



Legislation Details (With Text)

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**Title:** Discussion of "The Villas at Mountain Shadows - Amended - Condominiums" Final Condominium Plat Map - 10 Minutes

**Sponsors:**

**Indexes:** Mountain Shadows Resort

**Code sections:**

**Attachments:** 1. 1 Presentation, 2. 2 Vicinity Map Aerial General Plan Zoning, 3. 3 Application, 4. 4 Prior Minutes, 5. 5 Certificate of Assured Water Supply, 6. 6 Noticing Material, 7. 7 Approved Final Re-Plat & Preliminary Condo Plat Map, 8. 8 Proposed Final Condo Plat Map

Date	Ver.	Action By	Action	Result
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5/26/2016	1	Town Council		
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**TO:** Mayor Collins and Town Council Members

**FROM:** Kevin Burke, Town Manager  
Eva Cutro, Community Development Director  
Paul Michaud, Senior Planner

**DATE:** May 26, 2016

**DEPARTMENT:** Community Development Department

**CONTACT:**  
Paul Michaud, 480-348-3574

**AGENDA TITLE:**  
Discussion of "The Villas at Mountain Shadows - Amended - Condominiums"  
Final Condominium Plat Map (FP 16-02)  
Southwest Corner Lincoln Drive and 56<sup>th</sup> Street

**BACKGROUND**

Request:  
TNHC Mountain Shadows, L.L.C. is requesting approval of the final condominium plat map application for the "The Villas at Mountain Shadows - Amended - Condominiums." This map consists of a total of 12 condominiums located on approximately one acre near the southwest corner of Lincoln Drive and 56<sup>th</sup> Street. These condominiums will be in several separate two-story structures on Tracts C and E of the approved final re-plat of "The Villas at Mountain Shadows - Amended." This is the last platting step for this phase. Development will be pursuant to the approved Special Use Permit - Resort zoning on the subject property for resort residential development.

Planning Commission Recommendation:

In a vote of 5 to 0 on May 17, 2016, the Planning Commission recommended approval of the Final Condominium Plat Map with four stipulations. Three of these stipulations are typical final plat map stipulations. These stipulations relate to substantial compliance, processing of final improvement plans, and a deadline to submit copies of the final plat for Town records. The Planning Commission removed a draft stipulation related to the Town review of the CC&Rs as this has already been completed. Also, they added a new fourth stipulation to be completed prior to recordation that would more clearly word the 100 Year Assured Water Supply note on the plat. There was concern that the wording may lead someone to think that the Town is the entity designated as having an assured water supply. The attached plat includes the revised 100 Year Assured Water Supply note. As such, the stipulations for Town Council approval do not include this stipulation.

Prior Action - Plat Background:

The preliminary condominium plat map for the requested 12 condominiums was unanimously approved by the Town Council on February 11, 2016 and unanimously recommended for approval by the Planning Commission on January 19, 2016.

The final plat that created Tracts C and E to allow for the condominiums was unanimously approved by the Town Council on March 24, 2016 and unanimously recommended for approval by the Planning Commission on February 16, 2016.

For further information, the prior minutes are attached to this report.

Plat/Map Conformance:

The proposed plat map is in conformance with the approved Preliminary Plat Map, Special Use Permit (SUP) for Area B, and the Development Agreement for Mountain Shadows Resort.

The final condominium plat map is in substantial conformance with the preliminary plat map. The boundary dimensions of Tracts C and E are identical on both the preliminary and final condominium plat maps. The recorded number references to the final plat that created Tracts C and E are blank since that final re-plat has only recently been recorded. The draft building outlines of the preliminary condominium plat map coincide with the detailed building outlines on the final condominium plat map depicted on Sheets 5 and 6 of the subject plat. There is no required minimum or maximum allowable unit size. For information, the six ground floor units are all 2,435 livable square feet, excluding garage and covered patios. The six upper floor units are 3,451 livable square feet, excluding garage and covered patios. The Certificate of Assured Water Supply has been updated since the last action to reflect the ownership of TNHC Mountain Shadows, L.L.C. and the final development plans.

The final condominium plat map is in substantial conformance with the SUP and development agreement. 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). This final condominium plat map does not change that the internal roadways are private, in compliance with the minimum 30-foot right-of-way width, and minimum 26-foot pavement width shown on the approved final re-plat. There are no required setbacks within Tracts C and E. Each unit will include a two-car garage that will comply with minimum parking requirements. The vertical schematic on Sheets 5 and 6 of the subject plat illustrate a height of 24 feet. This is in compliance with the SUP that allows for 24 feet from original natural grade and 28 feet from adjacent finished grade in this area of the SUP. As noted in the prior plat applications for this SUP, there is a

maximum floor area of 300,000 square feet for all residential uses west of 56<sup>th</sup> Street. Verification of height and floor area will occur during the building permit process when detailed building plans are provided.

## **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.

### 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.

### 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. All new utility lines will be located underground and generally underneath the adjoining private streets and within the noted public utility easements within the final re-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 final re-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**

No comments have been received on this application 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 has 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**

The development agreement with this SUP requires action to be taken within 40 calendar days of a complete submittal and again from the Planning Commission action. Approval of this plat is the last platting step for this phase of the project.

## **ATTACHMENTS**

- 1 Presentation
- 2 Vicinity Map/Aerial/General Plan/Zoning
- 3 Application
- 4 Prior Minutes
- 5 Certificate of Assured Water Supply
- 6 Noticing Material
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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: (FP 16-02)