



## Legislation Details (With Text)

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**Title:** Discussion of Major Special Use Permit Amendment - Statement of Direction (SUP-18-06). 10555 N Tatum Boulevard - Mountain View Medical Center

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**Attachments:** 1. A. Application, 2. B. Vicinity Map & Related Maps, 3. C.1. Narrative & Plans, 4. C.2. Drainage & Utility, 5. C.3. Parking & Traffic, 6. D. SUP Guidelines, 7. E. General Plan Policies, 8. F. SUP History, 9. G. SOD Consideration Points, 10. H. Draft SOD, 11. I. Presentation

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**TO:** Mayor Collins and Town Council Members

**FROM:** Brian Dalke, Interim Town Manager  
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**DATE:** October 11, 2018

**DEPARTMENT:** Community Development

### AGENDA TITLE:

**Discussion of Major Special Use Permit Amendment - Statement of Direction (SUP-18-06).  
10555 N Tatum Boulevard - Mountain View Medical Center**

### Town Value(s):

- ☒ Primarily one-acre, residential community
- ☐ Limited government
- ☐ Creating a sense of community
- ☐ Partnerships with existing schools and resorts to enhance recreational opportunities
- ☒ Improving aesthetics/creating a brand
- ☐ Preserving natural open space

Several General Plan policies apply related to the request for redevelopment of the Mountain View Medical Center property. Primary policies that apply include the policies of Goal LU 2.1.2, Special Use Permit Property Revitalization. Attachment E is a more exhaustive list of pertinent General Plan policies for consideration in review of this application request.

## **REQUEST:**

Town Council will be reviewing a Statement of Direction (SOD) related to the Mountain View Medical Center. The site is 9.8 acres and located at 10535, 10555, 10565, 10575, 10595, and 10599 North Tatum Boulevard (southeast corner of Tatum Boulevard and Shea Boulevard). The property owner is requesting a major amendment to the site's existing Special Use Permit - Medical Office zoning. Attachment A is the applicant's application.

The applicant's proposed redevelopment of this property will be a complete demolition of all existing structures. The request includes a three-part phased demolition of all existing structures. The present site has six single-story medical buildings that will be replaced with four one-story and two two-story medical buildings in approximately the same locations as the existing buildings. Attachment C are the applicant's submittal items. This material is the applicant's second submittal of September 27, 2018 that is still under staff review.

## **BACKGROUND:**

### Process

A first step in the Special Use Permit (SUP) application process is pre-application. This was filed and reviewed in July 2018. The SUP application was filed on August 16, 2018, with staff review comments provided to the applicant on September 5, 2018. The next formal step is issuance of a SOD to the Planning Commission. Based on Council direction to hold two study sessions before taking action on the SOD, the first work session report of October 11, 2018 includes the applicant's submittal and covers information about the SOD process, provides history of the subject property, and lists points for Council consideration in the SOD, as well as a draft SOD. The second work session is scheduled for October 25, 2018. Council action on the SOD is scheduled for November 15, 2018.

Town staff's initial review of an SUP amendment is to confirm completeness to a level satisfactory for SOD consideration. Additionally, staff reviews the material for initial comparison to the Town's SUP Guidelines and General Plan Policies to identify areas of conformance or deficiency as a baseline for SOD consideration.

After SOD approval, the Planning Commission will hold work sessions in December 2018 and the first quarter of 2019 to discuss the application. The applicant will hold a neighborhood meeting at least ten days prior to the Planning Commission hearing for their recommendation to Council, with such hearing to occur the later part of the first quarter of 2019. Council will then hold work sessions, with action likely to occur in the second quarter of 2019. Timing on the application will depend on several factors. These factors include Council SOD, Planning Commission direction, public input, and the applicant in providing the necessary information for the Town to take action on their application request.

### Initial Review

There are several aspects of the proposed project that meet the Town's Special Use Permit Guidelines and/or the Town's General Plan. These include the following:

- Use. The proposed uses listed in the applicant's narrative comply with the allowable medical uses listed in Section 1102.2(B) of the Zoning Ordinance.
- Height. The heights of four of the six proposed buildings are 21-feet from adjacent grade. The other two buildings are two story and set close to the Tatum Boulevard/Shea Boulevard intersection. These two buildings are 30 feet from finished grade, but extend five feet further

below grade and are accessed via stairs/elevators to the lower garden level. Since the grade is fully restored around this garden level, height is measured from grade and in compliance with the maximum 30-foot height Special Use Permit Guideline.

- Open Space Criteria. All the proposed structures meet the Open Space Criteria.
- Setbacks. The proposed setbacks for all of the primary buildings and all but two of the proposed parking canopies meet Special Use Permit Guidelines. The minimum building setback to the public streets are at the suggested 40-foot setback and 60-foot setback to residentially-zone properties. The minimum building setback is 40 feet from the public streets and 82.7 feet to the adjoining residential lot lines. The minimum parking canopy setback is 45 feet to the public streets and 50 feet to the adjoining residential lot lines.
- Lot Coverage. The existing 9.8-acre site size and proposed 24.89-percent lot coverage meet the Special Use Permit Guidelines of a minimum of five acres and a maximum of 25-percent lot coverage.

There are aspects of the proposed project that do not meet or need further clarification related to the Town's Special Use Permit Guidelines and/or the Town's General Plan. These include the following:

- Use. Additional parameters may need to be addressed for the proposed pharmacy and urgent care uses. The parameters typically relate to defined hours of operation, maximum square footage, specific location on the subject site, limited or no signage, security measures, among other parameters. The applicant has addressed many of these parameters.
- Landscaping. The widths of the existing and proposed landscape areas do not meet the suggested Special Use Permit Guidelines of 50 feet along major roads and 40 feet adjoining residentially-zoned properties. The existing landscape areas along the public streets varies at 24 feet, 55 feet and 100 feet. Whereas, the proposed areas along the public streets will see some reduction and vary between 28 feet and 42 feet. The existing and proposed landscape area adjoining the residentially-zoned properties remains at 25 feet.
- Traffic-Parking-Circulation. There are no proposed changes to the existing circulation or adjoining rights-of-way. The proposed application increases the total building square footage at the medical center from approximately 60,000 square feet to 105,000 square feet (including the garden level suites). This additional area will increase vehicular trips and parking demand. The applicant's traffic/parking analysis indicates a few intersections at certain times of day will have some additional traffic delay. This analysis also assumes a parking calculation 0.8 parking space per 200 leasable square footage instead of the suggested 1.0 parking space per 200 leasable square footage.
- Signage. The existing signs at the medical center generally meet the Special Use Permit Guidelines. The Special Use Permit Guidelines suggest medical use properties have one ground sign no higher than 8 feet and no larger than 40 square feet at each principal entrance, no moving elements or animation, and traffic/directional signs not exceed 5 feet tall and 12 square feet. Whereas, several of the proposed signs will not be in compliance with the Special Use Permit Guidelines and the site will have more signs than the existing medical center. The proposed signs that vary from the Special Use Permit Guidelines include two directories with sign areas of approximately 22.5 square feet; one directory at approximately 85 square feet; five building signs that face Shea Boulevard and one building sign that faces Tatum Boulevard which are mounted 20 feet to the top of the sign, backlit, and between 20 square feet to 40 square feet in size; and one building sign that faces Tatum Boulevard which is mounted 30 feet to the top of the sign, backlit, and approximately 46 square feet in size. There are no guidelines for building mounted signs.

Attachment G provides a comparison of the Special Use Permit Guidelines/Code, existing conditions, and proposed conditions. This comparison chart serves as a bulleted list of points for consideration with this SOD.

### History and Conditions

The property was annexed in 1961. The Town granted medical use on the property in 1980. Essentially, the structures and landscaping on the site are the same as in the 1980 approval. The property has been regularly maintained, with some minor improvements over the years. The last approval was the replacement of the two entry monument signs in 2010 and remodeling of these signs in 2012. Attachment F is a Special Use Permit History of the property.

### SOD - Covered Items

Per Section 2-5-1.C of the Town Code, a SOD may address, but is not limited to, addressing the following items:

- ☐ Anticipated time frame for completion;
- ☐ When and if drafts should be referred back to Mayor and Council;
- ☐ Expectations for public participation;
- ☐ Process for new policy considerations; and,
- ☐ Policy preferences, undesired outcomes, or areas where no further review is necessary.

Per Section 1102.3.B.4 of the Zoning Ordinance, regarding Special Use Permits, a SOD may address, but is not limited to the following items:

- ☐ Uses
- ☐ Lot coverage/density
- ☐ Massing/Scale
- ☐ Perimeter setbacks
- ☐ Maximum heights
- ☐ View Corridors
- ☐ Circulation
- ☐ Known issues, if any (for intermediate amendments this may include issues outside of the geographic area)

### SOD - Provisions

A SOD is not a final decision of the Town Council and shall create no vested right to the approval of a Special Use Permit, nor shall any applicant for a Special Use Permit be entitled to rely upon the matters addressed in the SOD being the same as those that may be part of an approved Special Use Permit.

At any time during the review process, the Planning Commission may, by a favorable vote of the majority, request clarification and/or expansion of the SOD based upon matters not considered by the Town Council.

### Timing

Section 2.5.2.D of the Town Code provides time limits for the Planning Commission to hear, approve or disapprove, and forward the Special Use Permit to the Council within the time period specified by the Council in its SOD or in the absence of a specified time period, the time period shall be the lesser of 90 days from the approval of the SOD or 150 days from the filing of the application for the Special Use Permit. If Council is expected to take action on the SOD at the November 15, 2018 meeting, then 90 days from the SOD approval is February 13, 2019 and is the lesser of the noted time periods. As such, the Planning Commission hearing on its regular schedule would need to occur no later than February 5, 2019. The submittal items to date are fairly complete, so it may be possible for the Planning Commission to act on the application by February 5, 2019. Staff would suggest the SOD specify the hearing date for Planning Commission recommendation to Council since the four Planning Commission work sessions occur during the holiday season and other major/intermediate Special Use Permit applications are in process. It is suggested the latest the Planning Commission hearing may occur be March 5, 2019; with a preference that the Planning Commission hearing take place by February 5, 2019.

Section 1102.3.C.3.c of the Zoning Ordinance requires the Town Council to issue a SOD within 45 days from the date of staff presentation. The initial presentation of this SOD is October 11, 2018 that results in SOD issuance by November 25, 2018.

**ATTACHMENT(S):**

Attachment A - Application  
Attachment B - Vicinity Map & Related Maps  
Attachment C.1 - Narrative & Plans  
Attachment C.2 - Drainage & Utility  
Attachment C.3 - Parking & Traffic  
Attachment D - SUP Guidelines  
Attachment E - General Plan Policies  
Attachment F - SUP History  
Attachment G - SOD Consideration Points  
Attachment H - Draft SOD  
Attachment I - Presentation