



Minutes - Final

Planning Commission

Tuesday, September 18, 2018

6:00 PM

Council Chambers

1. CALL TO ORDER

STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller
Community Development Director Jeremy Knapp
Senior Planner Paul Michaud
Planner George Burton
Town Engineer Paul Mood

2. ROLL CALL

Present 7 - Commissioner Daran Wastchak
Commissioner James Anton
Commissioner Thomas G. Campbell
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Orme Lewis
Commissioner Jonathan Wainwright

3. EXECUTIVE SESSION

4. PUBLIC HEARINGS

- A. [18-335](#) Consideration of a Minor Amendment to the Hermosa Inn Special Use Permit (SUP-18-08). 5532 N. Palo Cristi Road (Assessor No. 170-03-129)
- George Burton, Planner overviewed the applicant's request. They are requesting a reconfiguration and relocation of the existing buildings. They are proposing to add a new restroom building, relocate the event area, add tents in the event area, add more onsite parking, modify the landscaping, and add site improvements. The room count and floor area ratio (FAR) will remain the same. They have 49 rooms and building footprint of approximately 69,000 square feet. Parking spaces will increase from 156 to 185 spaces. All of the affected buildings discussed have been approved but not built. The Planning Commission discussed this during the July 17, 2018 work study and August 21, 2018 public hearing. The public hearing was continued to tonight. An ADA spot was removed due to a back of house addition. The applicant has now relocated this and added another

ADA space. He overviewed the changes to the plan:

- Guest Room Building #5: Modify the footprint and will maintain the 20-foot setback from the south property line and will retain the original height of 16 feet. The building will be designed to match the existing structures and lighting will comply with town codes. He showed the 2016 plan and compared it to the new modified plan. He presented the elevations and aerial photos.
- Guest Room Building #1 and #2: The additions will be eliminated and square footages will be utilized elsewhere. He the presented the previous and proposed plans, elevations and photos.
- Meeting Rooms and Storage Building: These buildings will be located next to each other and enlarged and located further west on campus. They will be setback 120 feet from the west property line, 180 feet from the north property line and will range in height from 14' to 26' feet. The architecture will match other buildings within the campus. He then presented the previously approved plans, proposed plans, elevations and site photos.
- Back of House Addition: Relocated further north on campus. It will be setback 130 feet from the north property line and contain a height of 19 feet. The ADA parking space will also be relocated. He then presented the previously approved plans, proposed plans, elevations and site photos.
- Spa and Fitness Building: Relocated from the northern part of the campus to the west side of the campus. It will be setback 25 feet from the west property line and is 18 feet tall. It will maintain the architectural style of other buildings on site. Currently, the SUP limits the Spa and Fitness Building to resort guests and immediate neighbors. The applicant has proposed also allow 20 members within a 1,500-foot radius of the resort. He then presented the previously approved plans, proposed plans, elevations and site photos.
- Restroom Building: To be located in the center of the campus. It will be 15 feet tall. He then presented the previously approved plans, proposed plans, elevations and site photos.
- Event Area: To be relocated from the western part of the campus to the south-central part of campus. It will be surrounded by guest building #1-8. The applicant is proposing to update the hardscape in this area to contain fountains and fire places which will be limited to a maximum height of six feet tall. They are proposing a temporary tent plan to contain two tents. Events will end by 10:00 PM. He then presented the previously approved plans, proposed plans, elevations and site photos. The applicant would like to amend the stipulations to allow music for a two-hour duration which will end by 9:00 PM in the event area.

Chairman Wastchak asked if the language “incidental to the ceremony” is existing language.

Mr. Burton responded that this is existing language that was approved in 2007. He indicated that the applicant is proposing 16-foot-tall pole lights. They will meet the 5.0-foot candle output and will be shielded. The light will have a frosted lens. All lights will be shielded.

The applicant is also adding additional parking spaces. Mr. Burton provided a history of the approvals regarding the parking screen wall and garden area. The parking count is increasing to 185 spaces. The applicant is proposing to add a 5-foot tall gate at the north ingress-egress point, which will be closed from 4:00 PM to 8:00 AM. He then presented the original plan compared to the proposed plan.

A ten-foot screen wall will be added to the north parking area to help alleviate noise. It contains a length of 322 feet and is setback 20 feet from the north property line. It will have a stucco and paint finish. The applicant has looked at raising the height of the wall to 13 feet, but an acoustic engineer reported that it would only make a minor difference compared to a height of 10 feet. He then presented a rendering of how the fence will look.

Chairman Wastchak asked if there will be down lights on the wall.

The applicant confirmed and stated that the wall mounted lights will have a maximum height of six feet. Also, the vines on the wall will have to be trimmed around the lighting.

A Commissioner inquired regarding the type of lights that will be used.

Mr. Burton explained that lighting will be wall mounted fixtures and are intended to light the parking lot.

A Commissioner asked what the wattage of the lights would be.

Commissioner Georgelos asked what other lighting is in the parking area.

Mr. Burton stated that there is a mixture of lighting, consisting of wall mounted lights, bollards, tree mounted down-lights and some up-lights throughout the parking area. Buildings will also have wall mounted lights.

The Planning Commission continued to discuss site lighting.

Chairman Wastchak stated that there is a new stipulation for putting five sapling trees in the gap by the fence and oleanders. He asked what purpose is for these trees.

The applicant indicated that Hermosa Inn General Manager met with some of the neighbors and they asked that the trees be put in. They are to provide visual screening.

Mr. Burton stated that the applicant is proposing to add a mixture of trees, vines, shrubs, and ground covering plants around all of the improvements. He presented that landscaping plan and pointed out the oleanders. The applicant provided a conceptual drainage plan for each improvement area. Staff did receive public comment which was included in the packet. Some neighbors have expressed concern regarding increased development and intensity of use. There was a letter of support provided as well.

The Planning Commission will take two actions. The first is that the application will be deemed a minor amendment and the second is to approve the request subject to stipulations. He then overviewed each of the stipulations in the staff report.

Chairman Wastchak clarified the stipulation pertaining to the five trees, in which the applicant will not be able to remove the trees unless they die.

The applicant confirmed that they would remove dead trees.

Chairman Wastchak stated that they will allow public input during the public hearing. He asked residents to fill out the public hearing form if they would like to speak. Speakers will be given three minutes. He also introduced Jeremy Knapp as the new Community Development Director. He asked the applicant if he would like to present.

Doug Jorden, the applicant's representative, commented that he would like to speak. He stated that the General Manager, Steve Ast of the Hermosa Inn, has worked with neighboring property owners for the past several months. They reached out early on with the immediate neighbors to have a dialog and to do their best to address any issues. They have met with most of the neighbors. They will add the oleanders on the northwest property line to compete the row of vegetation and the ten-foot wall was extended at the request of the Swanson Family. The sliding gate and landscaping were added at the request of a resident. They will restrict deliveries and trash pick up and have removed the parking lot pole lights. They have all valet parking so patrons which will limit the use of the parking lot. The parking along the northern part of the property was part of the 2007 approval and was removed in 2016. They are now asking to put it back in but will also

add the wall back in. They are proposing to put the spa back in the original location as was approved in 2007. One of the neighbors requested that the activities in the tents be treated like other outdoor activities. This made sense so it was included. He addressed concerns regarding the event area and commented that it will be surrounded by his own rooms and they won't want to be a nuisance to their own guests.

Commissioner Lewis asked what the maximum decibels are permitted.

Doug commented that the town has an ordinance that permits a specific level of decibels until 10:00 PM. After this the maximum decibel level allowed drops significantly. He indicated that Mr. Ast has a noise meter that he will use it to insure activities do not go beyond the amount allowed.

Commissioner Lewis asked if they have specified the type of trees that will be planted between the oleanders and the fence.

Mr. Burton commented that the trees have not been specified, however the Planning Commission can stipulate the species.

Doug indicated that they will plant the tree types that the Swanson Family wants.

Commissioner Campbell asked about the note on the plans that state the oleanders will be extended to the east property line.

Doug Jorden showed the Commission the landscaping plan which represents where the oleanders will be planted.

Commissioner Lewis requested that they not plant white oleanders since that species is prone to disease.

Chairman Wastchak requested to see the map showing the adjacent properties. Once the map was displayed, he indicated that the wedge-shaped property is affected by the development. He asked if they spoke with this neighbor and if they said anything about the oleanders being extended.

Mr. Ast stated that they spoke with them and they are aware on this.

Chairman Wastchak asked staff to explain what a minor amendment is.

Mr. Burton explained that a minor amendment cannot change or add a use, cannot increase the square footage by more than 5,000 square feet, cannot have a material effect on adjacent properties that cannot be

sufficiently mitigated, and cannot change the architectural style of the SUP.

Chairman Wastchak opened the public hearing and stated that they have three comments from the public.

Scott --- stated that he lives at 5625 North Palo Cristi near the site of Hermosa Inn. He indicated that he has lived there for 38 years. The Hermosa Inn has been an excellent tenant and has always been prompt to take care of issues. He feels that the applicant has made a lot of changes to make it a better project. He is in favor of the project.

The Commission asked him to point out his property on the map.

Commissioner Wainwright asked him if there is any reason why it should not be a minor amendment.

Scott stated that there is not a reason it shouldn't be.

Alvin Adams stated that he lives south of Mr. Lamar. He then pointed out his property on the map. He asked if signage was being added.

Mr. Burton indicated that none would be added.

Mr. Adams then asked how the foot candles compare to the 40-watt bulbs that are being proposed.

Mr. Burton stated that the code allows a maximum output of 0.75 measured at the property line. The photometric plan shows that they are at zero on the property lines except for the entrances where there will be some light spillage. The requirements are not per fixture but regulate how much output can be measured at the property line.

Chairman Wastchak stated that deliveries have to follow the same hours as trash pickup.

Alvin Adams asked for clarification on what background music is.

Mr. Ast stated that all music will be through the speakers. Music on the patio can extend past 9:00 PM but most likely it won't.

Alvin Adams then asked about the height of the buildings around the tent sites.

Mr. Burton commented that the buildings are 16 feet tall and the tents can be erected for a duration of 16 consecutive days.

Nancy Swanson thanked Steve Ast for working with her on all of her concerns. She stated that the noise does not bother her because she wears hearing aids.

Chairman Wastchak closed the public hearing. He asked for a motion regarding the application being considered a minor amendment.

Commissioner Lewis made the motion.

Commissioner Campbell seconded the motion.

The motion passed unanimously.

Chairman Wastchak requested a motion to approve the minor amendment.

Mr. Campbell motioned to approve the minor amendment to the Hermosa Inn Special Use Permit per the stipulations in the action report with the addition to the note on the site and land use plan above the graphic scale be revised to say "The oleanders will extend to the east and west adjacent property lines." He added a stipulation requiring the north parking lot lighting to be approximately 3,000 K.

Commissioner Georgelos suggested that they should add a stipulation requiring the Hermosa Inn to remove dead trees.

Commissioner Campbell agreed with this change. He then commented that healthy SUPs generate noise.

A Commissioner suggested that the stipulation say "will take reasonable steps to water and maintain the five trees and shall not remove trees (unless they die). Instead of "but will be responsible" the stipulation should say "will not be responsible for replacing trees..."

Chairman Wastchak requested that the motion include all of the modifications added subsequent to the packets going out.

Commissioner Campbell accepted these amendments to his motion.

Commissioner Georgelos seconded the motion.

Chairman Wastchak thanked the Hermosa Inn for their approach in talking with the neighbors. The changes from the last amendment have corrected lots of issues and will make the property much better.

A motion was made by Commissioner Lewis, seconded by Commissioner Covington, to deem the requested amendment as a minor amendment to the

Special Use Permit zoning per the criteria listed in Section 1102.7.B of the Zoning Ordinance. The motion carried by the following vote:

Aye: 7 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Lewis and Commissioner Wainwright

A motion was made by Commissioner Campbell, seconded by Commissioner Georgelos, to approve the Hermosa Inn Minor Special Use Permit Amendment to reconfigure and re-orientate buildings, add a new restroom building, relocate the event area with a tent plan, add more parking, and add new landscape and site improvements, subject to the following stipulations The motion carried by the following vote:

1. All improvements to the property shall be in substantial compliance with the following:

- a. Project Narrative, dated September 11, 2018;
- b. Site and Use Plan 2018, prepared by CVL Consultants and dated September 11, 2018;
- c. Fire/Emergency Access Plan 2018, prepared by CVL Consultants and dated September 11, 2018;
- d. Delivery/Service Circulation Plan 2018, prepared by CVL Consultants and dated September 11, 2018;
- e. Conceptual Drainage Plan 2018, prepared by CVL Consultants and dated September 11, 2018;
- f. Site Lighting Zone Plan 2018, prepared by CVL Consultants and dated September 11, 2018;
- g. Parking Lot Lighting Plan 2018, prepared by CVL Consultants and dated September 11, 2018;
- h. Light Fixture Details/Specification Plan, prepared by CVL Consultants and dated September 11, 2018;
- i. Landscape Plan 2018, prepared by CVL Consultants and dated September 11, 2018; and
- j. Exterior Building Elevations Plan, prepared by CVL Consultants and dated September 11, 2018;

2. Strict compliance with the Town's Noise Ordinance/Code, must be observed. In addition, there shall be no public address system of any kind or live amplified music in outdoor areas, including event tents, except for amplified music not to exceed two hours in duration that is incidental to the ceremony portion of a wedding or similar event and which ends no later than 9:00 p.m. Low level background music in public areas is allowed.

3. Two (2) temporary event tents may be erected in accordance with the Project Narrative and the Site and Use Plan 2018, prepared by CVL Consultants and dated September 11, 2018. A temporary tent may be erected for a maximum of 16 consecutive days per event, but may exceed the 16 days if the resort applies for a special event permit (in accordance with the Town Code Special Event Permit requirements - Chapter 8).

4. The existing 6-foot shared wall and the oleanders between the parking lot and the neighbor directly north of the parking lot will remain. To further reduce noise levels, a new 10-foot-high wall, setback 20 feet from the north property line, will be constructed as depicted on the Site and Use Plan 2018.

5. All improvements shall comply with the applicable Town Grading & Drainage codes and requirements.

6. The swimming pool and spa and fitness areas may be used only by the Resort's registered guests and their guests, and residents immediately adjacent to or directly across the street from the Property, and a maximum of 20 members who reside within a 1,500-foot radius of the Hermosa Inn property.

7. The north parking lot gate shall not exceed a height of 5' tall and must remain closed from 4 p.m. to 8 a.m.

8. All mechanical equipment shall be screened so that it is not visible from properties not a part of this Special Use Permit and from public rights-of-way. Mechanical equipment and mechanical equipment screens shall be included in the total height of any structure they are attached to.

9. All new exterior lighting shall comply with the Site Lighting Zone Plan 2018 and Section 1023 of the Town Zoning Ordinance.

10. Trash pickup will be limited to Monday through Friday, between the hours of 8 a.m. until 4 p.m. and there will be no trash pickup on weekends unless there are special circumstances. Delivery of supplies will be limited to the hours of 8 a.m. until 4 p.m. daily.

11. After the 10' tall wall on the north side of the parking lot is installed, five sapling trees (spaced approximately every 40') will be installed between the 10' tall wall and the oleanders along the north property line. The owner of the Hermosa Inn will take reasonable steps to water and maintain the five trees and shall not remove the trees (unless they die), and will not be responsible for replacing the trees, but will allow reasonable access to the Hermosa Inn property so that the owner of the lot immediately to the north of the Hermosa Inn property may replace the trees with mutually agreed species if such owner elects to do so.

12. Revise the note above the graphic scale on the Site & Use Plan 2018 to say that the oleanders will extend to the east and west property lines.

13. The north parking lot lighting shall be a maximum of 3,000 Kelvin.

14. All existing Special Use Permit stipulations shall remain in full force and effect, unless changed or modified by the Minor Amendment SUP-18-08.

Aye: 7 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Lewis and Commissioner Wainwright

B. [18-346](#)

Discussion and Recommendation to the Town Council of Amendment to Article XVI, Home Occupation; Section 1603, of the Town Zoning Ordinance.

Andrew Miller, Town Attorney stated that they wanted to clean up the Home Occupation Code. This is for all residential properties that operate a home occupation. He then gave an overview of the changes to the code. The word "property" was used instead of "site" or "lot." The section was

modified to be clear and to ensure that the code is applicable only when the home occupation is in operation. Home occupation vehicles need to be parked on a driveway that is surfaced with concrete, compacted decomposed granite, pavement, bricks or a material that is paved or chemically stabilized. Parking on grass or turf areas is not allowed under any circumstances. This proposed code comes from issues that they have had with short term rentals and other home occupations that have lots of cars.

Chairman Wastchak asked if short-term rentals are the main target.

Mr. Miller stated that they are. Also, other home occupations can create parking issues as well.

Commissioner Lewis stated that a lot of the original homes in Paradise Valley have compacted driveways.

Mr. Miller stated that the code allows for this.

Chairman Wastchak stated that this code will allow the town to have some mechanism to get compliance with problematic properties and they will not try to hunt out violators.

Mr. Miller stated that they have only received two to three complaints but code enforcement and that staff requested some language which could be used to get compliance. They considered having this apply town-wide, but found that the majority of the complaints were in regards to home occupations.

Commissioner Georgelos asked if these would apply to rentals.

Mr. Miller stated that short-term rentals are home occupations and the code would apply to them.

Chairman Wastchak opened the public hearing.

A resident, Jamie, commented that she has a large property and a home business. They have a five-acre property and from time to time have large parties. They have dust when gardening. She does not want to be included in this law. She believes this ordinance is targeting her. She suggested that they should handle this without creating a catch-all net.

Mr. Miller stated that the code would only apply to her if the parking was in conjunction with her home occupation. People are allowed to have parties at their house.

Jamie stated that someday she may want to have a short-term rental.

Emily Kyle agreed with Jamie. She does not have a home occupation. This will not impact her life but does not believe the ordinance should be attached to dust and that it is over reaching. The leaf blowers are creating problems in her neighborhood. She shared information regarding leaf blowers.

Commissioner Covington asked if the statistic she quoted about the Ford Rapture is in regards to emissions.

Ms. Kyle stated that they are.

Mr. Miller indicated that the ordinance references dust because they were trying to define driveways and their purpose. Dust is an ancillary item.

Chairman Wastchak indicated that the town is trying to work with short-term rentals. He then closed the public hearing. He requested a motion to recommend approval to forward this to the Town Council.

Commissioner Campbell motioned to recommend approval of the Ordinance to Amend Article XVI, Home Occupation; Section 1603, of the Town Zoning Ordinance to be forwarded to the Town Council.

Commissioner Lewis seconded the motion.

Commissioner Wainwright stated that he was moved by the arguments of the citizens and will error on the side of small government and will oppose this text amendment.

Commissioner Anton stated that the Town is not looking to go after people but they need to have the appropriate tool in the toolbox. He is fine with the ordinance.

A motion was made by Commissioner Campbell, seconded by Commissioner Lewis, to recommend to the Town Council the approval of an amendment to Article XVI, Home Occupation, Section 1603, of the Town Zoning Ordinance. The motion carried by the following vote:

Aye: 6 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Covington, Commissioner Georgelos and Commissioner Lewis

Nay: 1 - Commissioner Wainwright

5. STUDY SESSION ITEMS

- A. [18-344](#) Discussion of Major Special Use Permit Amendment (SUP-18-06)
7125 E Lincoln Drive - Lincoln Medical Plaza

Paul Michaud, Senior Planner, provided an overview of the project. The packet has the revisions from the last meeting. The narrative contains a lot more information regarding height and the applicant has provided updates to their landscape plan. The renderings have been updated to show signage and roof equipment. A trip generation statement was provided but they do not have all of the materials for site circulation. Under the Statement of Direction (SOD), the applicant must provide a narrative regarding the intensity of use. A medical marijuana dispensary would also require a separate Special Use Permit (SUP) application. The hours of operation for the site will be from 7:00 AM to 8:00 PM, Monday through Friday. He then provided the specific hours of operation for the pharmacy and urgent care uses.

Mr. Miller suggested that they make it clear that a medical marijuana dispensary requires an intermediate special use amendment.

Chairman Wastchak agreed that they need to be very clear.

The applicant, Benjamin Tate, commented that the previous SUP did not specifically prohibit medical marijuana dispensaries, which is why he stated that they are subject to the regulations of Article XI requiring a separate amendment to the SUP.

Chairman Wastchak stated that if there was a prohibition in the SUP they would have to come back and amend the SUP to remove the prohibition.

Mr. Miller stated that the only way they could get a medical marijuana dispensary is to go through the SUP process.

Mr. Michaud stated that the applicant has now provided more information regarding the roof design and heights. The graphics now show the setbacks of the parapets. They are setback around 20 feet from the roof edge. The smaller parapet is about eight feet setback from the roof's edge.

Commissioner Lewis asked how high the parapet is.

Mr. Michaud responded that the smaller parapet is 32 inches high and the larger parapet is 36 inches. The Commission identified that at the last meeting, the direction was to lower the atrium roof and this was not done. Rather, the narrative indicates that it provides an architectural expression and screens roof AC units.

Chairman Wastchak asked the applicant to provide some feedback on this issue.

Mr. Tate indicated that the latest site plan was responsive to the Commissioners' comments given in the last meeting. They moved the building and trash enclosure further into the lot. They also reconfigured the parking and the south side of the building. They want to keep the height entry feature because it helps to create a better-looking building. The SUP guidelines for medical centers allow for an increase in height. Additional height is allowed for architectural features. The roof also provides screening of roof top mechanical equipment. He noted that they moved the parapets back 20-25 feet from the roof's edge to minimize the visual impact of the screening. If the roof feature is lowered, then they will see the mechanical screening from Lincoln Drive.

Commissioner Georgelos requested a drawing of how the building would look without the additional atrium height.

Mr. Tate stated that they will put one together.

Chairman Wastchak agreed that if they push the roof lower that it would make the building look plain and flat.

Mr. Tate stated that they have now included the trees on the perimeter of the site in the rendering.

Commissioner Lewis asked what are the tree species.

Mr. Tate stated that he does not have that information but it should be in the landscaping plan.

Commissioner Lewis stated that architecturally, he is still not satisfied because the entrance is modern looking and the vertical members are fairly small. They need more substance in them.

The applicant's architect stated that they do not want to make them too big.

Commissioner Lewis stated that he would like to see these revised prior to taking a vote.

Chairman Wastchak clarified that the trees are a Chinese Pistache species.

Commissioner Campbell reminded Commissioner Lewis that they did

Speak about solar being installed on the parking shade structures.

Chairman Wastchak stated that he likes where the project is going.

Commissioner Campbell indicated that architectural elements called out in the code refer to chimneys and other small elements. The plans are showing a significant portion of the building going above the allowable height. It is a one-story space and does not need to be 2-1/2 stories tall.

Chairman Wastchak commented that the lobby is only one corner of the building and is helping to provide articulation for the building. They are not trying to stretch the height across the building. This property is not looming over residential. The building has been setback an additional eight feet from the front.

Commissioner Lewis commented that they are setting a precedent for what will go in next door. The building is more modern than he would like.

Commissioner Wainwright stated that there needs to be a compelling reason to go above 30 feet and he is not sure that screening is a compelling reason.

Mr. Tate mentioned that if they did not care about the Town's guidelines, they would not have taken the time to put a section in the narrative as to why they feel it is appropriate. They need to bolster their justification. He indicated that Paul Gilbert spoke in the last Council meeting and indicated that SUP guidelines are guidelines, and not meant to be strictly adhered to, like a zoning ordinance. The concern about setting a precedent is that all SUPs are unique and he urged the Planning Commission to look at each project individually.

Commissioner Georgelos agreed that these are unique SUPs. They still need to consider how others have been treated and some precedent will be set. If they go above the height requirement, she would like additional justification. She wants to see how the building will look without the additional height allowance. She feels that the height on the corner is more than a fireplace.

Mr. Tate stated that architectural elements need to be looked at within the context of the type of building they are talking about.

Commissioner Wainwright commented that he likes the direction they are going. The property is surrounded by commercial and precedent does not weigh into this. He leans more towards the roof corner being an architectural feature. If it can come down that would be a good thing.

Commissioner Anton stated that the applicant is missing a compelling reason to increase the roof height.

Commissioner Campbell stated that the raised element on the right-hand side is uncomfortable for him to look at. He believes that there is enough articulation without the height increase. He believes that this is a structural enhancement and not an architectural element.

Commissioner Lewis stated that he loves the nature of the cantilevered roof on the left and the shade element. He believes that this design would be more inviting if utilized on the entrance.

Mr. Michaud reviewed the open space criteria and mentioned that the Planning Commission seemed to not have an issue with it. The building has been moved back an additional five feet further south to meet the SUP requirements for distance from the right-of-way. It is unclear if the parking on the perimeter of the site is covered. A four-foot setback will be required. There are no guidelines for the covered parking.

Chairman Wastchak commented that he is concerned with the covered parking structures on the property line.

Commissioner Lewis noted that it is next to C2 zoning.

Commissioner Campbell stated that the tenants will most likely want the covered parking for their vehicles.

Mr. Tate indicated that they will clarify this in the next submittal.

It was suggested that if they are going to add covered parking on the property line that they should do it on the AJ side.

Commissioner Georgelos asked if the south property is residential.

Chairman Wastchak responded that it is a resort use.

Mr. Michaud noted that the trash enclosure was relocated to the east side of the site and there are no employee areas on the site.

Chairman Wastchak asked if they do not show the amenities now could they put it in later.

Mr. Michaud commented that they would have to analyze what level of amenities they are. He suggested that they address this now. Also, they do

not have all of the details for the lighting plan and traffic counts. They are meeting the guideline for lot coverage at 25%, with a proposal of 18.3%. However, staff is not clear if this includes the roof overhang and the parking canopy. They are probably still under the guideline but that numbers needs to reflect all structures.

The applicant noted that the landscaping meets the visual corridor plan.

Chairman Wastchak asked Jeremy Knapp if the frontage is close to what they would like to see on this corridor.

Mr. Knapp responded that the General Plan calls for a 30-foot total cross-section for major arterials.

Commissioner Campbell asked if they normally have screen walls within the right-of-way.

Mr. Knapp indicated that no parking or structures are permitted within the town right-of-way. He is not sure that there is a full dedication of the 65 feet of right-of-way. The two parking spaces and everything along the front property line fall within the right-of-way.

Mr. Tate indicated that this is one of the points in the statement of direction that they negotiated with the Town Council. The amount of landscape buffer and setback that they would be required would not be a hard and fast rule but the Planning Commission could take other things into consideration, like the size and shape of the property. By moving the building back, they were able to pick up another five feet of landscape buffer. In order for this project to move forward, they cannot add more landscaping buffer. Tenants are looking for a minimum of five spaces per 1,000 square feet. They are already below this and do not want to lose more. The margins are razor thin and it may be a better option to do tenant improvements to the existing buildings.

Chairman Wastchak asked if they have addressed which portion of the 65-foot right-of-way is dedication compared to easement.

Mr. Tate stated that they have not discussed this in detail with staff but they are amendable to discussing the areas that will be dedicated and those that will have an easement. He indicated that he wanted to receive direction from the Planning Commission on this issue.

Chairman Wastchak stated that they need to make a proposal to staff and start this dialog. He cares about having the physical space for the landscaping but wants to have staff review their proposal.

The owner of the medical plaza indicated that the Town is wanting the right-of-way for free. He does not care what the combination of the easement and dedication are as long as everyone gets what they want. He wants the parking and the Town wants a sidewalk on the south side of Lincoln Drive.

Commissioner Campbell mentioned that right-of-way dedication is always part of the SUP discussion. He indicated that they could move the parking out of the dedicated ROW area and only lose one parking stall. He asked if they can use screen berms in the right-of-way instead of the walls. The signs could be move back as well. The peninsulas throughout the site could be reduced or eliminated. This is the first parcel in a major redevelopment area and if they need 130-foot right-of-way, then the Town should get the 130-foot right-of-way.

Chairman Wastchak commented that the Council still wants the entrance for Andaz through the property. He was told that the Andaz resort does not want this entrance. He asked the applicant to comment on this point.

The owner of the medical plaza stated that there have been some discussions but their focus has been to work out the right-of-way issues first. He is willing to do it but not at the detriment of their plan.

Commissioner Campbell suggested that Andaz use the Quail Run Road alignment to get access to Lincoln Drive. There is a light going in at Quail Run Road.

Chairman Wastchak commented that this would bring people in through the back, whereas if they came in through the applicant's property then it would bring people to the front of the property. He asked the applicant to work with staff on these issues.

The owner of the medical plaza stated that if they have to push the sign back it will be a detriment not having directional signage for his tenants. He mentioned that he is willing to give up a left-out entrance if needed.

Mr. Michaud stated that they will need to get more information regarding site drainage in the utility section of the narrative.

Mr. Tate stated that they are working to get all of the question marks filled in for the next work session.

Mr. Michaud commented that they will need more information regarding the traffic statement and any changes to the entrances will affect the traffic

statement.

Mr. Tate suggested that if all of the questions have been answered except for the entrance, the Planning Commission could act on everything else and allow the Town Council to decide on the entrance.

Commissioner Lewis concurred with this. They have to look at the whole strip.

Commissioner Campbell requested parking data for the next meeting.

The applicant commented that the traffic count is on the conservative side. The lobby area won't be leasable space.

Mr. Michaud indicated that they can get another two feet of parking length from the landscaping overhang. There did not seem to be a lot of interest from the Planning Commission with regard to community spaces. The Planning Commission will need to act by October 16, 2018. They have another meeting on October 2, 2018, but there is not a lot of time to get the packet out. The applicant will have to hold a neighborhood meeting and must provide a minimum of 10 days notice prior to the meeting.

Chairman Wastchak commented that he would like more time. He asked the applicant if they can squeeze everything in.

Mr. Tate indicated that they will try to be ready for the October 16, 2018 meeting.

Mr. Michaud stated that they will need to notice the meeting. He suggested that they hold the neighborhood meeting soon. He reviewed the applicable dates and deadlines.

One of the Commissioners requested that they provide some outdoor space so they won't have to come back later for an amendment.

Chairman Wastchak stated that he wants to see the access road cut out and not included in the Planning Commission recommendation.

No Reportable Action

6. ACTION ITEMS

None

7. CONSENT AGENDA

A. [18-338](#) Approval of August 21, 2018 Planning Commission Minutes

A motion was made by Commissioner Lewis, seconded by Commissioner Georgelos, to approve the August 21, 2018 Planning Commission minutes with two edits. Change Commissioner Wainwright to Commissioner Anton regarding the ADA statement on Page 9. Delete the text "and 18 feet heights" on the statement from Commissioner Campbell. The motion carried by the following vote:

Aye: 7 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Covington, Commissioner Georgelos, Commissioner Lewis and Commissioner Wainwright

8. STAFF REPORTS

Mr. Knapp reported that they have two Statement of Directions that are going to Council in the next couple weeks. One of these is for Smoke Tree and the Planning Commission will review it in November or December. Mountain View is also coming in for a major amendment to their SUP.

Chairman Wastchak asked about PV Medical.

Mr. Knapp explained that PV Medical is on Jackrabbit and Scottsdale Road. They submitted some documentation and staff has reviewed it. Mountain View Medical will be a full construction of the site and buildings.

The Planning Commission congratulated Mr. Knapp on his promotion.

9. PUBLIC BODY REPORTS

Chairman Wastchak asked if there would be any absences on October 2, 2018.

Commissioner Covington stated that he would be calling in. He will absent on October 16, 2018.

Commissioner Campbell indicated that he may not make the October 2, 2018 meeting.

10. FUTURE AGENDA ITEMS

Mr. Michaud stated that on October 16, 2018 they will have a work session on Lincoln Medical Plaza and possibly on the Ritz Hotel. The hearing for Lincoln Medical will be on October 16, 2018 and Valley Vista Lane

meeting on November 6, 2018 will have work session items and they may discuss some of the minor amendments. They may have a hillside preliminary plat review or the PV Country Club sign logo. Mountain View Medical is going for a statement of direction on October 11, 25 & November 15, 2018. The Planning Commission will see this item in December 2018.

Jeremy Knapp commented that Smoke Tree Resort will be reviewed on November 20, 2018.

Commissioner Covington stated that November 6, 2018 is election day and October 16, 2018 he will be absent for a medical procedure.

Chairman Wastchak stated that he is leaning towards cancelling the meeting on November 6, 2018. He will be coming in from out of town that same day.

Commissioner Campbell stated that he is fine with this as well.

Paul Michaud suggested that they wait until October 16, 2018 to make decision on cancelling the meeting.

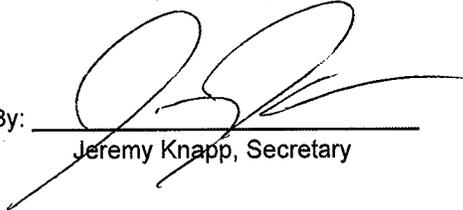
11. ADJOURNMENT

A motion was made by Commissioner Campbell at 8:30 p.m., seconded by Commissioner Anton, to adjourn the meeting. The motion carried by the following vote:

Aye: 6 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Covington, Commissioner Georgelos and Commissioner Wainwright

Absent: 1 - Commissioner Lewis

Paradise Valley Planning Commission

By: 

Jeremy Knapp, Secretary