



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-30458 REQUIRED ONE YEAR REVIEW

APPLICANT/OWNER: D.R. HORTON, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions of approval of Special Use Permit (SUP-11407) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a required review of an approved Special Use Permit (SUP-11407) for a Temporary Real Estate Sales Office on 1.17 acres at 8208-8148 Turbys Treehouse Place.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/11/01	The Planning and Development Department approved a request for a Site Development Plan Review (SD-0067-01) for proposed Electrical Overhead Transmission Lines located adjacent to the south side of the Moccasin Road alignment, between US-95 and Jones Boulevard and bearing east-southeast from Moccasin Road and Jones Boulevard to Decatur Boulevard.
05/24/99	The City Council approved a request for Rezoning (Z-0009-99) from R-E (Residence Estates) to R-PD3 (Residential Planned Development- 3 Units per Acre) for the proposed use of 112 single family dwellings on property located on the north side of Log Cabin Way, approximately 1,320 feet east of Durango Road. The Planning Commission recommended approval on 04/15/99.
05/24/99	The City Council approved a request to Amend a portion of the Northwest Amendment to the general Plan (GPA-4-99) from P/S (Park/Recreation/Open Space) to R (Rural Density Residential) on property located on the north side of Log Cabin Way, approximately 1,320 feet east of Durango Road. The Planning Commission recommended approval on 04/15/99.
10/12/98	The City Council denied a request to Amend a portion of the Northwest Amendment to the General Plan (GPA-29-98) from P/S Park/Recreation/Open Space) to PCD (Planned Community Development) on property located on the northeast corner of Cimarron Road and Log Cabin Way. The Planning Commission recommended approval on 07/23/98.
10/12/98	The City Council denied a request for Rezoning (Z-0041-98) from R-E (Residence Estates) to R-PD4 (Residential Planned Development- 4 Units per Acre) on property located on the north side of Log Cabin Way, west of Buffalo Drive. The Planning Commission recommended denial on 07/23/98.

04/26/99	The City Council approved a request for a Rezoning (Z-0001-99) to R-PD2 (Residential Planned Development- 2 Units per Acre) on property located on the north side of Log Cabin Way, west of Cimarron Road for the proposed use of single family dwellings. The Planning Commission recommended denial on 02/11/99.
06/07/00	The City Council approved a request for an Extension of Time [Z-0001-99(1)] on an approved Rezoning (Z-0001-99) from R-E (Residence Estates) to R-PD2 (Residential Planned Development- 2 Units per Acre) on 189.2 acres on the east and west sides of Durango Drive between Moccasin Road and Log Cabin Way. The Planning Commission recommended approval on 04/27/00.
06/06/01	The City Council approved a request for an Extension of Time [Z-0001-99(2)] on an approved Rezoning (Z-0001-99) from R-E (Residence Estates) to R-PD2 (Residential Planned Development- 2 Units per Acre) on 189.2 acres on the east and west sides of Durango Drive between Moccasin Road and Log Cabin Way. The Planning Commission recommended approval on 04/26/01.
02/19/03	The City Council approved a request for a Site development Plan Review (SDR -1395) for a proposed 565-lot single-family residential development on 226.80 acres adjacent to the east and west sides of Durango Drive between Log Cabin Way and Moccasin Road. The Planning Commission recommended approval on 01/23/03.
08/06/03	The City Council approved a request for a Reinstatement and Extension of Time (EOT-2499) on an approved Rezoning (Z-0009-99) from R-E (Residence Estates) to R-PD2(Residential Planned Development-2 Units per Acre) on 40.7 acres adjacent to the north side of the Log Cabin Way alignment, approximately 2,700 feet east of Durango Drive. The Planning Commission recommended approval on 07/10/03.
08/06/03	The City Council approved a request for an Extension of Time (EOT-2454) on an approved Rezoning (Z-0001-99) from R-E (Residence Estates) to R-PD2 (Residential Planned Development- 2 Units per Acre) on 189.20 acres adjacent to the east side of the Durango Drive alignment between the Moccasin Road and Log Cabin alignments. The Planning Commission recommended approval on 07/10/03.
10/23/03	The Planning Commission approved a request for a Tentative Map (TMP-3055) for a 7-lot subdivision on 228.7 acres adjacent to the southeast corner of Durango Drive and Moccasin Road.
12/03/03	The City Council approved a request for a Review of Condition Number 22 (ROC-3053) of an approved Rezoning (Z-0001-99) to allow access for the development from OHare Road and Durango Drive north to the south edge of the site. The Planning Commission recommended approval on 10/23/03.
01/22/04	The Planning Commission approved a request for a Tentative Map (TMP-3526) for a 100-lot single-family subdivision on 45.8 acres adjacent to the southeast corner of Durango Drive and Moccasin Road.

01/22/04	The Planning Commission approved a request for a Tentative Map (TMP-3527) for an 84-lot single-family subdivision on 25.5 acres approximately 1,350 feet east of Durango Drive and 1,300 feet south of Moccasin Road.
08/04/04	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-4806). The map was recorded as Log Cabin Ranch (Parent) on 04/18/05.
03/21/05	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-6063). The map was recorded as
03/21/05	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-6063). The map was recorded as Log Cabin Ranch Unit 2 on 06/30/05.
03/21/05	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-6049). The map was recorded as Log Cabin Ranch Unit 4 on 08/05/05.
04/06/05	The City Council approved a request for an Extension of Time (EOT-6090) for an approved Site Development Plan Review (SDR-1395) for a proposed 565-lot single-family residential development on 226.80 acres adjacent to the east and west sides of Durango Drive between Log Cabin Way and Moccasin Road.
05/19/05	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-6182). The map was recorded as Log Cabin Ranch Unit 5 on 01/05/06.
05/19/05	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-6181). The map was recorded as Log Cabin Ranch Unit 3 on 08/05/05.
05/20/05	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-6062). The map was recorded as Log Cabin Ranch Unit 1 on 06/28/05.
05/20/05	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-6050). The map was recorded as Log Cabin Ranch Unit 6 on 08/24/05.
04/05/06	The City Council approved a request for a Special Use Permit (SUP-11407) for a proposed Temporary Real Estate Sales Office and a waiver of the required paved parking on 1.17 acres at 8148-8208 Turbys Treehouse Place. The Planning Commission recommended approval on 03/09/06.
04/05/06	The City Council approved a request for a Variance (VAR-11408) to allow zero parking spaces where five spaces is the minimum number required for a proposed Temporary Real Estate Sales office on 1.17 acres at 8148-8208 Turbys Treehouse Place. The Planning Commission recommended approval on 03/09/06.
<i>Related Building Permits/Business Licenses</i>	

12/01/05	A building permit (05008335) was issued for a single-family dwelling at 8148 Turbys Treehouse Place. A temporary final was received for the model home, which is valid until 05/05/09.
12/01/05	A building permit (05008336) was issued for a single-family dwelling at 8200 Turbys Treehouse Place. A temporary final was received for the model home, which is valid until 05/05/09.
12/01/05	A building permit (05008337) was issued for a single-family dwelling at 8204 Turbys Treehouse Place. A temporary final was received for the model home, which is valid until 05/05/09.
12/24/06	A building permit (06000398) was issued to convert a garage of a model home into a sales office at 8204 Turbys Treehouse Place. The permit expired on 03/29/08.
03/16/06	A building permit (06002104) was issued for a temporary flagpole for the Sales Office. The permit was finalized on 03/17/06.

Pre-Application Meeting

A pre-application meeting is not required for this type of application, nor was one held.

Neighborhood Meeting

A neighborhood meeting is not required for this type of application, nor was one held.

Details of Application Request

Site Area

Gross Acres	1.17
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Field Check

11/06/08	Staff conducted a field check of the subject site with the following observations: • The Real Estate Office was situated in the garage portion of a model home located closest to the corner of Apple Eye and Turbys Treehouse. • Three model homes are constructed on the property • The chat driveway was in good condition and neat in appearance
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Dwellings	PCD (Planned Community Development)	R-PD2 (Residential Planned Development 2 Units per Acre)
North	Single Family Dwellings	PCD (Planned Community Development)	R-PD2 (Residential Planned Development 2 Units per Acre)
South	Single Family Dwellings	PCD (Planned Community Development)	R-PD2 (Residential Planned Development 2 Units per Acre)
East	Single Family Dwellings	PCD (Planned Community Development)	R-PD2 (Residential Planned Development 2 Units per Acre)
West	Single Family Dwellings	PCD (Planned Community Development)	R-PD2 (Residential Planned Development 2 Units per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first required review of an approved Special Use Permit (SUP-11407) for a Temporary Sales Office located at 8208-8148 Turbys Treehouse Place. Since the approval of Special Use Permit, the applicant has been issued building permits for the model homes and sales office, along with renewing the permits as required by the Building Department. During a field inspection, staff found the area neat, clean, and well kept. The chat used on the driveway to the sales office was in good overall condition.

FINDINGS

In accordance with Title 19.04, the use of a Temporary Sales Office within a model home shall expire two (2) years from the date of the building permit approval or whenever sales are completed, whichever occurs first. Since the time limit has yet to expire and the site is complying with the requirements set forth in the Special Use Permit, staff recommends approval of this request.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
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<u>ASSEMBLY DISTRICT</u>	N/A
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<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	155
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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