



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: MOD-22882 - APPLICANT/OWNER: SPINNAKER HOMES V, LLC**

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**\*\* CONDITIONS \*\***

The Planning Commission (5-0-1/rt vote) and staff recommend APPROVAL.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Major Modification of the Town Center Land Use Plan from ML-TC (Medium-low Residential - Town Center) to M-TC (Medium Residential - Town Center) Special Land Use Designations on 10.13 acres at the southeast corner of Deer Springs Way and Campbell Road.

According to the applicant this project will be an asset to the Town Center area by providing a buffer between the lower density residential developments to the north and west and the approved higher density project to the south and the higher intensity land use allowed to the east of this site. It is the applicants stated intension to provide a variety of units to create an apartment community for Active Adults. Staff is recommending approval of this application as the proposed major modification is in keeping with the goals and objectives of the Town Center Development Manual.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
01/17/01	The City Council approved the Annexation [A-19-02(A)] of this property. The annexation became effective on January 31, 2001.
04/21/04	The City Council approved a Request for a Review of Conditions (ROC-4119) of Condition number 3 of an approved Site Development Plan Review [Z006902(1)], which established the front setback to garage doors. Staff recommended denial on April 24, 2004.
05/21/04	The City Council approved a Request for a Review of Conditions (ROC-2014) of condition number 3 of an approved Site Development Plan Review [Z006902(1)] to allow a three foot side setback where a five foot side setback was approved in conjunction with a 142 lot single family subdivision on 20.27 acres adjacent to the northwest and southeast corners of Deer Springs Way and Campbell Road. The Planning Commission and staff recommended approval on April 24, 2003.
10/20/04	The City Council approved the Site Development Plan Review for this project (SDR-4992). The Planning Commission and staff recommended approval.
11/04/04	The Planning Commission approved a request for Tentative Map (TMP-5118) for a 94-lot single family residential development on the subject property. Staff recommended approval.
08/09/07	The Planning Commission held this item in abeyance at staffs request to allow time to review a recently submitted revision to the site plan.

09/13/07	<p>The Planning Commission recommended approval of companion item SDR-22877 concurrently with this application.</p> <p>The Planning Commission voted 5-0-1/rt to recommend APPROVAL (PC Agenda Item #14/rts).</p>
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***Related Building Permits/Business Licenses***

There are no building permits or business licenses related to this project approved or under review.

***Pre-Application Meeting***

06/12/07	A pre-application meeting was held and elements of this application were discussed. It was noted that while the project is intended for active adults it must be calculated as multi-family for parking. Submittal requirements were discussed.
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***Neighborhood Meeting***

07/30/07	A neighborhood meeting is not required; however, the applicant has indicated that they have scheduled a meeting at Mountain Crest Community Center, 4701 N. Durango, at 6:00 PM to discuss this project.
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***Field Check***

07/06/07	The Department of Planning and Development conducted a site visit that found that this is two unimproved parcels that appear to be used as stockpile locations for other area developments. There is some evidence of dumping and there are subdivision directional signs for the Echelon development.
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***Details of Application Request***

***Site Area***

Gross Acres	10.13
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML-TC (Medium Low Density Residential- Town Center) [Proposed: M-TC (Medium Density Residential Town Center)]	T-C (Town Center)
North	Single-family Residential, Detached	ML-TC (Medium Low Density Residential- Town Center)	T-C (Town Center)
South	Multi-family Residential (Under Construction)	M-TC (Medium Density Residential Town Center)	T-C (Town Center)

East	Undeveloped [Mixed-Use Development Proposed (SDR-21700)]	UC-TC (Urban Center Mixed-Use Town Center)	U (Undeveloped) [TC (Town Center) General Plan Designation] [Proposed: T-C (Town Center) Zone]
West	Single-family Residential, Detached	ML-TC (Medium Low Density Residential- Town Center)	T-C (Town Center)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>		X	n/a
<b>Trails</b>		X	n/a
<b>Rural Preservation Overlay District</b>		X	n/a
<b>Development Impact Notification Assessment</b>		X	n/a
<b>Project of Regional Significance</b>		X	n/a

**DETAILS OF APPLICATION REQUEST**

The applicant is proposing to revise the Town Center Development Standards Manual. A summary of the change, with staffs recommendation, is shown in the following tables:

Map 4 Town Center Land Use	
<b>PROPOSED CHANGE</b>	<b>STAFF RECOMMENDATION</b>
Change the subject properties from a ML-TC (Medium-low Residential Town Center) Designation to a M-TC (Medium Residential Town Center) Designation	No objection

<b>Existing Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
ML-TC (Medium Low Density Residential- Town Center)	8 Units per Acre	81 Units @ 10.13 Acres
<b>Proposed General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
M-TC (Medium Density Residential Town Center)	25 Units per Acre  Proposed: 14.7 Units per Acre	253 Units @ 10.13 Acres  Proposed: 149 Units @ 10.13 Acres



<b>Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
T-C (Town Center)	n/a	n/a

## **ANALYSIS**

The subject property has a general plan designation of TC (Town Center). This is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; high-density residential uses; planned business, office and industrial parks; and recreational uses. The zoning of T-C (Town Center) with the proposed M-TC (Medium Residential - Town Center) special land use designation complies with this designation. Projects located within the Town Center area are subject to the Town Center Development Standards as well as Title 19. The proposed multi-family residential development is permitted within the T-C (Town Center) zone.

The T-C (Town Center) District and the accompanying Town Center Development Standards Manual were adopted as part of Title 19 (Title 19.06.110), and changes to the text require a Text Amendment per Title 19.06. Changes to the map only may be made with an application for a Major Modification such as this application under review, per the Town Center Development Standards Manual (A)(4)(B), by the procedures found in Title 19.18.040.

The subject site is currently designated ML-TC (Medium-low Residential - Town Center). The applicant requests that the two parcels that make up the site be designated M-TC (Medium Residential - Town Center). The request is to accommodate the proposed multi-family development at a gross density of 14.7 dwelling units per acre. The existing designation will only allow a density of eight dwelling units per acre. The difference between the proposed development (149 units) and the existing designation (81 units allowed) is a difference of 68 units; under the proposed designation (253 units allowed) this development would be compliant with the density allowances as outlined in the Town Center Development Standards Manual.

To the north and west of the subject site are developments with parcels designated as ML-TC (Medium-low Residential Town Center). To the east, the adjacent parcel is currently designated as UC-TC (Urban Center Mixed-Use Town Center) and is under Site Development Plan Review (SDR -21700) for a proposed mixed-use development. To the south are M-TC (Medium Residential Town Center) designated sites, portions of which are currently under construction, for a multi-family residential project at a density of up to 24.88 units per acre. The proposal is consistent with development occurring in the area and with designations currently existing on adjacent properties. Modifying the special land use designation for this site to a more intense residential density is appropriate for this area for these reasons; therefore, staff is supportive of this request.

## **FINDINGS**

In order to approve the Major Modification application, pursuant to Town Center Development Standards Manual (A)(3)(B) and Title 19.18.040, the Planning Commission or City Council must affirm the following:

**1. The proposal conforms to the General Plan.**

The proposed major modification is in conformance with the TC (Town Center) designation under the Centennial Hills Sector Plan of the General Plan. The sites proposed buildings can accommodate the range of uses identified and is in compliance with the proposed special land use designation.

**2. The uses which would be allowed on the subject property by approving the major modification will be compatible with the surrounding land uses and zoning districts.**

The proposed major modification will be compatible with the residential developments in this area. The proposed special land use designated district is intended to provide a buffer between residential and higher intensity uses allowed in other zoning districts. The change in the allowable density is compatible with approved development to the south and is adequately buffered from the lower density developments to the north and west. The intensity of the proposed development is less than that allowed by the proposed special land use designation.

**3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

Growth and development factors indicate a need for a variety of housing opportunities to locate in this area and an M-TC (Medium Residential Town Center) district is appropriate in this area.

**4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

The subject site is adjacent to West Deer Springs Way, an 80-foot wide Town Center Arterial street, which should be adequate to support the proposed use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED**            558        by Planning Department

**APPROVALS**                    1

**PROTESTS**                      9