



## Action Report

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**File #:** 16-043

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**TO:** Chair and Planning Commission

**FROM:** Eva Cutro, Community Development Director  
Paul Michaud, Senior Planner

**DATE:** February 16, 2016

**CONTACT:**

Paul Michaud, 480-348-3574

**AGENDA TITLE:**

Discussion of "The Villas at Mountain Shadows II - Amended" Re-Plat (RP 16-02)  
Southwest Corner Lincoln Drive and 56<sup>th</sup> Street (Portion Assessor No. 169-30-103)

**BACKGROUND**

Request:

TNHC Mountain Shadows, L.L.C. is requesting approval of a re-plat application on a 1.97-acre site located near the southwest corner of Lincoln Drive and 56<sup>th</sup> Street. This is a re-plat of the Final Plat of "The Villas at Mountain Shadows II" approved on November 19, 2015. The amendment will result in a plat for seven lots for villa homes adjoining the golf course, an open space/easement tract along 56<sup>th</sup> Street, a golf cart tract near the southwest corner of the site, and an internal roadway tract. The original approved plat has 8 lots for villa homes. Development will be pursuant to the approved Special Use Permit - Resort zoning on the subject properties for resort residential development.

Proposed Stipulations:

The proposed stipulations can be found with the Planning Commission action report dated February 16, 2016. These stipulations are typical final plat stipulations. These stipulations relate to substantial compliance to the final plat, Town review of the CC&Rs that may change as a result of the re-plat, processing of final improvement plans, and a deadline to submit copies of the final plat for Town records.

Plat Background:

In a vote of 6 to 0, the Town Council approved the Final Plat of "The Villas at Mountain Shadows II" on November 19, 2015. In a vote of 7 to 0, the Planning Commission recommended approval of said Final Plat on October 20, 2015. No major issues arose during the final plat process. The November 2015 plat approval must be amended as the shared lot lines between all the lots are being adjusted to reduce the 8 lots to 7 lots. This will have the effect of creating larger and wider lots than the approved plat. The lot width now generally increases from 50 feet to 55 feet and 60 feet. The lot sizes now generally increase from 7,500 square feet to 8,500 square feet and from 8,500 square feet to

9,600 square feet in size. The boundaries of the tracts remain the same. This includes keeping Tract "E" unchanged and a part of the October 2015 approved plat. Tract "E" creates the base tract for the 40 condominium units the Town Council approved via the preliminary condominium plat map on November 19, 2015.

In a 6 to 0 vote, the Town Council approved the Preliminary Plat on September 24, 2015. In a 7 to 0 vote, the Planning Commission recommended approval of the Preliminary Plat on June 16, 2015. Some items that came up during the preliminary plat process included the submittal of a graphic demonstrating that the access onto 56<sup>th</sup> Street will not negatively impact the recently completed 56<sup>th</sup> Street improvements, modification by the applicant of the access onto 56<sup>th</sup> Street for only emergency access, and inclusion of Tract "E". For further information, the prior minutes are attached to this report.

#### Plat/Map Conformance:

The proposed plat map is in conformance with the Special Use Permit (SUP) for Area 'B' and the Development Agreement for Mountain Shadows Resort. This conformance includes the following:

- SUP Stipulation III.E.43 allows for subdivision of land by one or more plats and/or maps in various forms such as on individual lots and/or horizontal property regimes (i.e. condominium development);
- Article 3.C.3(d) of the Development Agreement states that plats/maps within the SUP will follow the standards and requirements of Article 6, Subdivisions, of the Town Code, except as modified by the SUP and Development Agreement;
- SUP Stipulation III.G.96 requires that roadways within the SUP will all be private local roads, which will remain unchanged with this re-plat application;
- Article 3.C.3(d)ii of the Development Agreement requires a minimum width of rights-of-way and streets at 30 feet, which will remain unchanged with this re-plat application;
- SUP Stipulation III.G.96 requires all streets be of an adequate width, generally not less than 26 feet, which will remain unchanged with this re-plat application;
- The SUP and Development Agreement have no minimum or maximum lot size, lot configuration, or lot shape requirements;
- SUP Stipulation III.E.43 allows for a maximum floor area of 300,000 square feet for all Resort Residential in Area 'B', the proposed amendment will reduce the unit count from 8 homes to 7 homes and the estimated floor area for all Resort Residential in Area B, which this application is a part of, is in compliance to this stipulation at approximately 290,000 total square feet for all homes; and
- The other noted items as described under Discussion/Facts of this report.

## **DISCUSSION/FACTS**

### History:

The subject site is part of the Mountain Shadows resort that was demolished in early 2014. In April 2013, the Town granted Special Use Permit - Resort (SUP) zoning status for the approximate 67 acres that comprise this resort. The 2013 SUP allows for a new resort, resort amenities, and resort residential.

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Enforcement:

As of the date of this report, there are no outstanding code violations on this SUP property.

General Plan:

The subject property has a General Plan designation of "Resort/Country Club" according to the Town's General Plan Land Use Map. The proposed plat for resort residential is in conformance with this designation.

Zoning:

The zoning on the subject property is "Special Use Permit - Resort." This zoning was approved in April 2013 by Ordinance Number 653. This is the appropriate zoning for resort residential.

Parking:

The proposed plat map will comply with the required minimum number of parking spaces. SUP Stipulation III.G.93 requires at least two parking spaces per each dwelling unit. Two garaged parking spaces will be provided with each residential home.

Roadways:

The subject property will have access to Lincoln Drive and 56<sup>th</sup> Street via Tract 'A' through the resort as approved by the SUP. Also it will have emergency access onto 56<sup>th</sup> Street. Lincoln Drive is a designated Major Arterial and 56<sup>th</sup> Street is a designated Collector road pursuant to Figure 401, Motorized Circulation Map, of the Town's General Plan. The roadway internal to this re-plat is in the same general location as the approved Final Plat. The access drive will still meet the required roadway minimums of 30-foot right-of-way width and 26-foot wide pavement.

Building Lines & Setbacks:

The lots proposed on the re-plat meet setbacks. Article 3.C.3(d)v of the Development Agreement and Sheet 5 of the SUP requires a 40-foot setback along 56<sup>th</sup> Street. No setbacks are required between lots.

Building Permit/Town Manager Approval:

The type and character of building, signage, and landscaping are either approved with the building permit and/or by the Town Manager. As such, these items will not be considered with this plat map request. The maximum allowable height is 28 feet for this portion of Area "B". Although not stipulated by the SUP, the applicant has indicated the villa homes on these lots will be single-story.

Drainage:

An overall master hydrology and drainage study for the entire west side of the Mountain Shadows SUP has been reviewed and approved by the Town Engineer.

Utilities:

The proposed development has an approved assured water supply. Pursuant to the issued Certificate of Assured Water Supply, the Arizona Department of Water Resources has determined there is an assured water supply for 280 lots (homes). This portion of the resort is planned for 108 homes, of which the subject application consists of 7 of those 108 homes.

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All new utility lines will be located underground and generally underneath the adjoining private streets and within the noted public utility easements within the plat. These are the same general utility locations as the approved Final Plat. Will serve correspondence from the applicable utility providers were provided with the approved Final Plat. As there is no change, the utility correspondences provided with the Final Plat approval are still valid. All typical type of utilities will be provided; such as water, electricity, natural gas and sewer.

Fire Protection:

The proposed lots will meet all standards related to fire protection. All lots will have direct access onto a public roadway via the private roadways shown on the illustration. Also, emergency access will be provided on Tract "B" and Tract "D" as approved on the Final Plat. New fire hydrants will be installed such that all lots are within 400 feet of a fire hydrant. The new homes will have fire sprinklers in accordance with the Town Fire Code. EPCOR has verified the capacity to service the subject site and fire flow pressure of 2,064 gpm to 2,124 gpm at the required residual zone pressure of 20 psi.

**NOTICING & PUBLIC COMMENTS**

Two residents of Mountain Shadows West reviewed the application, but had no specific comments as of the writing of this report. Except for posting of the meeting agenda, there is no required public notification for a preliminary or final plat. Consistent with the Town's application process, the applicant provided a mailing notification to the property owners within 1,000 feet for scheduled meetings where the Commission or Council will take action.

**NEXT STEPS**

This re-plat application is tentatively scheduled for the March 24, 2016 Town Council meeting. Pursuant to the Special Use Permit, the Town Council must take action within 40 calendar days of the Planning Commission action.

**ATTACHMENTS**

- 1 Vicinity Map/Aerial/General Plan/Zoning
- 2 Application/Narrative
- 3 Prior Minutes
- 4 Utility Correspondence
- 5 Noticing Material
- 6 Approved Final Plat
- 7 Re-Plat Illustration
- 8 Proposed Re-Plat

Link to full version of the SUP Ordinances and Development Agreements at [www.paradisevalleyaz.gov/126/Planning](http://www.paradisevalleyaz.gov/126/Planning)

- C:     - Applicant  
       - Case File: (RP 16-02)