



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes - Final

### Planning Commission

---

Tuesday, November 1, 2016

6:00 PM

Council Chambers

---

#### 1. CALL TO ORDER

Chairman Strom called the meeting to order at 6:00 p.m.

#### 2. ROLL CALL

- Present** 6 - Chairperson Dolf Strom  
Commissioner Scott Moore  
Commissioner Jonathan Wainwright  
Commissioner Daran Wastchak  
Commissioner Jeff Wincel  
Commissioner Thomas G. Campbell
- Absent** 1 - Commissioner Richard K. Mahrle

#### STAFF MEMBERS PRESENT

Town Manager, Kevin Burke  
Town Attorney Andrew M. Miller  
Community Development Director Eva Cutro  
Senior Planner Paul Michaud  
Planner George Burton

#### 3. EXECUTIVE SESSION

None

#### 4. STUDY SESSION ITEMS

##### A. [16-359](#) Quality of Life - Cell Service

Kevin Burke discussed the general policy direction regarding cell service improvement for the Town. He described the problem and identified the coverage gap across all networks.

He continued that this is a problem due to lack of infrastructure in the Town. He discussed the DAS system and the limitations of that system. Also, he described micro and macro systems.

Mr. Burke mentioned a company called Ghost Networks provided an analysis of the coverage gaps. He explained the results of this analysis.

He noted that possible locations include the Special Use Permit properties or in the right-of-way. He added that it is the Town Council's decision on what goes into the right-of-way.

Regarding the code provisions, Mr. Burke provided an overview of the proposed changes. He stated the biggest changes are the proposal to modify the 200' distance from the nearest dwelling, increased height, and to update the time limits outlined in current code.

Chairman Strom asked a question about the two types of poles. Mr. Burke noted the section of code that identifies the diameter of the poles. The intent is to make it look like a flag pole or canister on top of light poles.

Commissioner Moore asked what the difference is between the two DAS systems. Kevin provided background on his discussion with different carriers.

Commissioner Moore asked about Ghost Networks and Mr. Burke provided background on the consultant.

Commissioner Wastchak inquired about the problem areas identified by the Ghost Networks. Mr. Burke replied that Ghost Networks recommends three macro towers at 50' tall would be the quickest solution.

Commissioner Wastchak noted that this is a quality of life issue in terms of providing cell service and protecting heights. He added that the residents of the Town have to decide if they are ok with height to get better service.

It was noted that this item will be brought back to the Planning Commission at a future meeting.

**No Reportable Action**

**B. [16-368](#)**

Discussion of a Conditional Use Permit at the Camelback Inn for proposed Personal Wireless Service Facility Antennas (CUP 16-3) 5402 E. Lincoln Drive (Assessor's Parcel Numbers 169-28-365E and 169-28-365G)

George Burton gave presentation on this application request. He noted that there will be three sets of antennas at the northwest corner, southwest corner, and southeast corner of the ballroom, screened to match building.

Responding to RF concerns, the applicant, Declan Murphy, stated several methods will be put in place to avoid exposure for maintenance workers on

the roof. This includes signs. He noted this is a macro site. In addition, he stated that if the 200' setback was required, the antennas would need to be located higher.

It was noted that the proposed antennas are 61' to 186' away from the closest dwelling, and the homes are over 10' below where the antennas will be mounted.

The topic of co-location was discussed. The applicant noted this is possible, but challenges on locating equipment cabinet on the roof may become an issue due to weight.

Chairman Strom asked for additional information on exposure to the closest residences for the next meeting.

**No Reportable Action**

**C. [16-360](#)**

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)

Paul Michaud presented the application in accordance with the packet. He described the scope of the proposed improvements and the applicable processes.

Commissioner Wastchak asked for clarification about the Council having a hearing this year on the General Plan amendment request. Andrew Miller stated that there is no case law on whether or not the Council has to take action this year, but it must be presented to the Town Council in the same year the application is applied. .

Commissioner Wastchak asked about the prior interest to develop this parcel, in particular how many of the inquiries are residential versus commercial. Mr. Michaud replied most were non-residential.

Commissioner Campbell inquired if there is an approved grading plan when the existing building pad was raised. Mr. Michaud replied he did not believe there was one.

Commissioner Moore asked Woody Scoutten to discuss the drainage and FEMA map as it relates to how development will occur on the site. Mr. Scoutten explained the definition of floodway and identified that the

applicant is requesting that the boundaries of the floodway be changed. He believes the fill on the site was done during the development of the Scottsdale Road bridge by the City of Scottsdale. He explained the flow of the wash and the applicants proposal to channelize a portion of the wash.

Commissioner Moore asked what spacing are the contour lines on the civil plan. Mr. Scoutten replied they are one-foot contours.

There was discussion on on-site retention.

Chairman Strom requested drainage information for the preliminary plat. Mr. Michaud responded that the FEMA conditional approval will be submitted as part of the final plat process.

Chairman Strom inquired about the historical flow and whether the site has ever been flooded. Mr. Scoutten noted that the flow rates provided by FEMA are lower now.

Commissioner Campbell asked how much of this site is not in the floodway. Mr. Scoutten estimated about a third of the lot. It was noted that this exact number would be provided at the next meeting.

Commissioner Wincel asked what happens if FEMA denies the map revision. Mr. Scoutten stated that in his experience he has not seen a CLOMR turned down yet.

Commissioner Moore requested the applicant provide some illustrations and elevations of the proposed improvements along the wash at the next meeting.

The applicant gave a presentation. He briefly discussed the drainage. He noted that the City of Scottsdale signed off on the CLOMR application that will be sent to FEMA, noting that the Town still needs to sign off on this application request.

It was noted that the six applications to develop the property are independent of the FEMA map revision, being that the outcome of this FEMA request is part of the final plat process.

Commissioner Moore asked if the Town can extend the effective date with stipulations. Mr. Michaud replied yes and referenced the Kachina Estates ordinance and resolution that tied the effective date to the final plat approval/recordation.

The applicant showed a brief video and gave a presentation discussing the

merits of the application.

Commissioner Wastchak regarding the private roadway gate asked if a semi-truck would be able to turn around if they accidentally went into the entry. The applicant replied yes. It was requested that the applicant provide an illustration demonstrating how the turn-around will function, with a moving truck as a guide.

The applicant noted that no one- acre lots exist next to this parcel. He continued that this lot has been vacant since 1971, this will be a nice residential community, and approval eliminates potential non-residential uses in the future. He added, his opinion is that that this will not set a precedent for any other parcel in the Town.

Commissioner Wainwright asked about his vision for the common open space. The applicant replied this area needs to accommodate on-site drainage, and will likely be a grass area for bocce ball or similar sport. He continued that there will need to be future marketing meetings with potential buyers to determine the type of homes and amenities.

Commissioner Campbell inquired if the entry point can be changed. The applicant replied no, referring to the determination by the City of Scottsdale.

Rod Cullum, the prospective builder of the homes, described how they decided to go forward with this application. He noted that this is not a pursuit for maximum density since they could ask for 11 lots under the R-10 zoning. He finds this is the best use for this property.

Chairman Strom opened the public comment portion of the meeting.

Robert Robinson, resident of Cheney Estates and on the homeowner board, stated he is in favor of the project.

Dorothy Smith, resident, expressed concern that when you make a general plan amendment it affects other areas of the Town. She added that the General Plan was approved and identified development areas.

It was noted that Mark Brachfeld, resident, submitted a speaker request card but had to leave.

Mark Evans, resident, agreed with the comments by Dorothy Smith.

Cindy Woolf, resident of Cheney Estates, stated she bought her home with

the understanding that there would be four one acre homes on the subject site, but has only heard of proposed commercial development. She added that this project will impact her views and would prefer the proposed eight homes. She continued that the lots in Cheney Estates are not one acre and is not a blight on the community, noting this is the best solution for the property.

Jo Pulvermacher, not a resident and resides just north of Mountain View road, stated this project impacts her lot. She expressed that when you crack a good general plan you open up a flood gate. She suggested the Town consider a variance application instead of a rezoning. She is against the application request.

Cindy Wolfinger, resident, is against the application request. She asked what is the point of the vote on the general plan if 80 percent is opposed.

It was noted that these applications are set for action at the next meeting.

**No Reportable Action**

**D. [16-363](#) Ritz-Carlton Preliminary Plat (Area B)**

Eva Cutro gave a presentation on the proposed Parcel B preliminary plat. She explained this plat was in substantial compliance with the site plan. The plat consists of 66 homes and minimum 10,000 square-foot lots. She noted there is a slight modification to entrance for the turn-around near the roadway gates and there is 154' to centerline to call box.

It was noted that action is set for November 15, 2016.

Planning Commission discussion included the material of the fire access off Indian Bend Road, noting that the decomposed granite all-weather surface is agreeable over a paved surface. Commissioner Moore stated the preliminary plat typically shows topography. Eva Cutro replied that she would check with the Town Engineer on the topography since the mass grading plan as part of the Special Use Permit has topography.

**No Reportable Action**

**[16-369](#) Discussion of a proposed monument sign and building mounted sign at the Paradise Valley United Methodist Church - Minor Special Use Permit Amendment (SUP 16-05)  
4455 E. Lincoln Drive (APN: 169-20-004C)**

George Burton gave his presentation on the application regarding the

replacement of the existing monument sign at about the same location and a new sign with the address and a cross on the building. He stated the applicant requests a minor amendment, noting that due to the large size of the sign and its visibility that the Planning Commission may deem this an intermediate amendment.

There was discussion on the illumination of both signs. Concern was expressed on the illumination of the building sign due to its height.

Commissioner Campbell asked the point of the building signage. Nicole Bergstrom stated the point is how to get people to the campus as people drive past the entrance.

Dave Summers, pastor, added that the property is lower in elevation than Lincoln Drive and necessary for visibility for evening and other services. He continued there are preschool activities, 4 to 5 nights a week meetings and concerts, along with conferences.

There was discussion over compliance to the foot-candle requirement. Sarah Spradlin remarked that the lighting company does not know how to calculate the foot-candle requirement until after the lights are installed. Ms. Bergstrom added that the power supply modules can be adjusted.

Discussing the size and design of the monument sign, Chairman Strom suggested the measurement be based on the main portion of the sign. He stated that the copper portion of the sign could be removed to make the sign smaller. Commissioner Moore agreed. There was discussion on the contrasting colors. Commissioner Wincel remarked he finds the request an intermediate amendment. Commissioner Wainwright agreed.

Discussion continued, with a suggestion to remove the preschool name. The applicant was not in support as the preschool drives 30-percent of the traffic to the site.

Commissioner Campbell supports sign as proposed and leans toward an intermediate amendment.

The applicant noted the Town police have a substation at the church as another reason to support the illumination and signs.

The size of text was discussed, along with the circumstance that the Town lacks guidelines on building signs.

There was more discussion on the proposed illumination of the signs. It was noted that the monument sign illumination is halo lighting around the letters. The timing of the illumination and hours of operation was reviewed.

Overall, the Planning Commission did not like the illumination of the building sign, but were ok with illumination of the monument sign and back lighting of an address number sign located at another entrance. It was noted that no photometric would be needed.

In considering the application as a minor versus an intermediate amendment, prior similar requests were noted. Based on this information, the Planning Commission were generally agreeable to processing this application as a minor amendment.

Except for Chairman Strom, the Commissioners were agreeable to the massing of the sign.

There was discussion on making the sign break-away since it is near the roadway. The applicant stated this type of construction was not possible. Commissioner Campbell disagreed. Commissioners Wainwright and Wincel did not think break-away construction was necessary. Commissioner Wastchak would weigh in once the application comes back at the next meeting.

**No Reportable Action**

**5. PUBLIC HEARINGS**

- A. [16-367](#) Consideration of Ordinance 2016-07. Zoning Code Text Amendment to Article XXIV, Walls and Fences (MI-16-2)

Commissioner Wincel left the meeting at 9:45 p.m.

George Burton gave a presentation on the proposed changes.

The applicant and Town Attorney reviewed various line edits to the maintenance agreement and proposed ordinance.

The meeting was opened to the public. With no public comment, it was closed.

**A motion was made by Commissioner Moore, seconded by Commissioner Campbell, to continue the application request to the next Planning Commission meeting of November 15, 2016 to allow for the preparation of the draft ordinance with the edits as discussed. Commissioner Wincel left the meeting at 9:45 p.m., prior to the vote. The motion carried by the following vote:**

**Aye:** 5 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak and Commissioner Campbell

**Absent:** 2 - Commissioner Wincel and Commissioner Mahrle



**6. ACTION ITEMS**

**7. CONSENT AGENDA**

A. [16-375](#) Approval of October 4, 2016 Planning Commission Minutes

**A motion was made by Commissioner Wastchak, seconded by Commissioner Wainwright, to approve the Planning Commission minutes for October 4, 2016. The motion carried by the following vote:**

**Aye:** 5 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak and Commissioner Campbell

**Absent:** 2 - Commissioner Wincel and Commissioner Mahrle

**8. STAFF REPORTS**

None

**9. PUBLIC BODY REPORTS**

None

**10. FUTURE AGENDA ITEMS**

It was noted that there will be several items for the next meeting.

**11. ADJOURNMENT**

**A motion was made by Commissioner Moore at 10:20 p.m., seconded by Commissioner Campbell, to adjourn the meeting. The motion carried by the following vote:**

**Aye:** 5 - Chairperson Strom, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak and Commissioner Campbell

**Absent:** 2 - Commissioner Wincel and Commissioner Mahrle

**Paradise Valley Planning Commission**

By:   
Eva Cutro, Secretary