



## Legislation Text

---

File #: 15-273, Version: 1

---

**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 Condominiums"  
Preliminary Condominium Map (PP 15-03)  
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 Preliminary Map, "The Villas at Mountain Shadows Condominiums" (PP-15-03), subject to the following stipulations:

1. The Final Map shall be in substantial compliance with the Preliminary Map, "The Villas at Mountain Shadows Condominiums," Sheets 1-4, and Sheet 6, prepared by Coe & Van Loo Consultants, Inc. dated October 6, 2015; and Sheet 5, prepared by Coe & Van Loo Consultants, Inc. dated October 21, 2015.

2. Prior to recordation of the Final Map, the applicant shall provide to the Town Attorney a copy of the CC&R's, declaration, bylaws, or other documents for review to insure that all terms required under the SUP or other recorded agreements are part of these documents, including provision for maintenance of any drainage easements dedicated on the plat.
3. The final improvements shall be in substantial compliance with 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 Map, 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 improvement plans prior to the issuance of any building permit for a residential unit in said Final Map.
4. Within 60 days of approval of the Final Map, 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 Map 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 Map.
6. The Final Map and/or declaration shall include any and all necessary easements, including:
  - a. Easements for drainage that are consistent to the overall grading and drainage plans for the entire Special Use Permit (SUP) site west of 56<sup>th</sup> Street, which shall be depicted on the Final Map prior to recordation of said plat,
  - b. Easements for utilities, with said easements to be in the locations and widths as prescribed by the respective utility provider, with correspondence from said utility providers given to the Town prior to Town Council approval of the Final Map, and
  - c. Easements for access, parking, refuse collection, and other similar easements.
7. The Final Map application shall include all necessary corrections to emergency access points such that these points comply with the Town Code, including removal of obstructions within the turning radius.

#### **SUMMARY STATEMENT:**

MTS Land, L.L.C. is requesting approval of a Preliminary Condominium Map application for the "The Villas at Mountain Shadows Condominiums". This map consists of a total of 40 condominiums

located on approximately 5.17 acres located near the southwest corner of Lincoln Drive and 56<sup>th</sup> Street. These condominiums will be in several detached two-story structures on Tract E of the Final Plat, "The Villas at Mountain Shadows II." Development will be pursuant to the approved Special Use Permit - Resort zoning on the subject property 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 application on October 20, 2015. In a 7 to 0 vote, the Planning Commission recommended approval of the Preliminary Map with the seven stipulations attached to this report and an additional stipulation to correct the wall thickness dimension on Sheet 5 to accurately read 0.6 feet. The recommended stipulations are typical to other plat/map stipulations. The stipulation to correct the wall thickness dimension on Sheet 5 has been completed as shown on the attached Preliminary Map.

The Preliminary Map complies with the approved Special Use Permit (SUP) and its associated development agreement. This includes the following points: the SUP allows for condominium development, there are no minimum or maximum size requirements for the units or number of units, 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 submit a Final Map application for recommendation by the Planning Commission and approval by Town Council.

**ATTACHMENTS:**

- 1 Presentation
  - 2 Vicinity Map/Aerial/General Plan/Zoning
  - 3 Application/Narrative
  - 4 Background
  - 5 Noticing
  - 6 Prior Minutes
  - 7 Utility Correspondence
  - 8 Final Map Mtn Shadows Resort Unit 2 - Amended VII/ Final Plat, "The Villas at Mountain Shadows II"
  - 9 Proposed Preliminary Condominium Map
- Link to full version of the SUP Ordinances/Development Agreements at [www.paradisevalleyaz.gov/126/Planning](http://www.paradisevalleyaz.gov/126/Planning)