



BURCH & CRACCHIOLO

EDWIN BULL  
DIRECT LINE: 602.234.9913  
DIRECT FAX: 602.343.7913  
EBull@bcattorneys.com

September 24, 2018

**Via Email and Mail**

Brian Dalke	Jeremy T. Knapp, AICP	Paul Michaud, AICP
Interim Town Manager	Community Development Director	Senior Planner
Town of Paradise Valley	Town of Paradise Valley	Town of Paradise Valley
6401 E. Lincoln Dr.	6401 E. Lincoln Dr.	6401 E. Lincoln Dr.
Paradise Valley, AZ 85253	Paradise Valley, AZ 85253	Paradise Valley, AZ 85253

Re: East Lincoln Drive South Development Area; Smoke Tree Resort; Lincoln Medical Plaza  
Effect on Adjacent Residential & Non-Residential Properties – Street Issues

Dear Msrs. Dalke, Knapp, and Michaud:

As you know, “SunChase” owns approximately 9 acres, zoned R-43, immediately west/southwest of the Smoke Tree Resort and within the East Lincoln Drive Development Area. As stated on behalf of SunChase at the September 13 Work Session, (1) SunChase agrees that the redevelopment of Smoke Tree at an appropriate scale is a positive and (2) SunChase wants to be part of the discussion with respect to development in the Paradise Valley East Lincoln Drive South Development Area. In addition to the Mayor’s request during the September 13 Work Session that interested parties promptly provide to Staff suggestions for resolving some of the property owners’ concerns about traffic circulation and access issues, SunChase wants to reiterate the need for additional consideration of the currently proposed redevelopment impact and effects on the neighboring residential and non-residential properties.

Repeating some of what was pointed out in our letter of September 5, 2018, Smoke Tree is proposing redevelopment that exceeds the height, lot coverage, guest unit density, and perimeter standards of the Town’s SUP Guidelines on an approximately 5 acre site that is smaller than the Guidelines typically encourage. Smoke Tree currently has two access points (with full turning ability) to/from Lincoln Drive. Although Smoke Tree is trying to preserve those access points, plans proposed by Town Staff would eliminate left turns to/from Lincoln, rendering those existing entrances “right in, right out” only for eastbound traffic. Smoke Tree’s proposed Site Plan in conjunction with its requested SUP amendment calls for adding two access points on its west side to/from Quail Run Road. Smoke Tree currently has no access to/from Quail Run and Quail Run is currently a discontinuous half-street that does not connect Lincoln to McDonald.

With respect to the adjacent, residential neighborhood, Smoke Tree currently has a low intensity of use, no access to Quail Run Road, and is surrounded by oleanders as a visual barrier. What is proposed, though, will have a significant impact on the use, tranquility, and enjoyment of those neighboring residential properties. Smoke Tree’s proposed redevelopment includes increasing its existing room capacity by more than a factor of five, clearly increasing the vehicular movements in/out of the resort. Based on Smoke Tree’s Site Plan, with parking focused on the west side, there will be greatly increased traffic in/out via Quail Run Road. Installation of the proposed traffic signal at the Lincoln/Quail Run intersection, providing safe, full directional turning ability there, will naturally draw more traffic to the advantage of using Quail Run Road. Trash receptacles, refuse pickup, and back-of-house services and activities may also be focused on the west, thereby also inviting truck, service vehicle, and employee traffic to come to/from Smoke Tree via Quail Run Road. The removal of the oleanders and increased intensity of use will change both the visual and other impacts on the adjacent neighborhood.

Quail Run Road is merely a half-street on land dedicated by the adjacent existing residential properties. Smoke Tree has never dedicated its 25’ for Quail Run. Its current proposal is to use the half-street with two access points. While its SUP submittal represents that it is providing appropriate setbacks, it appears that Smoke Tree has landscaping where it should be providing its east-half road and parking where it should have a

Burch & Cracchiolo, P.A.

702 E. Osborn Rd., Suite 200 • Phoenix, AZ 85014

Main: 602.274.7611 • Fax: 602.234.0341

BCATTORNEYS.COM

larger landscaped setback. Smoke Tree does not include dedicating its half of the street, improving it on both sides, including a wall for a visual and sound barrier, or anything of significance to mitigate the negative impact its more intense use will have on the adjacent residential neighborhood.

As was stated at the September 13 Work Session and is noted above, SunChase agrees that redevelopment of Smoke Tree at an appropriate scale is a positive. But as SunChase has also pointed out, that redevelopment imposes additional challenges to the already-challenged existing residential neighborhood on its west side. If the Town expects that neighborhood to be developed/redeveloped within its current R-43 zoning, then SunChase asks that the Town Council consider and decide what the Town can do and proposes to do to address or otherwise protect that existing residential neighborhood.

With respect to the related matter of resolving some of the concerns of the owners of residential and non-residential properties south of Lincoln about traffic circulation and access issues, in response to the Mayor's request for comments and suggestions, SunChase offers the following regarding right-of-way, street improvement, and access issues:

► **Lincoln Drive**

- A. Consider having an at-grade median on Lincoln Drive in lieu of a raised median on Lincoln. The at-grade median could be provided as scored/painted concrete or other contrasting material (similar to Central Avenue in Phoenix prior to Light Rail). An at-grade median may help the Town achieve both safety and flexibility in turning movements to/from Lincoln Drive for Smoke Tree and Lincoln Medical Plaza.
- B. In the context of providing guidance to the engineers designing improvements to Lincoln Drive, consider having the Town Council declare its priorities such as, for example: 1<sup>st</sup> - safety; 2<sup>nd</sup> - traffic movement on Lincoln; 3<sup>rd</sup> - access to and impacts on developing/re-developing non-residential and residential properties; 4<sup>th</sup> - traffic demand on Quail Run Road; and 5<sup>th</sup> - aesthetics.
- C. In the context of the Town Council declared priorities per above "B," continue to study and then decide where full directional turning movements may be allowed for Smoke Tree and the Lincoln Medical Plaza.
- D. Study and then decide to what extent the Town can narrow the future right-of-way ("ROW") of Lincoln Drive to less than 130' in this area by reducing the ROW and correspondingly providing sidewalk and landscape easements as needed to make the additional ROW requirement less impactful for existing residential and non-residential property owners to redevelop their properties.

► **Quail Run Road**

1. Consider determining and having the Town Council officially decide that Quail Run Road will not be connected as a continuous street between Lincoln Drive and McDonald Drive.
2. If "1" is approved by the Town Council, then consider processing and approving a corresponding General Plan Amendment so Quail Run Road ceases to be identified as a continuous/connecting future roadway within the General Plan.
3. Consider if Smoke Tree is to be allowed access to/from Lincoln Drive via Quail Run Road, the effects and consequences of such possible connection, and the corresponding requirements for such connection.



4. If Smoke Tree is going to have any access to/from Quail Run Road, then consider requiring Smoke Tree to dedicate its east-half ROW and construct its east-half street so Quail Run Road proximate to Lincoln Drive can accommodate both Smoke Tree's projected uses/traffic and traffic going to/from residential and non-residential properties to the west/southwest of Smoke Tree.
5. Consider whether Andaz should also be allowed to access Lincoln Drive via Quail Run Road, the effects and consequences of such possible connection, and the corresponding requirements for such connection.
6. If Smoke Tree and/or Andaz is permitted access to Lincoln Drive via Quail Run Road, then consider and decide what sort of improvements, screening, landscaping, and other buffers should be provided by Smoke Tree and/or Andaz on both sides of Quail Run Road to mitigate the effects upon the adjacent residential properties.

► **Refuse and Back-of-House Uses and Activities – Traffic and Buffering**

- i. If Smoke Tree is allowed access to/from Quail Run Road, then consider the locations and design of Smoke Tree's trash receptacles, refuse pickup, back-of-house deliveries, pick-ups, and services, and employee parking in the context of additional traffic to/from Quail Run Road.
- ii. If Smoke Tree is allowed access to/from Quail Run Road and if trash, back-of-house, and employee parking are provided near the western perimeter of Smoke Tree, then consider how those uses are to be designed, screened, and buffered to mitigate the traffic, visual, noise, odors, and other impacts of those uses and activities proximate to the residential and non-residential properties to the west/southwest of Smoke Tree.

Thank you for considering SunChase's comments and perspectives.

Very truly yours,

  
Ed Bull

cc Todd Tupper