TOWN
Of
PARADISE VALLEY

PLANNING COMMISSION MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
SUMMARY MINUTES
June 16, 2015

1. CALL TO ORDER

The meeting of the Town of Paradise Valley Planning Commission was called to order by Chairman Strom at 6:00 p.m.

2. ROLL CALL

George Burton called the roll, noting there was a quorum.

COMMISIONERS PRESENT
Dolf Strom, Chairman
Richard Mahrle, Commissioner
Thomas Campbell, Commissioner
Jonathan Wainwright, Commissioner
Scott Moore, Commissioner
Daran Wastchak, Commissioner
Jeff Wincel, Commissioner

COMMISIONERS ABSENT

COUNCIL PRESENT
Michael Collins, Mayor
Paul Dembow, Vice Mayor
Mark Stanton, Council Member

STAFF PRESENT
Andrew Miller, Town Attorney
Eva Cutro, Community Development Director
Paul Michaud, Senior Planner
George Burton, Planner
Duncan Miller, Town Clerk

3. EXECUTIVE SESSION. None

4. WORK STUDY SESSION

A. Discussion of The Villas at Mountain Shadows II & III Preliminary Plats

Paul Michaud presented the topic per the staff action report. He noted that the two plats being discussed today are subsequent phases to the first phase of the 20 lots for the villa homes. Whereby, the preliminary plat for the first phase was approved by the Town Council in May 2015. He noted that the Planning Commission needs to take separate action on both applications and reviewed the stipulations.
Planning Commission discussion included the following:

- Commissioner Moore asked about the configuration of 56th Street and the alignment of the medians with the proposed exit onto 56th Street between Lots 28 and 29. Mr. Michaud replied that plats do not show the physical roadway improvements. He added that the access point was reviewed and approved by the Town Engineer. Commissioner Campbell suggested an overlay to show the street improvements. The applicant's engineer, Fred Fleet, explained the design and his correspondence with the Town Engineer. It was agreed that a graphic showing this exit and the actual roadway improvements can be provided.
- Chairman Strom inquired about the function of the access onto 56th Street between Lots 28 and 29, including why the access is proposed for exit only. The applicant, Rick Carpinelli, stated the exit only will limit the number of vehicles needing to exit at the guard house and will provide an emergency access point into the development. There was discussion regarding the type of access control mechanism and which lot owners will have access to this exit. The applicant has not determined the specific control mechanism or which lot owners will have access to this exit. However, whatever mechanism is used, it will not allow for public entry into the development from 56th Street. The mechanism used will allow for emergency access entry and exit. It was discussed that the main access for residents is to use Tract A through both the Mountain Shadows West guard house and the Villas guardhouse north onto Lincoln Drive or east onto 56th Street via East Village Drive.
- There was discussion on the internal circulation. The Commission reviewed with the applicant how the one way portion of East Via La Serena Drive will function and the reviewed the dead end roadway north of Tract E. The applicant explained that the grade difference on Tract E prohibits the connection of East Via La Serena Drive to East Valley Vista Lane.
- Commissioner Moore asked about the drainage report. Mr. Michaud explained that drainage report was reviewed by the Town Engineer. Mr. Carpinelli added that the Town Engineer reviewed both the preliminary and final drainage reports. He further explained that there will be underground storm water storage beneath Tract A of East Village Drive similar to East Village Drive on the east side of 56th Street.
- Commissioner Moore asked if there are updated will-serve letters for the utilities. Fred Fleet stated yes.
- Mr. Michaud reviewed the proposed stipulations. Commissioner Mahrle suggested adding a stipulation regarding providing a graphic with the Council approval that the configuration of 56th Street will align with the proposed exit onto 56th Street between Lots 28 and 29.

Chairman Strom closed the work session for this item at 6:30 p.m.

5. PUBLIC HEARING.

Chairman Strom stated there were no Public Hearing items on the agenda. He moved to hear the two action items on the preliminary plats of The Villas at Mountain Shadows II & III.

6. ACTION ITEMS

A. Consideration of The Villas at Mountain Shadows II Preliminary Plat for 8 lots on approximately 1.94 acres located near the southwest corner of Lincoln Drive and 56th Street (PP 15-02)

Recommendation: Forwarded to the Town Council with a recommendation of **APPROVAL** with stipulations.

Chairman Strom asked for any public comments. Hearing none, he asked for Planning Commission discussion. Hearing none, he asked for a motion Planning Commission.

Motion –Commissioner Mahrle moved to recommend approval with the following stipulations as outlined in the action report and one additional stipulation regarding the submittal of a graphic of the exit onto 56th Street. Commissioner Wincel seconded the motion and it passed unanimously by a vote of 7 to 0, subject to the following stipulations:

1. The Final Plat for The Villas at Mountain Shadows II shall be in substantial compliance with the Preliminary Plat, The Villas at Mountain Shadows II & III, Sheets 1-2, prepared by Coe & Van Loo Consultants, Inc. dated June 4, 2015.

2. The Final Plat for The Villas at Mountain Shadows II shall include any and all necessary easements and/or tracts, including:

    a. Easements and/or tracts for drainage within said plat that are consistent to the overall grading and drainage plans for the entire Special Use Permit (SUP) site, which shall be depicted on the Final Plat prior to recordation of said plat,

    b. Easements and/or tracts for utilities, with said easements to be in the locations and widths as prescribed by the respective utility provider, with correspondence from said utility providers indicating that the identification of the final locations and widths of such easement(s) are in process given to the Town prior to Planning Commission recommendation of the Final Plat, and

3. Prior to recordation of the Final Plat for said subdivision, the applicant shall provide to the Town Attorney a copy of the CC&R's or other documents for review to insure that all CC&R terms required under the SUP or other recorded agreements are part of the

CC&Rs or other documents, including provision for maintenance of any drainage easements dedicated on the plat.

4. The final subdivision improvements shall be in substantial compliance with subdivision improvement plans approved by the Town Engineer and Community Development Department that address items such as sewer, water, grading, drainage, paving, landscaping, and irrigation. Prior to the recordation of the Final Plat, the applicant shall provide, subject to Town approval and consistent with the requirements set forth in the SUP and Development Agreement, all assurances necessary to guarantee completion of any improvements in the public right-of-way. The Town Engineer shall approve final subdivision improvement plans prior to the issuance of any building permit for a residential unit in said subdivision.

5. Within 30 days of approval of the Final Plat, the applicant shall submit to the Town mylars of the approved plans and an electronic version of these plans in a pdf format for the Town's permanent record.

6. At the time said plat is submitted to Town Council, the applicant shall demonstrate through graphics and/or visuals that there is no conflict with the exit onto 56th Street of Tract C and the 56th Street improvements.

Passed
For: 7; Against: 0; Abstain: 0; Absent: 0

B. Consideration of The Villas at Mountain Shadows III Preliminary Plat for 35 lots on approximately 5.20 acres located near the southwest corner of Lincoln Drive and 56th Street (PP 15-03)

Recommendation: Forwarded to the Town Council with a recommendation of **APPROVAL** with stipulations.

Chairman Strom asked for any public comments. Hearing none, he asked for Planning Commission discussion. Hearing none, he asked for a motion Planning Commission.

Motion –Commissioner Mahrle moved to recommend approval with the following stipulations as outlined in the action report. Commissioner Campbell seconded the motion and it passed by a vote of 6 to 1, with Commissioner Wincel dissenting, subject to the following stipulations:

1. The Final Plat for The Villas at Mountain Shadows II shall be in substantial compliance with the Preliminary Plat, The Villas at Mountain Shadows II & III, Sheets 1-2, prepared by Coe & Van Loo Consultants, Inc. dated June 4, 2015.

2. The Final Plat for The Villas at Mountain Shadows III shall include any and all necessary easements and/or tracts, including:

    a. Easements and/or tracts for drainage within said plat that are consistent to the overall grading and drainage plans for the entire Special Use Permit (SUP) site, which shall be depicted on the Final Plat prior to recordation of said plat,

    b. Easements and/or tracts for utilities, with said easements to be in the locations and widths as prescribed by the respective utility provider, with correspondence from said utility providers indicating that the identification of the final locations and widths of such easement(s) are in process given to the Town prior to Planning Commission recommendation of the Final Plat, and

3. Prior to recordation of the Final Plat for said subdivision, the applicant shall provide to the Town Attorney a copy of the CC&R's or other documents for review to insure that all CC&R terms required under the SUP or other recorded agreements are part of the CC&Rs or other documents, including provision for maintenance of any drainage easements dedicated on the plat.

4. The final subdivision improvements shall be in substantial compliance with subdivision improvement plans approved by the Town Engineer and Community Development Department that address items such as sewer, water, grading, drainage, paving, landscaping, and irrigation. Prior to the recordation of the Final Plat, the applicant shall provide, subject to Town approval and consistent with the requirements set forth in the SUP and Development Agreement, all assurances necessary to guarantee completion of any improvements in the public right-of-way. The Town Engineer shall approve final subdivision improvement plans prior to the issuance of any building permit for a residential unit in said subdivision.

5. Within 30 days of approval of the Final Plat, the applicant shall submit to the Town mylars of the approved plans and an electronic version of these plans in a pdf format for the Town's permanent record.

Passed
For: 6; Against: 1; Abstain: 0; Absent: 0

7. WORK STUDY SESSION

Chairman Strom moved to reconvene the work study session at 6:35 p.m.

A. Discussion of a minor amendment to the Special Use Permit for Phoenix Country Day School located at 3901 E Stanford Drive to allow for various signs (SUP 15-02).

Paul Michaud presented the topic per the staff action report.

Planning Commission discussion included the following:

- Chairman Strom and Commissioner Wastchak asked about the difference between the maximum three signs at 45 square feet in the Special Use Permit (SUP) and the SUP Guideline of one ground sign for each entrance at 32 square feet. Mr. Michaud stated that the SUP stipulation reflects the 1985 approval, which is likely a modification of said SUP Guideline. He added that the SUP stipulation is a requirement that must be followed, unless changed via an amendment to the school's SUP. Whereas, the SUP Guidelines are used to evaluate the proposed signs of this amendment to the SUP.
- Chairman Strom asked what part of the donor monument is considered a sign and what part is considered an accessory structure. Mr. Michaud replied that the area of the lettering is considered the sign since the structure with the donor names is not itself a sign. He added that this method of using the area of the lettering as the sign area is typically applied on signs placed on structures such as walls or buildings. Chairman Strom asked if a sign was not at this location, would a wall be allowed. Eva Cutro replied yes.
- Commissioner Campbell asked if the aquatic center sign will be illuminated all night long. Mr. Michaud replied that the applicant is agreeable to a stipulation that the illumination of the signs will be turned off between the hours of 9:30 p.m. and 5:30 a.m. He added that this timeframe mirrors the lighting at the aquatic center.
- Commissioner Campbell addressed the school name on the building signs. In his opinion, he supports including the name of the school on the signs since this will be many peoples first encounter on entering the campus from Camelback Road. Commissioner Moore agreed.
- Chairman asked if anyone from the public wanted to comment on this item. Seeing none, he moved onto the next item at 7:00 p.m.

B. Discussion of the Ritz-Carlton Paradise Valley located at 7000 E Lincoln Drive (SUP-15-01).

Eva Cutro presented the topic per the staff action report.

Planning Commission discussion included the following:

- Chairman Strom stated that he expects that the Commission will address the Statement of Direction (SOD) item tonight about whether the resort will negatively impact the view of the McDowell Mountains.
- Chairman Strom asked about the Scottsdale parcel. Eva Cutro explained that Town Council asked that this parcel be evaluated as if it is one parcel with Area E.
- Commissioner Wastchak asked about the 25-foot setback along the perimeter of the site. Eva Cutro explained that the Town's Open Space Criteria will apply, requiring a 60-foot setback in order to reach 24 feet in height.
- It was noted that Mayor Collins and Vice Mayor Dembow were present. Mayor Collins

thanked the Planning Commission for all the time they will put in this summer on this application. He noted that the Town Council is excited about this project and will welcome a world class addition to the resort community. He continued that he is confident in the Planning Commission being able to make a recommendation that will represent the quality and character of the Town. The Mayor introduced Vice Mayor Dembow, noting he is the Town Council liaison to the Planning Commission. Vice Mayor Dembow thanked the Commission for the hard work they are about to undertake and told the Commissioners to contact him with any questions.

- Discussion began on the SOD. Eva Cutro gave a brief review of all the SOD topics.
    - *Project Density*. Eva Cutro stated the SOD identifies an average of two dwelling units per acre. It was stated that density is calculated on the entire area, inclusive of roads. Also, it was noted that there can be smaller lots than one to one-half acres, with larger lots on the perimeter and smaller lots more internal to the site. Chairman Strom noted, depending on the application details, that the Planning Commission could consider a density a little greater than the 2.0 dwelling units per acre.
    - *View of the Broadstone Apartments*. Discussion followed on uses, vegetation, and three-story or four-story height as options to screen the view of the apartments in the City of Scottsdale.
    - *De-Annexation*. Eva explained some of the reasons the Town Council may consider de-annexation.
    - *Project Retail*. The Commissioners discussed how they are to determine if retail is viable. Chairman Strom gave an overview of a meeting he had with a former executive of Nordstrom in looking at the proposed retail who was positive about the retail, noting that the retail needs to have a presence off of Scottsdale Road. Commissioner Wastchak noted to the group that the Council discussion included having no residential in Area E, which did not make the cut into the final SOD.
    - *Rights-of-way*. There was discussion on Lincoln Road and the requirement for right-of-way dedication in lieu of the 25-foot easement allowed with the 2008 SUP. This discussion included the need to look at what elements will need to be required of the applicant since Lincoln Drive is a Visually Significant Corridor. Also, the discussion included potential improvements to Mockingbird Lane and Indian Bend Road.
    - *Traffic/Parking Study*. Eva Cutro noted that the applicant will be providing full studies. Chairman Strom stated that the traffic study will need to include the development in Scottsdale and the traffic impact out to Tatum Boulevard.
    - *Grading/Drainage Study.* Commissioner Mahrle suggested requiring a grading and drainage study may be pre-mature with the density and other changes contemplated by the SOD. Commissioner Wincel agreed.
    - *Branding*. Council Member Stanton provided information regarding the branding of the Town.
    - *Water*. Commissioner Wastchak pointed out that during the Town Council discussion of the SOD there was public comment regarding potable water supply

and the potential cost impact to other EPCOR water users related to required water utility improvements. General consensus was that this item is a development agreement item and EPCOR should provide the Town information on what type of improvements may be needed.

- *Process*. It was reviewed that the SOD is direction by the Town Council and not a mandate. Overall, the Commissioners felt comfortable reviewing the resort component since the Town Council did not seriously question this component in the SOD. Several Commissioners noted that the changes in the submitted application will likely occur along the perimeter of the site and not so much in the resort area.

- Discussion moved to the series of main resort buildings, including the height and potential impact of views of the McDowell Mountains.
  - Benjamin Graff with Withey Morris, Richard Frazee with Five Star Development, and Peter Mason with Mason Architects explained the scope of the project. This included the following:
    - Explanation of various design requirements to comply with the Ritz Carlton brand such as a 26-foot high interior ballroom clearance and 20-foot high interior junior ballroom clearance.
    - Description that the main resort buildings itself include no hotel rooms.
    - Explanation of the grading of the resort area.
      - The approximate 125-foot by 600-foot ground area between the lobby and spa with the pools will be cut from two to six feet below the existing grade.
      - Fill will be added to create various tiers flanking the sides of the pool area where the mostly single-story hotel casitas will be located. This fill will range between zero and 22 feet in height. The tallest fill is located closer to the main resort building.
      - The access from Lincoln Drive to the motor court of the hotel will slowly increase in grade such that the entrance will appear at grade but is technically the second level of the structure. Lincoln Drive is at an approximate 16-foot elevation and the motor court is at a 34-foot elevation.
      - All fill will be taken from cut dirt on the project site.
    - Description of the uses, including how the main hotel component with its associated casual dining is accessed off of Lincoln Drive and the banquet ballroom/meeting/specialty dining component is accessed off the Scottsdale Road access.
    - Views of a 3-D model showing the different levels of the building, noting that all parking will be via a valet service, located primarily within the underground parking and that said underground parking areas are connected between the hotel and hotel villas.
  - The Commissioners made several comments and heard from the applicant an explanation regarding how the circulation of the site will work. This included an explanation of the internal roadway connection should it be necessary to direct

persons arriving at the hotel motor court to the banquet function drop off, concerns about traffic on Indian Bend Road, and the location of valet access points into the underground parking areas.

- The applicant showed renderings of the potential impact to the view of the McDowell Mountains. The comments included:
  - A request to show an illustration(s) with the perimeter wall, landscaping, and homes located in Area C to illustrate how these structures may impact the views.
  - Benjamin Graff noted that the intent of the illustration shown was to address the SOD concern of whether the lobby height impacts the view of the McDowell Mountains. Chairman Strom stated that the illustration answers the question that the lobby building will not block the McDowell Mountains.
- Commissioner Mahrle inquired where deliveries and garbage will be placed. The applicant explained this will be within an enclosed structure near the banquet area.
- There was discussion on the open air courtyard area between the ballrooms and how this space can function for different events at the same time providing flexibility. Discussion continued regarding how the resort design must comply with the many Ritz Carlton design standards.
- The applicant reviewed the site specific attributes of the project regarding the 200 hotel keys that includes a 40-percent suite ratio that is higher than typical Ritz Carlton projects.
- Commissioner Wastchak asked how guests will access the casitas since the design is to place the casitas on different tiers around the main resort buildings. The applicant replied there will be golf cart service to shuttle guests around the site.
- There was discussion on the glazing of the windows to manage the setting sun. The applicant replied the design will include motorized blinds.
- The Planning Commission and the applicant had a lengthy discussion on the proposed roof top trellis area above the lobby. This discussion included the following:
  - Concern that the height to the top of the columns and retractable trellis at 58 feet exceeds the 48-foot height mentioned in the SOD. Discussion ensued on the necessary heights of the proposed elevator shafts, whether only stair access to the roof top might be provided, the design standard of Ritz Carlton in using cable elevators over hydraulic elevators related to the necessary clearance above the roofline, the wall projections above the roof tying into the overall architecture of the series of buildings, and identifying how this height does not comply with the Resort SUP Guidelines. Overall, most of the Commissioners felt the rooftop use could be beneficial to the project. The Planning Commission noted that a 58-foot height is much higher than allowed by the Town in the past. However, five of the Commissioners could consider this height based on the large 105-acre size of the project, extra height at the center of the

property, and depending upon the changes the applicant makes to the other components in the SOD. These changes might include how the applicant reduces the overall density and the design changes along the perimeter of the site. Commissioners Campbell and Moore still felt the height is significant and rooftop use will negatively impact the neighborhood. Commissioner Campbell stated a story pole(s) or other means to install a temporary structure to gauge the height would be helpful.

- Commissioners Moore and Campbell raised concern about the impact of noise on adjacent residences outside the project with the use of the space for events. It was noted that stipulations to limit the type of events, amplified sound, and limit the hours to cease use of the roof top could be used to mitigate noise impact. It was suggested the applicant provide a noise assessment.
- Eva Cutro noted concern over lights on the rooftop and impact in views off the property.

- The Planning Commission reviewed the applicant's proposed timeline of topics. Commissioner Wincel noted that he would prefer to see the density discussion moved to an earlier date. Also, it was noted some of the topics may need to be combined or continued to subsequent meetings. The Commissioners who will not be present at the July 7, 2015 meeting includes Commissioners Marhle, Wainwright, and Campbell. Commissioners Marhle and Campbell noted they can phone in if needed. Commissioner Wincel noted he will be unable to attend the meeting on July 21, 2015.

8. CONSENT AGENDA

A. Minutes from the April 21, 2015 Planning Commission Meeting

Motion –Commissioner Wainwright moved to approve the Consent Agenda. Commissioner Wastchak seconded the motion

Passed For: 7; Against: 0; Abstain: 0; Absent: 0

9. STAFF REPORTS

- George Burton gave an update on the Hillside Building Committee Rotation.

10. COMMISISON REPORTS

- Commissioner Wincel stated that he is against de-annexation on the Ritz Carlton SUP application.
- Commissioner Mahrle noted that if Area E is de-annexed, the Town will have shared tax revenue, etc.
- Commissioner Wincel also inquired as to why hillside homes have to have fire sprinklers in attic and flat lands lot do not.

11. FUTURE AGENDA ITEMS

- Paul Michaud provided an update on the future agenda items.

12. ADJOURNMENT

Commissioner Mahrle moved to adjourn the meeting at 10:06 p.m. Commissioner Wainwright seconded the motion and it passed unanimously.

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Eva Cutro, Secretary