



## Legislation Details (With Text)

**File #:** CPC PUD 06-00067-A3MJ18 **Version:** 2 **Name:**

**Type:** Planning Case **Status:** Passed

**File created:** 9/5/2018 **In control:** City Council

**On agenda:** 10/23/2018 **Final action:** 10/23/2018

**Title:** The Tuscan Foothills Village Filing Number 2 Development Plan illustrating four 10-unit multi-family buildings on 2.33 acres located northwest of Centennial Boulevard and Mule Deer Drive.

(Quasi-Judicial)

Related File: CPC PUZ 18-00066

Presenter:  
Mike Schultz, Principal Planner, Planning and Community Development  
Peter Wysocki, Director Planning and Community Development

**Sponsors:**

**Indexes:** Tuscan Foothills

**Code sections:**

**Attachments:** 1. Figure 2 - Tuscan FHV Filing 2 DP, 2. 7.3.606 PUD Development Plan, 3. 7.5.502.E Development Plan Review

Date	Ver.	Action By	Action	Result
10/23/2018	2	City Council	approved	Pass
9/20/2018	1	Planning Commission		

The Tuscan Foothills Village Filing Number 2 Development Plan illustrating four 10-unit multi-family buildings on 2.33 acres located northwest of Centennial Boulevard and Mule Deer Drive.

(Quasi-Judicial)

Related File: CPC PUZ 18-00066

**Presenter:**

Mike Schultz, Principal Planner, Planning and Community Development  
Peter Wysocki, Director Planning and Community Development

**Summary:**

Applicant: TFV1 LLC

Owner: Michael Hausman Revocable Trust

Location: Northwest of Centennial Boulevard and Mule Deer Drive

**Previous Council Action:**

City Council previously approved a rezoning of the property from PIP-1/HS (Planned Industrial Park with Hillside Overlay) to PUD/HS (Planned Unit Development with Hillside Overlay) that permitted a mixed use of single-family attached and detached units, commercial and maximum building heights of 35 feet and 45 feet; maximum density of 2.88 dwelling units per acre.

**Background:**

The subject property was part of the original Tuscan Foothills Village Planned Unit Development (PUD) approved in 2008 (and reapproved as a minor amendment in 2012) (see CPC report for details); the plans called for approximately 30,000 square feet of neighborhood commercial, office and recreation use (approximately 21,000 square feet on the subject property). Because the PUD did not take into consideration this building type (multi-family residential) and additional dwelling units (40 units), the applicant was required to seek a change of zone from the PUD-commercial use to a new PUD for multi-family residential.

The property immediately to the south of the site (southwest corner of Centennial Boulevard and Mule Deer Drive) was part of the same Tuscan Foothills Village Development Plan; that portion of the development did meet the original building types (two-family residential) and density allowance (a maximum 135 units, a recent administrative approval of a development plan amendment allowed 50 dwelling units, which the site is currently under construction).

The development entity involved with the development of the property immediately to the south is also part of the development of the subject property. Additional future development to the west of Silverstone Drive is likely, following similar land use and density allowances currently permitted within the approved Planned Unit Development; although future amendment to the Tuscan Foothills Village development (one, two and three-unit buildings and not to exceed 135 dwelling units) will again be reviewed administratively.

The proposal includes a change of zone to the of 2.33 acres from PUD/HS (Planned Unit Development with Hillside Overlay - mixed office/commercial/recreation uses with a maximum building height of 45 feet) to PUD/HS (Planned Unit Development with Hillside Overlay - multi-family residential, 17.17 dwelling units per acre with a maximum building height of 37 feet 2 inches). The development plan illustrates four (4) 10-unit multi-family buildings at the northwest corner of Centennial Boulevard and Mule Deer Drive.

The project consists of four (4) identical 10 unit buildings for a total of 40 units; each building will consist of 3-stories. The building height building maximum is 37 feet - 2 inches to the tallest portion of the building which involves the stairwell portion of the building; otherwise a majority of the structure is at 34 feet - 3 inches. The bedroom count is comprised of both one (1) bedroom (six units in each building) and two (2) bedroom (four units in each building). The project is required to have 64 off-street parking stalls; 65 parking stalls are provided, 16 garage stalls are included along with six (6) ADA (Americans with Disabilities Act) parking stalls.

Access to the property will be from two access drives off of the public street named Silverstone Terrace. There will be no direct vehicular access to either Centennial Boulevard or Mule Deer Drive. On-street parking along Silverstone Terrance will provide additional parking for both residents and guests. The development plan also demonstrates ADA pedestrian access from the public street to each of the four (4) buildings as illustrated on Sheet 2 of the development plan.

An on-site stormwater capture facility is proposed in the southeast portion of the site. This facility is

designed to accept additional stormwater flows from the property immediately to the north. Water Resources Engineering has no major issues or comments in regards to the proposed design or drainage report.

Although not a part of this particular zone change and development plan request; City Staff has been coordinating with the developer regarding future additional open space; the developer has agreed to dedicate 16.67 acres of open space (as part of the Phase 1 area south of Mule Deer Drive) that would be combined with the existing City owned Mountain Shadows Open Space.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

City Planning Commission at its September 20, 2018 meeting approved the change of zone on a 7 - 1 vote (Motion: Councilman Hente, Second: Graham; opposed: Raughton) and the PUD development plan on a 6 - 2 vote (Motion: Councilman Hente, Second: Graham; opposed Raughton and Almy). Both Planning Commissioners proposed to postpone the public hearing in order to allow Staff to conduct a neighborhood meeting and vet any issues between neighbors and the applicant. The Commissioners supporting the zone change and PUD development plan cited that the notification requirements outlined within City Code (§7.5.902 subsections B and C) were properly met however requested that Staff hold a neighborhood meeting before the item was forwarded to City Council.

Two (2) property owners attended the City Planning Commission meeting to oppose the project.

Please reference the minutes from the hearing for a detailed record.

**Stakeholder Process:**

The public process included posting the site during the initial application; Staff received comments from three (3) property owners (see CPC Staff memo for details). Staff realized two days before the City Planning Commission public hearing on September 20, 2018 that postcards for the initial review of the project were not mailed out to the surrounding property owners. Notification was sent prior to the Planning Commission meeting on September 20, 2018; Staff received approximately 14 emails from residents (including three (3) initial internal review comments, see CPC report, as well as 11 comments received just prior to the public hearing, see **FIGURE 3a**), which were provided to City Planning Commission during the meeting.

Staff explained that City Code §7.5.902 subsections B and C does not mandate mailed notification during the internal review period, only posting of the site with a poster, which the applicant sufficiently completed. Staff noted that the common practice is to send out mailed notification, generally of property owners located within 1,000 feet of the subject property.

City Planning Commission agreed that the project met all public hearing notifications required under City Code, however directed Staff to hold a neighborhood meeting to vet any issues relating to the project; that meeting was held on October 3, 2018 at Trailblazer Elementary School.

The issues voiced by residents within the emails and at the neighborhood meeting include potential impact to views toward the foothills/mountains, proposed height of the structures, site lighting, current traffic conditions on Centennial Boulevard and the intersection of Mule Deer, loss of open space and

type of development within the neighborhood.

Staff indicated during the October 3<sup>rd</sup> neighborhood meeting that they would follow up with Traffic Engineering regarding residents' concerns over current traffic conditions along Centennial Boulevard. Staff will also follow up with the applicant to ensure parking lot lighting is designed to minimize impacts to neighbors. Staff received two (2) additional resident comments after the October 3<sup>rd</sup> neighborhood meeting (**FIGURES 3b and 3c**).

Regarding site design and protecting private views; the consultant (Thomas & Thomas) and Staff noted that the current approved development plan for the site for commercial uses, would allow a greater heights (maximum heights of 35 and 45 feet) and the building arrangement would have greater visual impacts. Staff also explained that heights of around 35 feet within the hillside are generally acceptable noting the office building immediately north of the subject property was constructed to 35 feet.

Please see the Planning Commission staff report for more details.

**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:**

Approve the Tuscan Foothills Village Filing Number 2 Development Plan illustrating four (4) 10-unit multi-family buildings located at the northwest corner of Centennial Boulevard and Mule Deer Drive based upon the findings that the PUD development plan meets the review criteria for granting a PUD development plan as set forth in City Code Section 7.3.606 and meets the review criteria for granting a development plan as set forth in City Code Section 7.5.502(E).

N/A