

PLANNING DIVISION STAFF REPORT

April 28, 2014

PREPARED FOR THE PLAN COMMISSION



Project Address: 3002 Dairy Drive
Application Type: Conditional Use
Legistar File ID # [33452](#)
Prepared By: Kevin Firchow, AICP, Planning Division

On April 28, 2014, the Planning Division was contacted by Jeanette Paredes, owner of 5018 Blazing Star Drive. That property is adjacent to 3002 Dairy Drive, subject property for agenda item 12. The applicant, Ignacio Sobrevilla, leases the indoor soccer facility at 5018 Blazing Star Drive and requests conditional use approval to operate a new outdoor facility next door at 3002 Dairy Drive.

As noted in the letter of intent, the applicant plans to utilize the 52 parking stalls on 5018 Blazing Star Drive to serve users of the proposed outdoor facility. No off-street parking is proposed on the outdoor soccer site. He also intends to share bathroom facilities.

The attached email from Ms. Paredes indicates they do not support the use of 3002 Dairy Drive for an outdoor soccer field. They also state that they do not intend to renew the lease with the applicant. The tenant has indicated that the lease commenced on October 1, 2013 and is for use of the entire premises for a three year period. With proper notification, the lease allows the tenant to extend the lease for an additional year. The lease also contains a provision that would allow the tenant to eventually purchase the property from the landlord.

The City Attorney's office has advised that matters related to the lease are a private matter between the owner of 5018 Blazing Star Drive and the applicant. The Attorney's Office has also advised that the Plan Commission can act on the request this evening, with the proposed shared parking.

The proposed shared parking is included in the letter of intent and considered part of this application. If the proposed shared parking is not provided either because it is not authorized by the lease or the applicant loses his leasehold interest in the parking lot, the applicant would be required to return to the Plan Commission for consideration of a major alteration to this request in order to address the parking shortfall. Similarly, future changes on 5018 Blazing Star Drive that would impact this available shared parking would also require approval of a conditional use alteration.

Staff notes that if approved, the Plan Commission retains "continuing jurisdiction" to review and resolve complaints on this conditional use that may arise on the operation of the outdoor soccer field, including those related to parking.