

## AGENDA BILL 2009-12-14D

**Subject:** Appeal of Planning Commission approval of PUD-09-01/SUB-09-01/WAP-09-02, "Suncrest PUD"

**For Council:** December 14, 2009

**Land Use Case Number:** AP-09-05

**Public Hearing:** Yes

**City Manager's Initials:** \_\_\_\_\_

### Attachments:

1. Staff Memo to City Manager and attachments
2. Appellant's Submittal
3. Notice packet
4. Other citizen submittal received after PUD-09-01 et al. final decision
5. Entire record for PUD-09-01

### Initiated by:

- Hidden Springs Neighborhood Association

### Budget Impact:

- Maintenance and enforcement costs, and their impact on the City may depend on whether the City or homeowners' association has maintenance responsibility for the open space tracts.

### Sustainability Impact:

- An area that currently has one single family house and garage will be developed into 6 single family houses, private street, and stormwater treatment facility.
- The remainder of the site will either be dedicated to the public or be protected by conservation easements; no development except possible trail will be allowed here.

### Policy Questions for Council Consideration:

- Are conservation easements or public ownership the best way to protect the open space in the PUD, given code requirements and statements made by the applicant's representatives?

### Summary:

- Planning Commission approved PUD-09-01/SUB-09-01/WAP-09-02
- Hidden Springs Neighborhood Association appealed, without specifying a reason
- Public ownership vs. conservation easement for open space (and what the applicant did or did not promise) was a major issue during Planning Commission phase and in citizen submittals since then.

### Recommended Action:

- Staff recommends that City Council uphold Planning Commission decision.

### Council Action Taken:

- Approved
- Denied
- Continued

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