



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes – FINAL

### Hillside Building Committee

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Wednesday, June 16, 2021

8:00 AM

Town Hall Boardroom

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#### Committee Members

#### 1. CALL TO ORDER

Chair Jarson called the meeting to order at 8:04 AM.

**Present 4 –** Chair Scott Jarson  
Member Scott Tonn  
Member Charles Covington  
Member James Rose

#### **STAFF MEMBERS PRESENT**

Community Development Director Lisa Collins  
Planning Manager Paul Michaud  
Hillside Development Administrator Hugo Vasquez  
Hillside Development Planner Jose Mendez

#### 2. EXECUTIVE SESSION

#### 3. APPLICATION REVIEW

Chair Jarson noted that the second item in the application review would be moved to the last item.

**A. 21-239 Combined review for a hillside designation removal at 6010 N 41<sup>st</sup> Street (APN 169-22-068).**

Mr. Vasquez provided an overview of the item. The property had a slope of 3.2% and a current building pad slope of 2%. He showed images from Google Maps and an aerial view to provide a better idea of the property's location. Removing the Hillside designation would mean that the property would have to conform to non-Hillside building regulations, which would allow for freestanding walls but reduce the allowable maximum overall height of the residence. The current Hillside map showed that the property just north and east of the subject property was designated Hillside, while the west was not. The intention was to demolish the existing residence and construct a new home on the property.

Edmir Dzudza, an architect representing the applicant, stated that they wanted to do an extensive addition to the project, and removing the Hillside designation would give them more ability to develop the property as they'd like.

Chair Jarson asked for the overlying reasoning to bring the property out of Hillside.

Mr. Dzudza explained that the owner was surprised by all the requirements for Hillside, and it would help from the development standpoint.

Member Covington asked how the property ended up in Hillside.

Mr. Vasquez believed it was because it was easier to include than exclude.

Member Tonn brought up a narrative from past meetings about the consideration of sight lines, which had previously been mentioned by Commissioner Campbell. The transitional areas were important from a Hillside point of view in terms of the palette as you looked further away, and the beginnings of the grade were part of that transition. Member Tonn asked staff about the alignment of McDonald Drive and a lot that was no longer in Hillside designation.

Mr. Vasquez was unsure of the history but mentioned that non-Hillside lots could have walls.

Chair Jarson and Member Covington also discussed the importance of the view corridor.

Mr. Michaud searched for the case file on the lot in question, which was a partial development with some walls.

Mr. Vasquez showed two maps, one with information from GIS on the current Hillside map. The lots on the map were not clear, but Chair Jarson recalled that McDonald Drive from 44th to 40th Street was a checkerboard when it came to Hillside properties. Chair Jarson also mentioned that there were not many requests to come out of Hillside, but they had one at 45th Street and McDonald Drive.

Mr. Michaud added that there were two approved at that intersection and two not approved on the north side of Mummy Mountain.

Mr. Vasquez identified four lots on the map and found no case file for 4120 East McDonald Drive.

Chair Jarson stated that owning a property in Hillside is not an undue burden for development, but there are different standards and procedures. They do not see it as onerous and stifling anyone's creativity. They also mentioned that if a property were to come out of Hillside, it might be beneficial as overall heights would reduce, and it would keep the view corridor open. However, he pointed out that it would set a precedent for people to come later and create more walled compounds.

Mr. Michaud commented that removing the property from Hillside would mean losing control over the landscape pallet, and they suggested recommending a stipulation regarding the height and types of trees that can be planted.

Member Covington asked about the result of a property that had previously applied to come off Hillside.

Mr. Michaud replied that it was removed, but he could not recall if there were any stipulations regarding planting.

Member Tonn mentioned that the zone in question is different from a residential part of McDonald Drive, and the sidewall wasn't necessarily a drawback for the lot in their opinion at the time.

The Committee discussed the height restrictions on Hillside and flat land, and they concluded that the maximum height for hillside configuration would be 24 ft plus 3%.

Mr. Dzudza stated that the applicant is requesting permission to develop a specific residence for an end-user lifestyle, and he clarified that they would not be proposing any site walls.

The Committee also discussed the differences between Hillside and non-hillside lots, such as landscaping, solar options, retaining walls, and lighting.

Mr. Michaud explained that there is a disturbance limit on a Hillside lot but not on a non-Hillside lot.

Member Covington commented that the lighting rules were more relaxed for non-hillside areas.

Mr. Michaud agreed, while Mr. Vasquez pointed out that height restrictions, which were beneficial for Hillside areas, would not apply in this case.

Member Covington asked for a map, and the location of the subject property was identified by Mr. Vasquez and Chair Jarson.

Chair Jarson expressed concern about the potential for future development if the lot was removed from Hillside, as it could impact the neighborhood experience for those who were Hillside compliant.

Member Tonn agreed with the Chair's comments and stated that he would be voting against any stipulations to the proposal, as they believed that once the lot was out of Hillside, it should remain that way without additional stipulations. They also felt that creating a third group of lots with stipulations would be an administrative burden for the town.

Chair Jarson expressed his disinclination to support the removal.

Member Tonn pointed out that enforcing the stipulations would be difficult and expensive.

Chair Jarson noted that removing the property from Hillside regulations would affect the neighborhood's look and feel.

No public comment was provided.

Mr. Dzudza mentioned that he talked to the neighbor to the north who called him regarding the application. Her main concern was bringing the property up to modern standards and minimizing noise during construction. She was put in contact with the owner, who promised to comply with the noise ordinance.

Member Covington commented that most of the houses in the neighborhood had been brought up to new standards, so this could be an issue.

Member Tonn asked the applicant about the transfer of the property and how long the current owner has had it.

Mr. Dzudza replied that the current owner had had it since 2016 or 2017.

Chair Jarson asked if there were any other questions or concerns from the applicant.

Mr. Dzudza replied that there was none as he awaited the Committee's decision.

Ms. Collins clarified that the non-hillside regulation includes a 25% maximum floor area ratio that regulates lot coverage. She wanted to alert the Committee to this.

Member Covington had a question about whether the front was on 41st Street and if the McDonald Drive side would be considered a side setback.

Mr. Vasquez confirmed that the front was on 41st Street and that the McDonald Drive side would be a side setback. He also clarified that both Hillside and non-Hillside lots have a 25% floor area ratio limit. Hillside lots have limitations based on slopes and a maximum of 60% disturbance on the lot while non-Hillside lots can be disturbed entirely.

**A motion was made by Member Tonn, seconded by Member Covington, to remove the Hillside designation for the lot at 6010 N 41<sup>st</sup> in Paradise Valley. The motion carried with the following vote:**

**Nay:** 4 – Chair Jarson, Member Tonn, Member Covington, Member Rose.

**B. 21-240 Combined review for a new pool at 5429 E Solano Road (APN 172-47-063).**

Member Toon disclosed a conflict of interest and noted that he would like to remove himself from the Committee attendees.

Chair Jarson noted that since Member Tonn is an applicant, he could stay and speak as necessary, but he would be recused from any committee activity involving this application. Chair Jarson disclosed that he is friends with the architect and applicant, but nothing in that relationship would impede his ability to be fair and impartial on any of the matters or application.

Member Covington disclosed that he's friends with the architect but that he will stay unbiased.

Mr. Vasquez provided an overview of the item. The original application was submitted on July 3, 2018, and was reviewed under the current ordinance. The pool is proposed just north of the residence and will be screened by large native boulders. He added that the pool will have a light-colored finish and earth-tone concrete for the pool walls and pool deck flooring. A light gray porcelain tile is also proposed. The total disturbance of the lot will be 41.32%, including the new pool development. Stormwater will be captured just west of the pool. The pool design includes some sitting and livable areas with retaining walls up to five feet tall. The pool lights, four path lights, and four up lights will be added, along with a relatively small amount of lighting. The grading and drainage plan includes a small basin to capture runoff from the new development area.

Darren Petrucci, an architect representing the applicant, stated that the decking is designed to incorporate the natural rocks and colors of the desert floor. The retaining wall pieces on the north and west sides will create a concrete corner that is the only visible part of the pool and will also serve as the pool fencing. The pool equipment will be hidden with a natural enclosure using rocks from the site.

Chair Jarson asked if there would be a little corner of the pool exposed in cast concrete.

Mr. Petrucci confirmed this, saying it would not be visible from the street.

Mr. Tonn, the applicant, added that the pool is sunk in behind some trees and won't be visible. He mentioned the safety railing for the steel and concrete stairs will be a cable railing system.

Chair Jarson asked about the material of the rail and requested a path to the equipment site.

Member Tonn suggested a natural path exists, but if needed, they could create one.

Chair Jarson emphasized the need for a naturalized walk path.

Member Covington asked about a protective fence.

Mr. Vasquez confirmed that the retaining walls would act as a safety but mentioned a fence on the other side.

Mr. Petrucci assured the Committee that they have a fence and can show it during the permit process. It is a rusted metal pole fence with an 80% view opening and becomes invisible through the vegetation.

No public comment was provided.

**A motion was made by Chair Jarson, seconded by Member Covington, to approve the application with stipulations 1-12, with additional stipulations 13 and 14. The motion carried with the following vote:**

**Aye:** 4 – Chair Jarson, Member Tonn, Member Covington, Member Rose.

**C. 21-241 Formal review for a new single-family residence at 6519 E Hummingbird Lane (APN 174-52-002G & 174-52-002H).**

Mr. Vasquez provided an overview of the item. He noted that this project involves a new single-family residence with a pool and a detached guesthouse on a property currently made up of two lots. The two lots will be combined with one another, and construction will comply with current ordinances. The Hillside Building Committee stipulates that the lock combination must be completed before a building permit is issued. The proposed residence will have 10,000 square feet of livable area with a driveway coming off Hummingbird Lane. The property has a negative edge pool and a gross disturbed area of 52% due to previous development and demolition. Grading and drainage will consist of multiple basins going across the property, slowing down the water with check dams. The property has an existing public sewer connection, and there will be no access coming off the southeast portion. The plan complies with the 24 ft from natural grade height requirement limit. The exterior of the home will be lit with 88 recessed lights plus another 19, and there is a series of step lights as well. The lighting plan will be revised before issuing a building permit.

CP Drewett, an architect representing the applicant, explained that they had made some modifications since the last meeting. The overall color palette has been changed to match the site, which is deeper and more saturated. The desert tonality is right on point for the site. He was happy to see the revegetation and restoration in the landscape plan. Even though there was some grading on the site, a vast percentage of it had been disturbed, so they are bringing it back to the native desert. The project is fully compliant on heights, and Mr. Drewett thought the project would be a great addition to Hillside.

Chair Jarson commented positively on the aggregate roof and the color palette. The house was moved off the western property line substantially, which made a big difference to the adjacent property owners.

Member Covington asked if they relocated the house eastward.

Mr. Drewett confirmed and added that the exterior ceilings are all tongue in groove, and left natural.

Mr. Vasquez noted that the grading and drainage plan was reviewed and complied with the code. The lighting seems abundant but within code.

Member Covington noted that there was much lighting close to the windows.

Mr. Vasquez explained that the lights had a 40° optic, but a 20° or 30° could also be available.

Chair Jarson asked if there was a possibility of reducing the lighting.

Mr. Drewett replied that they could prioritize the lighting and make some reductions.

Member Tonn asked about the beam spread of the patio cans.

Mr. Vasquez replied that it had become standard at 40°, but an interchangeable narrow beam could be installed.

Member Tonn suggested reducing the number of locations. He asked about grading and drainage, specifically regarding the outflow in the corner and how it will affect the neighbors.

Nick Prodanov, an engineer, explained that the design was shown to the neighbors, who appeared to agree. The flow comes from the west property line and is split into two halves. The flow that exits the lot continues along the northern property line and exits at the northeast corner. Mr. Prodanov explained that the flow would continue down along the property line and end up north of the adjacent homeowner's driveway. The location of shrubs and plantings in relation to the flow of water was discussed.

Mr. Drewett mentioned that they had several communications with neighbors but not the one in question. He also noted that the catchment basin would mitigate the offloading of silt onto the neighbor's property, which had been their biggest concern.

Member Tonn acknowledged the benefit of routing water away from the property line but questioned if the location could handle the water flow.

Mr. Prodanov explained that the water would first fill up the basin before overflowing, and they had multiple retention basins throughout the site.

Member Covington asked if the project was dependent on the approval of combining the two lots, which Mr. Vasquez confirmed, and the Committee noted it as a stipulation. Mr. Covington also expressed concern about the 33.8 acres of water coming into the catch basin.

Mr. Prodanov assured him that there were multiple retention basins throughout the site to retain the pre-versus-post condition from a 100-year rainfall event.

Member Tonn asked about the encroachment of the guesthouse on the south setback.

Mr. Vasquez explained that an overhang is allowed up to two feet.

Chair Jarson suggested reducing the number of lights and proposed a stipulation for the applicant to consider.

No public comment was provided.

Mr. Drewett suggested reducing the level of fixtures by 18.

Chair Jarson proposed a stipulation that the applicant provides an updated lighting plan reducing the fixture count by 18.

Mr. Drewett agreed. They discussed that the lighting plan for the landscape seemed appropriate.

Member Tonn had questions about trees that were not considered salvageable and why they couldn't be saved.

Mr. Vasquez thought a fixture count reduction was the best option.

**A motion was made by Chair Jarson, seconded by Member Tonn, to approve the application with stipulations 1-17, with an additional stipulation 18 and one correction, stipulation 15, which reads "a suitable desert seed mix shall be provided for all undisturbed areas regarding vegetation and all retention basins." The motion carried with the following vote:**

**Aye:** 4 – Chair Jarson, Member Tonn, Member Covington, Member Rose.

#### **4. STAFF REPORTS**

Mr. Vasquez reported that they received permission to open the July and August meetings for final approvals and proposed July 21 and August 12 as meeting dates.

Member Tonn noted there was a scheduling issue for him the week of July 12, otherwise, he is in favor of the July meeting.

Member Covington agreed with the proposed meeting dates but requested that the August meeting be moved to the 12th or any time after the 11th.

Mr. Vasquez agreed to sort out the scheduling and send out invitations to the meetings.

#### **5. COMMITTEE REPORTS**

#### **6. NEXT MEETING DATE**

The next Hillside Building Committee meeting dates were tentatively scheduled for Thursday, June 17, 2021, at 8:00 AM and Wednesday, July 14, 2021, at 8:00 AM.

#### **7. ADJOURNMENT**

**A motion was made by Chair Jarson, seconded by Member Covington, to adjourn the meeting at 9:48 AM. The motion carried with the following vote:**

**Aye:** 4 – Chair Jarson, Member Tonn, Member Covington, Member Rose.

#### **Paradise Valley Hillside Building Committee**

By:   
Cherise Fullbright, Secretary  
for Hugo Vasquez