



CALL TO ORDER

Commissioner Freeman arrived shortly after the Call To Order.

Present	Chairman Dean Vakas, Commissioner Jeremy Fry, Commissioner Ryan Nelson, Commissioner Jose Munoz, Commissioner Chip Corcoran, and Commissioner Barry Sutherland
Absent	Vice-Chairman Michael Rinke, and Commissioner Ryan Freeman

PLEDGE OF ALLEGIANCE

QUORUM ACKNOWLEDGEMENT

CONSENT AGENDA

- A.** **MN19-0422:** Standing approval of the minutes as written from the April 22, 2019 Planning Commission meeting.

Motion by Commissioner Corcoran, seconded by Commissioner Sutherland, that MN19-0422 be approved. The motion carried by the following vote:

Yes: Vakas, Fry, Nelson, Munoz, Corcoran, and Sutherland

Absent: Rinke, and Freeman

- B. MP19-0006:** Request approval for a minor plat for **The Villas of Asbury, 51st Plat** containing 2 lots on 0.53± acres; located at 15608 & 15584 S. Church Street.

A motion to approve MP19-0006 with the following staff stipulations:

- a. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the Planning Division.
- b. The setback lines shall be identified and labeled at the corners of each lot to identify the setback as it changes from the 75-foot building setback.
- c. All above ground electrical and/or telephone cabinets shall be placed within the interior side or rear building setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials, subject to UDO 18.30.130.
- d. A note shall be included on the building permit stating that all above ground mechanical equipment shall be screened according to UDO 18.30.130.

Motion by Commissioner Corcoran, seconded by Commissioner Sutherland, that MP19-0006 be approved as stipulated. The motion carried by the following vote:

Yes: Vakas, Fry, Nelson, Munoz, Corcoran, and Sutherland

Absent: Rinke, and Freeman

- C. FP19-0007:** Request approval for a final plat for **Church of the Resurrection West, Second Plat** containing 1 lot on 19.76± acres; located at 24000 W. Valley Parkway.

A motion to approve FP19-0007 with the following staff stipulations:

- a. The final plat is subject to traffic signal excise tax of **\$4,290.39**. The required excise tax shall be submitted to the Planning Division prior to recording the final plat.
- b. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the City Planning Division.
- c. All above ground electrical and/or telephone cabinets shall be placed within the interior side or rear setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials.

Motion by Commissioner Corcoran, seconded by Commissioner Sutherland, that FP19-0007 be approved as stipulated. The motion carried by the following vote:

Yes: Vakas, Fry, Nelson, Munoz, Corcoran, and Sutherland

Absent: Rinke, and Freeman

REGULAR AGENDA-NEW BUSINESS

A. PUBLIC HEARING

RZ19-0005: Request approval for a rezoning from R-1 to R-3 and preliminary site development plan for **Legacy Senior Residences II** on 5.39± acres; located in the vicinity of the southwest corner of W. Harold Street and N. Parker Street.

Dan Fernandez, Planner II, appeared before the Planning Commission, summarizing this request for a rezoning from R-1 to R-3 and preliminary site development plan for Legacy Senior Residences II. He noted the applicants operate a similar complex near 119th and Sunset Drive. The property is located at the southwest corner of Harold and Parker Streets. Mr. Fernandez presented a zoning map of the surrounding area, noting adjacent properties zoned commercial on the west and residential to the east, and vacant property to the south.

Mr. Fernandez stated the applicant has held two neighborhood meetings, one on February 27, 2019, before the application was submitted, and the official meeting on April 17, 2019. Staff has not received any correspondence for or against the rezoning.

Mr. Fernandez presented the plans for open space, parking, landscaping and a large tree preservation area on the development. Active open space includes walking paths, garden areas, and a dog park. He added that the development also meets the goals of the City's Communities for All Ages initiative.

Access to the development comes from Parker Street, which is a sufficient distance from the Harold and Parker Street intersection. **Mr. Fernandez** reviewed the building materials and architectural features. **Mr. Fernandez** noted that throughout the review process, the applicant added additional variation to the roof line.

Mr. Fernandez addressed the waiver regarding the landscape buffer on the south property line. Type 3 buffer requires 20 feet, landscaped, with a six-foot fence on a berm. The plan shows an 18-foot landscape buffer with no fence or berm. Mr. Fernandez said staff is supportive of this request because it's only two feet narrower than what is required. Also, there will be a solid line of landscaping adjacent to church-owned property that is vacant. Also, they are in support of the waiver because of the low density of this development. Mr. Fernandez noted that the applicant has also improved the design of the garages by adding additional stone to the elevations, as well as roof pitches and breaks in the roof lines.

Mr. Fernandez reported that primary elevations are the east and north. The requirement is 25 percent glass; they are showing 15 percent glass which is a waiver request. Staff supports this reduction because of the high quality of materials being used. The applicant is meeting the 70 percent requirement for Category 1 materials on primary and secondary elevations. Also, the amount of glass is similar to other multifamily developments that have requested waivers for glass.

Mr. Fernandez said that Site Design Category 3 requires the finished floor elevation to be 18 inches above the sidewalk. He noted that although senior housing is considered multifamily, it is not really appropriate for a project with interior entrances. Therefore, staff also supports that waiver request. Staff recommends approval of RZ19-0005 and FP19-0010.

Comm. Nelson noted that the neighboring church sent correspondence in support of

this development. **Mr. Fernandez** agreed, but said there was no correspondence received from neighboring residents. Comm. Nelson asked if the flat-top units were going to be ground units for mechanical. Mr. Fernandez deferred that question to the applicant. Comm. Nelson then asked if staff was satisfied with the level of amenities, and if the detention area was considered part of the outdoor amenity/green space. Mr. Fernandez said it is not, but staff is satisfied with the amenities that will be provided.

Chair Vakas opened the public hearing and asked the applicant to come forward. **Judd Claussen, Phelps Engineering**, appeared on behalf of Cornerstone Associates, who is the purchaser of this property. He noted that members of the church are also present this evening. Mr. Claussen noted that the first project by Cornerstone was Legacy on Northgate, which has been very popular, and this project is intended to be a "sister" building to that project. This project is intended to be affordable senior living/independent living. Mr. Claussen noted that the previous project was in place prior to the current UDO, and with the new UDO, there are some upgrades to this facility, which Mr. Fernandez touched on. Mr. Claussen noted improvements to this project over the last one, including an increased amount of windows, the addition of a storm shelter, and a dog park.

Mr. Claussen pointed out gathering areas within the building, including a library and a community room. There is an area that opens out onto a patio on the southwest side of the building. He noted that the rendering does not show a walking path that has been added all the way around the building and connecting to the neighborhoods. He said there is a lot of excitement surrounding the project and they have received a lot of positive feedback.

There were no questions of Mr. Claussen. There being no one else wishing to speak, Chair Vakas called for a motion to close the public hearing.

Motion by Comm. Nelson, seconded by Comm. Sutherland, to close the public hearing.

Motion passed 7-0.

Motion to recommend approval of RZ19-0005, for the following reasons:

- (1) The proposed development complies with the policies and goals of the *Comprehensive Plan* for Housing and Neighborhoods (Principle HN-1.8 HN-2.1 and HN-2.5).
- (2) The requested rezoning to R-3 district meets the *Unified Development Ordinance (UDO)* criteria for considering zoning applications.
- (3) The proposed development as stipulated meets composite design standards for **Site Design Category 3 (UDO 18.15.115)** and **Building Design Category B (UDO 18.15.030)**.

Motion includes recommending that the following stipulations be included in the ordinance:

- (1) A final plat shall be approved and recorded, and all excise fees paid prior to issuance of a building permit.
- (2) A final site development plan shall be approved prior to submitting for building permit.

Motion includes recommending that the following stipulations be included in the final site development plan:

- (1) A waiver shall be granted to permit 15% glass on the primary elevations (east and north) as shown on the elevations.
- (2) A waiver shall be granted to permit the residential finished floor

elevation to be less than 18 inches as required by Site Design Category 3.

(3) A waiver shall be granted to permit the Type 3 Buffer along the south property line to be 18 feet wide with the required Type 3 Buffer plantings.

(4) The landscaping along the south property line shall meet the required planting requirements of the Type 3 Buffer.

Motion by Commissioner Sutherland, seconded by Commissioner Munoz, that RZ19-0005 be approved as stipulated. The motion carried by the following vote:

Yes: Vakas, Freeman, Fry, Nelson, Munoz, Corcoran, and Sutherland

Absent: Rinke

- B. FP19-0010:** Request approval for a final plat for **Legacy Senior Residences II** containing 1 lot on 5.39± acres; located at the southwest corner of W. Harold Street and N. Parker Street.

Please refer to RZ19-0005 for discussion of this application.

Motion to recommend approval of FP19-0010 with the following stipulations:

- a. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the City Planning Division.
- b. Prior to recording the final plat, the required street excise fee of \$5,431.93 shall be submitted to the City Planning Division.
- c. Prior to recording the final plat, the required traffic signal excise tax of \$93.48 shall be submitted to the City Planning Division.

Motion by Sutherland, seconded by Munoz, that this agenda item be approved as stipulated. The motion carried by the following vote:

Yes: Vakas, Freeman, Fry, Nelson, Munoz, Corcoran, and Sutherland

Absent: Rinke

ANNOUNCEMENTS

ADJOURNMENT