



Legislation Details (With Text)

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**Title:** CONSIDER RESOLUTION NO. 17-046, DENYING AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NOS. 16-1578U AND 17-1615U TO ALLOW FILING AND PROCESSING OF PLANS AND PERMITS NECESSARY TO OPERATE FOR LOGISTICS FACILITY WITH A 2,500 SQUARE-FOOT OFFICE AND 219 TRUCK/TRAILER PARKING/STORAGE SPACES FOR A 5-7 YEAR PERIOD ON A 6.4 ACRE SITE LOCATED AT 18620 BROADWAY (CITY COUNCIL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit No. 1 - 16-1578U signed, 2. Exhibit No. 2 - Letter from J. Lowe 1-30-17, 3. Exhibit No. 3 - Conceptual Plan, 4. Exhibit No. 4 - RESO 17-046, 5. Exhibit No. 5 - Vision Plan Area 3, 6. Exhibit No. 6 - Ord. No. 17-1615U

Date	Ver.	Action By	Action	Result
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**Report to Mayor and City Council**

Tuesday, April 04, 2017

Discussion

**SUBJECT:**

**CONSIDER RESOLUTION NO. 17-046, DENYING AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NOS. 16-1578U AND 17-1615U TO ALLOW FILING AND PROCESSING OF PLANS AND PERMITS NECESSARY TO OPERATE FOR LOGISTICS FACILITY WITH A 2,500 SQUARE-FOOT OFFICE AND 219 TRUCK/TRAILER PARKING/STORAGE SPACES FOR A 5-7 YEAR PERIOD ON A 6.4 ACRE SITE LOCATED AT 18620 BROADWAY (CITY COUNCIL)**

**I. SUMMARY**

On January 19, 2016, the City Council adopted Interim Urgency Ordinance No. 16-1578U extending a moratorium on new development and expansion or modification of existing buildings or sites in six Planning Areas for 10 months and 15 days. On February 2, 2016, the City Council ratified the ordinance (Exhibit No. 1). Section 6 of this Ordinance allows the City Council to make exceptions to the application of this Ordinance. On January 30, 2017, Mr. John Low with Prologis filed a request to make an exception to this ordinance to allow filing and processing of all applicable entitlement applications necessary to process a logistics facility with a 2,500 square-foot office and 219 truck/trailer parking/storage spaces

for a 5-7 year period on a 6.4 acre site located at 18620 South Broadway. The applicant is also proposing to pay the City \$23,760.00 per year for the duration of the approval toward funding City's street maintenance costs (Exhibit Nos. 2 and 3). If the City Council determines to allow an exception pursuant to Section 6, such applications and/or permits may be filed and processed in accordance with the City's regulations and authority, and any other applicable laws, ordinances and regulations. Staff recommends adoption of Resolution No. 17-046 denying Prologis's request. (Exhibit No. 4).

## **II. RECOMMENDATION**

WAIVE FURTHER READING AND ADOPT RESOLUTION NO. 17-046, "DENYING AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NOS. 16-1758U AND 17-1615U TO ALLOW FILING AND PROCESSING OF PLANS AND PERMITS NECESSARY TO OPERATE FOR LOGISTICS FACILITY WITH A 2,500 SQUARE-FOOT OFFICE AND 219 TRUCK/TRAILER PARKING/STORAGE SPACES FOR A 5-7 YEAR PERIOD ON A 6.4 ACRE SITE LOCATED AT 18620 BROADWAY."

## **III. ALTERNATIVES**

TAKE such other action as the City Council deems appropriate, consistent with the requirements of the law.

## **IV. BACKGROUND**

The total area of the buildings on the site is approximately 100,000 square feet. The building were built in the late 1970's and according to the applicant, because of their age and configuration, they no longer can attract quality tenants. Originally, the applicant approached staff to demolish the buildings and lease it as a truck yard. Staff informed the applicant that zoning of the property is Light Manufacturing (ML) which does not permit truck yards. The applicant is now proposing a 2,500 square-foot office along with 219 truck parking/storage spaces. The applicant's proposal is temporary for a period of 5-7 years.

The applicant is also proposing to pay the City \$23,760.00 per year for the duration of the approval toward funding City's street maintenance costs. The applicant calculated this number by multiplying the grind and repair cost per square foot (\$3.00) by pavement area (39,600) and dividing by 5 years. The pavement area was calculated by multiplying the total street frontage of the property by 60 feet.

While staff is appreciative of the applicant's financial offer, staff has determined that this use is inconsistent with the Vision Plan which proposes "Flex Industrial" for this area (Exhibit No. 5). The plan for this area is to support medical office uses such as Kaiser, allow industrial uses (including "makers"), and also allow medium- and high-residential uses, especially as a transition to single family homes along Main Street as the environmental condition of the properties allow.

The subject site has a 330' frontage along Main Street which includes single family homes across the street. In addition, the portion of Main Street adjacent to this site is not a truck route and this use will attract additional trucks to the area.

Moreover, on March 21, 2017, the City Council adopted Interim Urgency Ordinance No. 17-1615U (Exhibit No. 6). This urgency ordinance also places a moratorium on the proposed use at it meets the definition of a logistics facility. Staff is not able to make the necessary findings to make an exception as stated in the attached resolution.

## **V. FISCAL IMPACT**

None.

## **VI. EXHIBITS**

1. Ordinance No. 16-1578U. (pgs. 4-12)
2. Letter from Mr. John Low dated January 30, 2017. (pgs. 13-14)
3. Conceptual Site Plan. (pg. 15)
4. Resolution No. 17-046. (pgs. 16-21)
5. Vision Plan, Area 3. (pgs. 22-23)
6. Ordinance No. 17-1615U. (pgs. 24-36)

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