



Legislation Details (With Text)

File #: 15-00508 **Version:** 1 **Name:**
Type: Planning Case **Status:** Passed
File created: 8/10/2015 **In control:** City Council
On agenda: 8/25/2015 **Final action:** 8/25/2015
Title: Village at Aeroplaza (Quasi-Judicial)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Draft CPC Minutes Village at Areoplaza July 16, 2015, 2. Criteria-7.3.605-PUD Concept Plan criteria, 3. Attachment B -Applicant Appeal - Village at Aeroplaza, 4. Applicant C - Original Applicant Report- Village at Aeroplaza, 5. Attachment A-Village at Aeroplaza - Staff Report, 6. Village at Aeroplaza - PP - LT - CC, 7. Figure 1 - Concept Plan, 8. Figure 2 - Applicant project statement, 9. Figure 3 - DPIX public comment, 10. Figure 4 - Gateway Park MP

Date	Ver.	Action By	Action	Result
8/25/2015	1	City Council	approved	Pass

Village at Aeroplaza (Quasi-Judicial)

From:

Lonna Thelen, Principal Planner, Planning and Development Department

Summary:

This is an appeal of City Planning Commission’s decision denying the zone change and concept plan for the Village at Aeroplaza. The project includes concurrent applications for a zone change and a concept plan for a 14.02-acre site located north of Fountain Boulevard and west of Powers Boulevard. The applicant is requesting a zone change from PBC/cr/AO (Planned Business Center with conditions of record and airport overlay) to PUD/AO (Planned Unit Development with airport overlay). In addition, the applicant is proposing a concept plan for the property showing 80 single-family residential lots.

Unlike approvals of zone changes by the Planning Commission which are automatically forwarded to the City Council, pursuant to City Code Section 7.5.605.B denials of zone changes by the Planning Commission are considered final action and must be appealed for City Council review.

Previous Council Action:

None

Background:

The Village at Aeroplaza is a proposal to allow a small lot, single family detached, PUD development that includes 80 lots. The site is located adjacent to Fountain Boulevard, between Aeroplaza Drive and Powers Boulevard. The property is currently zoned PBC/cr/AO and the applicant is proposing to

rezone the property to PUD for residential use.

Staff recommended denial of both applications to the Planning Commission based on the findings that the applications did not meet the review criteria set forth by City Code, including non-conformance with the City's Comprehensive Plan and the area master plan.

Please see the attached Planning Commission staff report for additional detailed analysis.

Financial Implications:

Not applicable.

Board/Commission Recommendation:

At its July 16, 2015 meeting, the Planning Commission voted 6-3 to deny the concept plan. The appeal application was filed with the City Clerk within the prescribed 10-day deadline.

Stakeholder Process:

The public process involved with the review of these applications included posting of the site and sending of postcards on two separate occasions to 67 property owners within 500 feet of the subject property. Comment from the property owner to the northeast was received. The property owner uses the adjacent property for manufacturing and believes that the proposed single-family use is incompatible with their use.

Alternatives:

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;
3. Reverse the action of the City Planning Commission; or
4. Refer the matter back to the City Planning Commission for further consideration.

Proposed Motion:

CPC PUP 15-00032 - CONCEPT PLAN

Deny the appeal, upholding the Planning Commission's denial of the concept plan for Village at Aeroplaza, based upon the finding that the concept plan does not comply with the review criteria in City Code Section 7.3.605.

Not applicable.