



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes - Final

### Planning Commission

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Tuesday, October 3, 2017

6:00 PM

Council Chambers

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#### 1. CALL TO ORDER

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

#### STAFF MEMBERS PRESENT

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

#### 2. ROLL CALL

**Present** 4 - Chairperson Daran Wastchak  
Commissioner James Anton  
Commissioner Dolf Strom  
Commissioner Jonathan Wainwright

**Absent** 3 - Commissioner Thomas G. Campbell  
Commissioner Charles Covington  
Commissioner Richard K. Mahrle

#### 3. EXECUTIVE SESSION

None

#### 4. STUDY SESSION ITEMS

None

#### 5. PUBLIC HEARINGS

- A. [17-315](#) Consideration of Ordinance No. 2016-13  
A Text Amendment to amend Article II, Definitions, and Article IX, Cluster Plan District, of the Town's Zoning Ordinance (MI-16-03, The Villas at Cheney Estates - Town Triangle)
- Paul Michaud presented the request in accordance with the application packet.

Mr. Michaud discussed the updated plans and then discussed the scope of each of the six applications.

Commissioner Strom had questions regarding sight lines at the entry into the property. It was noted that the entry area will accommodate two lanes of traffic.

Commissioner Strom asked about the volume of water retention and how the flow will work. Fred Fleet, engineer for the applicant, stated the retention will retain the 100 year two hour event, being 2.2 inches of rain that falls onto the parcel. Mr. Fleet explained the drainage patterns.

Commissioner Wainwright asked about how the domestic water line will be treated since it will be below the wash. Mr. Fleet explained that it will be buried at least three feet and made of cast iron.

Chairman Wastchak asked the applicant about the four landscape light fixtures in and near the Scottsdale Road right-of-way. Rod Cullum, developer of the site, explained he wants to have appropriate lighting for the entry. There are two trees that will be up-lighted. He does not believe the City of Scottsdale will have a concern about this lighting.

Chairman Wastchak asked staff if they had concern the the proposed 1,080 lumen exceeded the 750 lumen guideline. Mr. Michaud replied staff has no concerns since the Town has approved similar light fixtures for signs and the illumination levels along Scottsdale Road are higher than most Town streets.

Public comment was opened at 6:55 pm.

Mary Hamway, resident, is in favor of the Villas at Cheney Estates. She thanked everyone involved for the various compromises. She stated that this parcel was proposed for many other uses and the zoning equals that of neighboring Cheney Estates.

Robert Robinson, resident of Cheney Estates, supports this project and agrees with Mary Hamway.

Robert Nagle, resident, expressed a concern about the 24-foot height limit. He stated this height is taller than a fast food restaurant and will block view from Golf Drive. He asked the Planning Commission to consider a lower height. Also, he inquired about the lighting and whether this is visible from only Scottsdale Road or will lighting be installed at the back to the golf course. Chairman Wastchak stated the lighting reviewed is along Scottsdale Road.

The public comment was closed at 7:00 p.m.

Rod Cullum responded to the height. He explained the homes will be one-story, with an average height of 20 feet to 22 feet.

The public comment was reopened.

Steven Silvestri, resident, explained that his property is now in the floodplain based on the required FEMA drainage documentation as part of the processing of the proposed development. He understands that the grading on the golf course has resulted in this change to his property. He has no objections to the proposed development, but believes that the approval of this development shall be delayed until his and his neighbor's house are taken out of the floodplain. It was noted that Mr. Silvestri's home has never been flooded.

Chairman Wastchak disclosed that he knows Rod Cullum and has a business relationship with Mr. Cullum on other projects.

**A motion was made by Commissioner Wainwright, seconded by Commissioner Strom, to forward to the Town Council approval of Ordinance No. 2016-13 to amend Article II, Definitions, and Article IX, Cluster Plan District, of the Town's Zoning Ordinance, to allow for modifications to the cluster plan provisions for the proposed development located at the northwest corner of the Northern Avenue alignment and Scottsdale Road. The motion carried by the following vote:**

**Aye:** 4 - Chairperson Wastchak, Commissioner Anton, Commissioner Strom and Commissioner Wainwright

**Absent:** 3 - Commissioner Campbell, Commissioner Covington and Commissioner Mahrle

- B.**     [17-316](#)     Consideration of Ordinance No. 2016-14  
A rezoning request from R-43 and SUP to R-43 Cluster Plan located at the northwest corner of the Northern Avenue alignment and Scottsdale Road (MI-16-04, The Villas at Cheney Estates - Town Triangle)

**A motion was made by Commissioner Strom, seconded by Commissioner Anton, to forward to the Town Council approval of Ordinance No. 2016-14 changing the zoning district from R-43 and SUP to R-43 Cluster Plan with the conditions and effective date as described in said ordinance. The motion carried by the following vote:**

**Aye:** 4 - Chairperson Wastchak, Commissioner Anton, Commissioner Strom and Commissioner Wainwright

**Absent:** 3 - Commissioner Campbell, Commissioner Covington and Commissioner Mahrle

**6. ACTION ITEMS**

- A.**     [17-317](#)     Consideration of a Preliminary Plat on a 9.6-acre property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road

(PP-16-03, The Villas at Cheney Estates - Town Triangle)

A motion was made by Commissioner Anton, seconded by Commissioner Strom, to forward to the Town Council approval of the preliminary plat for the proposed development located at the northwest corner of the Northern Avenue alignment and Scottsdale Road, subject to the following conditions:

1. The final plat for “The Villas at Cheney Estates” shall be in substantial compliance with the Preliminary Plat, Sheets 1□3, prepared by CVL Consultants, dated August 31, 2017.
2. Prior to the final plat of this Property being approved by the Town Council, the appropriate documentation shall be provided to the Town regarding “The Villas at Cheney Estates” subdivision having a 100-year assured water supply.
3. A final subdivision wall and landscape plan shall be approved with the final plat for “The Villas at Cheney Estates.” This plan shall exclude the areas approved under the Special Use Permit of Ordinance 2016-15 (SUP-16-03) related to the private roadway gates, walls, and other improvements/landscaping depicted on such plan.
4. 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.
5. 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.

The motion carried by the following vote:

**Aye:** 4 - Chairperson Wastchak, Commissioner Anton, Commissioner Strom and Commissioner Wainwright

**Absent:** 3 - Commissioner Campbell, Commissioner Covington and Commissioner Mahrle

**B.**     [17-318](#)

Consideration of a Conditional Use Permit for a private roadway on a 9.6-acre property located at the northwest corner of the Northern Avenue alignment and Scottsdale Road (CUP-16-02, The Villas at Cheney Estates - Town Triangle)

A motion was made by Commissioner Wainwright, seconded by Commissioner Anton, based upon compliance to the four findings of Section 1103.4 of the Town Zoning Ordinance, to approve CUP-16-02, a Conditional Use Permit for a private roadway at “The Villas at Cheney Estates”, subject to the following conditions:

1. This private roadway Conditional Use Permit (CUP) shall apply to the property as described in the legal description prepared by Eric G. Coffey dated September 11, 2017. (the “Property”).
2. This CUP shall be in substantial compliance with the roadway cross-sections as shown on the Preliminary Plat prepared by CVL Consultants, dated August 31, 2017, which are in general conformance with the Typical Local Cross-Section, Option B, of the Town’s General Plan.

**3. The owner of the Property shall provide the Town a grant of access easement over the private roadway and a private roadway maintenance agreement pursuant to Ordinance Number 2016-15, allowing for private roadway gates of SUP-16-03.**

**The motion carried by the following vote:**

**Aye:** 4 - Chairperson Wastchak, Commissioner Anton, Commissioner Strom and Commissioner Wainwright

**Absent:** 3 - Commissioner Campbell, Commissioner Covington and Commissioner Mahrle

**PUBLIC HEARINGS (CONTINUED)**

**A. [17-319](#)** Consideration of Ordinance No. 2016-15  
 A Special Use Permit (SUP) for private roadway gates for a proposed subdivision located at the northwest corner of the Northern Avenue alignment and Scottsdale Road  
 (SUP-16-03, The Villas at Cheney Estates - Town Triangle)

**A motion was made by Commissioner Wainwright, seconded by Commissioner Anton, to forward to the Town Council approval of Ordinance No. 2016-15 of the Special Use Permit (SUP) for private roadway gates at the proposed subdivision of “The Villas at Cheney Estates,” with the conditions and effective date as described in said ordinance. The motion carried by the following vote:**

**Aye:** 4 - Chairperson Wastchak, Commissioner Anton, Commissioner Strom and Commissioner Wainwright

**Absent:** 3 - Commissioner Campbell, Commissioner Covington and Commissioner Mahrle

**ACTION ITEMS (CONTINUED)**

**A. [17-320](#)** Consideration of two proposed subdivision wall signs  
 (MI-17-03, The Villas at Cheney Estates - Town Triangle)

**A motion was made by Commissioner Strom, seconded by Commissioner Wainwright, based upon compliance to the Town’s sign criteria, to forward to the Town Council approval of MI-17-03, for two subdivision wall signs at “The Villas at Cheney Estates,” subject to the following conditions:**

- 1. Subdivision signage and sign lighting for the Property of “The Villas at Cheney Estates” shall be in substantial compliance with the Wall and Gate Plan prepared by Cullum Homes.**
- 2. Sign lighting shall not exceed two fixtures per sign, each fixture shall not exceed a lumen count of 1,080 lumens, and the illumination shall not exceed 0.75 foot-candles at the property line.**

**The motion carried by the following vote:**

**Aye:** 4 - Chairperson Wastchak, Commissioner Anton, Commissioner Strom and Commissioner Wainwright

**Absent:** 3 - Commissioner Campbell, Commissioner Covington and Commissioner Mahrle

**7. CONSENT AGENDA**

A. 17-326 Approval of September 19, 2017 Planning Commission Minutes

**A motion was made by Commissioner Anton, seconded by Commissioner Strom, to approve the September 19, 2017 minutes. The motion carried by the following vote:**

**Aye:** 4 - Chairperson Wastchak, Commissioner Anton, Commissioner Strom and Commissioner Wainwright

**Absent:** 3 - Commissioner Campbell, Commissioner Covington and Commissioner Mahrle

**8. STAFF REPORTS**

None

**9. PUBLIC BODY REPORTS**

None

**10. FUTURE AGENDA ITEMS**

Paul Michaud reviewed the upcoming agenda items.

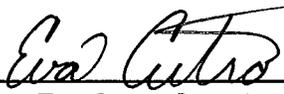
**11. ADJOURNMENT**

**A motion was made by Commissioner Strom at 7:10 p.m., seconded by Commissioner Wainwright, to adjourn the meeting. The motion carried by the following vote:**

**Aye:** 4 - Chairperson Wastchak, Commissioner Anton, Commissioner Strom and Commissioner Wainwright

**Absent:** 3 - Commissioner Campbell, Commissioner Covington and Commissioner Mahrle

**Paradise Valley Planning Commission**

By:   
Eva Cutro, Secretary