

TOWN OF PARADISE VALLEY
APPLICATION FOR MINOR AMENDMENT TO SPECIAL USE PERMIT

PARCEL NO.: 174 - 58 - 162
(County Tax Assessor Number)

DATE: 1/18/18

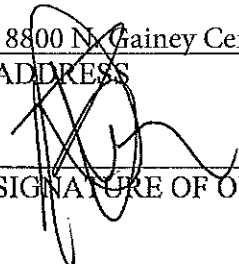
NAME OF SUBDIVISION OR PARCEL: Ritz-Carlton, Area B

ADDRESS OR LOCATION OF PROPERTY: _____

West of the NWC of Lincoln Drive and Scottsdale Road

OWNER: Shea Homes Limited Partnership
NAME

8800 N. Gainey Center Drive, Suite 350 480 348 6158
ADDRESS PHONE #


SIGNATURE OF OWNER

AUTHORIZED AGENT: Rose Law Group pc
NAME

6613 N. Scottsdale Rd, Scottsdale, AZ 85250 480-505-3936
ADDRESS PHONE #

SIGNATURE OF AUTHORIZED AGENT

APPLICATION FOR MINOR AMENDMENT TO SPECIAL USE PERMIT

PLEASE PROVIDE A NARRATIVE DESCRIPTION OF THE PROPOSAL (Please Attach

Additional Sheets as Necessary): SEE ATTACHED

BEING UNDER SPECIAL USE PERMIT AS FOLLOWS:

NAME: RitzCarlton, Paradise Valley

SPECIAL USE PERMIT DATED: 12/21/2015 AMENDED: _____

THE MINOR AMENDMENT TO EXISTING, APPROVED SITE PLAN IS REQUESTED FOR THE FOLLOWING

REASONS: SEE ATTACHED

THE ABOVE SITE PLAN IS TO BE AMENDED AS FOLLOWS: SEE ATTACHED

EXHIBITS, MODELS, SITE PLANS, ETC. FOR THE ABOVE SPECIAL USE WILL BE CHANGED IN THE FOLLOWING

MANNER: SEE ATTACHED

Azure at Ritz-Carlton, Paradise Valley

Request for Minor Amendment to the Special Use Permit

Applicant: Shea Homes
Representative: Rose Law Group
Submitted: January 19, 2018

Azure, a Shea Signature Community, features 66 homes located within “Parcel B” of the 105-acre master-planned community known as The Ritz-Carlton, Paradise Valley that is currently under development. Priced from \$2 million and up, Azure offers homes ranging from approximately 3,800 square feet to 6,700 square feet using transformative architecture and traditional form in a contemporary way. Diverse exterior materials from wood and stone to metal and stucco create a unique exterior aesthetic, while each floorplan includes nods to elements of traditional Paradise Valley homes including ranch-style layouts and large entryways. Blurring the lines of indoor/outdoor living, each home will feature a Great Room with expansive outdoor living space.

On April 6, 2017, the Town of Paradise Valley approved the Parcel B Grading and Drainage plans prepared by CVL which allow for 3 foot retaining walls/structures in the backyards of 14 homes. On October 30, 2017 and November 17, 2017, the Town of Paradise Valley approved residential wall-Fence permits for lots 6 and 61, respectively, allowing for the 6-foot backyard privacy walls to be constructed atop the 3 foot retaining walls/structures. After building permits were issued a question about the total height of the walls was raised by the Town, and it was decided that rather than building the permitted walls/structures, Shea would ask for Planning Commission review as a Minor Amendment to the existing Special Use Permit.

As permitted, and per the approved Parcel B Grading & Drainage Plans, the resident on the “high side” of the wall will see only a 6-foot backyard privacy wall. The “low side” resident will see a 3-foot retaining wall/structure topped by a 6 foot backyard privacy wall. Retaining walls/structures, used in combination with backyard privacy walls are very common in master planned communities and small subdivision, often becoming necessary to address existing site topography and drainage conditions. Typically, the total height of such walls is measured from the “high side” of the wall. It is also a situation where only the adjacent homeowner on the “low side” of the wall will see the retaining wall/structure and will be aware of the wall height prior to any purchase.

Some pertinent information below:

- The Town reviewed and issued building permits for the construction of the retaining walls/structures (see attached Exhibit A);
- The Town reviewed and issued building permits for the construction of the backyard privacy walls that separate the interior lots (see attached Exhibit B);
- The Town and Shea agree that there are no structural or safety concerns with a 6-foot privacy wall built on top of a 3 foot retaining wall/structure;
- The retaining walls/structures cannot be seen from the street and will only be seen from the backyards of those homes located adjacent and on the “low side” of the wall (see attached Exhibit C);

- The criteria necessary to issue a Managerial Amendment are all satisfied, but Stipulation 43(b) which reads, “Additional walls not shown on the Approved Plans may be constructed on the lot within enclosed private yards, provided they do not exceed six (6) feet in height” causes the Town to request that Shea submit to Planning Commission review;
- It was surprising to Shea to find that the Town might read Stipulation 43(b) to apply to this situation, specifically to retaining walls/structures. There do not appear to be any Municipalities in the Phoenix metro area or Pinal County submarket that include a retaining wall/structure in the total wall height calculation;
- The only “additional walls” are the 6-foot backyard privacy walls. The 3 foot retaining walls/structures are just that, walls/structures that help account for the site topography and allow for proper drainage. Most Municipalities (like PV), limit the wall height of a backyard wall to 6 feet. This is typically measured from grade on the high side of the wall. Once a developer achieves their zoning, they start the final design process and that is when their engineer determines where retaining walls/structures are needed. Municipalities anticipate that development will need some retaining walls/structures at lot lines and so they continue to measure wall height from grade on the high side lot. If, on the other hand, they added the retaining wall/structure height to the backyard privacy wall height, a developer would need to amend their zoning or get a Variance on nearly every case.

In order to avoid these scenarios, most municipalities do not include retaining walls/structures in the total wall height calculations. The only regulation we could find relating to wall height and retaining walls/structures in other Valley Cities is where a City limits the retaining wall/structure itself to no more than 3 feet. We are not in any way comparing the Town to other Municipalities but wanted to make sure to note that it appears that this is close to 100% practice in other places around the Phoenix Metro area. While we were not involved in the original SUP, we believe that because there do not appear to be any Municipalities in Arizona that count retaining walls/structures as a part of the total wall height, that Stipulation 43(b) did not mean 6 feet as measured from the low side lot or low side of the wall. If Stipulation 43(b) would have meant “add retaining walls/structures to backyard wall height and don’t exceed 6 feet” that would have been completely atypical and setting the Town/Developer up for continual SUP minor amendments on something that is not worthy of Staff resources as there is no safety or view concern.

- Prior to the sale of any homesite, Shea will have the buyer sign an individual plot plan showing the retaining structure on the lot. Further, construction would be completed on the retaining structure by April 2018 so the buyer could physically see it. In other words, the existence of this retaining wall/structure will not be a surprise to the only people who can even see the wall.

- Please see Exhibit D showing other examples of retaining walls/structures with 6 foot privacy walls as to demonstrate it is in no way an obtrusive situation.

Finally, because of site topography, if Shea were required to separate the retaining wall/structure from the backyard privacy wall this would not serve any safety or aesthetic purpose. The only result of that sort of requirement will be that the homeowner will lose two or three usable feet of their backyard.

As this request is entirely in keeping with the SUP and overall character of the development, and simply allows for a typical grading and drainage solution to be implemented without any concern for outside visual impact or safety, we hope you will be supportive of this request. We look forward to your further input during this Minor SUP Amendment process.

Exhibit A

TOWN

Of

PARADISE VALLEY



6401 E Lincoln Dr

Paradise Valley, AZ 85253

(480) 948-7411

Residential Wall-Fence

BD17-41048

Approved: 01/04/2018

Issued: JAN - 4 2018

Address: 6890 E CACTUS WREN RD
RITZ CARLTON PARCEL B
49

Parcel: 17458225
SUP-R Special Use Permit - Resort

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor: ARIZONA STATE MASONRY LLC
835 W WARNER RD STE 101-451
GILBERT, AZ 85233
480-753-7646

Valuation: \$4,000.00

Description: Site Fence

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit	\$82.68
Plan Review	\$53.74

The Town is released from all liability which may arise from the issuance of this permit. The owner and contractor are responsible for full compliance with the Town of Paradise Valley Town Code, Zoning Ordinance, the most recently-adopted applicable building code and related specialty codes, and any applicable Special Use Permits. Should the Town or authorized agent find work being done contrary to these codes, work shall be stopped immediately upon the issuance of a Stop Work Order.

If this Building Permit is issued to an owner/builder, it is done solely with the condition that construction is for the owner's personal use.

Notices

Pursuant to Town Code §5-1-2, construction for which this permit is issued must commence by scheduling and passing an inspection within one hundred eighty (180) days of the issuance date, and continue by scheduling and passing an inspection every 180 days thereafter. All new utilities shall be installed underground.

This Building Permit fee is *non-refundable*, and is issued with the following stipulations:

1. Builder must construct according to the approved plans for which this permit is issued.
2. Builder has verified lot size, and construction is within setbacks required.
3. Construction of fences may not begin until the fees for the permit for the main building are paid and the permit is active.

Owner Signature Date

Contractor Signature Date

Printed Name

Printed Name

TOWN

Of

PARADISE VALLEY



6401 E Lincoln Dr

Paradise Valley, AZ 85253

(480) 948-7411

Residential Wall-Fence

BD17-41051

Approved:	01/04/2018	Issued:	JAN - 4 2018
Address:	6866 E CACTUS WREN RD RITZ CARLTON PARCEL B 51	Parcel:	17458227 SUP-R Special Use Permit - Resort
Owner:	SHEA HOMES LTD PARTNERSHIP 8800 N GAINNEY CENTER DR STE 350 SCOTTSDALE, AZ 85258 480-348-6000	Contractor:	ARIZONA STATE MASONRY LLC 835 W WARNER RD STE 101-451 GILBERT, AZ 85233 480-753-7646
Valuation:	\$4,000.00		
Description:	Site Fence		
Remarks:	Height & Setbacks per S.U.P.		
Fees:			
	Building Permit	\$82.68	
	Plan Review	\$53.74	

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Owner Signature _____ Date _____

Contractor Signature _____ Date _____

Printed Name _____

Printed Name _____

TOWN

Of

PARADISE VALLEY



6401 E Lincoln Dr

Paradise Valley, AZ 85253

(480) 948-7411

Residential Wall-Fence

BD17-41050

Approved: 01/04/2018

Issued: JAN - 4 2018

Address: 6965 E CACTUS WREN RD
RITZ CARLTON PARCEL B
3

Parcel: 17458179
SUP-R Special Use Permit - Resort

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINNEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor: ARIZONA STATE MASONRY LLC
835 W WARNER RD STE 101-451
GILBERT, AZ 85233
480-753-7646

Valuation: \$4,000.00

Description: Site Fence

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit	\$82.68
Plan Review	\$53.74

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Owner Signature _____ Date _____

Contractor Signature _____ Date _____

Printed Name _____

Printed Name _____

TOWN

Of

PARADISE VALLEY



6401 E Lincoln Dr

Paradise Valley, AZ 85253

(480) 948-7411

Residential Wall-Fence

BD17-41049

Approved: 01/04/2018

Issued:

Address: 6878 E CACTUS WREN RD
RITZ CARLTON PARCEL B
50

Parcel: 17458226
SUP-R Special Use Permit - Resort

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINNEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor: ARIZONA STATE MASONRY LLC
835 W WARNER RD STE 101-451
GILBERT, AZ 85233
480-753-7646

Valuation: \$4,000.00

Description: Site Fence

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit	\$82.68
Plan Review	\$53.74

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Owner Signature Date

Contractor Signature Date

Printed Name

Printed Name

TOWN

Of

PARADISE VALLEY



6401 E Lincoln Dr

Paradise Valley, AZ 85253

(480) 948-7411

Residential Wall-Fence

BD17-41047

Approved: 01/04/2018

Issued: JAN - 4 2018

Address: 6902 E CACTUS WREN RD
RITZ CARLTON PARCEL B
48

Parcel: 17458224
SUP-R Special Use Permit - Resort

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor: ARIZONA STATE MASONRY LLC
835 W WARNER RD STE 101-451
GILBERT, AZ 85233
480-753-7646

Valuation: \$4,650.00

Description: Site Fence

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit	\$92.50
Plan Review	\$60.13

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Owner Signature _____ Date _____

Contractor Signature _____ Date _____

Printed Name _____

Printed Name _____

TOWN



6401 E Lincoln Dr

Of

Paradise Valley, AZ 85253

PARADISE VALLEY

(480) 948-7411

Residential Wall-Fence

BD17-41046

Approved: 01/04/2018

Issued:

JAN - 4 2018

Address: 6908 E CACTUS WREN RD
RITZ CARLTON PARCEL B
47

Parcel:

17458223
SUP-R Special Use Permit - Resort

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINNEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor:

ARIZONA STATE MASONRY LLC
835 W WARNER RD STE 101-451
GILBERT, AZ 85233
480-753-7646

Valuation: \$6,100.00

Description: Site Fence

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit
Plan Review

\$112.14
\$72.89

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Owner Signature

Date

Contractor Signature

Date

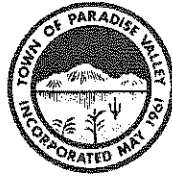
Printed Name

Printed Name

TOWN

Of

PARADISE VALLEY



6401 E Lincoln Dr

Paradise Valley, AZ 85253

(480) 948-7411

Residential Wall-Fence

BD17-41042

Approved: 01/04/2018

Issued: JAN - 4 2018

Address: 6938 E CACTUS WREN RD
RITZ CARLTON PARCEL B
43

Parcel: 17458219
R-43

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor: ARIZONA STATE MASONRY LLC
835 W WARNER RD STE 101-451
GILBERT, AZ 85233
480-753-7646

Valuation: \$4,000.00

Description: Site Fence

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit	\$82.68
Plan Review	\$53.74

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Owner Signature Date

Contractor Signature Date

Printed Name

Printed Name

TOWN

Of

PARADISE VALLEY



6401 E Lincoln Dr

Paradise Valley, AZ 85253

(480) 948-7411

Residential Wall-Fence

BD17-41045

Approved: 01/04/2018

Issued: JAN - 4 2018

Address: 6914 E CACTUS WREN RD
RITZ CARLTON PARCEL B
46

Parcel: 17458222
SUP-R Special Use Permit - Resort

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINNEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor: ARIZONA STATE MASONRY LLC
835 W WARNER RD STE 101-451
GILBERT, AZ 85233
480-753-7646

Valuation: \$4,450.00

Description: Site Fence

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit	\$92.50
Plan Review	\$60.13

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Owner Signature _____ Date _____

Contractor Signature _____ Date _____

Printed Name _____

Printed Name _____

TOWN

Of

PARADISE VALLEY



6401 E Lincoln Dr

Paradise Valley, AZ 85253

(480) 948-7411

Residential Wall-Fence

BD17-41044

Approved: 01/04/2018

Issued: JAN - 4 2018

Address: 6922 E CACTUS WREN RD
RITZ CARLTON PARCEL B
45

Parcel: 17458221
SUP-R Special Use Permit - Resort

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINNEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor: ARIZONA STATE MASONRY LLC
835 W WARNER RD STE 101-451
GILBERT, AZ 85233
480-753-7646

Valuation: \$4,000.00

Description: Site Fence

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit	\$82.68
Plan Review	\$53.74

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Owner Signature Date

Contractor Signature Date

Printed Name

Printed Name

TOWN

Of

PARADISE VALLEY



6401 E Lincoln Dr

Paradise Valley, AZ 85253

(480) 948-7411

Residential Wall-Fence

BD17-41043

Approved: 01/04/2018

Issued: JAN - 4 2018

Address: 6930 E CACTUS WREN RD
RITZ CARLTON PARCEL B
44

Parcel: 17458220
SUP-R Special Use Permit - Resort

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINNEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor: ARIZONA STATE MASONRY LLC
835 W WARNER RD STE 101-451
GILBERT, AZ 85233
480-753-7646

Valuation: \$4,000.00

Description: Site Fence

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit	\$82.68
Plan Review	\$53.74

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Owner Signature Date

Contractor Signature Date

Printed Name

Printed Name

TOWN



6401 E Lincoln Dr

Of

Paradise Valley, AZ 85253

PARADISE VALLEY

(480) 948-7411

Residential Wall-Fence

BD17-41041

Approved: 01/04/2018

Issued:

JAN - 4 2018

Address: 6913 N JOSHOU TREE CT
RITZ CARLTON PARCEL B
34

Parcel: 17458210
SUP-R Special Use Permit - Resort

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor: ARIZONA STATE MASONRY LLC
835 W WARNER RD STE 101-451
GILBERT, AZ 85233
480-753-7646

Valuation: \$12,450.00

Description: Site Fence

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit	\$171.06
Plan Review	\$111.19

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If this Building Permit is issued to an owner/builder, it is done solely with the condition that construction is for the owner's personal use.

Notices

Pursuant to Town Code §5-1-2, construction for which this permit is issued must commence by scheduling and passing an inspection within one hundred eighty (180) days of the issuance date, and continue by scheduling and passing an inspection every 180 days thereafter. All new utilities shall be installed underground.

This Building Permit fee is *non-refundable*, and is issued with the following stipulations:

1. Builder must construct according to the approved plans for which this permit is issued.
2. Builder has verified lot size, and construction is within setbacks required.
3. Construction of fences may not begin until the fees for the permit for the main building are paid and the permit is active.

Owner Signature Date

Contractor Signature Date

Printed Name

Printed Name

TOWN

Of

PARADISE VALLEY



6401 E Lincoln Dr

Paradise Valley, AZ 85253

(480) 948-7411

Residential Wall-Fence

BD17-41040

Approved: 01/04/2018

Issued:

JAN - 4 2018

Address: 6914 N JOSHUA TREE CT
RITZ CARLTON PARCEL B
31

Parcel:

17458207
SUP-R Special Use Permit - Resort

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINNEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor:

ARIZONA STATE MASONRY LLC
835 W WARNER RD STE 101-451
GILBERT, AZ 85233
480-753-7646

Valuation: \$7,550.00

Description: Site Wall

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit	\$121.96
Plan Review	\$79.27

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Owner Signature

Date

Contractor Signature

Date

Printed Name

Printed Name

Exhibit B

TOWN



6401 E Lincoln Dr.

Of

Paradise Valley, AZ 85253

PARADISE VALLEY

(480) 948-7411

Residential Wall-Fence

BD17-40951

Approved:	10/30/2017	Issued:	
Address:	6939 N CACTUS WREN CT RITZ CARLTON PARCEL B 6	Parcel:	17458182 SUP-R Special Use Permit - Resort
Owner:	SHEA HOMES LTD PARTNERSHIP 8800 N GAINEY CENTER DR STE 350 SCOTTSDALE, AZ 85258 480-348-6000	Contractor:	SHEA HOMES LTD PARTNERSHIP 8800 N GAINEY CENTER DR STE 350 SCOTTSDALE, AZ 85258 480-348-6000
Valuation:	\$13,170.00		
Description:	CMU Fence		
Remarks:	Height & Setbacks per S.U.P.		
Fees:			
	Building Permit		\$180.88
	Plan Review		\$117.57

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2. Builder has verified lot size, and construction is within setbacks required.
3. Construction of fences may not begin until the fees for the permit for the main building are paid and the permit is active.

Owner Signature

Date

Contractor Signature

Date

Printed Name

Printed Name

TOWN

Of

PARADISE VALLEY



6401 E Lincoln Dr

Paradise Valley, AZ 85253

(480) 948-7411

Residential Wall-Fence

BD17-40956

NOV 20 2017

Approved: 11/17/2017

Issued:

Address: 6883 E JOSHUA TREE LN
RITZ CARLTON PARCEL B
61

Parcel: 17458237
SUP-R Special Use Permit - Resort

Owner: SHEA HOMES LTD PARTNERSHIP
8800 N GAINEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Contractor: SHEA HOMES LTD PARTNERSHIP
8800 N GAINEY CENTER DR STE
350
SCOTTSDALE, AZ 85258
480-348-6000

Valuation: \$9,690.00

Description: CMU Fence

Remarks: Height & Setbacks per S.U.P.

Fees:

Building Permit \$141.60
Plan Review \$92.04

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Owner Signature Date

Contractor Signature Date

Printed Name

Printed Name

Exhibit C

3' Retaining
Wall Structure
and 6' Wall



Ritz Carlton Boulevard



Lots with
Retaining
Structure

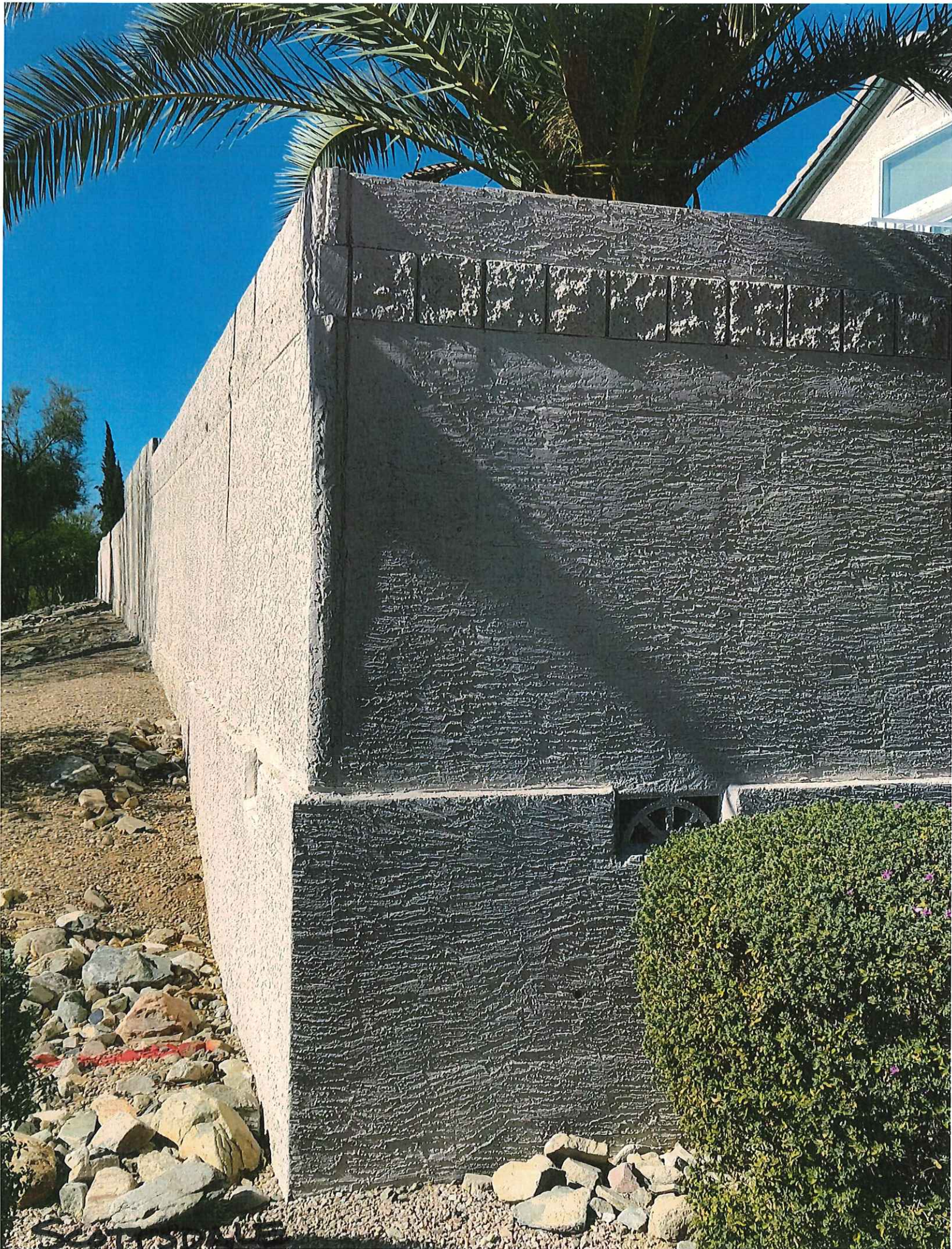


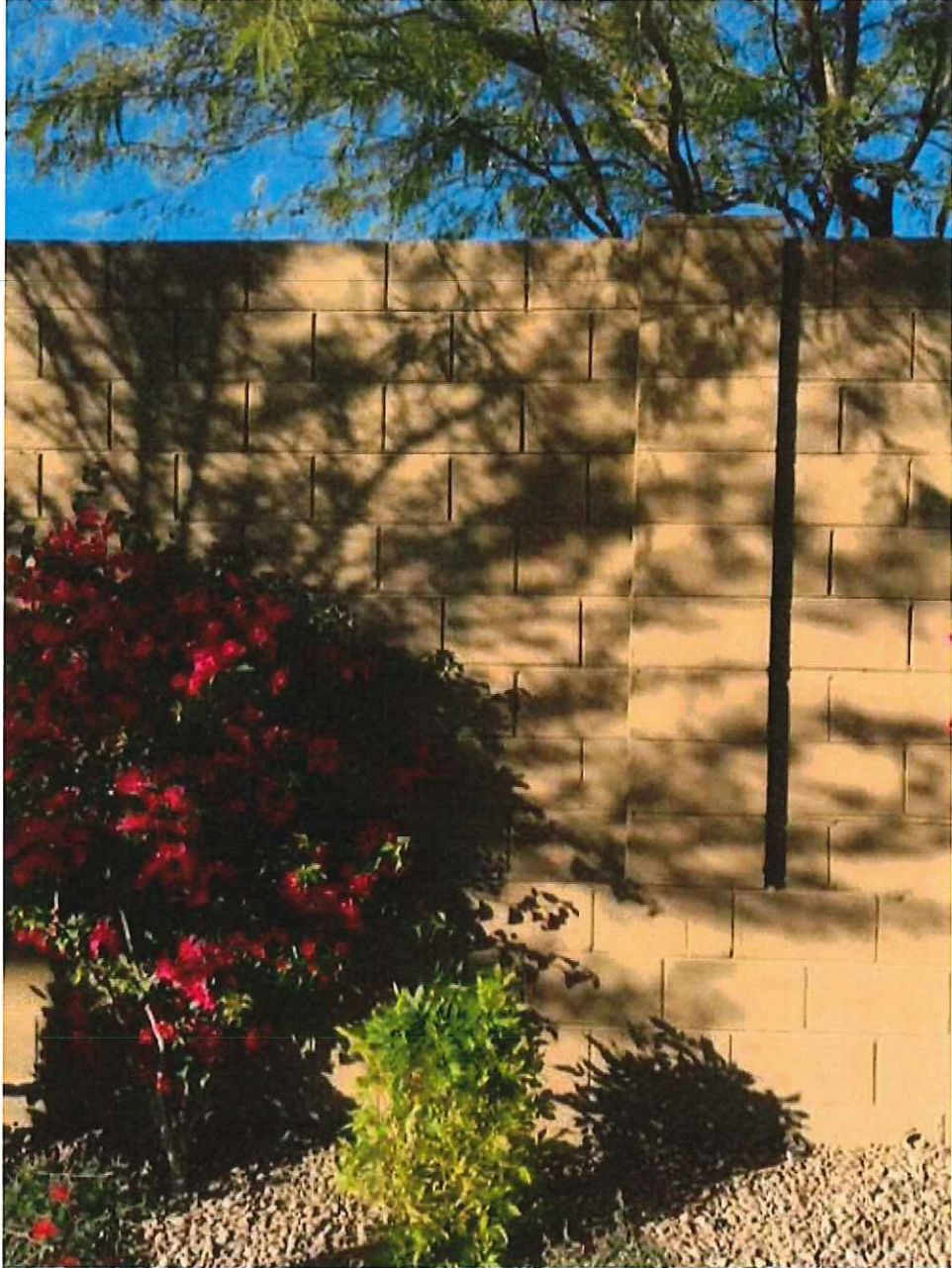
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Ritz Carlton Boulevard

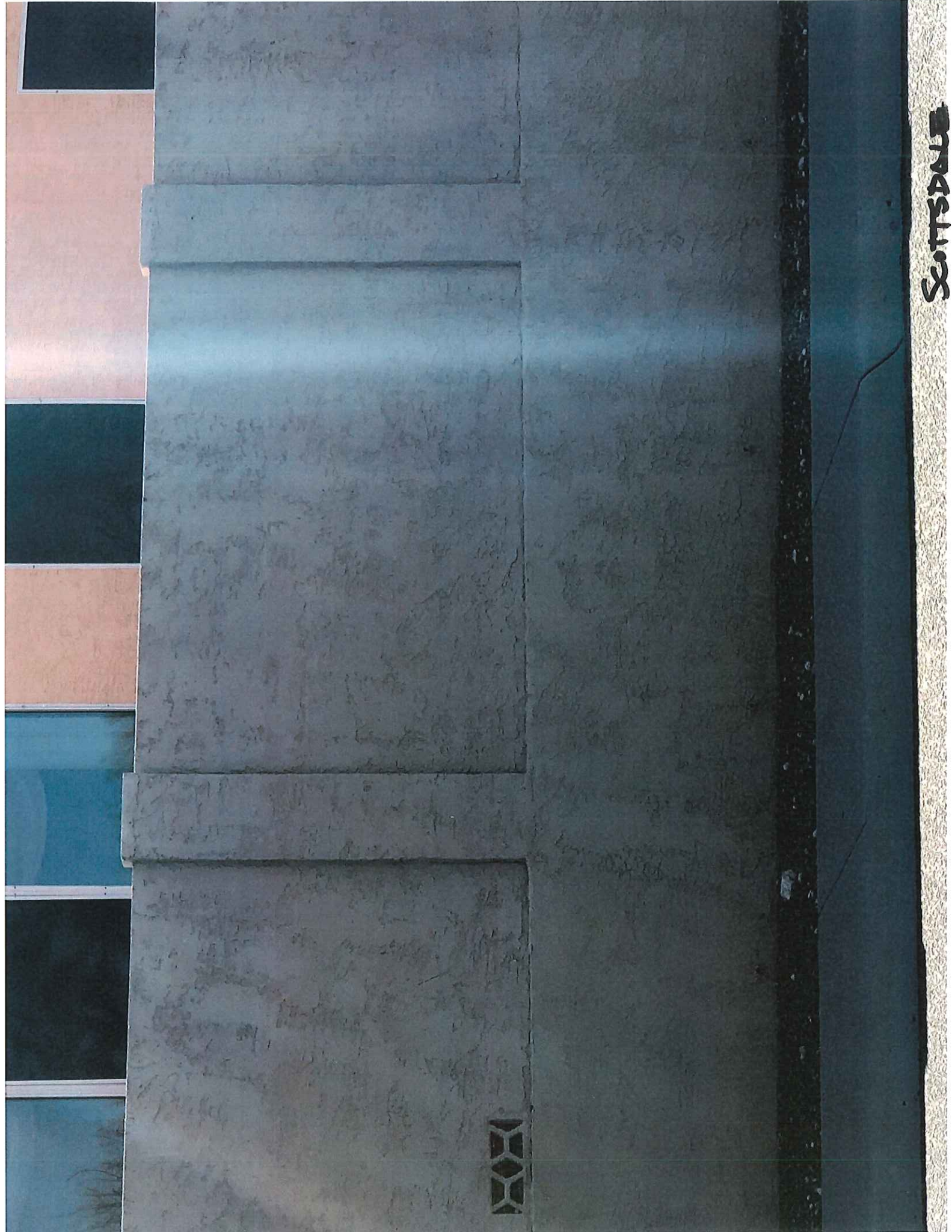
Exhibit D





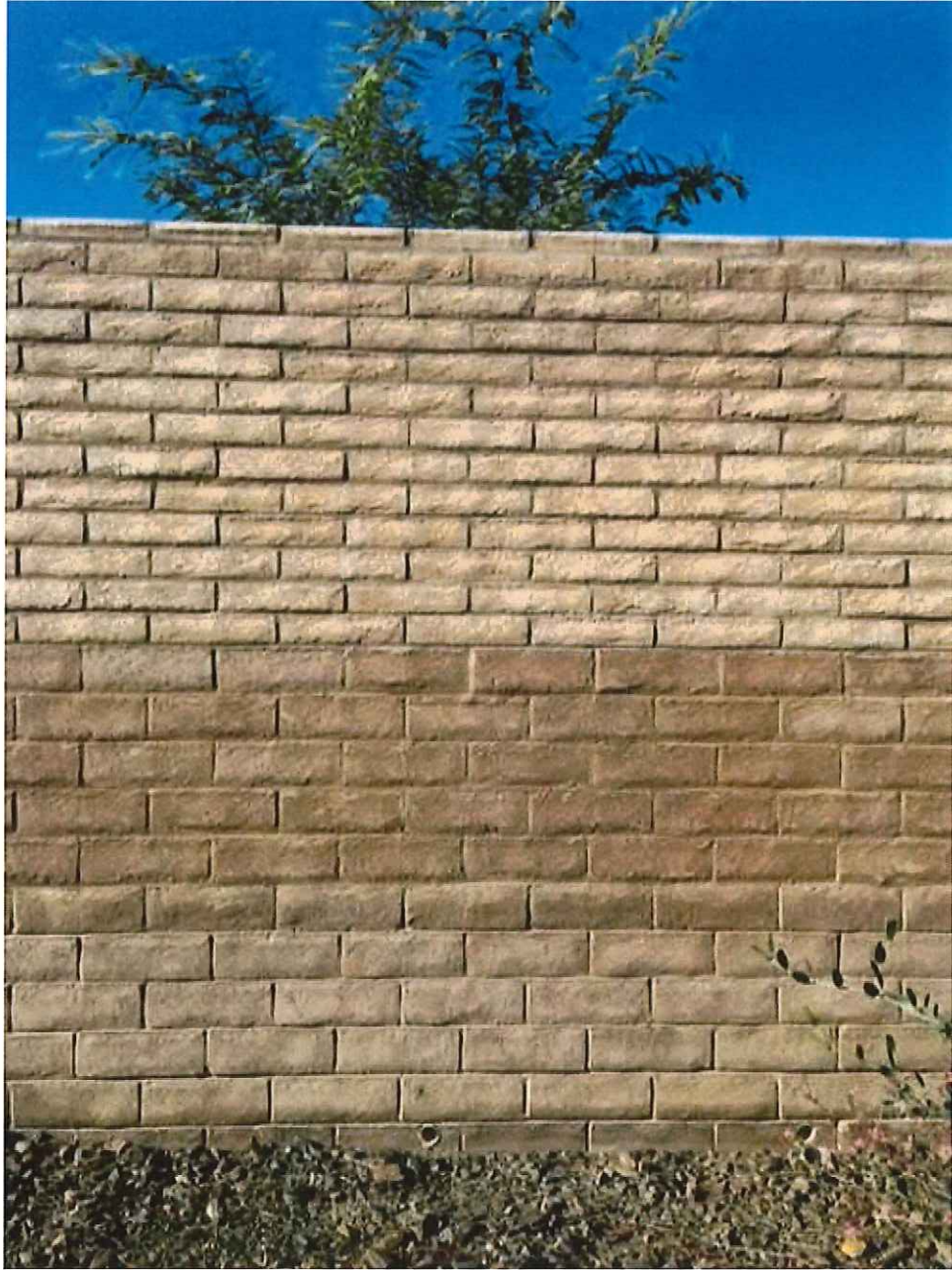
PEORIA

SCOTTSDALE





SCOTTSDALE

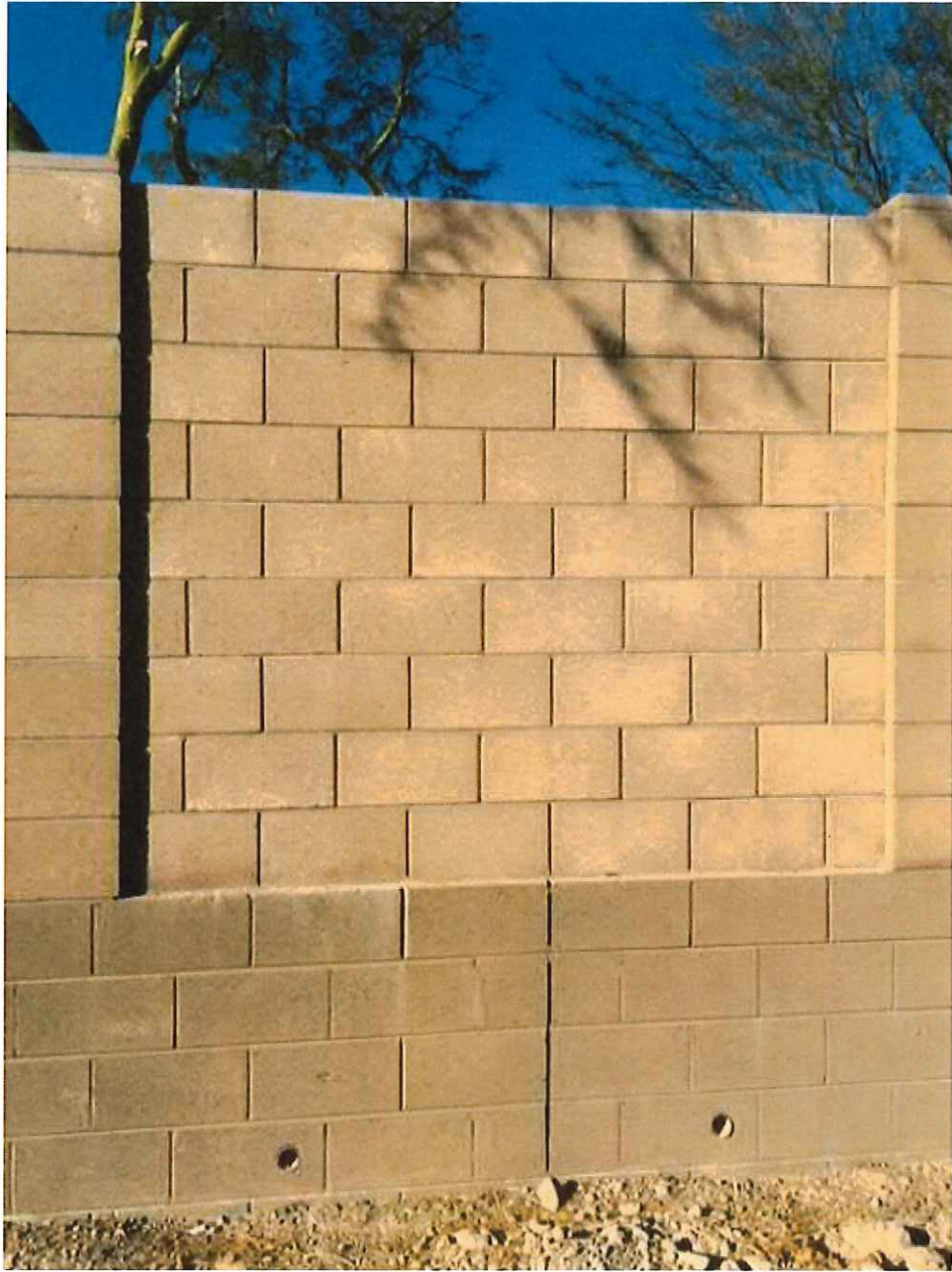


WALL - LOW SIDE

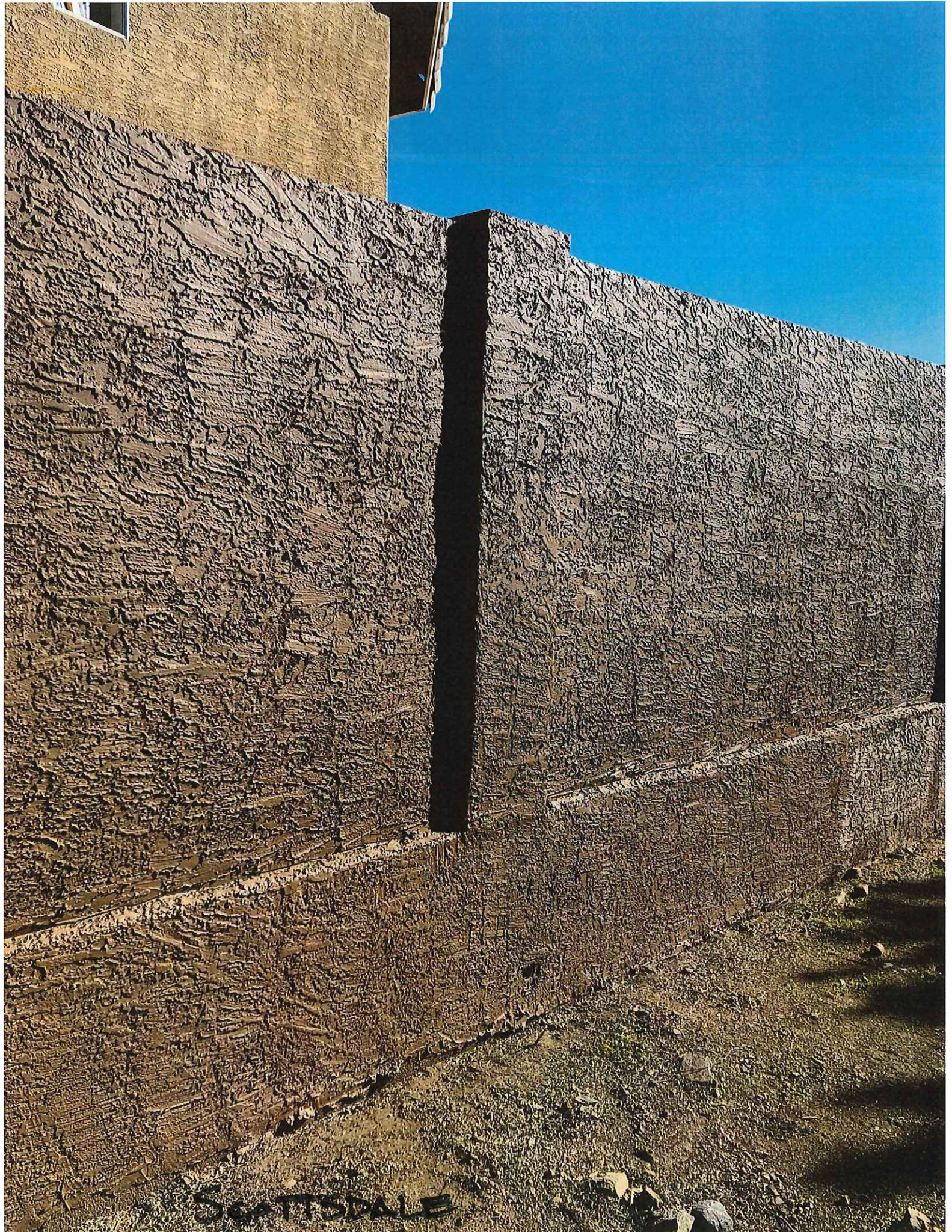
PEORIA



WALL - HIGH SIDE
PEORIA



PEORIA



SCOTTSDALE