

AGENDA ITEM # _____

DATE: April 15, 2015

COAC NUMBER:

**CITY OF GOODYEAR
PLANNING AND ZONING COMMISSION ACTION FORM**

SUBJECT: Rezoning to amend the Pebble Creek Phase II Planned Area Development for a site on 9.11 acres at the southwest corner of Pebble Creek Parkway & Clubhouse Drive to allow an assisted living facility use and establish development standards.	STAFF PRESENTER: Christopher Flodin, Architectural Planner CASE NUMBER: 14-210-00007 APPLICANT: Steve Soriano, Pebble Creek Limited Partnership – Robson Communities
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RECOMMENDATION:

- A. Conduct a public hearing to consider a rezoning request to amend the Pebble Creek Phase II Planned Area Development (PAD) for the site on the vacant 9.11 acres at the southwest corner of Pebble Creek Parkway & Clubhouse Drive to allow the assisted living facility use and create the development standards
 1. Open public hearing
 2. Staff presentation
 3. Receive public comment
 4. Close public hearing
- B. Approve a rezoning (Case No. 14-210-00007) to amend the Pebble Creek Phase II Planned Area Development (PAD) for a site on 9.11 acres at the southwest corner of Pebble Creek Parkway & Clubhouse Drive to allow an assisted living facility use and establish development standards, subject to the following stipulations:
 1. All development within the subject property shall be in compliance with the development standards, design guidelines, design concepts, and other provisions contained within the Pebble Creek Phase II Planned Area Development (PAD) as adopted by Ordinance No. 98-621 and the stipulations thereto, as modified by the Pebble Creek Renaissance Planned Area Development (PAD) Amendment dated December 2014 and the stipulations thereto;
 2. If the developer fails to comply with any of the stipulations contained within the Pebble Creek Phase II Planned Area Development (PAD) as adopted by Ordinance No. 98-621 and the stipulations thereto, as modified by the Renaissance Planned Area Development (PAD) Amendment dated December 2014 and the stipulations thereto, or fails to comply with any other City codes and regulations in the development of the property, then the City Engineer, or designee, may suspend the issuance of building and construction permits for the project until the developer cures the item in default;

3. This rezoning permits one assisted living facility operated by a single entity consisting of an assisted living/memory care/retirement facility. The maximum number of residential dwelling units permitted within the subject property shall not exceed 207. The use shall be in conformance with the narrative dated December 2014;
4. The subject property shall comply with the City of Goodyear General Commercial (C-2) zoning district criteria, except that the required 30 foot landscape buffer will not be required along Pebble Creek Parkway;
5. The site plan and elevations shall be revised to conform to Section 3-3-6-B-6 of the City of Goodyear Zoning Ordinance, adopted May 24, 1999 as amended. The minimum building setbacks shall be met or the height of the building shall be reduced;
6. Any proposed deviations to the Engineering Design Standards and Policy Manual are not approved with this rezoning;
7. Multi-family, apartment, or similar residential uses shall not be a permitted use on the subject property without a rezoning;
8. Fast food restaurants including those with a drive-thru are not a permitted use and will require a use permit;
9. The rights granted under the rezoning shall not vest unless vertical construction of an Assisted Living Facility consisting of an assisted living/memory care/retirement facility with up to 207 units is commenced within two years from the date of the adoption of this ordinance; and if vertical construction is not commenced within two years from the date of the adoption of this ordinance, the City of Goodyear shall be entitled to initiate a rezoning of the property voiding the rezoning authorized by this ordinance and reverting the zoning of the property to its previous zoning classification;
10. A right turn decal lane shall be provided for the entrance on Pebble Creek Parkway in conformance with the Engineering Design Standards and Policy Manual 4.1.3.K.6.c. The storage and taper lengths shall be provided per City Standard Details;
11. An updated Traffic Impact Analysis shall be provided with the site plan submittal;
12. All development within the subject property shall comply with the City of Goodyear Design Guidelines Manual except as modified by the Renaissance Planned Area Development (PAD) Amendment dated December 2014;
13. The developer shall be required to construct all infrastructure identified as being necessary for the proposed development of the property and for ensuring that adequate public services are available to the property in accordance with the

Engineering Design Standards and Policy Manual and all other applicable City Codes, except as modified by the Renaissance Planned Area Development (PAD) Amendment dated December 2014 and the stipulations thereto;

14. Approval of the Renaissance PAD Amendment does not constitute approval of a site plan. All future development will be subject to site plan and engineering plan review and approval, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation; and,
15. The owner/developer of the Renaissance Assisted Living Facility development shall include a disclosure statement in any rental agreement for prospective residents to sign acknowledging that the development is in proximity to Luke AFB and the Phoenix-Goodyear Airport and is subject to attendant noise, vibrations, and all other effects that may be caused by overflights and by the operation of aircraft landing at, or taking off from, Luke Air Force Base and/or the Phoenix-Goodyear Airport.

PURPOSE:

This request is for an amendment to the Pebble Creek Phase II PAD for the site on the vacant 9.11 acres at the southwest corner of Pebble Creek Parkway & Clubhouse Drive. The current zoning designation for this parcel within the Pebble Creek Phase II PAD is Neighborhood Commercial. This zoning amendment would allow an assisted living facility use and establish development standards, as amended by the Renaissance Planned Area Development containing approximately 207 attached assisted living residential dwelling units for lease.

Since the City has received written protests against this rezoning request from owners of more than 20% of the land area within 150' directly opposite of or adjacent to the side of the subject property, pursuant to Article 1, Section 1-3-1(D) of the City's Zoning Ordinance, a favorable vote of three-fourths (3/4) of the governing body (6 out of 7 City Council members) will be required to approve and adopt the rezoning ordinance.)

BACKGROUND AND COMMUNITY BENEFIT:

Current Policy:

The Planned Area Development (PAD) zoning district is intended to accommodate, encourage and promote developments with innovative design involving residential and nonresidential land uses, which together form an attractive, harmonious unit in the community. The planned development, if so specified at the time of zoning approval, may include standards or criteria that differ from those regulations pertaining to other zoning districts (including deviations from the development standards prescribed for the district) when warranted by circumstances such as but not limited to: alternative residential lot design, innovative architectural or subdivision design features, retirement housing, in-fill development involving a small or irregularly shaped parcel, or other circumstances found by the City through the PAD approval to merit departure from the regulations pertaining to other districts.

The Zoning Ordinance sets forth the following objectives for a Planned Area Development (PAD):

- to accommodate variations in building design, lot arrangements and land uses for a maximum choice in the types of environments for residential, commercial, industrial uses and facilities;
- to provide for a coordinated and compatibly arranged variety of land uses -- with efficient and safe traffic circulation, including the separation of pedestrian from vehicular traffic -- through innovative site planning;
- to maintain quality of living excellence with the provision of usable open space standards to minimize adverse environmental impact on surrounding areas; and
- to assist in fulfilling the goals, objectives and policies of the City of Goodyear General Plan and amendments thereto.

Unless otherwise provided for in the PAD, a request to amend the land uses of an approved PAD must be processed as a rezoning request, which requires public review and approval by the Planning and Zoning Commission and City Council. The proposed amendment should be consistent with the intended purpose and objectives for a PAD and should not adversely impact the surrounding area.

Historical Information:

On August 24, 1998, the City Council adopted Ordinance No. 98-621 rezoning approximately 759.25 acres known as the Pebble Creek Phase II PAD in the area from Indian School Road to McDowell Road and from Loop 303 right-of-way to Pebble Creek Parkway. The Pebble Creek Phase II PAD provides for a mixture of uses and zoning/land use designations different from the City's standard zoning classifications for implementing the Pebble Creek Master Plan. The PAD was amended in 2002 through Ordinance No. 02-782 to amend the designations on 5 parcels of land. The commercial pieces were stipulated to be in conformance with the General Commercial (C-2) zoning district criteria. On May 9, 2005 the PAD was amended to allow for changes in the Luke Air Force Base DNL noise contour, which resulted in an amended Development Plan. The PAD was amended again in April 2008. The purpose of this amendment was to modify the pedestrian circulation plan to allow more privacy, more security, and to better meet to he desires of the Pebble Creek residents.

The subject property is designated for Neighborhood Commercial development in the Pebble Creek Phase II PAD. No permitted uses or development regulations are established by the PAD. In order to facilitate the development of the proposed assisted living facility, a rezone must be processed to amend the Final Development Plan to allow the proposed use as a permitted use and establish the development regulations.

DISCUSSION:

Background:

The General Plan Land Use Map designates the subject property as Neighborhood. Staff views the assisted living facility use as quasi Residential/Commercial Development. The Development Standards for Neighborhoods allows for High Density Residential with densities over 12

dwelling units per acre and Neighborhood Commercial sites as standalone developments that are under 20 acres in size. The 2025 General Plan encourages Neighborhood development that supports the City’s desired community character and vision by creating and fostering complete neighborhoods. Complete neighborhoods shall include a range of housing options, places that encourage social interaction, access to healthy food, and accessibility for people of all abilities. Complete neighborhoods shall also promote the concept of “aging in place” and “aging family”, ensuring that neighborhoods and homes meet the needs of aging residents and provide accessibility in accordance with the Americans with Disabilities Act (A.D.A.)

Surrounding Properties:

Existing land uses and zoning surrounding the subject property include the following:

- **North** – Pebble Creek Tuscany Golf Club;
- **East** – Existing single-family residential development (density of 3-4 du/ac) within Pebble Creek PAD;
- **Northwest** – The City of Goodyear Fire Station 185; (Existing building height 26’ with (2) 5-6’ architectural projections above roof line).
- **South** – Existing single-family residential development (density of 5-12 du/ac) within Pebble Creek Phase II PAD;
- **West** – Existing single-family residential development (density of 5-12 du/ac) within Pebble Creek Phase II PAD;

Details of the Request:

This request is for an amendment to the Pebble Creek Planned Area Development (PAD) to allow the assisted living facility use and create the development standards on 9.11 acres at the southwest corner of Pebble Creek Parkway & Clubhouse Drive. The current zoning designation for this parcel within the Pebble Creek Phase II PAD is Neighborhood Commercial. This zoning amendment would allow an Assisted Living Facility Use for the property and establish development standards defined within the Renaissance Planned Area Development (PAD) Amendment.

The proposed Renaissance development contains 207 attached independent living, assisted care, and memory care residential dwellings at a density of 22.72 units per acre. As stated in the PAD Amendment narrative, Renaissance is a planned “leased assisted living facility”. The care center and residential living units are approximately 282,274 square feet and will vary between two and three stories.

The development of this site will not increase the allowable maximum building units nor the maximum allowable density within Pebble Creek Phase II.

The residential units within Renaissance will be a mix of independent living, assisted care, and memory care. Below is a preliminary breakdown of these residential units.

Independent Living Units

One Bedroom (Approx. 750sq. ft.)	101 Units
Two Bedroom (Approx. 1,231sq. ft.)	20 Units

Assisted Care Units

One Bedroom (Approx. 1,005sq. ft.)	59 Units
Two Bedroom (Approx. 1,231sq. ft.)	7 Units
Memory Care Units (Approx. 1,231sq. ft.)	20 Units

The Renaissance PAD identifies Site Design and Building Architecture Design Guidelines for the proposed development, and contains illustrated building concepts for the proposed building. The architectural theme proposed for the building is Desert Contemporary which is generally defined by simple and clean straight lines, offering an uncluttered look. Muted desert hues are applied to large massing areas, while accent materials and colors are used to create interest near entryways.

The site will be required to adhere to the C-2 (General Commercial) zoning district guidelines with exception to the 30 foot buffer yard requirement along Pebble Creek Parkway. This will be reduced to 0 feet. The elimination of the 30 foot buffer yard requirement along Pebble Creek Parkway aligns this street side setback of the site with the existing residential lots to the south.

Access to the proposed Renaissance development will be from two (2) vehicular entrances, one off Pebble Creek Parkway and the other off Clubhouse Drive. The northern access will be a full access driveway and the primary project entry that utilizes the existing entrance to Pebble Creek from Clubhouse Drive. The eastern access will be a full access driveway that is only accessible to southbound traffic on Pebble Creek Parkway.

If the rezoning is approved, future development of the property would proceed through the normal City development review process, and all elements of the proposed development would be subject to compliance with the Renaissance Planned Area Development (PAD) Land Use and Development Standards Narrative, dated December 2014. Included within the Renaissance PAD are conceptual site, landscape and other plans that illustrate the proposed Renaissance Assisted Living Facility development project, and defined Development Standards and Design Guidelines for site design and building architecture will serve to guide future development of the property. While the conceptual site plan generally conforms to the City's Development Standards and Design Guidelines for site design and building architecture, a more detailed review will be conducted during the formal Site Plan review process which may result in modifications to the conceptual site plan, such as shifting or loss of units, to ensure all minimum access and safety requirements are met.

Staff Analysis and Findings:

The Zoning Ordinance establishes the following guidelines for the review of zoning amendments. Staff analysis and findings for this PAD Amendment request relative to these guidelines are as follows:

- 1. Consistency with the goals, objectives, policies and future land use map of City's General Plan; consideration of current market factors, demographics, infrastructure, traffic, and environmental issues; and if conditions have changed significantly since the Plan was adopted.*

The proposed PAD Amendment for the development of an Assisted Living Facility on the subject property is consistent with the Neighborhood land use designation for the property as established on the General Plan Land Use Map. Staff views the assisted living facility use as quasi Residential/Commercial Development. The Development Standards for Neighborhoods allows for High Density Residential with densities over 12 dwelling units per acre and Neighborhood Commercial sites as standalone developments that are under 20 acres in size.

The proposed PAD amendment for the Renaissance Assisted Living Facility is consistent with the following stated objectives of the General Plan:

- 1) Create and foster complete neighborhoods, by providing a range of housing options, places that encourage social interaction, access to healthy food, and accessibility for people of all abilities;
 - 2) Promote the concept of “aging in place” and “aging family”, ensuring that neighborhoods and homes meet the needs of aging residents and provide accessibility in accordance with the Americans with Disabilities Act (A.D.A.);
 - 3) Utilize architecture and landscape that is compatible with the Sonoran Desert;
 - 4) Attempt to locate higher density residential adjacent to and proximate to high capacity roadways to leverage visibility and access, and to buffer /protect lower density uses;
 - 5) Encourage a mix of housing types that is consistent with market trends, satisfies demand, and adequately meets the needs of all prospective residents.
2. *Suitability of the subject property’s physical and natural features for the uses permitted under the proposed zoning district.*

The subject property is appropriately located at the corner of an arterial street and major collector street for the development of an assisted living development. The vacant property is relatively flat and has no physical features that would impact future development. The property has adequate frontage and access to Pebble Creek Parkway, an arterial street.

3. *Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of such things as land suitability, environmental impacts, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential impact on property values.*

The subject property abuts existing single-family residential lots to the east, west, and south. The Assisted Living Facility Use can be a compatible land use adjacent to single-family residential provided appropriate measures are taken to ensure there is no negative impact generated by the assisted living facility development. The Renaissance PAD amendment contains the following features which provide compatibility with the adjoining single-family residential lots:

- 1) The 2-story and 3-story building within the Renaissance PAD will maintain additional minimum setbacks of from the adjoining single family residential lots.

- 2) The intensity of the assisted living development at 22.72 du/acre, is likely to be significantly less than that created by general commercial development that typically tends to have more intense activity (delivery trucks, late night operations, greater traffic volume);
 - 3) The Renaissance PAD contains appropriate development standards and design guidelines to ensure a level of development quality similar to and compatible with adjoining properties; and,
 - 4) Potential neighborhood traffic impacts were studied with the PAD Amendment. The anticipated traffic volumes from the proposed assisted living development will be significantly less than that which would be generated by commercial development of the property.
4. *Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under proposed zoning district would be better suited to the subject property than the uses allowed under current zoning.*

Since the subject property is designated Neighborhood Commercial some level of commercial development would be appropriate for the subject property, and generally can be developed in a manner that is compatible with adjoining residential neighborhoods. In fact, the 2025 General Plan encourages development of neighborhood commercial centers at the intersection of arterial and collector streets.

The proposed PAD amendment providing for the development of an assisted living facility is considered reasonable and appropriate for the property since the PAD would limit development to the development plan submitted and the intensity and scale proposed.

5. *Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand.*

The Renaissance PAD narrative indicates there is a significant need for additional assisted living facilities within the City of Goodyear specifically one that is closely integrated with the Pebble Creek Active Adult Residential Community. The narrative states that this association is extremely important to potential residents and extended family members when making the difficult decision for transitioning to extend care living. The association allows potential residents the ability to maintain friendships, regular activities, and the lifestyle they have grown accustomed to while living within the Pebble Creek Community. The Renaissance PAD narrative makes the argument that the proposed rezoning of the property to allow the Assisted Living Facility Use and additional building height is necessary to meet existing demands for assisted care facilities while reducing an abundance of vacant commercial. The Pebble Creek Master Plan in general provides an appropriate balance of residential land uses at varying densities and commercial land uses that are needed to serve the residential population.

Rezoning this 9.11-acre parcel to allow the Assisted Living Facility Use would not negatively impact the land use balance within Pebble Creek, and that it would help meet an existing need for additional assisted living projects. The additional units provided by this

assisted living facility project would not only provide greater diversity in housing choice, but also a unique opportunity to help with the lifestyle transition of Pebble Creek's aging residents.

6. *Demands for public services that will be generated by the uses permitted in the proposed zoning district and requirements for meeting such demands in terms of public infrastructure and facilities and other capital equipment, such as water supplies, water treatment, storage, and distribution facilities, wastewater treatment, recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment.*

The developer will be required to construct all infrastructure identified as being needed for the development and ensure that adequate public services are available to the property in accordance with City standards. Existing street infrastructure and water/sewer lines exist adjacent to the property, and the proposed development will be provided water and sewer services by Liberty Utilities. Fire Station No. 185 on Pebble Creek Parkway is located in the vicinity of the project and can provide an acceptable level of service to the property.

7. *Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided.*

The project is in an area that has existing public services, infrastructure and utilities. As previously noted, any additional improvements or services required to serve the development will be the responsibility of the developer.

8. *General public's concerns.*

The developer conducted a neighborhood meeting to introduce the project to the community and to answer questions concerning the proposed development. At the meeting, residents had questions on the nature of the proposed development, regarding traffic impacts, the proposed height of the development, invasion of privacy, parking adequacy, density of development, saturation of similar facilities in the area, and the architecture of the residential units. Some residents in attendance expressed a preference for commercial development of the property under the existing zoning rather than the proposed assisted living facility zoning and development contained in this PAD amendment.

In response to concerns voiced at the neighborhood meeting, the applicant reduced a small section of the 3-story building along the west side. The developer will need to ensure that community expectations are met in the future project design and development processes through adherence to the PAD Amendment Design Guidelines and Development Standards. This should include meeting or exceeding the existing setback requirements for 3-story masses for C-2 zoning districts and adding the required decal lane for Pebble Creek Parkway.

9. *Whether the amendment promotes orderly growth and development.*

The Assisted Living Facility Use zoning and development proposed in the Renaissance PAD amendment is a reasonable and appropriate alternate to the existing commercial zoning of the

property. The proposed development is within the developed area of the City and the Pebble Creek Master Plan community, and has existing available City services and infrastructure.

DEPARTMENT/FUNCTIONAL IMPACTS:

Luke AFB:

The property is located approximately 2 miles from the 65 db DNL noise contour and is subject to periodic overflights from Luke Air Force Base. A copy of the PAD Amendment and conceptual development plan were sent to Luke Air Force Base for review and comment. The staff of the Communities Initiatives Team has indicated that the master plan for the Pebble Creek area was prepared in concert with the master developer to ensure that the overall density of the master planned community was consistent with the graduated density concept which promotes lower densities in areas closest to the 65 DNL noise contour. While the density proposed in this development is higher than what is suggested under the graduated density concept promoted by Luke AFB, the number of units proposed is still within the overall density established for the Pebble Creek master plan. It was recommended by Luke AFB that the developer include a disclosure statement in any agreement for prospective residents to sign acknowledging that the development is in proximity to Luke AFB and is subject to attendant noise, vibrations, and all other effects that may be caused by overflights and by the operation of aircraft landing at, or taking off from, Luke Air Force Base. This is a standard stipulation included in rezoning cases and has been included in the staff recommendation.

Phoenix-Goodyear Airport:

The subject property is located within the Phoenix-Goodyear Airport Traffic Pattern Airspace, but is more than 4 miles from the Airport. It is anticipated that the proposed development of the property will not adversely impact airport operations, nor will the development be adversely impacted. The developer shall include a disclosure statement in any rental agreement for prospective residents to sign acknowledging that the development is in proximity to the Phoenix-Goodyear Airport and is subject to attendant noise, vibrations, and all other effects that may be caused by overflights and by the operation of aircraft landing at, or taking off from, the Phoenix-Goodyear Airport.

Fire/Response Time:

Fire Station No. 185 is located at the southwest corner of Pebble Creek Parkway and Clubhouse Drive and is approximately 0 feet from the subject property and can provide an adequate response to the subject property.

Solid Waste:

Solid waste collection for the proposed assisted living development will be provided by private solid waste contract services.

Stormwater:

All project stormwater runoff will be contained on the site. The required on-site retention volume will be provided for the 100-year, 6-hour storm event through a combination of surface retention and underground storage piping, tanks and/or chambers within the project.

Streets/Transportation:

Access to the proposed Renaissance development will be from two (2) vehicular entrances, one off Pebble Creek Parkway and the other off Clubhouse Drive. The northern access will be a full access driveway and the primary project entry that utilizes the existing entrance to Pebble Creek off Clubhouse Drive. The eastern access will be a full access driveway that is only accessible to southbound traffic on Pebble Creek Parkway.

As specified in the original Traffic Impact Analysis (TIA) for Pebble Creek Phase II (dated July 7, 1998), the Neighborhood Commercial parcel was mention as a general retail with a possible fast food restaurant. This “Use” was used in the discussion of potential traffic impacts related to the site for lack of a specific use defined within the Pebble creek PAD. Now that a proposed Use has been clarified for this site a comparison of the impacts should be considered. The Narrative states the proposed traffic forecasts have been investigated in relation to the further clarified Pebble Creek Renaissance Use. A comparison of the previously determined traffic forecasts and the newly clarified forecasts has been provided below.

General Retail/Fast Food	8,310 Trips per Day
Assisted living Facility	641 Trips per Day

Stipulations have been created to require:

- 1) An updated Traffic Impact Analysis be provided during the Site Plan Review.
- 2) A right turn decal lane shall be provided for the entrance on Pebble Creek Parkway in conformance with the Engineering Design Standards and Policy Manual 4.1.3.K.6.c. The storage and taper lengths shall be provided per City Standard Details;

Water/Wastewater/Reclaimed Water:

The subject project is located within the service area of Liberty Utilities who will provide water and sewer services to the development project. Existing water and sewer infrastructure exists within Pebble Creek Parkway adjacent to the property.

PREVIOUS ACTION AND DISCUSSION:**Citizen Review Meeting:**

In accordance with the City’s Citizen Review Ordinance, a neighborhood meeting was held on Tuesday, March 25, 2015. Notices for the meeting were distributed to property owners within 500 feet of the subject property and to the homeowners association, public notice was provided in the newspaper, and a sign was posted on the property. At the Citizen Review Meeting, the applicant presented the details of the proposed PAD Amendment and answered questions concerning the development proposal. In attendance were 250 area residents of Pebble Creek.

Attached is a summary of the discussion at the Citizen Review Meeting. At the meeting, residents had questions on the nature of the proposed development, and voiced concerns regarding traffic impacts on Clubhouse Drive, the proposed height of the development, invasion of privacy, parking adequacy, density of development, saturation of similar facilities in the area, and the architecture character of the residential units. Most residents in attendance expressed a

preference for commercial development of the property under the existing zoning rather than the proposed assisted living zoning and development contained in the Renaissance PAD amendment.

Planning and Zoning Commission Meeting:

A public hearing for this development has been scheduled before the Planning and Zoning Commission at their regular meeting on April 15, 2015 and before the City Council on May 17, 2014. Notice of the public hearing, as well as the November 17, 2015 City Council meeting, was published in the southwest section of the Arizona Republic and notices were mailed to property owners within 500 feet of the site. A sign was also posted on site.

Public Participation

The City also has received a number of written protests against this rezoning request from a neighboring property owners. Copies of that correspondence are also attached (Written Letters of Protest - Copies). Other neighboring property owners have voiced opposition to the proposed rezoning through telephone calls or attendance at the Citizen Review meeting. In addition the City has received a number of written letters from neighboring property owners in support of this rezoning request. Copies of that correspondence are also attached (Written Letters of Support - Copies). Since the Citizen Review meeting the City has received 38 written communications and phone calls regarding the rezoning request. In general, 12 were in support of the proposal and 26 expressed concerns or were against the proposal. The major concerns of the surrounding property owners concentrated on the proposed height of the 3-story structure, the additional traffic the project would create on Clubhouse Drive, and the saturation of Assisted Living Facilities in the area.

Staff has verified that the written protests represent more than 20% of the land area within 150' directly opposite of or adjacent to the side of the subject property. Accordingly, Article 1, Section 1-3-1(D) of the City's Zoning Ordinance requires a favorable vote of three-fourths (3/4) of the governing body (6 out of 7 members) to approve and adopt the rezoning ordinance.

ATTACHMENTS:

1. Aerial Photo Exhibit
2. Pebble Creek Phase II Development Plans
3. Renaissance Conceptual Site Plan
4. Renaissance Conceptual Landscape Plan
5. Renaissance Conceptual Building Elevations
6. Renaissance PAD Narrative Amendment dated December, 2014
7. Citizen Review Meeting Summary, March 24, 2015
8. Citizen Review Meeting Attendance List, March 24, 2015
9. Written Letters of Protest - Copies
10. Written Letters of Support - Copies