

- 6.3 Staff Report (For Possible Action): Case No. **LDC23-00062 (Viewpoint Apartments Access Road MSPR)** – A request has been made for a major site plan review to allow for grading resulting in cuts deeper than 20 feet and fills greater than ten feet in height for the development of an access road to a previously approved 432 unit apartment complex (LDC22- 00084). The ±97.97 acre site is located in the Multi-Family Residential – 14 units per acre (MF-14) zoning district directly west of the intersection of Summit Ridge Drive and Summit Ridge Court. The site has Master Plan land use designations of Mixed Neighborhood (MX) and Parks, Greenways, and Open Space (PGOS). **[Ward 1]**

Dave Snelgrove, CFA, gave an overview of the project and requested removal of Condition No. 8. Bob Skiff also spoke on this item.

Brook Oswald, Associate Planner, presented staff analysis.

Disclosures: spoke with the applicant's representative, familiar with the site Public Comment:

None

Questions:

Mr. Oswald answered questions from Commissioner Gower regarding the applicant's request to remove Condition No. 8 that requires approved plans for a secondary access prior to issuance of a building permit. The applicant says the condition limits them from doing preliminary work on the site.

Mr. Snelgrove answered questions from Commissioner Gower regarding the secondary access and their request to remove Condition No. 8.

Angela Fuss, Development Services Assistant Director, explained the blue dashed line on the map in the presentation indicates the required fire emergency access and that goes through Home Depot. If Home Depot denies the access agreement, none of this project can go forward. This condition is required to ensure that they do in fact receive the agreement from Home Depot before moving forward with their project.

Mr. Oswald explained for Commissioner Villanueva that the project was approved subject to the condition to have the secondary access.

Discussion:

Chair Drakulich spoke in support of keeping Condition No. 8.

Commissioner Gower stated he understands the applicant's concern but Condition No. 8 is needed to assure there will be the required secondary access before they go forward with grading.

It was moved by Peter Gower, seconded by Alex Velto, to approve the major site plan review, subject to conditions listed in the staff report. Motion Pass.

RESULT: **Approved [6 TO 0]**

MOVER: Peter Gower, Commissioner

SECONDER: Alex Velto, Chair

AYES: Velto, Johnson, Drakulich, Gower, Villanueva, Armstrong

NAYS:

ABSENT: Arthur Munoz

ABSTAIN:

RECUSED: