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2525 E. Arizona Biltmore Circle, Suite A-212, Phoenix, AZ 85016

November 16, 2018

Paul Michaud, Senior Planner
Town of Paradise Valley
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: SUP 18-06 / Major Amendment for Lincoln Plaza Medical Center / 7125 E. Lincoln Drive.

Dear Paul:

Below are the applicant's responses to staff's comments outlined in your memorandum dated November 14, 2018. Also enclosed with this letter are the following items:

- Updated project narrative
- Updated building elevations
- Updated open space sections
- Existing finished grade exhibit
- Building footprint overlay exhibit
- Letter from project architect Dean Munkachy dated November 15, 2018

Please let us know if you need any more information or clarification for any of these submitted items or the comment responses below. We look forward to discussing this case again at the next work session on December 6, 2018.

1. Evaluation of the expanded traffic documentation that addresses such items as traffic generation beyond the subject site, access points in/out of the site, the right in/right out movements, medians, deceleration turn lane for eastbound traffic entering the site, full build-out of nearby uses such as the Ritz Carlton Special Use Permit, and the coordination with Town improvements along Lincoln Drive which may require an updated site plan modifying access.

No response necessary.

2. The Town Council wants to review the expanded traffic documentation before giving policy direction on any acceptance in allowing part of the 65' right-of-way to be roadway easement and allow parking and signs in such easement.

- a. It was noted that the Planning Commission recommendation of 49' of right-of-way dedication and 16' of right-of-way easement factored in allowance for some future physical expansion of the roadway within the 49' dedicated area. Presently, the 33' dedicated area includes approximately 31' for a portion of the center turn lane, two travel lanes and curb. This leaves an additional 18' for sidewalk and either a third travel lane or deceleration lane. It was noted that the 49' dedication might not be enough dedicated area since future roadway needs are unknown.

As previously noted, the applicant and Planning Commission carefully negotiated the compromise described above – in which the applicant will provide a fee-simple dedication of the 16' of private property immediately adjacent to the southern boundary of the existing Lincoln Drive ROW and a ROW easement for the 16' of private property immediately adjacent to the 16' dedication. The applicant and Planning Commission reached a consensus through several work sessions and careful negotiation, ultimately concluding that this compromise met the Town's goals for preserving open space along Lincoln Drive without unnecessarily impeding the applicant's reasonable exercise of substantial property rights to redevelop the site.

- b. There was also comparison to other SUP properties related to having roadway easements and the language describing such easements. Although there are two resorts with right-of-way easements and a couple churches, the only structures/uses within such easements are typically signs. A question that needs reply is whether the site complies with its minimum parking requirements should the 9 to 11 parking spaces along Lincoln Drive be removed by some future roadway expansion project. You will need to address this point but can refer to information I put together (see attached).

In the highly unlikely event the proposed 16' ROW easement is condemned for roadway expansion and the number of parking spaces on site is reduced by 9 to 11 spaces, the resulting parking ratio would become a grandfathered legal non-conforming condition.

- c. Provide a draft of the development agreement if there will be a right-of-way easement. This development agreement should stipulate costs for condemnation and disposition of parking spaces.

We have been in communication with Paradise Valley Town Attorney Andrew Miller regarding the formation of a development agreement for this project. We are in agreement that a draft of a development agreement at this point is premature without any of the specific deal points identified and negotiated. Should a development agreement be necessary, we will work with the Town Attorney's office to prepare a draft once the parties are in agreement on the major deal points.

3. Town Council wanted information on the width of the right-of-way from Invergordon Road to Scottsdale Road. Staff prepared this information (see attached).

No response necessary.

4. Below are suggested edits to the stipulations that will be presented back to Town Council, these include the following you may wish to provide edit and/or comment on (staff did get your e-mail that you may want further discussion on the retail square footage of Stipulation C.4, please provide information in a written narrative that staff can provide to Town Council):

- a. Stipulation B.4. "A medical marijuana dispensary is ~~presently~~ not allowed on the Property and is not to be allowed as part of the Special Use Permit (SUP-18-06). A medical marijuana dispensary is subject to the restrictions outlined in Article XI of the Paradise Valley Zoning Ordinance and approval of a separate amendment to this Special Use Permit is required before a medical marijuana dispensary would be a permitted use on the Property."

Proposed language (revised language underlined):

"A medical marijuana dispensary is not a permitted use under the existing Special Use Permit for Lincoln Plaza Medical Center, and a medical marijuana dispensary is neither being requested nor approved as a permitted use as part of the proposed Special Use Permit (SUP-18-06). A medical marijuana dispensary is subject to the restrictions outlined in Article XI of the Paradise Valley Zoning Ordinance and approval of a separate amendment to this Special Use Permit is required before a medical marijuana dispensary would be a permitted use on the Property."

- b. Stipulation K.4. "The lighting for the signs on the Property shall be placed on a timer to shut off between the hours of 10:00 ~~11:00 p.m.~~ and 6:00 a.m., unless otherwise approved by the Town Manager or designee for special events."

No comment.

- c. Stipulation D, Urgent Care Center. To add a stipulation that the urgent care center not contract with any ambulance provider or have such a vehicle on the premises to mitigate unwarranted light and sound to persons on the adjoining properties.

We are not aware of a scenario in which an emergency vehicle, such as an ambulance, would take an individual in need of immediate medical treatment anywhere other than an emergency room. We do not anticipate any emergency vehicles bringing individuals to the urgent care on premises. The only scenario in which an ambulance or other emergency vehicle may be on site is to take a patient in need of immediate medical treatment from the proposed medical office

building to an emergency room. To restrict the ability of first responders to transport a patient from Lincoln Plaza Medical Center to an emergency room (or any restriction of their ability to execute their duties in any way) presents a significant public safety hazard that should not be contemplated in a stipulation.

- d. Stipulation C.4 that reads “The area of the pharmacy shall not exceed 2,500 square feet in total area.” raised concerns that this is too large. This is the same size as the existing pharmacy at Mountain View Medical Center and 421 square feet larger than the allowable existing square footage of 2,079 square feet. The concern seemed to be on the size of the area for the customer retail area where people pick up their prescription and might purchase a related medical retail item (e.g. diabetic pen needles). There needs to be discussion on how this stipulation may be edited.

Additional information has been provided in the updated narrative regarding the manner in which this pharmacy will operate. The concerns expressed by Town Council largely centered on traffic generation and quick turnaround trips – conditions associated with a consumer-facing retail pharmacy. The pharmacy portion of the proposed medical building is intended to serve the patients being treated within the building, and will not be operated nor advertised as a public-facing retail pharmacy. Pharmacy trips will be largely (if not entirely) incidental to appointments elsewhere in the building rather than the primary purpose of the visit. As such, the applicant does not anticipate any measurable increase in traffic resulting from the pharmacy itself.

The 2,500-square-foot number was simply a request to “round up” from the 2,079 square feet approved in the previous SUP to allow for developmental flexibility. In any event, the vast majority of the square footage for the pharmacy will be for “back of the house” operations – not for the provision of a significant customer-facing retail space.

- e. Stipulation C.4 to modify it to read “The pharmacy shall not sell, dispense, lease or market any non-medically related items, paraphernalia, or products, ~~and sundries.~~”

No comment.

- f. Stipulation C, Pharmacy, to define the allowable retail sales. This might be a new stipulation or could be added onto Stipulation C.4.
- g. **Stipulation 2, Right-of-Way, currently states that no above-ground structures are permitted in the ROW. We would request that this stipulation specifically reference the dedicated ROW, since one of the two primary purposes of the 16-foot-wide ROW easement is to allow the applicant’s monument sign to be erected closer to Lincoln Drive. Also, it should be noted that the ROW section does not have a heading, and should be Section “J”.**

5. Council expressed they wanted more explanation on the compelling reason for height of 30' which must be provided (e.g., documentation from an expert such as a national medical association, architectural organization, etc. that supports the 15' floor to floor reason).

A letter from the project architect, Dean Munkachy, is being submitted with these comments. Additionally, a more detailed explanation and justification of the height has been provided in the revised project narrative.

6. Comments on Stipulation G.3 regarding why solar panels are only encouraged on the parking lot canopies. I am not sure there is a suggested edit to this stipulation. However, I will note that the Planning Commission made this recommendation to avoid making the building taller than 30' and/or the need to push the parapets closer to the roof edge. As noted at the study session, the merits of any future SUP amendment for solar will be addressed at that time. If there is something missing, let me know. Please respond in writing.

The applicant is not requesting to include solar panels on any building surface as part of this application. In the event that solar panels are desired by the applicant at some point in the future, they will be the subject of a separate SUP amendment application.

7. As previously noted, you need to submit the finished grade elevation documentation per Stipulation F.2.

An exhibit is being submitted in conjunction with these comments identifying the finished grade of the existing building. The lowest finished grade of the existing building is approximately 1309.86. After extensive discussion with Town staff, the project engineer, and the project architect, we have concluded that we are unable to provide the finished grade of the proposed building without further discussion between the Town engineer and project engineer, and ultimately the preparation of a full grading and drainage plan.

The elevation of finished grade for the proposed building will be established pursuant to the Town's Building and Construction Code for grading and drainage plans. From the outset, the purpose of this application has been to demonstrate the need for a 36-foot-tall building – regardless of the elevation from which the finished floor of that building originates. The compelling reasons for a two-story medical office building with 15-foot floor-to-floor heights and a 6-foot mechanical screen have been addressed in detail in the project narrative and discussed at great length in multiple study sessions with the Town of Paradise Valley's Planning Commission.

The Planning Commission determined that the applicant provided compelling reasons for a building height of 36 feet measured from finished floor – independent of the finished grade upon which the building would be constructed. Regardless of the grade, the commission determined that compelling reasons were provided for two stories of 15-foot floor-to-floor height with a 6-foot mechanical screen. As shown on the revised

elevations, the floor-to-floor heights have been reduced to 14'8" and the mechanical screen height has been reduced to 5'8" in an effort to further address Council's concerns with the building height.

Ultimately the finished grade for the proposed building will be at an elevation no higher than required by Town Code. In any event, because Planning Commission and staff have both determined that the proposed project will have no effect on existing view corridors due to its location and surroundings, any negligible increase in overall height (measured from grade) to comply with the Town's grading and drainage requirements will not have any meaningful impact on surrounding persons or properties.

8. When a public hearing date is set you will need to post the property, mail your notices to the 1,500' mailing list, and provide me the posting photo/affidavits of mailing and posting. Staff will update you on this matter at a later date.

Noted.

Sincerely,

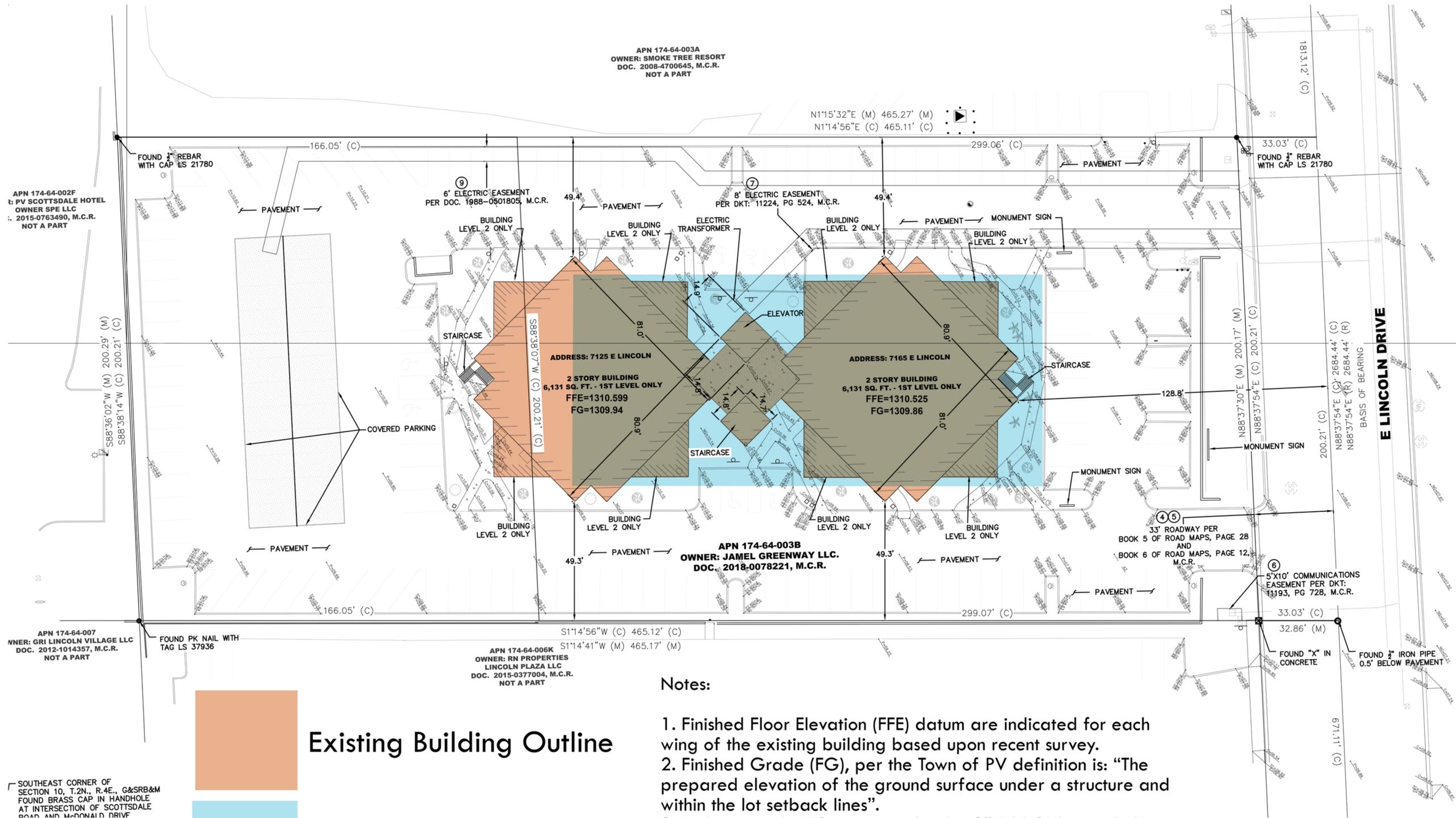
WITHEY MORRIS P.L.C.

By

Benjamin L. Tate

Ownership:

**7125 Lincoln
Medical Office**
Paradise Valley, Arizona



APN 174-64-002F
OWNER: PV SCOTTSDALE HOTEL
OWNER SPE LLC
DOC. 2015-0763490, M.C.R.
NOT A PART

APN 174-64-003A
OWNER: SMOKE TREE RESORT
DOC. 2008-4700645, M.C.R.
NOT A PART

N1°15'32"E (M) 465.27' (M)
N1°14'56"E (C) 465.11' (C)

APN 174-64-007
OWNER: GRI LINCOLN VILLAGE LLC
DOC. 2012-1014357, M.C.R.
NOT A PART

FOUND PK NAIL WITH
TAG LS 37936

APN 174-64-006K
OWNER: RN PROPERTIES
LINCOLN PLAZA LLC
DOC. 2015-0377004, M.C.R.
NOT A PART

APN 174-64-003B
OWNER: JAMEL GREENWAY LLC.
DOC. 2018-0078221, M.C.R.

33' ROADWAY PER
BOOK 5 OF ROAD MAPS, PAGE 28
AND
BOOK 6 OF ROAD MAPS, PAGE 12,
M.C.R.

5'x10' COMMUNICATIONS
EASEMENT PER DKT:
1193, PG 728, M.C.R.

SOUTHEAST CORNER OF
SECTION 10, T.2N., R.4E., G&SRB&M
FOUND BRASS CAP IN HANDHOLE
AT INTERSECTION OF SCOTTSDALE
ROAD AND McDONALD DRIVE

Existing Building Outline

Proposed Building Outline

Notes:

1. Finished Floor Elevation (FFE) datum are indicated for each wing of the existing building based upon recent survey.
2. Finished Grade (FG), per the Town of PV definition is: "The prepared elevation of the ground surface under a structure and within the lot setback lines".
3. In this case, the FG is assumed to be 8" (.66 ft) beneath the FFE.
4. Using this deduction the lowest Finished Grade Elevation for the site is 1309.86'

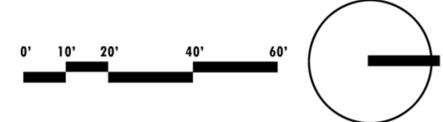
- ▲ Development Review Set
- △ Bid Set
- △ City Submittal
- △ Construction Set

Revisions:

Ownership of Instruments of Service:

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Seal
Date: November 5, 2018
Project Number: 598
Drawn by: dm/rdb
Sheet Number



Ownership:

7125 Lincoln
Medical Office
Paradise Valley, Arizona

- ▲ Development Review Set
- △ Bid Set
- △ City Submittal
- △ Construction Set

Revisions:

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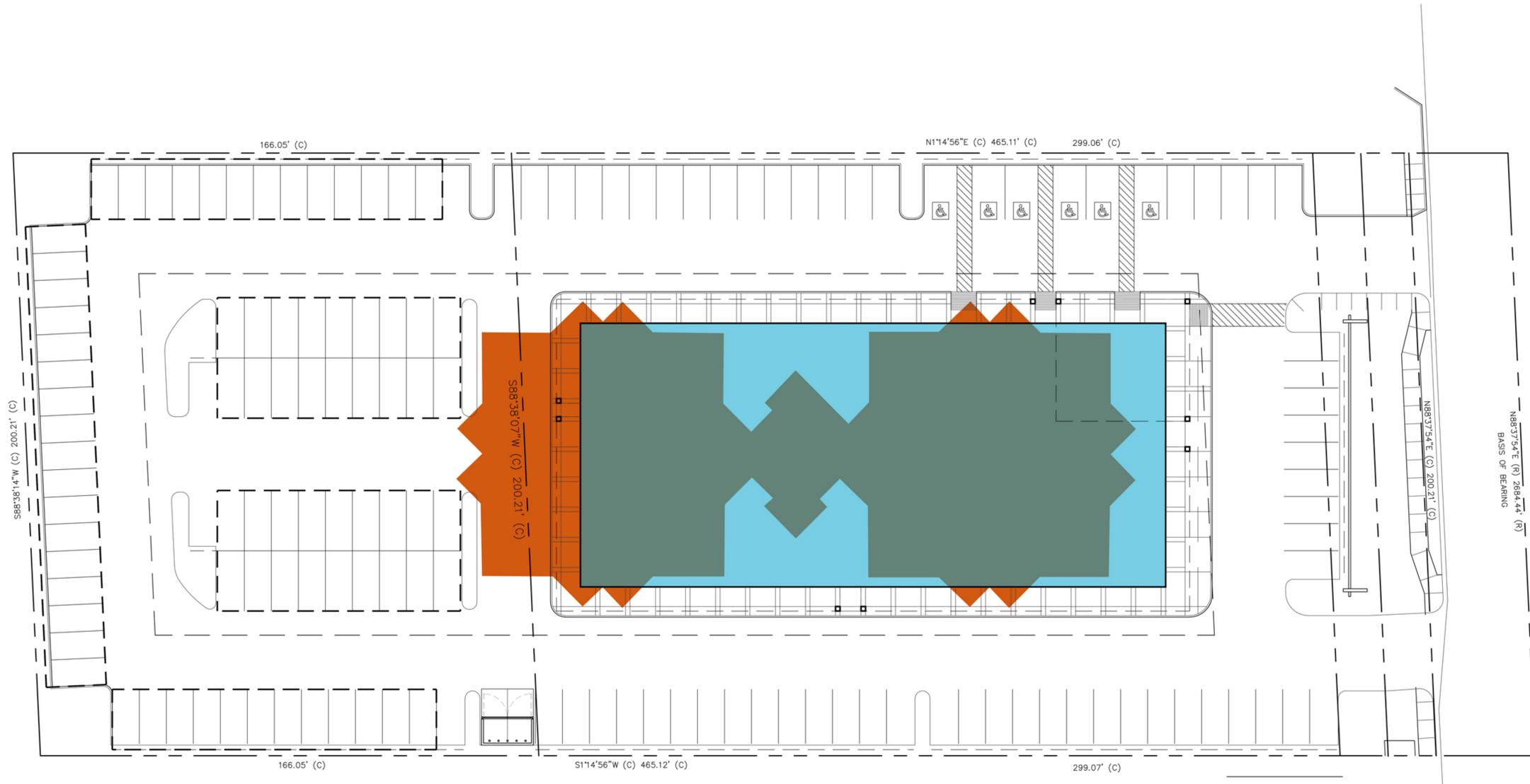
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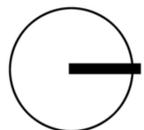
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Existing Building Outline



Proposed Building Outline



Ownership:

7125 Lincoln
Medical Office
Paradise Valley, Arizona

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Revisions:

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Date: November 15, 2018

Project Number: 598

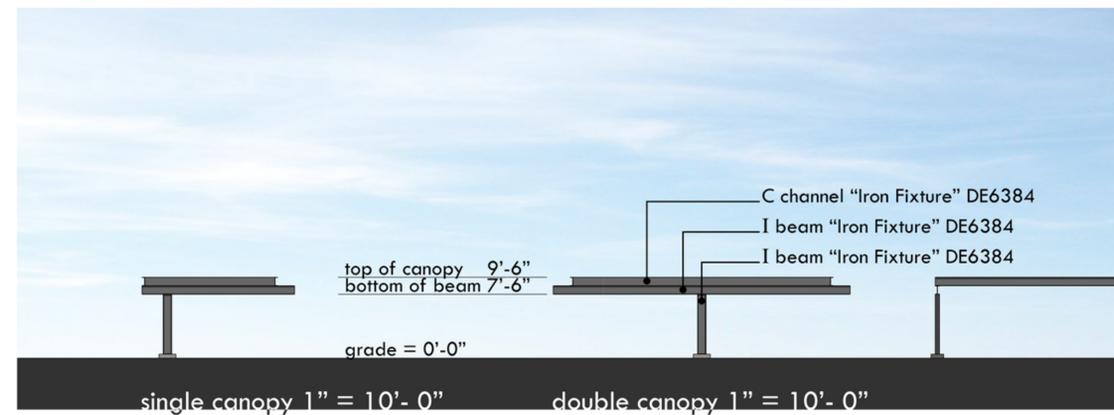
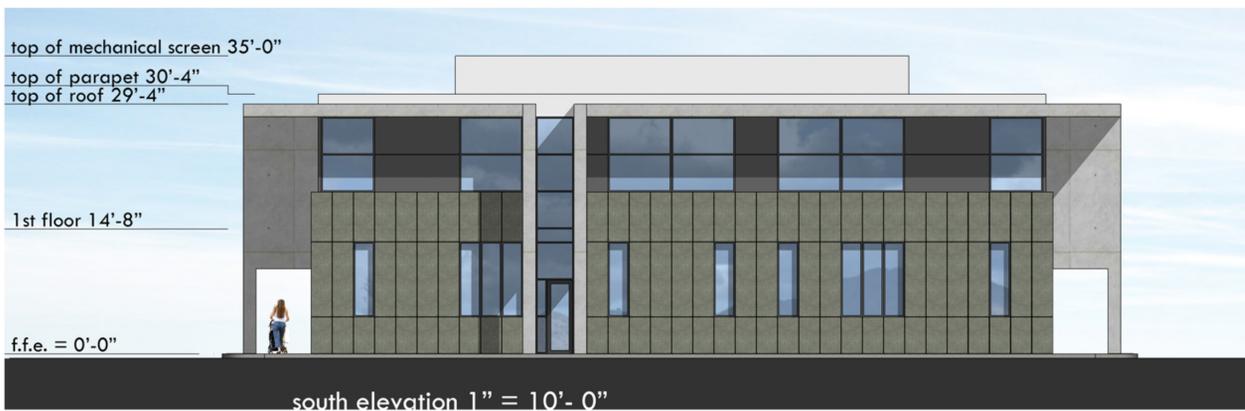
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Sheet Number

A2.0

elevations

0' 10' 20'
1" = 10' - 0"



November 15, 2018

Mr. Paul Michaud, AICP
Senior Planner
Town of Paradise Valley
6401 E Lincoln Drive
Paradise Valley, Arizona 852

RE: 7125 Lincoln Medical Office Building – Design Dimensions

Dear Paul,

As the Lincoln Medical building has progressed through design approvals, there have been questions raised about the assumptions made for various dimensions that determine the overall building height. As a professional with 32 years of experience designing commercial structures throughout the southwest, I would appreciate the opportunity to set out the logic for how we have arrived at this building's dimensions.

Floor to Floor Dimensions. The current industry standard for any Class A office building, be it for medical use, or any transactional business, is to allow for a suspended ceiling no lower than 10 feet in height on each and every floor. Some multi-story buildings even provide significantly higher ceilings on ground and mezzanine levels should the program or specific user require it. As a result, a very typical dimension of 14'-8" to 15'-0" feet from floor level to floor level provides an additional 4'-8" to 5'-0" in which floor slabs, decking, superstructure, fire sprinklers, conduit, air handlers, HVAC ductwork and other necessary utilities are routed to the various suites and offices. This interstitial dimension is critical to avoid conflicts between structural members and the numerous overhead utilities common in today's offices. Of the dozen or so recent office projects we have designed, this floor to floor dimension is the standard range demanded by builders and developers.

Mechanical Screening. The size and function of the proposed building allows us to consider the use of packaged and split system HVAC equipment, which is most conveniently located on the rooftop. The relatively small size of this building rules out central plant systems or variable air volume systems which can be large, noisy and unsightly. Therefore, in order to properly keep these smaller units from view, a small, architecturally integrated screen wall is necessary. Sensitive to the need for proper integration, the screening is held back from the building overhangs a depth of 25 feet, which will make them virtually unseen at the pedestrian level. Given roof slopes and curbing required to mount the equipment, we are comfortable that the 5 to 6 foot tall screen wall will be adequate.

Overall Height. Through our investigations and based on our considerable experience in this building type, we are comfortable that, with our client, we can design and construct a Class A medical/office building on this site within an overall dimension of 35'-0" from finished floor.

If you have any questions about our presentation of these facts, please let me know at your earliest convenience.

Sincerely,
SUITE 6 ARCHITECTURE + PLANNING, INC.

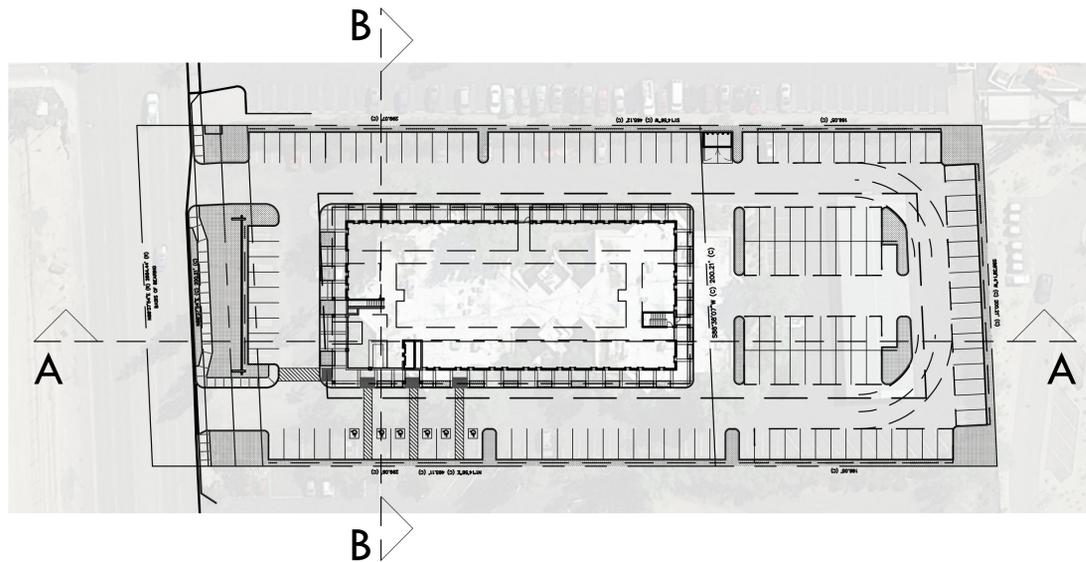
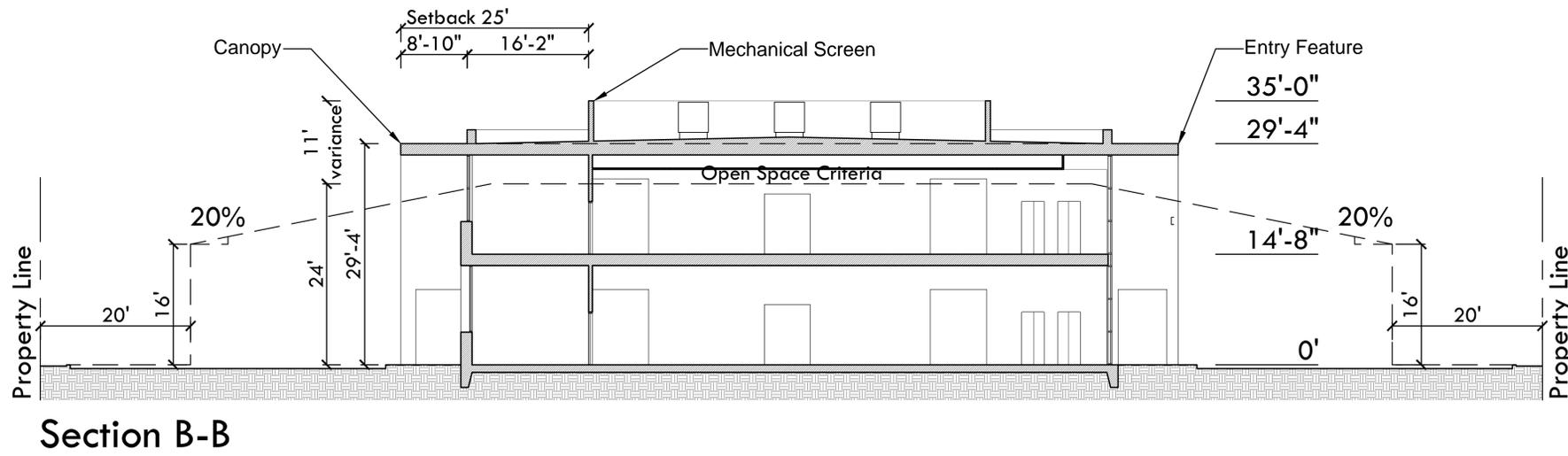
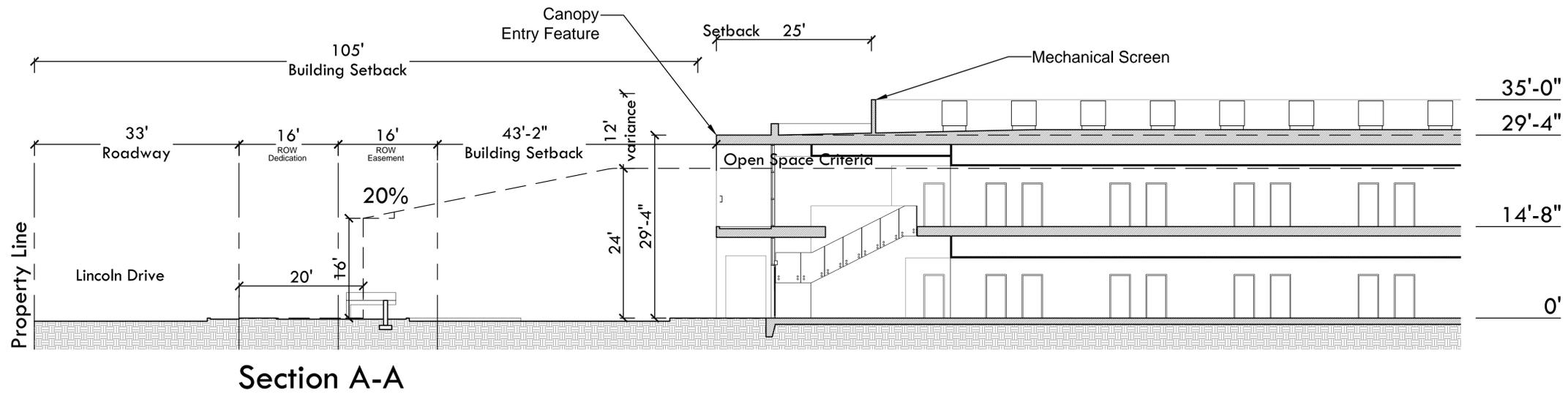


Dean William Munkachy, AIA, LEED AP
President



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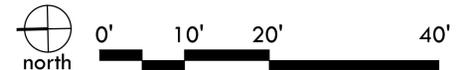
Date: November 15, 2018

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Drawn by: dm/rdb

Sheet Number

Zoning
Less Than Three Acres
24' max building height
16' high @ 20' from Property Line



Z1.0
Open Space Criteria