

TOWN
Of
PARADISE VALLEY



STAFF REPORT

TO: Mayor Bien-Willner and Town Council Members

**FROM: Lisa Collins, Community Development Director
Paul Michaud, Planning Manager
George Burton, Senior Planner**

DATE: May 11, 2023

**DEPARTMENT: Community Development
George Burton, Senior Planner 480-348-3525**

AGENDA TITLE:

Discussion and Possible Action on Andaz Resort Intermediate Special Use Permit Amendment (SUP) - 6160 N Scottsdale Rd and Rezoning of 6041 N Quail Run Rd for R-43 to SUP Resort (SUP-22-01 and MI-22-01)

RECOMMENDATION:

Consideration of Ordinance 2023-01, the Rezoning of 6041 N Quail Run Road from R-43 to SUP Resort and consideration of Ordinance 2023-02, Intermediate SUP Amendment to incorporate and develop 6041 N Quail Run Road into the Andaz Resort.

Background

The Town Council held two study sessions on September 8, 2022, and September 22, 2022, to review and provide input on the Statement of Direction (SOD) to guide the Planning Commission review as required for the first step in the process for an Intermediate Special Use Permit (SUP). On October 13, 2022, the Town Council issued the SOD (Attachment N) and the SUP was sent to the Planning Commission for their review and recommendation.

The Planning Commission held three study sessions on November 1, 2022, November 15, 2022, and December 20, 2022, to review the SUP based on the direction from Town Council provided in the SOD. On January 3, 2023, the Planning Commission forwarded their recommendation for approval of the SUP to the Town Council.

The Town Council held two study sessions on January 26, 2023, and February 9, 2023, to review the recommendation by the Planning Commission and provide additional input and direction. The application was continued to a date uncertain to

enable the applicant to update the submittal and address the direction provided by the Council.

The Council reviewed an updated submittal at the April 27th work session and provided the applicant with direction to relocate the pools/hot tubs in front the guest units and explain the use of the rear trellis/patio covers, and direction to the staff to update the stipulation regarding no amplified music between 10:00 pm – 7:00 am so it is not just limited to the new guest units. Below is a summary of the request, a summary of the Town Council direction, and a summary of the changes made by the applicant to address Council's direction.

SUMMARY STATEMENT:

Scope of Request

The scope of the request is an Intermediate SUP amendment and rezoning to incorporate and develop 6041 N Quail Run Road into the existing Andaz resort. The request is an Intermediate SUP amendment since it meets the three criteria outlined in Section 1102.7.C of the Zoning Ordinance in that the improvements do not: (1) change or add uses otherwise allowed on a resort property (these improvements are existing/typical resort uses which are permitted uses as defined in Section 1102.2.A of the Zoning Ordinance), (2) increase the floor area more than 40% (the request is an increase of 25% or 34,809 square feet), and (3) is not expected to have a significant material effect that cannot be sufficiently mitigated (e.g. stipulations limiting the use of amplified music and PA systems, limiting the hours of operation on the service building, raising the southern wall fence wall height to eight feet tall, and a noise study demonstrating the noise effects of the improvements, etc.).

In summary, the request is to develop the five-acre parcel with uses that currently exist on the developed resort property. These uses are ten new single-story guest units and one single-story service building. This five-acre parcel will be incorporated into the resort.

The guest units and service building will match the architecture of the existing buildings on campus. Each guest unit will have a private yard with a pool/hot tub. The area will be enclosed with a six-foot-tall meandering wall to the west and an eight-foot-tall wall to the south. The new guest units are only accessible from the main entrance to the resort at Scottsdale Road and will not be accessible from Quail Run Road. The applicant will dedicate 20 feet of land to bring the Quail Run Road right-of-way (ROW) into compliance with the Town's ROW width standard of 50 feet. Attachment F summarizes the resort history and provides a more detailed description regarding the scope of the request.

Updated Submittal

Below is a summary of the Council direction (*in italics*) and the changes made by the applicant in response to this direction:

1. *Relocate the pools/hot tubs in front of the western guest units.* The site plan has been updated to relocate the pools/hot tubs for all 10 guest units:

- Five Eastern Guest Units (Adjoining the Event Lawn). The pools/hot tubs have been relocated to the east side of the guest units and are enclosed with a five-foot-tall wall for pool barrier protection. These pools/hot tubs have a minimum setback of approximately 250 feet from the west/post dedication property line and 160 feet from the south property line. The SUP Guidelines recommend a 65-foot setback for resort pools available to all guests. Also, these pools/hot tubs are raised 18 inches to eliminate the need for an Americans with Disability Act (ADA) lift.
- Five Western Guest Units (Adjoining Quail Run Rd). The pools/hot tubs have been relocated to either the eastern or northern part of the western guest units and are enclosed with a five-foot-tall wall for pool barrier protection. The units identified as #6 and #10 have relocated the pools to the north side of the units and have increased the setbacks. The remaining western units, #7, #8, and #9 have relocated the pools to the east or front of the units. These pools/hot tubs have a minimum setback of approximately 85 feet from the west/post dedication property line and 175 feet from the south property line.

For reference and comparison, the April 27th site plan had these pools setback 45 feet from west/post dedication property line and 70 feet from the south property line. The pools/hot tubs on the updated site plan are further away from the existing/surrounding neighbors and are compliant with the SUP Guideline setback of 65 feet for resort pools available to all guests. Also, these pools/hot tubs are raised 18 inches to eliminate the need for an Americans with Disability Act (ADA) lift.

2. Use of guest unit areas adjacent to Quail Run Road. The size of the western guest unit “yard” areas has been reduced by approximately 70 percent by placing the retention basin between the guest units and the Quail Run Rd fence wall to create a passive area and moving the active pool area to the front or side of the units. The retention basin will be lined with river rock and landscaped to prevent guests from walking and congregating in these areas.

3. Use of the guest unit trellis/patio covers. Trellis will be placed on the west side of the guest units and above some of the windows to shield the units from the sun and match the existing architecture on campus. Trellis will also be placed above the entry to provide cover for the guest when entering the units.

4. Update the no amplified music stipulation. Stipulation No. 4 on Ordinance 2023-02 has been updated to identify that “There shall be no amplified outdoor music and no public announcement (PA) system between 10:00 pm – 7:00 am. Noise must at all times adhere to the Town Code.”

Ordinance 2023-02 was updated to identify the edits to Stipulation No. 4 as noted above and to add Stipulation 1.b that the May 1, 2023 Conceptual Site Plan is the primary or master plan that identifies the new layout for these improvements and that this site plan will supersede the layout in the other plans.

Due to the limited amount of time from the April 27th meeting, the applicant is in process of updating the other plans (i.e., updating the civil plans, overall site plan, landscape plan, etc.) to match the May 1, 2023 Conceptual Site Plan. Also, the May 1, 2023 Conceptual Site Plan must be updated so all the improvements are labeled accordingly (e.g. the applicant must label the pre and post dedication property lines adjoining Quail Run Road, the guest unit and fence wall setbacks must be identified, the fence wall heights must be labeled, and the pools/hot tubs must be labeled to identify they are raised 18 inches, etc.). A track change version (Attachment H) and a clean version (Attachment I) of the updated ordinance are enclosed for Council review.

Public Comment

Staff received no additional public comments since the April 27th study session. For prior comments refer to Public Comment (Attachments V, W, and X).

Next Steps

This application is scheduled for public hearing and action during tonight's business meeting. The applicant will give a brief presentation and Council will also take public comment during the public hearing. There are three possible actions. The Town Council may:

1. Continue the request to a date certain for further review and action (and to enable the applicant to update all plans and documents accordingly).
2. Approve the request subject to the stipulations and plans noted in Ordinance 2023-01 and Ordinance 2023-02.
3. Deny the request.

ATTACHMENT(S):

- A. Staff Report
- B. Presentation
- C. Vicinity Map & Aerial Photo
- D. Response Letter & Updated Plans:
May 3, 2023 Response Letter, May 1, 2023 Conceptual Site Plan, May 3, 2023 Conceptual Site Plan (In Color), May 3, 2023 Conceptual Landscape Plan, and Site Photos
- E. April 27, 2023 Narrative/Plans/Application
- F. Resort History & Scope of Work
- G. Ordinance 2023-01
- H. Ordinance 2023-02 Track Changes
- I. Ordinance 2023-02 Clean
- J. Town of PV Andaz Noise Study 10.21.21
- K. Noise Impact Study 08.03.22

- L. Addendum to Noise Impact Study 12.05.22
- M. Updated Noise Study 03.17.23
- N. Statement of Direction (SOD)
- O. Comparison & Consideration Points
- P. Quail Run Rd ROW Pavement Pros & Cons
- Q. Applicant Response Letter to September 8th SOD Work Session
- R. Trip Generation Comparison
- S. Water System Analysis Report
- T. Sewer System Analysis Report
- U. Conceptual Drainage Design Memo
- V. Summary of Andaz Preliminary Meeting with Neighbors
- W. Public Comment
- X. Neighborhood/Citizen Review Summary Meeting Minutes
- Y. Notification Materials
- Z. Kimley Horn Turn Around Details
- AA. Prop 207 waiver