



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes - Draft

### Planning Commission

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Tuesday, May 17, 2016

6:00 PM

Council Chambers

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#### 1. CALL TO ORDER

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

#### 2. ROLL CALL

Commissioner Wincel attended the meeting by phone.

**Present** 5 - Chairperson Dolf Strom, Commissioner Thomas G. Campbell, Commissioner Scott Moore, Commissioner Daran Wastchak and Commissioner Jeff Wincel

**Absent** 2 - Commissioner Richard K. Mahrle and Commissioner Jonathan Wainwright

#### STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller  
Community Development Director Eva Cutro  
Senior Planner Paul Michaud  
Planner George Burton

#### 3. EXECUTIVE SESSION

None

#### 4. STUDY SESSION ITEMS

- A. **16-153** Discussion of "The Villas at Mountain Shadows - Amended - Condominiums"  
Final Condominium Plat Map (FP 16-02)  
Southwest Corner Lincoln Drive and 56th Street

Paul Michaud presented per the Planning Commission packet. TNHC Mountain Shadows, L.L.C. is requesting approval of the final condominium plat map application for the "The Villas at Mountain Shadows - Amended - Condominiums." This map consists of a total of 12 condominiums located on approximately one acre near the southwest corner of Lincoln Drive and 56th Street. These condominiums will be in several separate two-story structures on Tracts C and E of the approved final re-plat of "The Villas at Mountain Shadows - Amended." This is the last platting step for this phase. Development will be pursuant to the approved Special Use Permit - Resort

zoning on the subject property for resort residential development.

There was discussion of limited common elements. Fred Fleet, applicant's engineer, provided further explanation. The limited common elements include balconies and patios. There was a question regarding what "LBE" means. LBE is Lower Boundary Elevation. There was then discussion of UBE (Upper Boundary Elevation) and LBE calculations.

Doug Jorden, attorney for the applicant, requested the removal of stipulation 2. It reads:

2. Prior to recordation of the Final Condominium Plat Map, 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 plat.

The Town has received the CC&Rs so it was agreed this stipulation is no longer necessary.

There was discussion of the language on the plat regarding 110 year assured water supply. It was noted that the provider shall be listed as "EPCOR-Paradise Valley,"

#### **No Reportable Action**

#### **B. 16-154**

Discussion of "The Villas at Mountain Shadows II - Condominiums"  
Final Condominium Plat Map (FP 16-03)  
SWC Lincoln Dr & 56th St

Paul Michaud presented per the Planning Commission packet. TNHC Mountain Shadows, L.L.C. is requesting approval of the final condominium plat map application for the "The Villas at Mountain Shadows II - Condominiums." This plat map consists of a total of 40 condominiums located on approximately 5.17 acres near the southwest corner of Lincoln Drive and 56th Street. These condominiums will be in several separate two-story structures on Tract E of the approved Final Plat of "The Villas at Mountain Shadows II." This is the last platting step for this phase. Development will be pursuant to the approved Special Use Permit - Resort zoning on the subject property for resort residential development.

There was discussion of the language on the plat regarding 110 year assured water supply. It was noted that the provider shall be listed as "EPCOR-Paradise Valley,"

**No Reportable Action**

**C. 16-173 Discussion on Quality of Life Initiatives**

Eva Cutro reviewed the current Town Code sections that deal with Blight. Ms. Cutro also noted that the RFP for the Visually Significant Corridors Study has been revised and is almost complete.

**No Reportable Action**

**5. PUBLIC HEARINGS**

**6. ACTION ITEMS**

**A. 16-171 Camelback Lands 3 Lot Split (LS-16-3)  
5112 N. Casa Blanca Drive (APN: 173-20-012)**

George Burton presented per the packet. The applicant, Sage and Wendy Lentz, is requesting approval of a lot split to divide a 2.26-acre parcel into two lots. Lot 1 is 49,236 square feet in size (1.13 acres) and Lot 2 is 49,236 square feet in size (1.13 acres). The subject property is located at 5112 N. Casa Blanca Drive.

There was discussion of Stipulation 2. Chairman Strom requested the language be changed from:

- 2. Due to the low flow rate in this area, a separate water storage tank and pump or equivalent alternative, that is compliant with the National Fire Protection Association (NFPA) 13D and deemed appropriate by the Town Fire Marshall, may be required for the fire sprinkler system prior to the issuance of a Certificate of Occupancy for a new single family residence.

To:

- 2. Prior to issuance of Certificate of Occupancy, the fire sprinkler system shall demonstrate compliance to the National Fire Protection Association standard 13D or current equivalent code requirement.

No one from the public spoke on this item.

**A motion was made by Commissioner Campbell, seconded by Commissioner Wastchak, to recommend that Town Council approve the lot split, subject to the following stipualtions:**

1. The lot split plat must be recorded with the Maricopa County Recorder's Office, in full compliance with the survey plat prepared by Graham Surveying & Engineering, Inc. and dated April 6, 2016.
2. Prior to the issuance of a Certificate of Occupancy for a new single-family residence, the fire sprinkler system shall demonstrate compliance to the National Fire Protection Association standard 13D or the current equivalent code requirement.
3. The roadway improvements shall be installed prior to the issuance of a Certificate of Occupancy for a new single family residence.
4. A demolition permit must be obtained and the existing structures shall be removed prior to recordation of the plat.

The motion carried by the following vote:

**Aye:** 5 - Chairperson Strom, Commissioner Campbell, Commissioner Moore, Commissioner Wastchak and Commissioner Wincel

**Absent:** 2 - Commissioner Mahrle and Commissioner Wainwright

**B. 16-172**

Camelback Lands 4 Lot Split (LS-16-4)  
5102 N. Casa Blanca Drive (APN: 173-20-005)

George Burton presented per the packet. The applicant, Sabal Palms LLC, is requesting approval of a lot split to divide a 2.26-acre parcel into two lots. Lot 1 is 49,202 square feet in size (1.13 acres) and Lot 2 is 49,201 square feet in size (1.13 acres). The subject property is located at 5102 N. Casa Blanca Drive.

There was no additional discussion, as this lot split was discussed with the Camelback Lands 3 application.

No one from the public spoke on this item

A motion was made by Commissioner Campbell, seconded by Commissioner Wastchak, to recommend that Town Council approve the lot split, subject to the following stipualtions:

1. The lot split plat must be recorded with the Maricopa County Recorder's Office, in full compliance with the survey plat prepared by Graham Surveying & Engineering, Inc. and dated April 6, 2016.
2. Prior to the issuance of a Certificate of Occupancy for a new single-family residence, the fire sprinkler system shall demonstrate compliance to the National Fire Protection Association standard 13D or the current equivalent code requirement.
3. The roadway improvements shall be installed prior to the issuance of a Certificate of Occupancy for a new single family residence.

**4. A demolition permit must be obtained and the existing structures shall be removed prior to recordation of the plat.**

**The motion carried by the following vote:**

**Aye:** 5 - Chairperson Strom, Commissioner Campbell, Commissioner Moore, Commissioner Wastchak and Commissioner Wincel

**Absent:** 2 - Commissioner Mahrle and Commissioner Wainwright

**C. 16-166** Consideration of the Master Re-Plat, "Amended 7000 East Lincoln" (RP 16-03)  
7000 East Lincoln Drive

Paul Michaud presented per the Planning Commission packet. 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.

There was discussion of the division of Area E. It was noted that Area E is now divided into E1 and E2 per the development agreement requirement.

There was discussion of the language on the plat regarding 100 Year Assured Water Supply. It was noted that the provider shall be listed as "EPCOR-Paradise Valley". Commissioner Moore recommended rewording draft Stipulation 5 regarding the 100 Year Assured Water Supply. He requested that new language be added to the plat and that the certificate number must be changed on plat. In addition, he stated that the EPCOR letter dated 7/9/2015 must be updated as it only gives a year to install the water main lines.

The meeting was opened for public comment at 6:43 p.m.

Gordon McGuire, resident, stated he is in favor of the application.

There were no other comments and the public comment session was closed at 6:35 p.m.

**A motion was made by Commissioner Moore, seconded by Commissioner Campbell, to recommend that the Town Council approve the master re-plat subject to the following stipualtions:**

1. The final master re-plat shall be in substantial compliance with the 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 condominium plat map, 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 following:
  - a. Revise the 100 Year Assured Water Supply note on the final re-plat such that it is re-worded to clearly state EPCOR and not the Town has the assured water supply, verify the legal name of the water provider, and reference the appropriate certificate date/number, and
  - b. Have EPCOR update or provide an addendum to their July 9, 2015 will-serve letter since it is unlikely that the main extensions will be done by July 9, 2016.

The motion carried by the following vote:

- Aye:** 5 - Chairperson Strom, Commissioner Campbell, Commissioner Moore, Commissioner Wastchak and Commissioner Wincel
- Absent:** 2 - Commissioner Mahrle and Commissioner Wainwright

**D. 16-167** Consideration of the Preliminary Condominium Plat Map, "Ritz-Carlton Resort - Parcel A-1" (PP 16-02)  
7000 East Lincoln Drive

Paul Michaud presented as per the Planning Commission packet. Five Star Development Resort Communities, L.L.C. is requesting approval of a preliminary condominium plat map application named "Ritz-Carlton Resort - Parcel A-1". This plat map consists of a total of 94 condominiums located on approximately 9.63 acres. These condominiums are the one to three-story Ritz-Carlton Resort Villas of Area A-1 of the SUP located at 7000 E Lincoln Drive on Parcel A1 of the master re-plat, "Amended 7000 East Lincoln".

It was noted that parking numbers have been updated since the last meeting. There was discussion of the 1000-foot notification area. There was also discussion of the drainage maintenance agreement. It was noted that Andrew Miller will need to review the CC&Rs prior to recordation. The

CC&Rs will have language regarding the drainage easement maintenance agreement.

There was a review of graphics and building locations. Pool options for individual units were also discussed.

At 6:49 the meeting was opened to the public.

Gordon McQuire, resident, had questions about pool the options.

Robert Rasmussen, resident wants the notification area expanded beyond 1,000 feet.

**A motion was made by Commissioner Moore, seconded by Commissioner Wincel, to approve the preliminary condominium plat subject to the following stipulations:**

- 1. The final condominium plat map shall be in substantial compliance with the preliminary condominium plat map, "Ritz-Carlton Resort – Parcel A-1", Sheets 1-8, prepared by Coe & Van Loo Consultants, Inc. dated May 6, 2016.**
- 2. Prior to recordation of the final condominium plat map, 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 condominium plat map, 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 following:**
  - a. Revise the 100 Year Assured Water Supply note on the final re-plat such that it is re-worded to clearly state EPCOR and not the Town has the assured water supply, verify the legal name of the water provider, and reference the appropriate certificate date/number, and**
  - b. Have EPCOR update or provide an addendum to their July 9, 2015 will-serve letter since it is unlikely that the main extensions will be done by July 9, 2016.**

**The motion carried by the following vote:**

**Aye:** 5 - Chairperson Strom, Commissioner Campbell, Commissioner Moore, Commissioner Wastchak and Commissioner Wincel

**Absent:** 2 - Commissioner Mahrle and Commissioner Wainwright

- E. 16-155** Recommendation of “The Villas at Mountain Shadows - Amended - Condominiums”  
 Final Condominium Plat Map (FP 16-02)  
 SWC Lincoln Dr & 56th St
- There was no additional discussion beyond that discussed at the earlier work study session.

No one from the public spoke on this item.

A motion was made by Commissioner Moore, seconded by Commissioner Wastchak, to recommend approval of the final condominium plat subject to the following stipulations:

1. Development shall be in substantial compliance with the Final Condominium Plat Map, “The Villas at Mountain Shadows – Amended - Condominiums,” Sheets 1-6, prepared by Coe & Van Loo Consultants, Inc. dated May 5, 2016.
2. The final improvements shall be in substantial compliance with improvement plans approved by the Town Engineer and Community Development Department that address items such as sewer, water, grading, drainage, paving, landscaping, and irrigation. Prior to the recordation of the Final Condominium Plat Map, the applicant shall provide, subject to Town approval and consistent with the requirements set forth in the SUP and Development Agreement, all assurances necessary to guarantee completion of any improvements in the public right-of-way. The Town Engineer shall approve said final improvement plans prior to the issuance of any building permit for a residential unit in said Final Condominium Plat Map.
3. Within 60 days of approval of the Final Condominium Plat Map, 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.
4. The Final Plat shall not be recorded until the 100 Year Assured Water Supply note on the final condominium plat is re-worded to read “The area platted hereon lies within the domestic water service area of EPCOR Water Arizona Inc. - Paradise Valley, which has been designated as having an assured water supply pursuant to ..... certificate number ..... dated March 16, 2016.”

The motion carried by the following vote:

- Aye:** 5 - Chairperson Strom, Commissioner Campbell, Commissioner Moore, Commissioner Wastchak and Commissioner Wincel
- Absent:** 2 - Commissioner Mahrle and Commissioner Wainwright

- F. 16-156** Recommendation of “The Villas at Mountain Shadows II - Condominiums”  
 Final Condominium Plat Map (FP 16-03)  
 SWC Lincoln Dr & 56th St



There was no additional discussion beyond that discussed at the earlier work study session.

No one from the public spoke on this item.

**A motion was made by Commissioner Moore, seconded by Commissioner Wincel, to recommend that the Town Council approve the final condominium plat subject to the following stipulations:**

- 1. Development shall be in substantial compliance with the Final Condominium Plat Map, "The Villas at Mountain Shadows II - Condominiums," Sheets 1-11, prepared by Coe & Van Loo Consultants, Inc. dated May 5, 2016.**
- 2. The final improvements shall be in substantial compliance with improvement plans approved by the Town Engineer and Community Development Department that address items such as sewer, water, grading, drainage, paving, landscaping, and irrigation. Prior to the recordation of the Final Condominium Plat Map, the applicant shall provide, subject to Town approval and consistent with the requirements set forth in the SUP and Development Agreement, all assurances necessary to guarantee completion of any improvements in the public right-of-way. The Town Engineer shall approve said final improvement plans prior to the issuance of any building permit for a residential unit in said Final Condominium Plat Map.**
- 3. Within 60 days of approval of the Final Condominium Plat Map, 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.**
- 4. The Final Plat shall not be recorded until the 100 Year Assured Water Supply note on the final condominium plat is re-worded to read "The area platted hereon lies within the domestic water service area of EPCOR Water Arizona Inc. - Paradise Valley, which has been designated as having an assured water supply pursuant to ..... certificate number ..... dated March 16, 2016."**

**The motion carried by the following vote:**

**Aye:** 5 - Chairperson Strom, Commissioner Campbell, Commissioner Moore, Commissioner Wastchak and Commissioner Wincel

**Absent:** 2 - Commissioner Mahrle and Commissioner Wainwright

**7. CONSENT AGENDA**

**A. 16-174 Approval of May 3, 2016 Planning Commission Minutes**

**A motion was made by Commissioner Wastchak, seconded by Commissioner Campbell, to approve the May 3, 2016 Planning Commission minutes. The motion carried by the following vote:**

**Aye:** 5 - Chairperson Strom, Commissioner Campbell, Commissioner Moore, Commissioner Wastchak and Commissioner Wincel

**Absent:** 2 - Commissioner Mahrle and Commissioner Wainwright

**8. STAFF REPORTS**

None

**9. PUBLIC BODY REPORTS**

None

**10. FUTURE AGENDA ITEMS**

Paul Michaud reviewed the future agenda items, noting that the next meeting may be canceled for lack of items.

**11. ADJOURNMENT**

**A motion was made by Commissioner Moore at 7:56 p.m., seconded by Commissioner Wastchak, to adjourn the meeting. The motion carried by the following vote:**

**Aye:** 5 - Chairperson Strom, Commissioner Campbell, Commissioner Moore, Commissioner Wastchak and Commissioner Wincel

**Absent:** 2 - Commissioner Mahrle and Commissioner Wainwright

**Paradise Valley Planning Commission**

By: \_\_\_\_\_  
Eva Cutro, Secretary