



## Legislation Text

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**File #:** 18-420, **Version:** 1

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

**FROM:** Brian Dalke, Interim Town Manager  
Dawn-Marie Buckland, Deputy Town Manager  
Jeremy Knapp, Community Development Director  
Paul Michaud, Senior Planner

**DATE:** November 15, 2018

**DEPARTMENT:** Community Development

**AGENDA TITLE:**

**Consideration of Major Special Use Permit Amendment - Statement of Direction (SUP-18-12).  
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.

**RECOMMENDATION:**

Approve the Major Special Use Permit Amendment Statement of Direction for the Mountain View Medical Center.

**UPDATED STATEMENT OF DIRECTION:**

At the October 11<sup>th</sup> Town Council meeting staff presented a summary of the requested amendment to the Special Use Permit zoning and draft Statement of Direction (SOD) for the Mountain View Medical Center. Town Council provided direction to staff on edits to this SOD. On October 25<sup>th</sup>, a revised SOD was presented to Town Council which incorporated comments from the prior meeting. There were no additional edits to this SOD by the Town Council. Attachment H is the draft SOD for Town Council consideration.

**REQUEST:**

Town Council review of 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.

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.

## **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 and October 10, 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 scheduled work sessions are October 11, 2018 and 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.

### 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. 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.

#### Public Comments

Staff received a phone call from a homeowner that adjoins the medical center on October 18, 2018. She had concerns with the expansion related to traffic, potential accidents, and noise. There have been no other public comments as of the date of this report. However, noticing for the project officially starts during the Planning Commission process.

#### **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