



## Action Report

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**File #:** 16-166

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**TO:** Chair and Planning Commission

**FROM:** Eva Cutro, Community Development Director  
Paul Michaud, Senior Planner

**DATE:** May 17, 2016

**CONTACT:**

Paul Michaud, 480-348-3574

**AGENDA TITLE:**

Consideration of the master re-plat, "Amended 7000 East Lincoln" (RP 16-03)  
7000 East Lincoln Drive

**RECOMMENDATION:**

Recommendation that the Planning Commission approve the re-plat, "Amended 7000 East Lincoln" (RP 16-03), subject to the following stipulations:

1. The final master re-plat shall be in substantial compliance with the preliminary re-plat, "Amended 7000 East Lincoln", Sheets 1-7, prepared by Coe & Van Loo Consultants, Inc. dated May 6, 2016.
2. Prior to recordation of the final re-plat, the applicant shall provide to the Town Attorney a copy of the CC&R's, declaration, bylaws, or other documents for review to insure that all terms required under the SUP or other recorded agreements are part of these documents, including provision for maintenance of any drainage easements dedicated on the map.
3. The final improvements that address items such as street improvements, sewer, water, grading, drainage, landscaping, and easements shall be completed as set forth in the Special Use Permit and Development Agreement for this property.
4. Within 60 days of approval of the final re-plat, the applicant shall submit to the Town Mylars of the approved plans and an electronic version of these plans in a pdf format for the Town's permanent record.
5. The Final Plat shall not be recorded until the Town receives the appropriate information for the State of Arizona Department of Water Resources Certificate of Assured Water Supply, with the certificate number and date to be duly noted on the Final Plat.

**BACKGROUND**

Request:

Five Star Development Resort Communities, L.L.C. is requesting approval of a master re-plat application named "Amended 7000 East Lincoln." This is a re-plat of the subdivision "7000 East Lincoln" recorded in 2009. This re-plat will remove the lots and tracts previously approved with the "7000 East Lincoln" plat with the attached master re-plat. The parcels and associated tracts of A, A1, B, C, D, and E of this re-plat reflect the different development areas pursuant to the amended Special Use Permit - Resort zoning (SUP) on the subject 103.09 acres generally bounded by Lincoln Drive, Mockingbird Lane, Indian Bend Road, and the City of Scottsdale.

Update:

The Planning Commission discussed this application at the meeting of May 3, 2016. Discussion included the following:

- Explanation of why the total site acreage differed from the SUP approval. The applicant noted that these differences were a result of additional right-of-way related to corner vision and the round-a-bout on Indian Bend Road.
- Discussion on the need for a non-vehicular access easement along Lincoln Drive, Mockingbird Lane, and Indian Bend Road. This was not deemed necessary as the SUP approved the access locations. Changes to circulation would require Planning Commission and/or Town Council action.
- Discussion over the extension of utilities, particularly the details regarding the electric lines.
- Clarification on the EPCOR will serve letter and Certificate of Assured Water Supply, noting that these cover the entire site that includes the City of Scottsdale and were prepared prior to the final SUP approval. No changes were requested since the water assurances are based on more units and building square footages than allowed by the SUP.
- Clarification regarding the sewer availability. It was noted that the Town's agreement with the City of Scottsdale includes the necessary capacity for this project.
- Description of the phasing of the improvements, in particular that there will be no perimeter construction fencing, except at access points, as the final perimeter wall will be constructed early in the process.
- Update by the applicant on the proposed drainage improvements at the property, including the flow capacity of the drainage ways and notation that the typical plat stipulation regarding the provision for maintenance of any drainage easements as part of the CC&R review by the Town Attorney is included as a stipulation.

Plat Conformance:

The proposed plat map is in conformance with the SUP and the Development Agreement for the subject property. This conformance includes the following:

- Section 2.3.2.3 of the Development Agreement states that plats/maps within the SUP will follow the standards and requirements of Article 6, Subdivisions, of the Town Code, except as modified by the SUP and Development Agreement;
- Section 2.3.2.3 of the Development Agreement requires certain submittal items for preliminary plat and final plat. Preliminary plat submittal items include utility will serve letters, Certificate of Assured Water Supply, and a water service impact study that analyzes water flow and pressure. All three of these items have been submitted.

- Section 2.3.2.3 of the Development Agreement allows for the Planning Commission to approve the preliminary plat/map, with such approval to occur within 40 calendar days of a complete submittal. The Planning Commission study session and action must be in two separate meetings. The Planning Commission will not review any final plat/map. The final plat/map will go directly to Town Council for approval. Although, the final plat/map must be in substantial conformance to the preliminary plat/map.
- SUP Stipulation 59 requires that roadways within the SUP will all be private local roads, which is the case with this plat application.
- SUP Stipulation 59 requires street construction to be in compliance with the approved Sheet D -12 of the SUP Approved Plans and be of an adequate width and design to permit the provision of fire and police safety. Sheet D-12 requires a minimum width of rights-of-way and streets at 30 feet for all roads except the entry drive of Quail Run Road, which must have a right-of-way of 50 feet in width. The SUP also requires roadway pavement have a pavement width of 26 feet from back of curb to back of curb, which is the typical standard in the Town's General Plan. Both the right-of-way width and pavement with this plat application will comply with the above standards.
- Sheet D-2 of the Approved Plans with this SUP identifies an overall acreage for each of the seven areas of the project site. This application generally conforms to these overall acreages.
- The other noted items as described under Discussion/Facts of this report.

## **DISCUSSION/FACTS**

### History:

The subject site was annexed into the Town in 1964. In 1987, the Town approved a Special Use Permit (SUP) rezoning for a 500-room resort, 39 residential lots, and a golf course. Although an entrance circle on Indian Bend Road was constructed, no further development occurred. In 2008, the Town approved an amendment to the 1987 SUP for a total redesign of the property for a 225-room resort, 100 resort patio homes, 46 luxury detached residential homes, and 15 one-acre home lots. In 2015, the Town approved the current SUP amendment. This latest approval includes a 200-room resort hotel, 94 resort condominium villas, 66 resort related luxury detached single family homes on minimum 10,000 square-foot lots, 45 resort branded detached single family homes on minimum 12,000 square-foot lots, 53 resort related attached condominium residences, and resort related restaurants and retail uses separate from the hotel.

### Enforcement:

As of the date of this report, there are no outstanding code violations on this SUP property.

### General Plan:

The subject property has a General Plan designation of "Resort/Country Club" according to the Town's General Plan Land Use Map. The uses associated with the proposed plat are in conformance with this designation.

### Zoning:

The zoning on the subject property is "Special Use Permit - Resort." This zoning was amended in December 2015 by Ordinance Number 694. This is the appropriate zoning for the resort, residential, restaurant, and retail uses.

Parking:

SUP Stipulation 54 requires that parking shall meet or exceed the parking requirements set forth in the parking study approved with the SUP. This parking study addresses the non-residential components of the project such as the resort, resort villas, and resort related retail of Areas A, A1, and E. Parking in the residential components of Areas B, C, and D follow the typical Town standard of two parking spaces per home. For this master re-plat, review of parking is not applicable since the parcels of this plat will be further subdivided via a separate plat process whereby such parking will be preliminarily reviewed and will be verified during the building permit process.

Floor Area/Lot Coverage/Area Coverage:

The Land Density Table on Sheet D-3 of the approved SUP provides maximum floor area, lot coverage, and area coverage for the various development areas. Verification of these area and coverages will occur during the building permit process and generally during the condominium plat process for Areas A1, D, E1, and E2. The parcels and tracts for this master re-plat generally follow the naming and boundaries of the SUP. For example, Parcel C and Tract C1 on the re-plat represent Area C in the SUP. Also, the respective area acreage totals of this re-plat generally follow the area acreage totals of the SUP.

Area	SUP Area (Acres)	Master Re-Plat Area (Acres)
A	18.1	19.86
A1	11.1	10.882
B	31.3	30.6
C	22.5	21.771
D	8.8	8.945
E1 & E2	12.9 (7.2 E1 & 5.7 E2)	12.085
<b>TOTAL</b>	<b>104.7</b>	<b>103.09</b>

Roadways:

All roadways within the development will be private roads in compliance with the approved SUP. The development will have access onto the public roadways of Lincoln Drive and Indian Bend Road via Tracts A1, B2, D1, and E1 which is the Quail Run Road alignment. This new road will fully comply with the Town Local roadway cross-section standards with a 50-foot wide right-of-way and 26-foot wide pavement from back of curb to back of curb. The development will also have access onto Scottsdale Road through Area E1 and across the Scottsdale portion of this development. The interior roadways will comply with the SUP standards of a 30-foot wide right-of-way and 26-foot wide pavement from back of curb to back of curb. Any cul-de-sacs will comply with Town standards of a 45-foot radius right-of-way and 40-foot radius paved area.

Building Lines, Setbacks, & Easements:

The master re-plat correctly depicts the required width of the perimeter landscape tracts and open space wash corridor. The plat includes the required 50-foot wide perimeter landscape tract along Lincoln Drive and Mockingbird Lane. Also, the plat includes the required 30-foot wide landscape tract along Indian Bend Road. A separate open space wash tract is shown on this plat. It is in the general

location and 30-foot and 80-foot width specified in the SUP.

Any setbacks specific to an approved area in the SUP will be illustrated with that particular plat and not shown on the master re-plat.

Many easements for items such as landscaping, access, drainage, and utilities will be illustrated with that particular plat and not shown on the master re-plat. However, the re-plat uses tracts instead of easements for such items as shown in the table on Sheet 1 of the re-plat. The easements with this re-plat occur on parts of the main road into the site, in Parcel E to allow for the continued drainage from the access on Indian Bend Road east into the City of Scottsdale, and an access easement generally around the perimeter of Parcels A, A1, and D for emergency access and maintenance.

Utilities:

The attached 2008 Certificate of Assured Water Supply (Certificate) from the Arizona Department of Water Resources was for 149 lots (homes) and an annual water demand of 169.32 acre-feet. An updated Certificate will need to be provided that reflects the 258 homes and the appropriate water demand for this project. As in other plat applications, there is a stipulation that the Town receives the appropriate revised Certificate prior to recordation of the plat.

All new utility lines will be located underground and generally underneath the adjoining private streets and within the noted public utility easements within the plat. Applicable will serve correspondence from the applicable utility providers are attached. All typical type of utilities will be provided; such as water, electricity, natural gas and sewer.

Drainage:

An overall final drainage and grading master plan is under review for approval by the Town Engineer. The SUP included preliminary drainage and grading approval. The preliminary grading plan includes increased fill adjacent to the resort building and the western portion of Area A1. The master plat and plats for the various areas include the respective drainage tracts and/or easements.

Water Demand/Pressure/Flow

Water demand, pressure, and flow are in compliance with applicable regulations. As required, the applicant provided a Water Master Plan for the development. It provides the estimated average day water demand, maximum day water demand, and peak hour water demand ranging between 349,240 gallons per day (gpd) to 1,047,720 gpd. EPCOR, the water provider, is expected to have adequate water capacity to meet these demands as outlined in their attached will serve letter. The Water Master Plan indicates the fire flow pressures for the various uses in the development will comply with the required fire flow pressures at the residual zone pressure 20 pounds per square inch (psi) of 1,500 gallon per minute (gpm) for residential, 2,000 gpm for commercial, and 3,000 gpm for hotel. Residential fire flow pressure was modeled at 1,937 gpm for residential, 2,437 gpm for commercial, and 3,437 gpm for hotel.

Fire Protection:

The development for this project will need to meet all standards related to fire protection. This includes requirements of locating lots within 400 feet of a fire hydrant and installation of fire sprinklers. Fire access and hydrant location was generally shown as part of the SUP approval, Sheet H-5. For this master re-plat, review of fire protection is not applicable since the parcels of this plat will

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be further subdivided via a separate plat process whereby fire access will be preliminarily reviewed and will be verified during the building permit process.

### **NOTICING & PUBLIC COMMENTS**

No comments have been received as of the writing of this report. Except for posting of the meeting agenda, there is no required public notification for a preliminary or final plat. Consistent with the Town's application process, the applicant will provide a mailing notification to the property owners within 1,000 feet for scheduled meetings where the Commission or Council will take action.

### **NEXT STEPS**

Town Council is set to take action at their June 9, 2016 meeting. The Development Agreement requires action to be taken within 40 calendar days of a complete submittal and again from the Planning Commission action.

### **ATTACHMENTS**

- 1 Vicinity Map/Aerial/General Plan/Zoning
- 2 Application/Narrative
- 3 Utility Correspondence
- 4 Water Master Plan
- 5 Noticing
- 6 Approved SUP Plan Sheet Excerpts
- 7 Proposed Plat

Link to full version of the SUP Ordinances and Development Agreements at  
<http://www.paradisevalleyaz.gov/504/Projects---Five-Star-Development>

- C:     - Applicant  
       - Case File