



Action Summary Town Council

Thursday, November 19, 2015

4:00 PM

Council Chambers

1. CALL TO ORDER / ROLL CALL

Present: 4 - Mayor Michael Collins, Vice Mayor Paul Dembow, Council Member Jerry Bien-Willner and Council Member Mark Stanton

Absent: 3 - Council Member Mary Hamway, Council Member David A. Sherf and Council Member Maria Syms

2. STUDY SESSION ITEMS

15-281 Discussion of Amendments to Election Code and Fee Schedule

Received and Filed

15-284 Discussion of Special Use Permit Major Amendment for The Ritz-Carlton Resort, Paradise Valley

Received and Filed

3. EXECUTIVE SESSION

A motion was made by Vice Mayor Dembow at 4:15 p.m., seconded by Council Member Bien-Willner, to enter executive session. The motion carried by the following vote:

Aye: 5 - Mayor Collins, Vice Mayor Dembow, Council Member Bien-Willner, Council Member Stanton, and Council Member Syms

Absent: 2 - Council Member Hamway, and Council Member Sherf

15-275 Discussion and consultation with Town Attorney to consider the Town Council's position and instruct the attorney regarding a potential development agreement with Five Star Development as authorized by A.R.S. §38-431.A.4; and discussion or consultation for legal advice with the Town Attorney as authorized by A.R.S. §38-431.A.3.

No Reportable Action

15-276 The Town Council may go into executive session at one or more times during the meeting as needed to confer with the Town Attorney for legal advice regarding any of the agenda items listed on the agenda as

authorized by A.R.S. §38-431.A.3.

No Reportable Action

4. BREAK

5. RECONVENE FOR REGULAR MEETING 6:00 PM

6. ROLL CALL

Present: 6 - Mayor Michael Collins, Vice Mayor Paul Dembow, Council Member Jerry Bien-Willner, Council Member Mary Hamway, Council Member Mark Stanton and Council Member Maria Syms

Absent: 1 - Council Member David A. Sherf

7. PLEDGE OF ALLEGIANCE*

8. PRESENTATIONS*

9. CALL TO THE PUBLIC

10. CONSENT AGENDA

A motion was made by Council Member Hamway, seconded by Council Member Stanton, to approve the Consent Agenda. The motion carried by the following vote:

Aye 6 - Mayor Michael Collins, Vice Mayor Paul Dembow, Council Member Jerry Bien-Willner, Council Member Mary Hamway, Council Member Mark Stanton and Council Member Maria Syms

Absent 1 - Council Member David A. Sherf

15-277 Minutes of Town Council Meeting November 5, 2015

Approved the Consent Agenda

11. PUBLIC HEARINGS

12. ACTION ITEMS

15-273 Consideration of "The Villas at Mountain Shadows Condominiums" Preliminary Condominium Map

A motion was made by Council Member Hamway, seconded by Vice Mayor Dembow, to Approval of the Preliminary Map, "The Villas at Mountain Shadows Condominiums" (PP-15-03), subject to the following stipulations:

1. The Final Map shall be in substantial compliance with the Preliminary Map, "The Villas at Mountain Shadows Condominiums," Sheets 1-4, and Sheet 6, prepared by Coe & Van Loo Consultants, Inc. dated October 6, 2015; and Sheet 5, prepared by Coe & Van Loo Consultants, Inc. dated October 21, 2015.

2. Prior to recordation of the Final Map, 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 plat.

3. The final improvements shall be in substantial compliance with 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 Map, 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 said final improvement plans prior to the issuance of any building permit for a residential unit in said Final Map.

4. Within 60 days of approval of the Final 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.

5. The Final Map shall not be recorded until the Town receives the appropriate information for the State of Arizona Department of Water Resources Certificate of Assured Water Supply, with the certificate number and date to be duly noted on the Final Map.

6. The Final Map and/or declaration shall include any and all necessary easements, including:

a. Easements for drainage that are consistent to the overall grading and drainage plans for the entire Special Use Permit (SUP) site west of 56th Street, which shall be depicted on the Final Map prior to recordation of said plat,

b. Easements 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 given to the Town prior to Town Council approval of the Final Map, and

c. Easements for access, parking, refuse collection, and other similar easements.

7. The Final Map application shall include all necessary corrections to emergency access points such that these points comply with the Town Code, including removal of obstructions within the turning radius. The motion carried by the following vote:

Aye: 6 - Mayor Collins, Vice Mayor Dembow, Council Member Bien-Willner, Council Member Hamway, Council Member Stanton, and Council Member Syms

Absent: 1 - Council Member Sherf

15-274 Consideration of "The Villas at Mountain Shadows II" Final Plat

A motion was made by Council Member Bien-Willner, seconded by Council Member Hamway, to Approval of the Final Plat, "The Villas at Mountain Shadows II" (FP 15-02), subject to the following stipulations:

1. This subdivision shall be in substantial compliance with the Final Plat, "The Villas at Mountain Shadows II", Sheets 1-2, prepared by Coe & Van Loo Consultants, Inc. dated October 26, 2015.

2. 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.

3. 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 said final subdivision improvement plans prior to the issuance of any building permit for a residential unit in said subdivision.

4. Within 60 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.

5. The Final Plat shall not be recorded until the Town receives the appropriate information for the State of Arizona Department of Water Resources Certificate of Assured Water Supply, with the certificate number and date to be duly noted on the Final Plat. The motion carried by the following vote:

Aye: 6 - Mayor Collins, Vice Mayor Dembow, Council Member Bien-Willner, Council Member Hamway, Council Member Stanton, and Council Member Syms

Absent: 1 - Council Member Sherf

15-283 Consideration of Ordinance Number 691 - Unmanned Aerial Vehicles

A motion was made by Council Member Hamway, seconded by Council Member Syms, to It is recommended that the Town Council review and provide final comments or changes on Ordinance Number 691; amending Chapter 10 by adding Article 10-12, regulations related to the operation of unmanned aerial vehicles. The motion carried by the following vote:

Aye: 6 - Mayor Collins, Vice Mayor Dembow, Council Member Bien-Willner, Council Member Hamway, Council Member Stanton, and Council Member Syms

Absent: 1 - Council Member Sherf

13. FUTURE AGENDA ITEMS

15-278 Consideration of Requests for Future Agenda Items

No Reportable Action

14. MAYOR / COUNCIL / MANAGER COMMENTS

15. ADJOURN

A motion was made by Council Member Hamway, seconded by Council Member Stanton, to adjourn. The motion carried by the following vote:

Aye: 5 - Mayor Collins, Vice Mayor Dembow, Council Member Bien-Willner, Council Member Hamway, and Council Member Stanton

Absent: 2 - Council Member Sherf, and Council Member Syms