



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Final Planning Commission

Monday, October 19, 2015

6:00 PM

Council Chambers

Special Meeting

1. CALL TO ORDER

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

2. ROLL CALL

Commissioner Wastchak attended the meeting by phone.

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

3. EXECUTIVE SESSION

None

4. STUDY SESSION ITEMS

15-242 Work Study Session - Special Use Permit Major Amendment
Ritz-Carlton Paradise Valley
7000 E Lincoln Drive (SUP-15-01)

Commissioner Moore summarized the public comment from the October 6, 2015 Planning Commission meeting. He noted the following public comment concerns of traffic and density, heights, and negative sound impact with rooftop element of the resort lobby.

Eva Cutro gave an overview of the changes made by the applicant from the October 6, 2015 Planning Commission meeting. These changes included the removal of the 4-story elements in Area A-1, reduction of the food and beverage square footage in Area A-1, removal of 8 lots in Area B, and modification of the perimeter setbacks in Areas B and C to 10 feet each side. Concerns by staff noted included the 2.55 dwelling unit per acre density in Area B and circulation and vehicle stacking in Area B with moving the entry closer to Indian Bend Road.

Planning Commission discussion included the following items:

Parking

Chairman Strom noted an error in the parking study number of 320 instead of 310 parking spaces. The applicant agreed to revise the parking study accordingly.

Area A

There was discussion regarding the fireplaces on the rooftop of the resort lobby building. Commissioner Campbell encourages the use of gas for the fireplaces instead of wood-burning.

Commissioners Moore, Campbell, and Mahrle expressed their preference to remove the rooftop element. Commissioner Campbell stated this rooftop is a fully occupied space with restrooms, elevators, building mass on the northeast side, and 56 feet in height. Commissioner Moore questioned the rendering, as it appears to be drawn as viewed above the palm trees which may result in a loss view of the McDowell Mountains. Chairman Strom and Commissioners Wincel, Wainwright and Wastchak expressed their general support of the rooftop element. Commissioner Wincel noted that this is an opportunity that may not come again. Chairman Strom noted that the issue over noise can be controlled with a stipulation of no amplified music. Commissioner Wastchak added that the noise study does not address noise travel in colder times of day when sound may carry more. Richard Frazee explained the ambient noise levels, noting that once sound from the rooftop gets to the hillside or Mockingbird Lane that sound is less than the ambient noise baseline. Eva Cutro noted a concern with lighting, with light bleed out and night glow.

Area A-1

The Planning Commission discussed the removal of the 4-story elements and increase of the 3-story elements. Most of the Commissioners expressed a frustration in having the 2-story elements increase, pointing out an earlier request for the height to step down as it approaches the west side of Area A-1. Commissioner Campbell raised a concern that the 3-story element proposed near the entry road creates an abrupt change in height from the west to the east side of this road. After much discussion, the applicant agreed to have a 2-story height on the portion of the building nearest to the west side of Area A-1 and the entry road.

Responding to staff concerns over the units in Area A-1 being part of the resort and not a 100-percent opt out rental program product, the applicant and Planning Commission discussed several points

- On the rental program, Richard Frazee stated the concern with the applicant is requiring all units to have the resort furniture, fixtures, and equipment indefinitely since not all unit owners may opt into the

rental program or opt in at all times. Commissioner Wincel generally agreed, noting that enforcement will be challenging. He suggested requiring units on the third story be in the rental program.

- Speaking on services that tie to the resort, Richard Frazee replied yes all the units will be wired for hotel components and include pantries on each floor to service housekeeping etc.
- Responding to Commissioner Campbell, Richard Frazee stated the exterior architecture will be same as the resort.
- Jason Morris provided some background on other Ritz Carlton properties, noting that not all unit owners opt to use the rental program. He stated it ranges from 60-percent to 90-percent on the examples he reviewed. He stated that the 78 units at the Arizona Biltmore are 90% in the rental program.
- Jason Morris requested the stipulations allow the use of the term "residences" for Area A-1. The Planning Commission was agreeable.

Area B

Chairman Strom questioned the vehicular bridge height. Jim Shano responded that the bridge height will be sized to accommodate the storm water flow; the recreation trail will be designed at grade as not to increase the height of the bridge. Eva Cutro noted more information will be required on the stabilized decomposed granite material of the trail.

There was discussion on the density in Area B and Area C. All the Commissioners expressed a need to reduce the density in Area B. There was conflicting opinions on whether to consider using a stipulation to reduce the density and having the applicant provide a revised site plan. Chairman Strom suggested calculating the density of both Area B and C combined using 2.09 dwelling units per acre and requiring a minimum lot size of 10,000 square feet. Commissioner Wainwright agreed. There was discussion over the best total number of units between Areas B and C of 107, 113, or 114. The Commissioners generally settled on 66 lots for Area B and 45 lots for Area C.

Commissioner Mahrle expressed the importance of having a site plan to adequately review the layout and any impact such as traffic. Commissioners Campbell and Moore agreed. Commissioner Mahrle stated his other concerns on the interior lots having a 10-foot total setback, the allowance of a guesthouse, and providing adequate open space to Saint Barnabus. Eva Cutro added that a site plan will allow the Town to verify the lots transition from larger along the west to smaller lots moving eastward. She reviewed the various options the Planning Commission has on forwarding a recommendation to the Town Council. Commissioner Wastchak stated he also preferred to see a site plan.

Responding to concerns of circulation and vehicle stacking in Area B with moving the entry closer to Indian Bend Road, Jason Morris stated this was in response to the City of Scottsdale comments to direct traffic onto Indian Bend Road. Mr. Morris agreed to move the entry back to the previous location.

Area C

Eva Cutro noted that the density is below 2.0 dwelling units per acre. The Planning Commission had no outstanding items on this section.

Commissioner Mahrle stated he would prefer to see the 10-foot each side setbacks be required for the interior lots.

Area D

Commissioner Mahrle stated he finds this area too dense and he is not in favor of allowing a third story. There was discussion of walls and private walled space. Commissioner Wincel stated he was ok with the product and not a fan of walls. No other Commissioner expressed issues with this section.

Area E

Eva Cutro stated this area will be deferred, except the uses. It was noted to add language that "possible uses may include," Commissioner Mahrle stated he was ok since entitlement of this area will occur with a future intermediate SUP amendment. Ben Graff was agreeable to the intermediate SUP amendment process for Area E.

Other Items

The Commissioners were agreeable to defer the Lincoln Drive Visually Significant Corridor improvements and gateway entrance sign approval to the Town Engineer.

Discussion of the revised submittal ended at 8:45 p.m., with the Planning Commission next discussing the draft stipulations. The following items were discussed:

- The Planning Commission on Line 20 regarding the term "Resort Hotel" instead of Ritz and an equivalent, were ok with the term "Resort Hotel" if it is defined in the development agreement. The term, "luxury" was added to "Resort Hotel." The Commissioners were agreeable to use the terms "Resort-Branded Homes" and "Resort-related Homes."
- Lines 35-39, regarding using the uses of the Statement of Direction, the Planning Commission was agreeable to using the uses proposed by the applicant since the entitlement will occur with the

intermediate SUP amendment for Area E.

- Stipulation 8, the Planning Commission was agreeable to strike the reference to Stipulation 3.
- Stipulation 19, it was agreed to not capitalize the term marketing center.
- Stipulation 20, the Planning Commission was agreeable to leave the text as drafted by staff limiting the locations of temporary construction driveways. It was noted that dropping off material does not account for a construction driveway. The applicant raised a concern with doing perimeter landscape improvements and the drainage channel improvements, both of which were not considered a temporary construction driveway.
- Stipulation 23, Bullet 4, deleted reference to Area A so vertical construction can start prior to the completion of civil and perimeter improvements.
- Add back in the stipulation on the temporary marketing signs.
- Stipulation 27, regarding limits on accessory structures in Areas A and A-1, clarified that these are stand-alone structures, exclude guardhouses, and the square footage is dripline.
- Stipulation 28, retained the grade as finished grade.
- Stipulation 29, regarding construction in Areas B and C, the applicant requested to allow rooftop HVAC units if appropriately screened, the screening has noise attenuation, and if approved by the Town Manager. After some discussion, the Commissioners were agreeable. The mater of prohibiting a guesthouse was discussed. It was decided to allow accessory structures with livable square footage if they meet the main home setbacks and the structure does not exceed 16 feet in height. Responding to the alternative stipulations on accessory structures, the Planning Commission agreed to not include this language, except for the prohibition on house mounted basketball backboards and pre-fabricated sheds.
- Stipulation 30, regarding Area D, the stipulation for accessory structures under 6-feet in height and 150 square feet in area was clarified to be allowable by right.
- Stipulation 37.c, regarding rooftop lobby conditions, the applicant had concern over not allowing for setup and teardown time. The Planning Commission allowed for a 30 minute period before 7:00 a.m. and after 10:00 p.m.
- Stipulation 38, regarding Area A-1 and stipulations to assure connection to the resort, the Planning Commission was agreeable to allow the term "residences" in branding and marketing. The Commissioners also agreed to clarify the stipulation on furniture, fixtures, and equipment as applying to only the units in the rental program.

- Stipulation 41, agreement to delete the text “full clearance for a bicycle at bridge crossing” since the trail will be at grade in Area B.
- Add back in the stipulation on loading and truck parking.

The discussion ended at 10:42 p.m.

No Reportable Action

5. PUBLIC HEARINGS

None

6. ACTION ITEMS

None

7. CONSENT AGENDA

Commissioner Mahrle moved to approve the consent agenda, Seconded by Commissioner Wainwright. The motion carried by the following vote:

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

15-246 September 15, 2015 Planning Commission Minutes

Approved the September 15, 2015 Planning Commission Minutes

15-248 October 6, 2015 Planning Commission Minutes

Approved the October 6, 2015 Planning Commission Minutes

8. STAFF REPORTS

None

9. PUBLIC BODY REPORTS

None

10. FUTURE AGENDA ITEMS

Paul Michaud reviewed upcoming items

11. ADJOURNMENT

Commissioner Wincel and Commisisoner Wastchak left before the adjournment motion

Commissioner Campbell moved to adjourn the meeting at 10:42 p.m., Seconded by Commissioner Wainwright. The adjournment passed by a vote of 5 to 0. Commissioner Wastchack left the meeting at 10:00 p.m. Commissioner Wincel left the meeting at 9:00 p.m.

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

Absent: 2 - Commissioner Wastchak and Commissioner Wincel

Paradise Valley Planning Commission

By:  _____
Eva Cutro, Secretary