



## Legislation Text

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File #: 15-274, Version: 1

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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:** November 19, 2015

**DEPARTMENT:** Community Development Department

**AGENDA TITLE:**

Consideration of “The Villas at Mountain Shadows II”

Final Plat (FP 15-02)

Southwest Corner Lincoln Drive and 56<sup>th</sup> Street (Assessor No. 169-30-104/105)

**.Body**

**Agenda Item Relates to Mission/Vision:**

- Enhance the community’s unique character.

**Strategic Initiative:**

- Diligently preserve the special character of Paradise Valley by enforcing the land use policies identified in the Town’s General Plan, Town Code, and SUP agreements.

**Council Goals or Other Policies / Statutory Requirements:**

- *General Plan Goal, DA 2.2.1*, “To support limited, targeted and context-appropriate development and redevelopment within Development Areas through orderly and well-planned development that provides for the needs of existing and future residents, and makes efficient use of land and infrastructure.”
- *General Plan Goal, CC&H 3.2.1*, “Maintain the Town’s primarily owner-occupied low-density residential character while allowing less than one acre per residence housing only on Special Use Permit resort properties.”

**RECOMMENDATION:**

Approval of the Final Plat, “The Villas at Mountain Shadows II” (FP 15-02), subject to the following stipulations:

1. This subdivision shall be in substantial compliance with the Final Plat, “The Villas at Mountain Shadows II”, Sheets 1-2, prepared by Coe & Van Loo Consultants, Inc. dated October 26, 2015.

2. Prior to recordation of the Final Plat for said subdivision, the applicant shall provide to the Town Attorney a copy of the CC&R's or other documents for review to insure that all CC&R terms required under the SUP or other recorded agreements are part of the CC&Rs or other documents, including provision for maintenance of any drainage easements dedicated on the plat.
3. The final subdivision improvements shall be in substantial compliance with subdivision improvement plans approved by the Town Engineer and Community Development Department that address items such as sewer, water, grading, drainage, paving, landscaping, and irrigation. Prior to the recordation of the Final Plat, the applicant shall provide, subject to Town approval and consistent with the requirements set forth in the SUP and Development Agreement, all assurances necessary to guarantee completion of any improvements in the public right-of-way. The Town Engineer shall approve said final subdivision improvement plans prior to the issuance of any building permit for a residential unit in said subdivision.
4. Within 60 days of approval of the Final Plat, the applicant shall submit to the Town mylars of the approved plans and an electronic version of these plans in a pdf format for the Town's permanent record.
5. The Final Plat shall not be recorded until the Town receives the appropriate information for the State of Arizona Department of Water Resources Certificate of Assured Water Supply, with the certificate number and date to be duly noted on the Final Plat.

**SUMMARY STATEMENT:**

MTS Land, L.L.C. is requesting approval of a final plat application located near the southwest corner of Lincoln Drive and 56<sup>th</sup> Street, a portion of Lots 133 and 134 of the Final Map Mountain Shadows Resort Unit 2 - Amended VII. The Villas at Mountain Shadows II is for 8 lots on approximately 1.97 acres, along with a separate tract on approximately 5.17 acres. Development will be pursuant to the approved Special Use Permit - Resort zoning on the subject properties for resort residential development.

The Town Council discussed this application on November 5, 2015. There were no specific concerns regarding this application.

The Planning Commission made a recommendation regarding this Final Plat application on October 20, 2015. In a 7 to 0 vote, the Planning Commission recommended approval of the Final Plat with the five stipulations attached to this report and an additional stipulation to rotate Detail "A" on Sheet 2 so north is oriented to the top of the page. The stipulation to rotate Detail "A" has been completed. The Final Plat attached to this report depicts Detail "A" such that north is oriented to the top of the page.

The Final Plat is in substantial conformance with the Preliminary Plat. The Town Council unanimously approved the Preliminary Plat on September 24, 2015. The Planning Commission unanimously recommended approval of the Preliminary Plat on June 16, 2015. Enhancements made to the Final Plat after Preliminary Plat approval included the increase of the land for all 8 lots from 64,052 square feet to 65,921 square feet, 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 that Town Council approved as part of the Preliminary Plat, and inclusion of the 5.17-acre tract, Tract "E" on the Final Plat.

The Final Plat complies with the approved Special Use Permit (SUP) and its associated development agreement. This includes the following points: the SUP allows for villa development, there are no minimum or maximum size requirements for the lots, the plat accurately depicts the required 40-foot building setback along 56<sup>th</sup> Street, the development will provide more than the required parking of two parking spaces per unit, the development has access onto a public road via private streets that meet the 26-foot width standard and 30-foot width right-of-way standard of the SUP, and the development includes added separate emergency access points. The above item is further described under the “Background” attachment of this report.

**BUDGETARY IMPACT:** None

**NEXT STEPS:** If approved, the applicant will need to comply with the stipulations, the Town will record the plat, and building permits will need to be approved for the homes.

**ATTACHMENTS:**

- 1 Presentation
- 2 Graphic 56<sup>th</sup> Street
- 3 Vicinity Map/Aerial/General Plan/Zoning
- 4 Application/Narrative
- 5 Background Report
- 6 Noticing
- 7 Prior Minutes
- 8 Fire/Utility Correspondences
- 9 Final Map Mtn Shadows Resort Unit 2 - Amended VII
- 10 Approved Preliminary Plat
- 11 Proposed Final Plat

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