



Action Summary

Planning Commission

Tuesday, November 15, 2016

6:00 PM

Council Chambers

1. CALL TO ORDER

2. ROLL CALL

Present 7 - Chairperson Dolf Strom
Commissioner Scott Moore
Commissioner Jonathan Wainwright
Commissioner Daran Wastchak
Chairperson Jeff Wincel
Chairperson Richard K. Mahrle
Chairperson Thomas G. Campbell

3. EXECUTIVE SESSION

4. STUDY SESSION ITEMS

- A. [16-383](#) Discussion of an amendment to a private road Conditional Use Permit (CUP 16-01)
Portion of Nauni Valley Road adjoining 6001 N Nauni Valley Drive
No Reportable Action

6. ACTION ITEMS

- A. [16-384](#) CUP-16-01 Consideration of an amendment to a private road Conditional Use Permit
Portion of Nauni Valley Road adjoining 6001 N Nauni Valley Drive
A motion was made by Chairperson Mahrle, seconded by Commissioner Wastchak, to approve the Conditional Use Permit subject to the stipualtions in the action report, noting that the entry wall could be rebuilt at a location outside the 15-foot by 33-foot corner vision. The stipualtions were as follows:
1. This private roadway Conditional Use Permit (CUP) shall apply to the portion of Nauni Valley Drive as described in the legal description prepared by Anthony N Zaugg dated February 29, 2016.
 2. This CUP shall be is substantial compliance with the documents submitted with this application, including the following:
 - a. Narrative prepared by Rose Law Group, dated October 12, 2016.
 - b. Legal description prepared by Anthony N Zaugg dated February 29, 2016.

c. Paving Plan, Sheet 1, prepared by Allen Consulting Engineers, Inc., dated October 29, 2016.

3. The property owner of 6001 N Nauni Valley Drive and/or the property owner(s) of any lot created due to a lot split from 6001 E Nauni Valley Drive, shall provide the Town, in a form acceptable to the Town Attorney, a grant of access easement over the private roadway and a private roadway maintenance agreement for the portion of Nauni Valley Drive subject to this CUP. This form shall be reviewed by the Town Attorney, be in compliance to applicable local and state laws, and be recorded with the Maricopa County Recorder's Office. Said form shall be recorded prior to issuance of the Certificate of Occupancy or a final inspection for the home(s) located on Lot 12 of Nauni Valley Ranch.

4. The property owner of 6001 N Nauni Valley Drive or said owner's designee shall improve the portion of Nauni Valley Drive subject to this CUP in compliance with the Local Cross-Section Option C of the Town General Plan. This shall include any necessary pavement improvement connecting Nauni Valley Drive to McDonald Drive within the McDonald Drive right-of-way. Also, it shall include the necessary transition of Nauni Valley Drive to the existing portion of Nauni Valley Drive located outside the area of this CUP.

5. The corner vision located at the northwest and northeast corner of the intersection of McDonald Drive and Nauni Valley Drive shall comply with Section 8-1-13, Corner Vision, of the Town Code, unless documentation has been submitted prior to recordation of the lot split and approved by the Town Engineer for a modification to these requirements. Based upon the dimensions of said corner vision, any obstructions within the Nauni Valley Drive and McDonald Drive rights-of-way will need to be reduced in height or removed pursuant to said Section 8-1-13.

6. Prior to the recordation of the lot split of Lot 12 of Nauni Valley Ranch or within 60 days from approval of this CUP, whichever is earlier, the property owner of said lot or designee shall provide for Town approval the roadway plan referenced in Stipulation 4 and submit the required assurances necessary to guarantee completion of said improvements.

7. Prior to the recordation of the lot split of Lot 12 of Nauni Valley Ranch, the property owner of said lot or designee shall submit a demolition permit for the existing entry wall and the private roadway sign located within the right-of-way of Nauni Valley Drive. The final inspection and removal of said structures shall be completed no later than Certificate of Occupancy or final inspection for the home(s) on Lot 12 of Nauni Valley Ranch. [The entry wall could be moved or rebuilt north of the corner vision.

8. A private roadway sign may be installed on the street sign for Nauni Valley Drive pursuant to the Town standards for such sign, with all costs associated with said sign to be paid by the applicant requesting said sign. Alternatively, a similar sign may be installed on private property pursuant to Article XXV, Signs, of the Town Code.

9. Prior to issuance of the Certificate of Occupancy or a final inspection for the home(s) located on Lot 12 of Nauni Valley Ranch, the property owner of 6001 N Nauni Valley Drive or designee shall complete the roadway improvements referenced in Stipulations 4 and 6.

The motion carried by the following vote:

- Aye:** 5 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak and Chairperson Mahrle
- Nay:** 2 - Chairperson Wincel and Chairperson Campbell

B. [16-398](#) Consideration of Ritz-Carlton Preliminary Plat (Area B)

A motion was made by Chairperson Wincel, seconded by Commissioner Wastchak, to recommend that the Town Council approve the preliminary plat subject to the following stipulations:

1. The final condominium plat map shall be in substantial compliance with the preliminary condominium plat map, "Ritz-Carlton Resort - Parcel B", Sheets 1-8, prepared by Coe & Van Loo Consultants, Inc. dated November 8, 2016.
2. Prior to recordation of the final plat, the applicant shall provide to the Town Attorney a copy of the CC&R's, declaration, bylaws, or other documents for review to insure that all terms required under the SUP or other recorded agreements are part of these documents, including provision for maintenance of any drainage easements dedicated on the map.
3. The final improvements that address items such as street improvements, sewer, water, grading, drainage, landscaping, and easements shall be completed as set forth in the Special Use Permit and Development Agreement for this property.
4. Within 60 days of approval of the final condominium plat map, 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.

The motion carried by the following vote:

- Aye:** 7 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak, Chairperson Wincel, Chairperson Mahrle and Chairperson Campbell

C. [16-387](#) CUP-16-03 Consideration of a Conditional Use Permit at the Camelback Inn for proposed Personal Wireless Service Facility Antennas 5402 E. Lincoln Drive (Assessor's Parcel Numbers 169-28-365E and 169-28-365G)

A motion was made by Chairperson Mahrle, seconded by Chairperson Campbell, to approve this Conditional Use Permit subject to the following stipulations:

1. All improvements to shall be substantially compliant with the project narrative and the following plans:
 - a. Sheet T-1, Project Information & Data, prepared by Young Design Corp, dated May, 31, 2016;
 - b. Sheet LS-1, Site Survey, prepared by Young Design Corp, dated June 6, 2016;
 - c. Sheet LS-2, Site Survey, prepared by Young Design Corp, dated June 6, 2016;
 - d. Sheet A-0, Parcel Plan, prepared by Young Design Corp, dated May 31, 2016;
 - e. Sheet A-1, Site Plan, prepared by Young Design Corp, dated May 31, 2016;

- f. Sheet A-2, Enlarged Site Plan, prepared by Young Design Corp, dated May 31, 2016;
 - g. Sheet A-3, Antenna Information, prepared by Young Design Corp, dated May 31, 2016;
 - h. Sheet A-4, Elevations, prepared by Young Design Corp, dated May 31, 2016;
2. The RF Justification Report, prepared by T-Mobile and date June 3, 2016.
3. The wireless provider shall terminate operation of the proposed wireless service facility should it interfere with any emergency radio frequency.

The motion carried by the following vote:

Aye: 7 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak, Chairperson Wincel, Chairperson Mahrle and Chairperson Campbell

STUDY SESSION ITEMS (Continued)

A. [16-391](#) Discussion of a Major General Plan Amendment (GP-16-01), Zoning Ordinance Text Amendment (MI-16-03), Rezoning (MI-16-04), Private Roadway Conditional Use Permit (CUP-16-02), Private Roadway Gate Special Use Permit (SUP-16-03), and Preliminary Plat (PP-16-03) to develop eight single-family residential lots, ranging in lot sizes between 12,000 net square feet to 35,000 net square feet. Northwest Corner of Northern Ave Alignment and Scottsdale Rd (APN: 174-36-002X)

No Reportable Action

5. PUBLIC HEARINGS

A. [16-392](#) GP-16-01: Consideration of a Major General Plan Amendment on a 4.4-acre property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road (Parcel No. 174-36-002X)

A motion was made by Chairperson Campbell, seconded by Chairperson Mahrle, to continue this application to the next meeting of December 6, 2016. The motion carried by the following vote:

Aye: 7 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak, Chairperson Wincel, Chairperson Mahrle and Chairperson Campbell

B. [16-393](#) MI-16-03: Consideration of a Text Amendment to the Town’s Zoning Ordinance on a 4.4-acre property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road (Parcel No. 174-36-002X)

A motion was made by Chairperson Campbell, seconded by Chairperson Mahrle, to continue this application to the next meeting of December 6, 2016. The motion carried by the following vote:

Aye: 7 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak, Chairperson Wincel, Chairperson Mahrle and Chairperson Campbell

C. [16-394](#) MI-16-04: Consideration of a rezoning on a 4.4-acre property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road (Parcel No. 174-36-002X)

A motion was made by Chairperson Campbell, seconded by Chairperson Mahrle, to continue this application to the next meeting of December 6, 2016. The motion carried by the following vote:

Aye: 7 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak, Chairperson Wincel, Chairperson Mahrle and Chairperson Campbell

D. [16-397](#) SUP-16-03: Consideration of a Special Use Permit (SUP) for private roadway gates on a 4.4-acre property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road (Parcel No. 174-36-002X)

A motion was made by Chairperson Campbell, seconded by Chairperson Mahrle, to continue this application to the next meeting of December 6, 2016. The motion carried by the following vote:

Aye: 7 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak, Chairperson Wincel, Chairperson Mahrle and Chairperson Campbell

ACTION ITEMS (Continued)

A. **16-395** PP-16-03: Consideration of a Preliminary Plat on a 4.4-acre property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road (Parcel No. 174-36-002X)

A motion was made by Chairperson Campbell, seconded by Chairperson Mahrle, to continue this application to the next meeting of December 6, 2016. The motion carried by the following vote:

Aye: 7 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak, Chairperson Wincel, Chairperson Mahrle and Chairperson Campbell

B. [16-396](#) CUP-16-02: Consideration of a Conditional Use Permit for a private roadway on a 4.4-acre property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road (Parcel No. 174-36-002X)

A motion was made by Chairperson Campbell, seconded by Chairperson Mahrle, to continue this application to the next meeting of December 6, 2016. The motion carried by the following vote:

Aye: 7 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak, Chairperson Wincel, Chairperson Mahrle and Chairperson Campbell

STUDY SESSION ITEMS (Continued)

- A. [16-408](#) Discussion of Article XXIV, Walls and Fences, Zoning Code Text Amendment (MI-16-2)

PUBLIC HEARINGS (Continued)

- A. [16-388](#) Consideration of Article XXIV, Walls and Fences, Zoning Code Text Amendment (MI-16-2)

RECOMMENDATION:

A motion was made by Chairperson Campbell, seconded by Commissioner Wastchak, to recommend that the Town Council approve the amendments to the wall and fence regulations, with the addiiton of the text "landscape restrictions" in Table 2404A. The motion carried by the following vote:

- Aye:** 6 - Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak, Chairperson Wincel, Chairperson Mahrle and Chairperson Campbell
- Nay:** 1 - Chairperson Strom

7. CONSENT AGENDA

8. STAFF REPORTS

9. PUBLIC BODY REPORTS

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

A motion was made by Chairperson Mahrle at 8:20 p.m. to adjourn the meeting, seconded by Commissioner Moore, to The motion carried by the following vote:

- Aye:** 7 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak, Chairperson Wincel, Chairperson Mahrle and Chairperson Campbell