



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes - Draft

### Planning Commission

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Tuesday, April 19, 2016

6:00 PM

Council Chambers

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#### 1. CALL TO ORDER

#### 2. ROLL CALL

**Present** 5 - Chairperson Dolf Strom, Commissioner Thomas G. Campbell, Commissioner Richard K. Mahrle, Commissioner Scott Moore and Commissioner Jonathan Wainwright

**Absent** 2 - Commissioner Daran Wastchak and Commissioner Jeff Wincel

#### 3. EXECUTIVE SESSION

Chairman Strom called the meeting to order at 6:05 p.m.

#### 4. PUBLIC HEARINGS

##### A. 16-117

Consideration of Private Road for a portion of Nauni Valley Road  
Conditional Use Permit (CUP 16-01)  
Near northeast corner of 56th Street and McDonald Drive

Paul Michaud presented the Conditional Use Permit in accordance with the Planning Commission packet.

He noted that the proposed lot split is not part of application but the CUP for the road is needed for the administrative lot split. There was a review of current roadway conditions and existing corner vision conditions.

Mr. Michaud explained the four findings necessary to grant a CUP and presented the proposed stipulations.

Chairman Strom inquired about the labeling of the lots. They will be labeled 12 a & 12 b. He also noted that the maintenance agreement should describe the area to be maintained as "curb to curb". As drafted, the legal description of the roadway is what shall be maintained. There was also discussion of transition from curb to non-curb. It was noted that the applicant will provide a transition. The corner site line was discussed. The Town Engineer didn't receive information on a reduced corner triangle. Until he does he cannot approve anything less than 50' x50'. It is stipulated that he could grant a lesser corner vision at a later date, after he receives documentation from the applicant. Stipulation 5 is currently drafted that

way. Lastly, Chairman Strom inquired about the existing split rail fence. This will remain and the pavement will be to the east of the fence.

There was discussion regarding parking enforcement.

Commissioner Moore discussed his preference for a non-vehicular easement along McDonald Drive. Staff will discuss this with the Town Engineer. There was discussion regarding the large pothole in front of the driveway of 6001 N Nauni Valley Drive. Commissioner Moore would like it stipulated that this pothole be filled sooner than later.

Commissioner Campbell noted that the attached roadway as-built plan is actually a roadway improvement plan. He questioned the arrow at southern end of road and what it designates. He also wants to make sure the ribbon curb will run the full length of the road out to McDonald Drive.

Jordan Rose spoke for the applicant. She noted that the massive pothole has broken car axels. She stated the applicant is prepared to stipulate to fill the pothole as part of the roadway improvements. She described past conditions of hikers parking vehicles on this road which resulted in the neighbors posting their own "no parking" signs. She continued if there are illegally-parked vehicles that the property owner can call the police or a towing company if people park on this private road.

Ms. Rose believes they will come to a safe decision with the Town Engineer on the corner vision.

Commissioner Wainwright stated he is glad to see the community come together on this issue and suggests there should be continued discussion of street ownership.

The meeting was opened to the public at 6:50 p.m.

Barry Stern - He stated that he is not objecting to the lot split. He expressed his concern that the private road will be taken over by one owner, described drainage problems where all these improvements are proposed, and objected to the changes to the road and corner.

Donald Miller - He stated he resided for over 50 years off of Nauni Valley Drive, finds a lot of the proposed improvements offensive, doesn't want Nauni Valley Drive to conform to a cookie cutter ideal, finds the ribbon curb is nonsense, and suggested to keep the road design the way it is.

Mary Cook - She stated it was the old time feel of the area is what attracted her to buy her home here, she agreed with the statements made by Don

Miller, she finds that ribbon curbing changes the character of the street, and she stated she doesn't want Nauni Valley Drive to appear like a subdivision in middle America as these are the antithesis to maintaining character .

Commissioner Campbell stated that ribbon curbing protects the edge of the street. The curbing prevents the edge from eroding away.

Judith Stern - She stated she resided for 30 years of off Nauni Valley Drive, she reiterated issues with flooding, and asked that the Town address flooding along with any road improvements.

Jordan Rose stated the applicant is agreeable to curbs or no curbs. She leaves it up to the Planning Commission to decide.

The public hearing was closed at 7:02 p.m.

**A motion was made by Commissioner Moore, seconded by Commissioner Mahrle, to approve the Conditional Use Permit subject to the nine stipulations in the action report with an amendment to Stipulation 5 that the documentation to modify the corner vision be submitted and approved prior to recordation of the lot split of 6001 N Nauni Valley Drive and the addition of Stipulation 10 requiring a temporary repair of the pothole located across the driveway of 6001 N Nauni Valley Drive.**

- 1. This private roadway Conditional Use Permit (CUP) shall apply to the portion of Nauni Valley Drive as described in the legal description prepared by Anthony N Zaugg dated February 29, 2016.**
- 2. This CUP shall be is substantial compliance with the documents submitted with this application, including the following:**
  - a. Narrative prepared by Rose Law Group, dated March 7, 2016**
  - b. Legal description prepared by Anthony N Zaugg dated February 29, 2016.**
  - c. Roadway as-built plan, Sheets 1 and 2, prepared by Allen Consulting Engineers, Inc., dated March 30, 2016**
- 3. The property owner of 6001 N Nauni Valley Drive and/or the property owner(s) of any lot created due to a lot split from 6001 E Nauni Valley Drive, shall provide the Town, in a form acceptable to the Town Attorney, a grant of access easement over the private roadway and a private roadway maintenance agreement for the portion of Nauni Valley Drive subject to this CUP. This form shall be reviewed by the Town Attorney, be in compliance to applicable local and state laws, and be recorded with the Maricopa County Recorder's Office. Said form shall be recorded prior to issuance of the Certificate of Occupancy or a final inspection for the home(s) located on Lot 12 of Nauni Valley Ranch.**
- 4. The property owner of 6001 N Nauni Valley Drive or said owner's designee shall improve the portion of Nauni Valley Drive subject to this CUP in compliance with the Local Cross-Section Option B of the Town General Plan. This shall include any necessary pavement improvement connecting Nauni Valley Drive to**

McDonald Drive within the McDonald Drive right-of-way. Also, it shall include the necessary transition of Nauni Valley Drive to the existing portion of Nauni Valley Drive located outside the area of this CUP.

5. The corner vision located at the northwest and northeast corner of the intersection of McDonald Drive and Nauni Valley Drive shall comply with Section 8-1-13, Corner Vision, of the Town Code, unless documentation has been submitted prior to recordation of the lot split and approved by the Town Engineer for a modification to these requirements. Based upon the dimensions of said corner vision, any obstructions within the Nauni Valley Drive and McDonald Drive rights-of-way will need to be reduced in height or removed pursuant to said Section 8-1-13.

6. Prior to the recordation of the lot split of Lot 12 of Nauni Valley Ranch or within 60 days from approval of this CUP, whichever is earlier, the property owner of said lot or designee shall provide for Town approval the roadway plan referenced in Stipulation 4 and submit the required assurances necessary to guarantee completion of said improvements.

7. Prior to the recordation of the lot split of Lot 12 of Nauni Valley Ranch, the property owner of said lot or designee shall submit a demolition permit for the existing entry wall and the private roadway sign located within the right-of-way of Nauni Valley Drive. The final inspection and removal of said structures shall be completed no later than Certificate of Occupancy or final inspection for the home(s) on Lot 12 of Nauni Valley Ranch.

8. A private roadway sign may be installed on the street sign for Nauni Valley Drive pursuant to the Town standards for such sign, with all costs associated with said sign to be paid by the applicant requesting said sign. Alternatively, a similar sign may be installed on private property pursuant to Article XXV, Signs, of the Town Code.

9. Prior to issuance of the Certificate of Occupancy or a final inspection for the home(s) located on Lot 12 of Nauni Valley Ranch, the property owner of 6001 N Nauni Valley Drive or designee shall complete the roadway improvements referenced in Stipulations 4 and 6.

10. The pothole located in front of the driveway of 6001 N Nauni Valley Drive shall be repaired not more than 30 days after the recordation of the lot split of said lot.

The motion carried by the following vote:

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

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

**5. ACTION ITEMS**

None

**6. STUDY SESSION ITEMS**

**A. 16-118** Discussion on Quality of Life Initiatives

Eva Cutro reviewed the initiatives. Eight items have been assigned to the Planning Commission. Each Commissioner agreed to volunteer for at least one item.

Commissioner and staff member leads on each of the subcommittees were reviewed.

Eva Cutro noted that the goal is to have all initiatives underway by end of the 2016 calendar year.

Bicycle and Pedestrian Master Plan - It was noted that a consultant has been selected and the study shall commence in May.

Visually Significant Corridors - The RFP was reviewed and it was noted that Commissioner Wincel will be meeting with the Mayor and staff for further study of the RFP.

Noise Ordinance - It was discussed that the goal is to study leaf blowers and construction noise. Commissioner Campbell stated he would also like to explore party noise. Two residents, Roscoe Nichols and Ryan Woody Spoke about helicopter noise. They would like this reviewed under the Noise revisions.

Hillside Code - Commissioner Moore and George Burton have begun their review of changes to the Hillside Code. They will be meeting with additional staff including the Town Attorney for further review of the Ordinance.

Wall Code - It was noted that a resident applied for a text amendment for a combination wall.

Sign Code - A list of sign concerns is noted in the Action Report and these will be explored further.

Blight - There was discussion of blight during the recession and today. Commissioner Wainwright discussed blight with Councilmember Dembow and will also contact Councilmember Syms.

Lighting - The draft Ordinance revisions were discussed in detail. It was noted that changes need to be made to the sign code. The draft will be further refined and presented at the next work session.

**No Reportable Action**

## **7. CONSENT AGENDA**

**A. 16-116** Approval of March 15, 2016 Minutes

**A motion was made by Commissioner Mahrle, seconded by Commissioner Wainwright, to approve the minutes of March 15, 2016 with the edit on line 5 of page 3 to change 'and' with 'are'. The motion carried by the following vote:**

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

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

**8. STAFF REPORTS**

Eva Cutro stated that the National Planning Conference went well and participants enjoyed the tour through Paradise Valley.

**9. PUBLIC BODY REPORTS**

Chairman Strom stated he will be giving the Planning Commission year end summary to the Council at their next meeting and he clarified the Commissioners' individual areas of expertise.

**10. FUTURE AGENDA ITEMS**

Paul Michaud reviewed the upcoming agenda items.

**11. ADJOURNMENT**

**A motion was made at 8:30 p.m. by Commissioner Wainwright, seconded by Commissioner Mahrle, to adjourn the meeting. The motion carried by the following vote:**

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

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