

**ITEM #17: SECOND READING - ORDINANCE NO. 2008-9 - ADOPTION OF SMALL  
LAND USE AMENDMENT - JAY PATEL (continued to date certain of  
June 3, 2008)**

**NO MOTION ON FLOOR**

**Please see attached memo**



## MEMORANDUM

**TO:** Wayne Clark, Director of Community Development  
**FOR:** Kenneth W. Parker, City Manager  
**FROM:** Gwen Perney, Planner  
**RE:** Small Scale Land Use Amendment/Jay Patel, Ordinance No. 2008-09 and  
First Amendment to the Master Development Agreement for the Peacock  
Way PCD, Ordinance No. 2008-10  
**DATE:** May 23, 2008

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These two items were continued to this date from the May 6<sup>th</sup> meeting to allow for the requisite VGMC review. Staff anticipated receiving approval from VGMC in time to have second reading on June 3<sup>rd</sup>. However, Staff received a Request for Additional Information (RAI) on April 25<sup>th</sup>. The request pertains to the Trip Cap placed in the ordinance of 301 vehicles per day for the subject property and the subject property's proximity to a property with "F-C" (Flood Zone Conservation) zoning. Staff has discussed these issues with the requesting agencies and is in the process of finalizing a response. The concerns must be addressed before the VGMC can issue its certification, which the City must have for 2<sup>nd</sup> reading to occur.

Staff recommends **tabling** these two items for second reading until a formal approval is received from VGMC.

**CC:** Margaret Roberts, City Attorney  
Mike Disher, Planning and Development Manager  
Penelope Cruz, Senior Planner