



**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: JANUARY 22, 2009**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: TMP-32529 - THE VILLAGE AT CENTENNIAL HILLS -**  
**APPLICANT/OWNER: HITT W. DOUGLAS FAMILY TRUST**

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

**STAFF RECOMMENDATION:**      **APPROVAL**, subject to:

**Planning and Development**

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-27051), Site Development Plan Review (SDR-30027), Major Modification (MOD-27044), Special Use Permits (SUP-27046, SUP-27047, and SUP-27049), and the Town Center Development Standards, if approved.
3. All development is subject to the conditions of City Departments and State Subdivision Statutes.

**Public Works**

4. Dedicate 30 feet of right-of-way adjacent to this site for the portion of Hitt Family Court (AKA Haley Avenue) not previously dedicated, 40 feet of right-of-way adjacent to this site for Deer Springs Way and a 25 foot radius on the southwest corner of Durango Drive (AKA El Capitan Way) and Hitt Family court (AKA Haley Avenue) prior to the issuance of any permits or concurrent with any Map subdividing or overlying the property, whichever occurs first.
5. Construct half-street improvements including appropriate overpaving, if legally able on Deer Springs Way and Hitt Family Court (AKA Haley Avenue) adjacent to this site that meet Town Center Standards concurrent with development of this site in accordance with the phasing plan submitted and approved by SDR-30027. The channelized median required by SDR-30027 shall be constructed with phase I of this development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

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6. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
  - I. On-site sewers, 8-inches in diameter or larger, are public sewers within 20-foot wide dedicated public sewer easements.
  - II. On-site sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
  - III. On-site sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
  
7. Site development to comply with all applicable conditions of approval for SDR-27051, SDR30027 and all other site-related actions.
  
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivisionrelated construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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

**PROJECT DESCRIPTION**

This is a request for a two-lot commercial subdivision on 5.10 acres at the northwest corner of Deer Springs Way and Durango Drive. The applicant is proposing a two-lot commercial subdivision with an approved Site Development Plan Review (SDR-27051) for a 41,741 square-foot retail and office development with Waivers to allow an eight-foot landscape buffer where a 15-foot landscape buffer is required on Durango Drive, a 15-foot setback where a 20-foot setback is required for a gas station, and a Waiver of the Town Center Landscape Finger requirements within the parking area. There is also an approved Minor Amendment (SDR-30027) to the approved Site Development Plan Review (SDR-27051) for a 45,895 square-foot retail and office development where 41,471 square feet was previously approved.

As this request is appropriate for Town Center and in compliance with both approved Site Development Plan Reviews (SDR-27051 and SDR-30027), staff recommends approval of this request.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
01/17/01	The City Council approved a petition to Annex [A-0003-99(A)] property generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Boulevard, containing approximately 615 acres. The Planning Commission recommended approval. The Annexation was effective on 01/26/01.
05/01/02	The City Council approved a request for a Site Development Plan Review [Z-0099-01(1)] for a proposed 274-unit multi-family residential development and 16,000 square-foot of commercial space on 15.16 acres located adjacent to the west side of El Capitan Way approximately 660 feet south of Elkhorn Road. The Planning Commission recommended approval.
11/06/02	The City Council approved a petition to Vacate (VAC-0065-02) U.S. Government Patent Reservations generally located west of El Capitan Way, approximately 660 feet north of Deer Springs Way. The Planning Commission recommended approval.
03/19/03	The City Council approved a Rezoning (ZON-1620) of the subject property from U(TC) Undeveloped (Town Center) Zone [UC-TC (Urban Center Mixed-Use Town Center) Special Land Use Designation] to T-C (Town Center), a Special Use Permit (SUP-1569) for a 6,622 square-foot Tavern on a portion of the subject property, and a Site Development Plan Review (SDR-1741) for a proposed 6,622 square-foot Tavern on a portion of the subject site. The Planning Commission recommended approval and staff recommended denial of these requests.

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04/06/05	The City Council approved a request for an Extension of Time (EOT-6162) of an approved Special Use Permit (SUP-1569) for a Tavern on a portion of 5.0 acres adjacent to the northwest corner of Durango Drive and Deer Springs Way.
06/15/05	The City Council approved a request for a Site Development Plan Review (SDR-6317) for a proposed Mixed-Use Development consisting of two 24-story towers containing 474 residential units and 144,200 square feet of commercial space of which 102,744 square feet is office space, and Special Use Permits (SUP-6323, SUP-6326, and SUP-6330) for a proposed 5,200 square-foot tavern, a proposed 7,256 square-foot supper club, and a proposed mixed-use development in excess of 12 stories, respectively, on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive. The Planning Commission and staff recommended approval of these requests.
01/30/07	A Code Enforcement case (#49914) was opened for an illegal subdivision sign. The case was closed on 04/04/07.
01/30/07	A Code Enforcement case (#49915) was opened for an illegal subdivision sign. The case was closed on 03/21/07.
01/30/07	A Code Enforcement case (#49916) was opened for an illegal subdivision sign. The case was closed on 03/23/07.
01/30/07	A Code Enforcement case (#49917) was opened for an illegal subdivision sign. The case was closed on 03/21/07.
01/30/07	A Code Enforcement case (#49918) was opened for an illegal subdivision sign. The case was closed on 03/07/07.
01/30/07	A Code Enforcement case (#49919) was opened for an illegal subdivision sign. The case was closed on 03/07/07.
01/30/07	A Code Enforcement case (#49920) was opened for an illegal subdivision sign. The case was closed on 03/07/07.
01/30/07	A Code Enforcement case (#49922) was opened for an illegal subdivision sign. The case was closed on 03/21/07.
01/30/07	A Code Enforcement case (#49923) was opened for an illegal subdivision sign. The case was closed on 04/30/07.
07/11/07	The City Council denied Extension of Time (EOT-22312, EOT-22313, EOT-22314, EOT-22315) requests for Site Development Plan Review (SDR-6317) for a proposed Mixed-Use Development consisting of two 24-story towers containing 474 residential units and 144,200 square feet of commercial space of which 102,744 square feet is office space, and Special Use Permits (SUP-6323, SUP-6326, and SUP-6330) for a proposed 5,200 square-foot tavern, a proposed 7,256 square-foot supper club, and a proposed mixed-use development in excess of 12 stories, respectively, on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive. Staff recommended approval of these requests.

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06/04/08	The City Council approved a Request for a Major Modification (MOD-27044) of the Town Center Land Use Plan from UC-TC (Urban Center Mixed Use Town Center) to GC-TC (General Commercial Town Center) Special Land Use designation, a Special Use Permit (SUP-27046) for a proposed 5,376 square-foot Liquor Establishment Tavern, a Special Use Permit (SUP-27047) for a proposed 3,200 square-foot Restaurant with Drive Through, a Special Use Permit (SUP-27049) for a proposed Beer/Wine/Cooler Off-Sale Establishment in Conjunction with a Convenience Store, and a Site Development Plan Review (SDR-27051) for a 41,741 square-foot Retail and Office development with Waivers to allow an eight-foot landscape buffer where a 15-foot buffer is required on Durango Drive, a 15-foot setback where a 20-foot setback is required for a Gas Station, and Town Center landscape finger requirements within the parking area on 5.1 acres at the northwest corner of Durango Drive and Deer Springs Way. The Planning Commission recommended approval of these items. Additionally, the City Council accepted a Withdrawal Without Prejudice of a request for a Special Use Permit (SUP-27048) for a proposed 3,275 square-foot Convenience Store with Fuel Pumps at the northwest corner of Durango Drive and Deer Springs Way. The Planning Commission recommended approval of this item, whereas staff recommended denial.
11/06/08	Staff administratively approved a request for a Minor Amendment (SDR-30027) to an approved Site Development Plan Review (SDR-27051) for a 45,895 square-foot retail and office development where 41,741 square feet was previously approved on 5.1 acres at the northwest corner of Durango Drive and Deer Springs Way.
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no related building permits or business licenses for this site.	
<b><i>Pre-Application Meeting</i></b>	
11/21/08	A pre-application meeting was held where the submittal requirements for a Tentative Map application were discussed.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	
<b><i>Field Check</i></b>	
12/24/08	Staff performed a routine field check where an undeveloped lot with non-permitted subdivision signs was observed.
<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	5.10

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<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped (Proposed Two-Lot Commercial Subdivision)	TC (Town Center)	T-C (Town Center) [GC-TC (General Commercial Town Center) Special Land Use Designation]
North	Condominiums & Commercial Development	TC (Town Center)	T-C (Town Center) [UC-TC (Urban Center Mixed Use Town Center) Special Land Use Designation]
South	Undeveloped	TC (Town Center)	T-C (Town Center) [UC-TC (Urban Center Mixed Use Town Center) Special Land Use Designation]
East	Hospital	TC (Town Center)	T-C (Town Center) [UC-TC (Urban Center Mixed Use Town Center) Special Land Use Designation]
West	Undeveloped	TC (Town Center)	T-C (Town Center) [UC-TC (Urban Center Mixed Use Town Center) Special Land Use Designation]

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>	X		Y
Centennial Hills Sector Plan	X		Y
Northwest Open Space Plan	X		Y
T-C Town Center District	X		Y
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>	X		Y
T-C (Town Center) District	X		Y
<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

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**ANALYSIS**

This is a request for a Tentative Map for a two-lot commercial subdivision on 5.10 acres at the northwest corner of Deer Springs Way and Durango Drive. A previous Site Development Plan Review (SDR-27051) entitled this property for a 41,741 square-foot retail and office development, and a Minor Site Development Plan Review (SDR-30027) entitled this property for an additional 4,154 square feet of retail and office space for a total of 45,895 square feet of commercial space within the proposed commercial subdivision.

The proposed two-lot commercial subdivision will split the existing 5.1 acre site into two lots consisting of a 1.14 acre parcel measuring 50,020 square feet to the west and a 3.96 acre parcel measuring 172,561 square feet to the east. The 1.14 acre parcel has been approved for a 10,400 square-foot office building while the 3.96 acre parcel has been approved for three freestanding commercial buildings. These three buildings consist of a 14,490 square-foot general retail building to the south, a 17,805 commercial building in the center consisting of 13,105 square feet of general retail space and a 4,700 square-foot Tavern, and a 3,200 square-foot Restaurant with Drive-Through to the north.

**FINDINGS**

**•General information (Residential/Commercial)**

The subject site is designated GC-TC (General Commercial Town Center) within the Town Center Special Land Use Plan. The General Commercial district allows all types of retail, service, office and other general business uses of a more intense commercial character. These uses will normally require a Special Use Permit and will commonly include limited outdoor display of product and lights or other characteristics not generally compatible with the adjoining residential areas without significant transition. Examples include new and used car sales, highway commercial uses such as hotels and motels, and tourist commercial uses such as resorts and recreational facilities. Local supporting land uses such as parks, other public recreational facilities, and some schools and churches are allowed in the General Commercial district.

**•Cross Section**

Pursuant to Section 18.08.110, cross sections have been submitted for the proposed Tentative Map. There is a 1.3 percent change in grade across the subject site, north to south, and a 2.8 percent change in grade west to east.

The applicant is proposing no perimeter walls for the subject commercial subdivision.

**•Trails**

No required trails are directly adjacent to this development.

**•Special Conditions of Approval (SDR-27051)**

4. A Waiver from Section B(5)(A)(3) of the Town Center Development Standards Manual is hereby approved, to allow a 15-foot setback where a 20-foot setback is required.
5. A Waiver from Section C(2)(B) of the Town Center Development Standards Manual is hereby approved to allow an 8.25-foot wide planter where a 15-foot wide planter is required.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: exclude California Pepper and Blue Palo Verde trees with either one or a combination of the four types of trees permitted in the Town Center Development Standards Manual.
12. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review CommitteeTown Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.

**•Special Conditions of Approval (SDR-30027)**

4. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein: The streetscape for Hitt Family Court shall be revised to reflect compliance with the Town Center Development Standards Manual requirements for a Town Center Tertiary.

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5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: Revise the landscape planting along Hitt Family Court to reflect the landscape requirements for a Town Center Tertiary; Revise the landscape plans to reflect plantings within the amenity zone fronting Durango Drive to contain a minimum of one-third, five-gallon plant material which will reach 75% coverage within three years; Provide five, five-gallon shrubs within the parking lot landscape finger islands; Provide an additional three, five-gallon shrubs, in addition to the three proposed, within the landscape buffer between Hitt Family Court and the Restaurant with Drive-Through loading zone to provide the requisite loading zone screening.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11**

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0