



## Legislation Text

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File #: 15-176, 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:** September 24, 2015

**DEPARTMENT:** Community Development Department

**AGENDA TITLE:**

Consideration of "The Villas at Mountain Shadows" Final Plat (FP 15-01)  
Southwest corner of Lincoln Drive and 56<sup>th</sup> Street (Assessor No. 169-30-103)

**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:**

Approve the Final Plat, "The Villas at Mountain Shadows" (FP-15-01), subject to the stipulations in the Action Report.

**STIPULATIONS**

1. This subdivision shall be in substantial compliance with the Final Plat, The Villas at Mountain Shadows, Sheets 1-2, prepared by Coe & Van Loo Consultants, Inc. dated August 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 30 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 for "The Villas at Mountain Shadows." This is a 20-lot plat on approximately 3.157 acres located near the southwest corner of Lincoln Drive and 56<sup>th</sup> Street. The subject site is Lot 132 of the Final Map Mountain Shadows Resort Unit 2 - Amended VII. Development will be pursuant to the approved Special Use Permit - Resort zoning on the subject property for resort residential development.

The Town Council held a study session regarding this application on September 10, 2015. There was one comment. This was regarding the duration required to sustain the Town standard of 1500 gpm related to fire flow. The Town Fire Marshal confirmed this duration is two hours.

The Planning Commission made a recommendation regarding this application on July 21, 2015. In a vote of 6 to 1 with Commissioner Wincel dissenting, the Planning Commission forwards to the Town Council a recommendation of approval for this Final Plat. The Planning Commission had three items they asked be completed prior to your approval. All three have been completed. These are the submittal of the utility correspondence from SW Gas, amendment of the emergency vehicle access note to emphasize "only" emergency vehicles, and clarification from EPCOR regarding fire flow. All three of these items were reviewed at the Town Council study session and described under the "Background" attachment of this report. Stipulation 5 regarding the Certificate of Assured Water Supply has been added. This addresses the circumstance that the current Certificate of Assured Water Supply on file with the Department of Water Resources may need to be updated prior to plat recordation. As such, the referenced August 2014 date on the Certificate of Assured Water Supply may change. The August 2014 Certificate of Assured Water Supply is still valid as it covers water demand for 178 lots over Lots 131 through 134 of the overall map for the Mountain Shadows Resort. This area covers the proposed Resort Residential in Area B, which includes the 20 villas of the Final Plat for Town Council consideration on September 24, 2015. The total proposed Resort Residential is

currently approximately 69 lots, well below the water provision for 178 lots in the Certificate of Assured Water Supply.

**BUDGETARY IMPACT:**

None

**ATTACHMENT(S):**

Presentation  
Vicinity Map/Aerial/General Plan/Zoning  
Application/Narrative  
Background  
Noticing  
Prior Minutes  
Fire Marshal Correspondence  
Utility Correspondence  
Final Map Mtn Shadows Resort Unit 2 - Amended VII  
Approved Preliminary Plat  
Final Plat

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