



Minutes - Final Planning Commission

Tuesday, July 21, 2015

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

Staff Present:

Susan Goodwin, Acting Town Attorney
Eva Cutro, Community Development Director
Paul Michaud, Senior Planner
George Burton, Planner

3. EXECUTIVE SESSION

There was no executive session called.

4. STUDY SESSION ITEMS

- A. [15-118](#) Discussion of The Villas at Mountain Shadows Final Plat (FP 15-01) Southwest Corner Lincoln Drive and 56th Street
- Paul Michaud gave a presentation covering the points in the action report.
- Comments from the Planning Commission included the following:
- Commissioner Moore asked if the Town received an updated sewer capacity letter from the City of Phoenix. Mr. Michaud confirmed in the affirmative.
 - Chairman Strom asked for clarification on the two fire flow letters from EPCOR. He stated one letter states there is sufficient flow and the other letter states EPCOR does not guarantee the adequacy of its water capacity for fire protection. Fred Fleet, engineer for the applicant, said his firm did the calculations and project will have adequate fire flow capacity. Commissioner Campbell suggested a stipulation to have the applicant explain the discrepancy between the two letters. Commissioner Wincel asked if the guarantee for fire flow is necessary for approval. It was stated

yes since the Town Code has minimum fire flow standards. Susan Goodwin stated that the Planning Commission can make a recommendation in approval that fire flow is clarified or demonstrated.

- Chairman Strom suggested adding a stipulation to add the word "only" to Note 9 on the plat to read, "Those portions of Tract B and Tract C which will be drivable surfaces to be utilized only by emergency vehicles shall be constructed with materials to be approved by the Fire Marshal."
- Commissioner Wainwright asked a question regarding process for stipulations and changes from when the Planning Commission makes its recommendation to when staff presents the application to Town Council.

5. ACTION ITEMS

- A. [15-119](#) Consideration of The Villas at Mountain Shadows Final Plat (FP 15-01) Southwest corner of Lincoln Drive and 56th Street

Chairman Strom opened the meeting for public comment at 6:25 p.m. Being none, public comment was closed.

A motion was made by Commissioner Wastchak, seconded by Commissioner Mahrle, to forward to the Town Council a recommendation of approval for the Final Plat of The Villas at Mountain Shadows (FP-15-01), subject to the five stipulations in the action report and two additional stipulations. Stipulation 6 is to add the word "only" to Note 9 on the plat to read, "Those portions of Tract B and Tract C which will be drivable surfaces to be utilized only by emergency vehicles shall be constructed with materials to be approved by the Fire Marshal." Stipulation 7, regarding the will-serve letter from EPCOR to provide adequate water service for potable and fire flow, requires that "The applicant shall clarify with EPCOR its statement it does not guarantee the adequacy of its water capacity for fire protection." The motion carried by the following vote:

Aye: 6 - Chairperson Strom, Commissioner Campbell, Commissioner Mahrle, Commissioner Moore, Commissioner Wainwright and Commissioner Wastchak

Nay: 1 - Commissioner Wincel

6. PUBLIC HEARINGS

There were no public hearing items.

7. STUDY SESSION ITEMS (Continued)

- A. [15-121](#) Work Study Session - Special Use Permit Major Amendment
Ritz-Carlton Paradise Valley
7000 E Lincoln Drive (SUP-15-01)

Eva Cutro gave a presentation covering the points in the action report. There was discussion regarding the EPCOR will serve letter and that EPCOR states they do not guarantee the adequacy of its water capacity. Ms. Cutro noted that the will serve letter addresses potable water supply, not fire flow. Chairman Strom stated that the applicant has to provide information that the project will meet the Town's fire flow standard. Ms. Cutro stated that Town Engineer and Fire Marshal will follow up with applicant on this fire flow matter. She also recommended to bring this item back for review on the August 18, 2015 Planning Commission, as this should provide adequate time to address this matter with the applicant and EPCOR. Richard Frazee, project manager for the applicant, explained that the developer will have to provide a flow test to the Fire Marshal. He continued that EPCOR includes this type of general language since the specific size, number, and height of the buildings are not known at this time. This level of specificity is needed to determine whether on-site fire flow improvements may be required.

Ms. Cutro explained upcoming schedule for Ritz.

Chairman Strom read a question from Robert Rasmussen, Town resident, "What are all the specific considerations regarding Quail Run Road south of Lincoln Drive involving the Ritz Carlton?" Richard Frazee responded that there will be no extension of Quail Run Road south of Lincoln Drive.

This discussion ended at 6:45 p.m.

- B. [15-122](#) Discussion of Hillside Code Updates (Article XXII of the Town Zoning Ordinance)

George Burton gave a presentation covering the points in the action report. He added that the purpose of the meeting this evening is to get initial input and direction from the Planning Commission. He discussed the following points:

- Possible edits to various sections of the Hillside Building Regulations identified by staff
- 19 topics identified by staff, with a brief review of the possible changes or clarification

Planning Commission input included the following:

- Planter walls. Commissioner Campbell suggests using a visual

illustration in plan and section view on both the planter and driveway topic exceptions.

- Driveways. Chairman Strom stated it is important for a driver to see the driveway edge, so an open railing may be ok. Commissioner Moore stated the curb or wall needs to be high enough to see out the window or low enough so it does not damage the vehicle. Commissioner Campbell stated that the Town should not encourage decomposed granite for a driveway surface since this material has a tendency to wash into the right-of-way or off-property. Commissioner Wincel suggested banning asphalt driveways on new homes and requiring colored concrete to meet the LRV value in the code.
- Trash enclosures. Chairman Strom noted there may be a need for a flat area at street to place trash cans, so they do not fall down the hill as compared to requiring enclosures. Commissioner Wincel added if an enclosure is too close to the house, the owners may leave the trash bins near the street anyway.
- LRV and Chroma. Commissioner Wainwright stated to stay within the industry standard. Commissioner Wincel asked to look at heat retention.
- Mirrored surface. There was discussion on past examples the Hillside Building Committee required applicants to tone down to a material to a matte finish. Commissioner Wincel asked how polished is polished? The response was that whatever standard may be applied is not arbitrary. George Burton stated staff will research whether an industry standard reflectance value exists for such surfaces.
- Administrative hillside chair review. It was noted that staff will still review it first and the chairperson can still move onto the full committee.
- Disturbed area calculation. Commissioner Wainwright stated the Town should not put an undue burden on restoring a site to the allowable disturbance. Chairman Strom remarked that the disturbed area should include the footprint of the house. Commissioner Wincel stated, if the desire is to reduce disturbance, then it may be useful to provide trade-off/incentives in the code. An example given was a break on Floor Area Ratio (FAR).
- Demolitions. Commissioner Wainwright noted the process should not be cumbersome if an owner wants to demo. Commissioner Moore thinks this is a good revision.
- 3-D Model. There were no concerns; industry standard is moving away from the model. The Commissioners were in agreement to use and 'or' in the draft language.
- Accessory structures. Commissioner Wincel, speaking on the overall 40-foot height limit, stated this may result in deeper cuts and increased costs to homeowner. No other concerns were noted.
- Lighting. There were no concerns on the proposed change to require the fixture to meet the existing standard versus allowing the dark sky light bulb.

- Hillside Removal. There was discussion on what is most common to add or delete lots from hillside. Staff replied, it is more common to add a lot to hillside when it has a 10-percent slope or greater. Commissioner Wastchak asked if the Town updates the map. Staff replied, yes.
- Assurance. Commissioner Wincel asked to look at what is the cost to restore.
- La Place to Sommet. No concerns to note in the code that this plat follows the 1984 code.
- Solar panels. Commissioner Wainwright inquired if the Town was under pressure to be more liberal. Eva Cutro replied that staff is researching this issue. Susan Goodwin added that the HOA restrictions to allow these panels may apply to municipalities one day.
- Cantilever. Commissioner Wincel asked what was the purpose of this code section/what is it trying to accomplish. He asked what is counted as disturbed underneath the cantilever. The response is 50-percent.
- On-site retention. Commissioner Moore thinks homeowners will take advantage and allowing on-site retention may have unintended results. Several Commissioners agreed. There was discussion on the methods to apply retention, and how these may not work over time. Chairman Strom feels the sheet flow will result in the drywell option not working. There were ideas to look at guidelines for retention, better define when need retention basins, and/or limit area and depth. Most of the Commissioners felt the code should not to exclude retention areas from the disturbed area.
- Pools. Commissioner Wainwright stated the code could be refined to require that pool equipment be placed further from the neighboring property line. Commissioner Wincel, speaking on pool barrier size, stated if this restriction is approved to establish criteria on size. There was other discussion on this topic.
- Certificate of Occupancy. Discussion included requiring a temporary certificate of occupancy. Eva Cutro noted that the Town does not do temporary occupancies since it is difficult to get the owner to get the final. Other items discussed included adding a timeframe to bond, grades not final if the landscaping is not in, and requiring more inspections to check grades.
- Administrative relief. Chairman Strom inquired on what types of projects this might apply. Eva Cutro replied not on new homes; the typical item is setback, then height. Most Commissioners were agreeable to adding this type of relief.

8. CONSENT AGENDA

- A. [15-120](#) Minutes from the July 7, 2015 Planning Commission Meeting

A motion was made by Commissioner Moore, seconded by Commissioner Wincel, to approve the Minutes from the July 7, 2015 Planning Commission Meeting. All were in favor of this motion.

9. STAFF REPORTS

10. PUBLIC BODY REPORTS

11. FUTURE AGENDA ITEMS

12. ADJOURNMENT

A motion was made by Commissioner Campbell, seconded by Commissioner Wainwright, to ADJOURN. The motion carried by the following vote:

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