justification Letter - VAR-65772, VAR-65773, VAR-65774, VAR-65775, VAR-65776, VAR-65778, VAR-65779, VAR-65780, VAR-65781, VAR-65782 and VAR-65777 [PRJ-65552]
6. Protest Postcards VAR-65772, VAR-65773 and VAR-65774 [PRJ-65552]
7. Submitted after Final Agenda - Protest Postcards for VAR-65772, VAR-65773 and VAR-65774 [PRJ-65552]

Motion made by SAM CHERRY to Approve subject to conditions

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 1
CEDRIC CREAR, GLENN TROWBRIDGE, VICKI QUINN, TRINITY HAVEN
SCHLOTTMAN, SAM CHERRY; (Against-None); (Abstain-TODD L. MOODY); (Did Not Vote-None); (Excused-GUS FLANGAS)

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NOTE: CHAIR MOODY abstained from voting on Items 64-74 due to a conflict of interest in that his law firm represents the applicant, DR Horton, in some matters.

Minutes:

VICE CHAIR SCHLOTTMAN declared the Public Hearing open for Items 64-74.

PETER LOWENSTEIN, Planning Section Manager, stated that the applicant was requesting a variance on 11 lots out of a 12-lot subdivision, so as to be able to offer a particular home model that did not fit within the buildable area as determined by the zoning districts setback requirements. Staff found that the requests were self-imposed, as the applicant intended to overbuild the lots and recommended denial of all applications.

ATTORNEY BOB GRONAUER, 1980 Festival Plaza Drive, appeared on behalf of DR Horton. While two-story homes were already approved, DR Horton wished to change the product to single-story homes. A variance for a 10-foot front yard setback was being requested for those homes with a three-car garage (11 of the 12 lots); there would be no request for a variance for a backyard setback. The applicant believed this to be a better fit for those neighbors along the west portion of the property.

COMMISSIONER CHERRY saw no issue with the request and thought changing to single-story homes would enhance the neighborhood.

VICE CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 64-74.