



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes - Draft Planning Commission

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Tuesday, August 4, 2015

6:00 PM

Council Chambers

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### 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 Thomas G. Campbell, Commissioner Richard K. Mahrle, Commissioner Scott Moore, Commissioner Jonathan Wainwright and Commissioner Daran Wastchak
- Absent** 1 - Commissioner Jeff Wincel

Staff Present:  
Andrew Miller, 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

- 15-111** Work Study Session - Special Use Permit Major Amendment  
Ritz-Carlton Paradise Valley  
7000 E Lincoln Drive (SUP-15-01)

Eva Cutro gave a presentation on the new items submitted by the applicant. She then reviewed the items discussed at the prior Planning Commission meetings.

Chairman Strom asked the Planning Commission to comment on the items discussed at the past meetings to recap any consensus. These items included the following:

- The four-story lobby height was still an issue with Commissioners Campbell and Moore.
- All the Commissioners present were agreeable with the traffic study material presented at the prior meeting.

Eva Cutro went over the changes to each area of the revised site plan. She stated that the density has been reduced from 3.75 dwelling units per acre (du/ac) to 2.3 du/ac. She added that this was accomplished by reducing the number of lots and the reconfiguration of the size and shape of the Areas. She continued that staff recommends that the applicant adjust the Areas so these are more regular in shape and do not include Town-owned right-of-way. The Planning Commission agreed the applicant should reconfigure the odd-shaped Areas to include within each Area land that is immediately adjacent.

### **AREAS B & C**

Discussion on Area B and C, for sale home lots, by the Planning Commission included the following:

- Lot sizes/design. Commissioner Moore stated that all the lots in Area C in this revised plan now back onto Lincoln Drive instead of front onto an internal project road that parallels Lincoln Drive. He finds that this design makes this area feel more like a tract home subdivision. Commissioner Mahrle stated that the applicant needs to resolve the pre and post right-of-way dedication along Lincoln Drive. There was continued discussion regarding the emphasis by the Planning Commission for the applicant to meet or exceed the perimeter buffers set by the Council Statement of Direction and that the landscape and building setbacks should be taken from the post 25-foot wide dedication along Lincoln Drive. Commissioner Campbell added, he thinks the lots in both Areas look small. Chairman Strom stated he does not like Lot 52 since it is a flag lot located at the main entrance off Lincoln Drive. He suggested the removal of this lot to allow for more space to create a grand entrance along Lincoln Drive. Discussion ensued on the reduction in density/loss of lots by moving back the development in Area C the additional 25 feet north to accommodate the required right-of-way dedication. Richard Frazee, project manager for the applicant, stated there is a possible redesign of the drainage channel width that should allow some accommodation in shifting development further north of Lincoln Drive without drastic reduction in density/lots.

Overall, the Planning Commission expressed a desire for larger lots along the perimeter of Areas B and C. There was mention that Lots 39-42 are not ideally designed. There was discussion on establishing a minimum lot width. After much discussion, the Planning Commission thought it best not to limit lot width since this may create long lots or other unexpected constraints. Commissioner

Wastchak stated he feels the perimeter lots in Areas B and C along Indian Bend Road and Mockingbird Lane need to be larger. Commissioner Moore also suggested Lots 77-85 should be larger. Direction to the applicant was to have fewer and larger lots along the perimeter of Areas B and C, with a design that makes it feel as if there are one-acre lots along the perimeter. The Planning Commission added that the applicant should not have lots any smaller than 9,000 square feet and 65 feet in width.

- Perimeter wall. The Planning Commission inquired about the look and feel of the perimeter wall, with emphasis that the site plan would lead one to believe the wall will be linear without undulations based on the lot locations of Areas B and C. Richard Frazee stated that the perimeter wall will be decorative and will be staggered. The Planning Commission would like to see the wall details sooner than later. Jason Morris, attorney for the applicant, described the impact of the 25-foot right-of-way dedication along Lincoln Drive as compared to the 2008 Special Use Permit approval. He noted that the dedication results in a 75-foot landscaped setback along Lincoln Drive. It was pointed out about the possible future improvements of deceleration lanes or other public amenities that could limit the depth of landscaping in the 25-foot right-of-way dedication. This discussion led into explanation for the dedication, along with the emphasis by the Planning Commission that the applicant should focus on the design of the perimeter of the project. Jason Morris asked the Planning Commission to be open to consideration of the proposed perimeter buffering in the current plan until after they see the details of landscape setback at an upcoming meeting.
- Density. Overall, comments by the Planning Commission related to the revised plan Areas being an improvement from the previous plan but still having more density than the Statement of Direction guideline of 2 du/ac. Eva Cutro reminded those present that the Statement of Direction is for all residential and retail density not to exceed the 25-percent lot coverage, resort lot coverage (Areas "A" and "A1" combined) shall not exceed 30% and 700,000 square feet, and that lot coverage is to be measured by total lot coverage, not conditioned space. Regarding the use of the right-of-way to determine lot coverage, Chairman Strom mentioned other valley communities that factor right-of-way into lot coverage and that he is agreeable to considering the back of curb with the lot coverage calculation. Commissioner Wainwright agreed. Commissioners

Mahrle and Campbell stated they support using the net acreage.

- Lots 18-24, Area B. There was discussion regarding the design of Lots 18-24 adjoining St. Barnabus church and whether the church representatives expressed any concern over the lots adjoining their property. Eva Cutro explained that the resort guidelines suggest a minimum distance of 40 feet for accessory structures from exterior property lines where the adjacent use is other than residential. She added, in this case, the homes on the lots in Area C adjoining this church would be considered the accessory structures to the resort parcel. She continued that the Zoning Ordinance allows perimeter walls up to a height of 8-feet along a non-residential use. Commissioner Mahrle suggested options on deeper lots and setbacks versus a landscaped alley. Jason Morris stated the church board is privy to site plan. Also, he stated the project plans are to redevelop the existing church wall. Commissioner Moore expressed he would be ok with the proposed 20-foot rear yard setback on these lots if the church was agreeable. The Planning Commission discussed the possibility of a 30-foot rear yard setback for these lots.
- Lot design. Overall, the Planning Commission expressed a desire for larger lots along the perimeter of Areas B and C. There was mention that Lots 39-42 and Lot 52 are not ideally designed. There was discussion on establishing a minimum lot width. After much discussion, the Planning Commission thought it best not to limit lot width since this may create long lots or other unexpected constraint. Commissioner Wastchak stated he feels the perimeter lots in Areas B and C along Indian Bend Road and Mockingbird Lane need to be larger. Commissioner Moore also suggested Lots 77-85 should be larger.

#### **AREA D**

Eva Cutro stated the applicant reconfigured Area D to better blend with Area C. She explained this is a town home product compared to a stacked flat in the prior plan. She noted the direct access onto Lincoln Drive is an issue by staff. Richard Frazee stated the next plan iteration will remove this Lincoln Drive access to the internal resort entry drive.

Eva Cutro discussed the lot coverage is proposed at 38.7 percent using drip line as required by the Town. She continued that this lot coverage is

not comparable to the prior lot coverage due to the recalculation using drip line. Richard Frazee asked the Planning Commission to focus on the unit reduction from 250 units to 100 units.

Planning Commission discussion included the following:

- Three-story height along Broadstone apartments. Commissioner Campbell stated he is supportive of the three-story height for the units along the west property line provided the first two units from Lincoln Drive become two-story units and landscaping is used to soften this area. Except for Commissioner Mahrle, no other Commissioners had concern with the proposed three-story units in Area D.
- Parking. Commissioner Mahrle noted his concern about a lack of guest parking in number and spatial distribution. Commissioner Moore suggested a stipulation on requiring a minimum setback from the garage to curb to allow vehicles to park in driveway. Richard Frazee stated most, and not all, units will have two-car garages and allow for parking in driveways. Chairman Strom described his positive experience at Colonia Miramonte and other similar developments using this type of clustered guest parking. The direction given to the applicant was to provide two garage spaces per unit and two guest parking spaces within each unit driveway, along with some separate guest parking areas distributed throughout Area D. It was noted that the Planning Commission would consider a parking plan that may not be 100-percent redundant (referring to the above-noted four parking spaces per unit direction) and other alternative parking options, provided this proposed plan is close to these parking numbers.
- Density. Commissioner Campbell expressed the need for the applicant to follow the Statement of Direction and reduce the lot coverage to 25 percent, along with a reduction in total units. Richard Frazee asked the Planning Commission to consider looking at the lot coverage for the whole site at 25 percent and not by Area. Eva Cutro stated the Statement of Direction specifies limits overall and by Area. Also, he pointed out that the proposed town homes would have an average size of 1,800 square feet. The Planning Commission direction to the applicant was that the number of units and density may work provided the site is more than adequately parked and the setbacks are taken from the post 25-foot Lincoln Drive dedication.
- Hotel rental program. The applicant stated the homes in Area D have an option to be placed into the rental program, but they do not

anticipate owners will choose this option. However, the homeowners will have access to Ritz Carlton amenities.

### **AREA A-1**

Eva Cutro explained that the unit count in Area A-1 has increased from the prior meeting's plan from 80 units to 120 units. She noted a concern that the height increased to 4-stories on some portions and asked for clarification that these villas will be in the rental program. Jason Morris explained that the units will be in the rental program, but as in other resort projects, he cannot guarantee that an individual owner may opt to live in a particular unit for an extended period of months.

Planning Commission discussion included the following:

- Branding. The applicant explained that the units will be branded and available to be used by the hotel. Jason Morris further explained that the design of the corridors and units will function and feel like a hotel. He anticipates most of the units will be used in the hotel room rental program. It was noted that the details of this arrangement would be placed in the development agreement with the Town as done with other resort Special Use Permits.
- Location. All the Commissioners expressed favorable comments on the redesigned shape of this Area and its improved connection to the resort.
- Height. Commissioners Campbell and Mahrle stated they do not support the proposed 4th story component. Richard Frazee explained their reasoning for requesting some 4-story elements including the visual balance of the other nearby structures as one arrives in the palm court. None of the Commissioners present supported anything greater than 3-stories. Commissioner Campbell suggested swapping the 3-story unit at the southwest corner with the 2-story unit on the southeast corner. The other Commissioners were in agreement.
- Retail. Commissioner Mahrle stated he does not like the retail component as part of Area A-1.
- Density/Unit Count. There was discussion on the square footage and 38.2-percent lot coverage in Area A-1 as being higher than the Statement of Direction guideline of 30-percent. Richard Frazee noted that most of the drip line/floor area square footage is a result

of the heavy use of covered patios and trellis area. Commissioner Mahrle expressed an ability to consider higher density in Area A-1 since it is directly connected to the Ritz-brand of the resort versus the highest proposed density in Area D. The other Commissioners were in agreement, expressing that the proposed 38.2-percent lot coverage is workable provided the perimeter treatment items previously noted occur in the plan and the lot coverage in Area D is reduced.

Other items discussed included the following:

- The Planning Commission reiterated the need for the applicant to factor all setbacks based on the post 25-foot dedication along Lincoln Drive.
- All of the Commissioners expressed acceptance of the use of the minimum 30-foot landscape buffer along Indian Bend road and the 50-foot landscape buffer along Lincoln Drive and Mockingbird Lane.
- The applicant stated they will try to make the changes discussed at this meeting for the submittal on August 7, 2015. This included updating the Area A hotel heights to what the applicant is actually proposing.

Chairman Strom opened the meeting to the public at 7:56 p.m., three residents spoke.

- Dorothy Smith stated she does not support reducing the width of the drainage way based on the recent comments by the applicant. Chairman Strom explained that drainage will be discussed at the meeting on August 18, 2015.
- Robert Rasmussen expressed a concern on the overall height of the project and use of any 4-story elements. He mentioned that he did not favor the direct access of Area D onto Lincoln Drive.
- Rod Cullum stated he thinks using the 25-foot right-of-way dedication along Lincoln Drive against the property owner is not the right thing to do. He added that in concept he agrees with the comment regarding the potential negative impact in having the back of the homes of Lots 1-3, 43-52 facing Lincoln Drive. Regarding lot width, he stated that in his experience an 80-foot to 82-foot width is adequate to get the one-acre feel the Planning Commission expressed earlier.

## 5. PUBLIC HEARINGS

There were no public hearing items.

## 6. ACTION ITEMS

There were no action items.

## 7. CONSENT AGENDA

### 15-124 Planning Commission Minutes: July 21, 2015

A motion was made by Commissioner Mahrle, seconded by Commissioner Wainwright to approve the Planning Commission minutes of July 21, 2015. Commissioner Moore motioned he had one correction. This correction was on page one, under the discussion of "The Villas at Mountain Shadows Final Plat (FP 15-01)." This correction was to remove the reference to the "will serve letter" and replace this text with an "updated sewer capacity letter from the City of Phoenix." Both Commissioner Mahrle and Wainwright agreed to this amendment. The motion carried by the following vote:

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

**Absent:** 1 - Commissioner Wincel

## 8. STAFF REPORTS

There were no staff reports.

## 9. PUBLIC BODY REPORTS

Chairman Strom noted that for the August 18, 2015 meeting regarding the Ritz Carlton application, the on-site drainage report shows three 3 levels of flow based on different analysis techniques. He added he will ask Councilor Hamway to come to the next meeting, as she is the Council liaison that has been working with staff on storm water management.

## 10. FUTURE AGENDA ITEMS

Paul Michaud reviewed the applications tentatively set for the upcoming Planning Commission meetings.

## 11. ADJOURNMENT

A motion was made by Commissioner Mahrle, seconded by Commissioner Moore, to adjourn the meetng. the meeting adjourned at 8:05 p.m. The motion carried by the following vote:

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

**Absent:** 1 - Commissioner Wincel