



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** February 24, 2005

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**COUNCIL DISTRICT:** 7

**SUBJECT: PDC04-045. PLANNED DEVELOPMENT REZONING LOCATED AT THE NORTH SIDE OF STORY ROAD APPROXIMATELY 720 FEET WESTERLY OF MCLAUGHLIN AVENUE (915 STORY ROAD).**

## RECOMMENDATION

The Planning Commission voted 6-0-1 (Commissioner Platten absent) to recommend that the City Council approve the proposed Rezoning.

## BACKGROUND

On February 23, 2005, the Planning Commission held a public hearing to consider a Planned Development Rezoning from IP Industrial Park to A(PD) Planned Development to allow up to up to 305,000 square feet of retail commercial uses on 19.59 acres.

Staff gave a brief oral presentation stating that a General Plan Amendment requesting a change from Industrial Park to General Commercial for this site was approved by the City Council last Fall on December 7, 2004. Staff also stated that this project is intended to be designed as an expansion of the commercial shopping center that exists to the east at the corner of Story Road and McLaughlin Avenue. The project design will be refined at the Planned Development permit stage to include shared and cross access between the adjacent Wal-Mart site to the west and the existing shopping center to the east. The Director of Planning, Building and Code Enforcement recommended approval of the proposed rezoning.

Commissioner Levy asked the applicant if the necessary off-site land had been purchased yet to meet the Public Works requirements for the required right-of-way improvements at the corner of Story Road and McLaughlin Avenue. Ron Conn of HMH Engineers spoke on behalf of the applicant regarding the Public Works requirement that the applicant acquire land for off-site right-of-way improvement. He indicated that discussions with property owners had not yet

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occurred, but that the applicant understands the requirement to meet these conditions and will be responsible for the costs associated with the acquisition of property to complete required off-site improvement. There was no one present to speak either for or against the project.

The Planning Commission then closed the public hearing and voted 6-0-1 (Commissioner Platten absent) to recommend that the City Council approve the proposed rezoning.

### **PUBLIC OUTREACH**

The property owners and occupants within a 1,000-foot radius were sent a newsletter regarding two General Plan community meetings that were held on October 6 and 7, 2004. Specifics about the actual development proposal were also shared. There were no comments from the public. The public also received a notice of the General Plan public hearings that were held before the Planning Commission on November 29, 2004 and City Council on December 7, 2004. There were no comments from the public. In addition, this item was presented to the Tully/Senter Strong Neighborhood Coalition meeting (SNC) on November 4, 2004. Again, there were no comments from the public regarding the proposed commercial development on the site.

Given the fact that this rezoning was filed prior to the requirements of the City's current Public Outreach Policy and that there have been numerous public meetings with no public comments received and, although the applicant offered to conduct an additional community meeting for the Planned Development zoning, staff is confident the intent of the outreach policy has been met through previous meetings. Thus far, the community seems to be accepting of commercial development at this location.

The property owners and occupants within a 1,000-foot radius were sent public hearing notices for the Planned Development Rezoning public hearings to be held before the Planning Commission on February 23, 2005 and City Council on March 15, 2005. The Department web site contains information regarding the Planned Development Rezoning process, staff reports, and hearing schedules. This web site is available to any member of the public and contains the most current information regarding the status of pending projects.

### **CEQA**

The proposed project was analyzed in an Initial Study that resulted in the adoption of a Mitigated Negative Declaration on November 29, 2004.



STEPHEN M. HAASE  
Secretary, Planning Commission