



## Legislation Details (With Text)

**File #:** 17-318      **Version:** 1      **Name:**  
**Type:** Conditional Use Permit      **Status:** Agenda Ready  
**File created:** 9/18/2017      **In control:** Planning Commission  
**On agenda:** 10/3/2017      **Final action:**  
**Title:** Consideration of a Conditional Use Permit for a private roadway on a 9.6-acre property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road (CUP-16-02, The Villas at Cheney Estates - Town Triangle)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1 Existing Conditions - History, 2. 2 Compliance, 3. 3 General Plan Policies, 4. 4 Differences, 5. 5 Timing, 6. 6 Statement of Direction (Gate SUP), 7. 7 Application Material Revised, 8. 8 Utility - Fire, 9. 9 Traffic Statement, 10. 10 FEMA (CLOMR) - Drainage, 11. 11 Comments - Noticing, 12. 12 Preliminary Plat, Plans, and Updated Material, 13. Citizens Review Meeting Report 20170914

Date	Ver.	Action By	Action	Result
10/3/2017	1	Planning Commission	Approved Subject to Stipulations	Pass

**TO:** Chair and Planning Commission

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

**DATE:** October 3, 2017

**CONTACT:**

Paul Michaud, 480-348-3574

### **AGENDA TITLE:**

Consideration of a Conditional Use Permit for a private roadway on a 9.6-acre property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road (CUP-16-02, The Villas at Cheney Estates - Town Triangle)

### **ACTION:**

Make a recommendation to Town Council whether to approve, deny, or continue the application request for a conditional use permit for a private roadway on the property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road (Parcel No. 174-36-002X and part of 174-36-188A). The proposed conditional use permit complies with the four findings of Section 1103.4 of the Town Zoning Ordinance as described under the Compliance attachment to this report. Based on this compliance to the four findings, staff recommends Option 1 to approve the conditional use permit.

### **Option 1      Approval**

Based upon compliance to the four findings of Section 1103.4 of the Town Zoning Ordinance, I

move for approval of CUP-16-02, a Conditional Use Permit for a private roadway at “The Villas at Cheney Estates”, subject to the following conditions:

1. This private roadway Conditional Use Permit (CUP) shall apply to the property as described in the legal description prepared by Eric G. Coffey dated September 11, 2017. (the “Property”).
2. This CUP shall be in substantial compliance with the roadway cross-sections as shown on the Preliminary Plat prepared by CVL Consultants, dated August 31, 2017, which are in general conformance with the Typical Local Cross-Section, Option B, of the Town’s General Plan.
3. The owner of the Property shall provide the Town a grant of access easement over the private roadway and a private roadway maintenance agreement pursuant to Ordinance Number 2016-15, allowing for private roadway gates of SUP-16-03.

**Option 2 Recommendation of Denial**

I move that the Planning Commission deny CUP-16-02, a Conditional Use Permit for a private roadway at “The Villas at Cheney Estates.” This recommendation is based on not meeting the findings of Section 1103.4 of the Town Zoning Ordinance [*Specify what finding(s) are not met*]

**Option 3 Recommendation of Continuance**

I move that the Planning Commission recommends continuing their action to a specified or an unspecified meeting date.

**BACKGROUND**

Refer to the attachments for background information.

**ATTACHMENTS**

1. Existing Conditions - History
2. Compliance
3. General Plan Policies
4. Differences
5. Timing
6. Statement of Direction (Gate SUP)
7. Application Material
8. Utility - Fire
9. Traffic Statement
10. FEMA (CLOMR) - Drainage
11. Comments - Noticing
12. Preliminary Plat, Plans, and Updated Material

C:     - Applicant  
       - Case File