



## Action Report

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**File #:** 16-167

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**TO:** Chair and Planning Commission

**FROM:** Eva Cutro, Community Development Director  
Paul Michaud, Senior Planner

**DATE:** May 17, 2016

**CONTACT:**

Paul Michaud, 480-348-3574

**AGENDA TITLE:**

Consideration of the Preliminary Condominium Plat Map,  
"Ritz-Carlton Resort - Parcel A-1" (PP 16-02)  
7000 East Lincoln Drive

**RECOMMENDATION:**

Recommendation that the Planning Commission approve the preliminary condominium plat map, "Ritz-Carlton Resort - Parcel A-1" (PP 16-02), 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 A-1", Sheets 1-8, prepared by Coe & Van Loo Consultants, Inc. dated May 6, 2016.
2. Prior to recordation of the final condominium plat 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 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.
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.

## BACKGROUND

### Request:

Five Star Development Resort Communities, L.L.C. is requesting approval of a preliminary condominium plat map application named "Ritz-Carlton Resort - Parcel A-1". This plat map consists of a total of 94 condominiums located on approximately 9.63 acres. These condominiums are the one to three-story Ritz-Carlton Resort Villas of Area A-1 of the SUP located at 7000 E Lincoln Drive on Parcel A1 of the master re-plat, "Amended 7000 East Lincoln".

### Update:

The Planning Commission discussed this application at the meeting of May 3, 2016. Discussion included the following:

- Explanation of why the total site acreage differed from the SUP approval. The applicant noted that these differences were a result of additional right-of-way related to corner vision and the round-a-bout on Indian Bend Road.
- Discussion on the need for a non-vehicular access easement along Lincoln Drive, Mockingbird Lane, and Indian Bend Road. This was not deemed necessary as the SUP approved the access locations. Changes to circulation would require Planning Commission and/or Town Council action.
- Discussion over the extension of utilities, particularly the details regarding the electric lines.
- Clarification on the EPCOR will serve letter and Certificate of Assured Water Supply, noting that these cover the entire site that includes the City of Scottsdale and were prepared prior to the final SUP approval. No changes were requested since the water assurances are based on more units and building square footages than allowed by the SUP.
- Clarification regarding the sewer availability. It was noted that the Town's agreement with the City of Scottsdale includes the necessary capacity for this project.
- Description of the phasing of the improvements, in particular that there will be no perimeter construction fencing, except at access points, as the final perimeter wall will be constructed early in the process.
- Update by the applicant on the proposed drainage improvements at the property, including the flow capacity of the drainage ways and notation that the typical plat stipulation regarding the provision for maintenance of any drainage easements as part of the CC&R review by the Town Attorney is included as a stipulation.

### Plat Conformance:

The proposed plat map must be in substantial conformance with the Special Use Permit (SUP) and the Development Agreement for the Ritz-Carlton Resort. This conformance includes the following:

- Section 2.3.2.3 of the Development Agreement states that plats/maps within the SUP will follow the standards and requirements of Article 6, Subdivisions, of the Town Code, except as modified by the SUP and Development Agreement;
- Section 2.3.2.3 of the Development Agreement requires submittal of certain submittal items for preliminary plat and final plat. Preliminary plat submittal items include utility will serve letters, Certificate of Assured Water Supply, and a water service impact study that analyzes water flow and pressure. All three of these items have been submitted.

- Section 2.3.2.3 of the Development Agreement allows for the Planning Commission to approve the preliminary plat/map, with such approval to occur within 40 calendar days of a complete submittal. The Planning Commission study session and action must be in two separate meetings. The Planning Commission will not review any final plat/map. These go directly to Town Council for approval. Although, the final plat/map must be in substantial conformance to the preliminary plat/map.
- The other noted items as described under Discussion/Facts of this report.

## **DISCUSSION/FACTS**

### History:

The subject site was annexed into the Town in 1964. In 1987, the Town approved the first Special Use Permit (SUP) rezoning for the subject site for a resort, residential lots, and a golf course. Although an entrance circle on Indian Bend Road was constructed, no further development occurred. In 2008 and 2015, the SUP was amended. This latest approval includes a 200-room resort hotel, 94 resort condominium villas; 66 resort related luxury detached single family homes on minimum 10,000 square-foot lots, 45 resort branded detached single family homes on minimum 12,000 square-foot lots, 53 resort related attached condominium residences, and resort related restaurants and retail uses separate from the hotel.

### Enforcement:

As of the date of this report, there are no outstanding code violations on this SUP property.

### General Plan:

The subject property has a General Plan designation of "Resort/Country Club" according to the Town's General Plan Land Use Map. The uses associated with the proposed plat are in conformance with this designation.

### Zoning:

The zoning on the subject property is "Special Use Permit - Resort." This zoning was amended in December 2015 by Ordinance Number 694. This is the appropriate zoning for the resort, residential, restaurant, and retail uses.

### Parking:

Parcel A and A1 will have more parking spaces than the minimum number of parking spaces required by the approved parking study with the SUP. SUP Stipulation 54 requires parking shall meet or exceed the parking requirements set forth in the parking study approved with the SUP and attached to this report. Parcel A and A1 will include a total of 774 parking spaces as compared to the minimum 710 parking spaces of the parking study. The approved parking study allows for shared parking between uses and valet.

### Floor Area/Lot Coverage/Area Coverage:

The proposed condominium structures generally match the location illustrated on Sheet D-4 of the SUP. Also, Sheet D-3 of the SUP provides maximum floor area, lot coverage, and area coverage for the various development areas. Area Size and Area Coverage % on the plat noted in the table below are in general conformance to the SUP as these numbers were an approximation. Development will need to comply with the maximum floor area and lot coverage drip line amounts. Verification of these

area and coverages will occur during the building permit process.

| Area A1                                          | SUP     | Plat    |
|--------------------------------------------------|---------|---------|
| Area Size (acres)                                | 11.1    | 10.882  |
| Maximum Floor Area (square feet) 94 Units        | 328,000 | 328,000 |
| Maximum Floor Area (square feet) Food & Beverage | 32,000  | 32,000  |
| Lot Coverage Drip Line                           | 149,000 | 149,000 |
| Area Coverage %                                  | 30.8%   | 31.4%   |

Height:

Sheet D-4 illustrates the maximum number of allowable stories. As discussed at the Planning Commission study session on May 3, 2016, the proposed condominium structures are in conformance with Sheet D-4. Units B300 through B303 on Sheet 6 of the plat are in accordance with the SUP since the allowable extra fill shown on Sheet H-6 of the SUP will result in Building B being only one-story as seen from the main road to the resort.

Sheet D-3 of the SUP stipulates a maximum height of 36 feet for the villas and 24 feet for the food and beverage uses in this plat area. The subject condominium plat does provide vertical schematics that generally depict the building heights are in compliance with the SUP. Verification of this height will occur during the building permit process when detailed building plans are provided. Maximum height is measured from finished grade. The finished grade depicted on the schematics is generally the retail and condo first floor level.

Building Lines & Setbacks:

The proposed condominium structures generally match the location illustrated on Sheet D-4 of the SUP. Parcel A-1 has no required setbacks.

Utilities:

The attached 2008 Certificate of Assured Water Supply (Certificate) from the Arizona Department of Water Resources was for 149 lots (homes) and an annual water demand of 169.32 acre-feet. An updated Certificate will need to be provided that reflects the 258 homes and the appropriate water demand for this project. As in other plat applications, there is a stipulation that the Town receives the appropriate revised Certificate prior to recordation of the plat.

All new utility lines will be located underground and generally underneath the adjoining private streets and within the noted public utility easements within the plat. Applicable will serve correspondence from the applicable utility providers are attached. All typical type of utilities will be provided; such as water, electricity, natural gas and sewer.

Drainage:

An overall final drainage and grading master plan is under review for approval by the Town Engineer. The SUP included preliminary drainage and grading approval. The preliminary grading plan includes increased fill adjacent to the resort building and the western portion of Area A1. The master plat and plats for the various areas include the respective drainage tracts and/or easements.

Water Demand/Pressure/Flow

Water demand, pressure, and flow are in compliance with applicable regulations. As required, the applicant provided a Water Master Plan for the development. It provides the estimated average day water demand, maximum day water demand, and peak hour water demand ranging between 349,240 gallons per day (gpd) to 1,047,720 gpd. EPCOR, the water provider, is expected to have adequate water capacity to meet these demands as outlined in the attached will serve letters.

Fire Protection:

The development for this project will need to meet all standards related to fire protection. This includes requirements of locating lots within 400 feet of a fire hydrant and installation of fire sprinklers. Fire access and hydrant location was generally shown as part of the SUP approval, Sheet H-5. Verification of the fire protection requirements will occur during the building permit process when detailed building plans are provided.

**NOTICING & PUBLIC COMMENTS**

No comments have been received as of the writing of this report. Except for posting of the meeting agenda, there is no required public notification for a preliminary or final plat. Consistent with the Town's application process, the applicant will provide a mailing notification to the property owners within 1,000 feet for scheduled meetings where the Commission or Council will take action.

**NEXT STEPS**

Town Council is set to take action at their June 9, 2016 meeting. The Development Agreement requires action to be taken within 40 calendar days of a complete submittal and again from the Planning Commission action.

**ATTACHMENTS**

- 1 Vicinity Map/Aerial/General Plan/Zoning
- 2 Application/Narrative
- 3 Utility Correspondence
- 4 Parking Study
- 5 Noticing
- 6 Approved SUP Plan Sheet Excerpts
- 7 Illustrations
- 8 Proposed Plat

Link to full version of the SUP Ordinances and Development Agreements at <http://www.paradisevalleyaz.gov/504/Projects---Five-Star-Development>

- C:     - Applicant  
       - Case File