



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes - Draft

### Planning Commission

---

Tuesday, December 4, 2018

6:00 PM

Council Chambers

---

#### 1. CALL TO ORDER

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

#### 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

##### Commissioner Covington attended by phone

**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

None

#### 5. PUBLIC HEARINGS

- A. [18-465](#) Consideration of a Minor Special Use Permit Amendment (SUP 18-14)  
Ritz-Carlton Area C - North East Corner of Mockingbird Lane and Lincoln Drive  
7000 E Lincoln Drive
- George Burton, Planner, explained that this amendment includes modification of the size and height of the guard house, adding control arm gates to the guard house and increasing fence & wall heights in various locations. Area C is located on the southern portion of the resort near Mockingbird Lane and Lincoln Drive. The Commission held a work session

on this item on November 7, 2018. The Commission requested the following items:

- Guard house to comply with the minimum stacking requirements.
- Provide details of walls adjoining Lots 31-34.
- Identify if walls between Lots 29 and 30 will extend above the height of the wall on Mockingbird Lane or if the wall will step down to meet the height of the existing wall.
- Add a stipulation regarding an unmanned guard house. If the call box option does not work, then gate arms must be left in an open position or removed.

He indicated that the Special Use Permit (SUP) was approved in 2015 and Area C is a resort branded residence. He further summarized the requirements. The current SUP shows the guard house with 800 square feet and containing a height of 16 feet. The applicant is proposing to increase the square footage to 1,700 square feet and push the height to 20 feet. The additional height and square footage will accommodate the entry on the porte-cochere by helping to delineate the entry. Two control arms are being added to the porte-cochere. He showed the elevations and floor plans. The applicant addressed the Commission's concerns and provided a detail showing 310 feet of stacking being provided. Only 150 feet is required. He noted the location of the control arms. A stipulation was added, as requested by the Commission, concerning the control arms being left in an open position if the call box solution does not work.

He continued that the modification will affect Stipulation 29. He then explained proposed changes to Stipulation 29.

Chairman Wastchak proposed an addition at the end of the first sentence "then the gate arms located at the guard house must remain in an open position when the guard house is unmanned, or be removed."

Commissioner Georgelos suggested that they insert "unmanned" in front of the guard house.

Chairman Wastchak stated that he feels it is clearer to have the gate arms in the open position when the guard house is unmanned.

Commissioner Campbell asked about the queuing.

Mr. Burton stated that there is 310 feet with a width of 22 feet.

Commissioner Covington stated that 22 feet is not enough for three lanes of traffic.

Richard Frazee, Five Star Development, commented that they do not construct three lane roads on purpose. The 22 feet meets the private road provision. They felt that a three-lane road would be in excess of the SUP guidelines.

Commissioner Campbell stated that he does not believe this is a typical road because they have service vehicles on this road section. The stacking turns this into a three-lane situation.

Chairman Wastchak commented that they could extend the bump out dimension 150 feet to accommodate stacking in the center in a striped area.

Mr. Frazee indicated that they felt the reason the 150 foot distance was required was to prohibit vehicles from blocking the entrance into the subdivision.

Commissioner Campbell reiterated his concerns regarding the proposed stacking.

Mr. Frazee stated that he does not know where the property line is for Parcel A and Parcel C. There may not be enough room to accommodate another lane.

Chairman Wastchak asked who would control the gate house.

Mr. Frazee stated that it under the control of the Ritz Carlton operation.

Chairman Wastchak suggested that if they find trucks are stacking up that they direct them to not show up earlier.

Mr. Frazee stated that only one landscaper will operate in the community.

Commissioner Campbell indicated that there will be plumbers, electricians and other service providers coming to the development.

Mr. Frazee indicated that they have responded to the guideline on how to design the gate house and feel they are more than these requirements.

Commissioner Campbell indicated that he has observed this problem throughout the town.

Mr. Frazee asked why this discussion did not come up on Parcel B.

Commissioner Campbell responded that he does not know and believes

that their request to accommodate two travel lanes and a stacking lane is reasonable. He would rather accommodate the stacking at the guard house instead of having them drive through the neighborhoods.

Mr. Burton reviewed the proposed wall modifications. The SUP limits fence height to six feet and the modification would allow several walls to extend up to nine feet tall. One wall will be a combination of three feet of retaining wall with six feet of wall on top and another will be an offset wall with three feet of retaining, four feet of separation and then a six-foot wall. He pointed out the location of the walls in the plans. There were concerns from the Commission regarding an eight-foot wall visible from Mockingbird Lane because it is taller than the six-foot perimeter wall. The Commission requested that the height be tapered to meet the height. He showed a Google Street View of the property. There will be a six-foot gap between the walls with a wrought iron fence. He asked if this would be an acceptable solution.

Chairman Wastchak responded that the only other solution would be to taper the height of the poles.

The Commission stated that they are fine with the design.

Chairman Wastchak commented that they will have a public hearing later in the meeting on this item.

Mr. Burton commented that they have now provided the details on the proposed walls. He stated the amendment to Stipulation 45C as follows: "For Area C, the following exception shall apply, the walls shown on the approved plans for Minor SUP Amendment SUP-18-14, shall not exceed a maximum height of 9' tall and are limited to the location and heights as shown on the approved plans."

He commented that there will be two actions by the Commission tonight. The first will determine if the request is a minor amendment and the next will be to decide to approve, approve with stipulations, deny or to continue the request. He then summarized the standards for being classified a minor amendment. Staff is recommending that the Commission determine the application a minor amendment and to approve the request with the modified stipulations.

Jeremy Knapp, Community Development Director, commented that site plan Parcel C is accurate; and it appears the lot line follows the back of sidewalk. There is little real estate to work with, but he is not sure they can accommodate the additional lane.

Commissioner Georgelos stated that she cannot tell from the site plan if there is room. She indicated that there is landscaping that could be utilized for asphalt.

Commissioner Lewis asked if they should say approximately a foot and a half.

Chairman Wastchak noted the landscaping area and indicated that they could take this for additional travel lanes.

Commissioner Georgelos stated that they only have to say that the roadway will go to the parcel line.

Commissioner Campbell added the curb and gutter shall follow the sidewalk.

Ben Tate, representing Five Star, suggested since they do not know if the stacking issue is going to be a problem, that they include language that Five Star can modify the roadway in the future to make more room for the roadway in the event that stacking becomes a problem.

Commissioner Campbell expressed concern they will run off the tradesmen will then filter out into the neighborhoods.

Mr. Burton stated that he will add another paragraph to the end of Stipulation 29 to include this language.

The Commission continued their consideration of the modified stipulation language.

Chairman Wastchak opened the public hearing.

David Simon, who resides on Horseshoe Lane across from Mockingbird Lane, indicated that he is someone that finds the service vehicles on his street because they cannot stack. He suggested that they make further stipulations to ensure the resort addresses this issue. He asked why an eight-foot wall is necessary and they leave it at six feet.

Chairman Wastchak responded this is due to grade changes between lots.

Mr. Simon asked to see where the grade change occurs.

Mr. Burton pulled the plan up and indicated where the change occurs.

Commissioner Campbell commented that the goal is provide all residents

a six-foot wall.

Mr. Simon stated that the wall on Mockingbird Lane does not change in elevation.

Chairman Wastchak explained that the change in the lots occurs on the east side of the wall. Lots are on the north are higher in elevation and drop as they move to the south.

Ken May, resident of Scottsdale, stated that he lives on the east side of Scottsdale Road, and commented that he is concerned that they will see the walls from Scottsdale Road.

Chairman Wastchak stated that he is far from this area and won't have a visibility problem.

Mr. Knapp clarified that they are speaking about internal walls and he may be more interested in Parcel A.

Mr. Miller commented that future development will block these walls and he should not see any of it. He showed on the map an area that will be developed within Scottsdale. There will be two story retail buildings.

Commissioner Campbell asked how many property owners were noticed.

The applicant responded that it was over 500.

Commissioner Lewis asked when they will address landscaping on the perimeter of the project. This is a concern of his.

Chairman Wastchak stated that they are not working on this tonight. Landscaping will not come back to the Commission. He then closed the public hearing.

**A motion was made by Commissioner Wainwright, seconded by Commissioner Georgelos, 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 Ritz-Carlton Minor Special Use Permit Amendment for Area C to modify the size and height of the guard house, add control arm gates to the guard house, and increase the fence wall heights, subject to the following stipulations:**

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

Narrative and Plans, Job # 01.0268908, prepared by CVL Consultants and dated November 20, 2018.

**2. Revised SUP Stipulation No. 29:**

Stand-alone accessory and service structures over six (6) feet in height (as defined in the Special Use Permit Guidelines) in Areas A and A1, the guard houses (limited to eight-hundred (800) square feet of Floor Area) in Area B, and the guard house (limited to seventeen-hundred (1,700) square feet of Floor Area) in Area C, may be added to the Approved Plans, provided that the total square footage of all the accessory and service structures added together does not exceed fifteen thousand (15,000) square feet of Floor Area, such additions to be provided to the Town Manager as a revised conceptual site plan.

Stand-alone accessory and service structures cannot exceed sixteen (16) feet in height (with the exception of a maximum height limit of twenty (20) feet for the Area C guard house) and must be set back a minimum of forty (40) feet for any accessory structure and sixty (60) feet for any service structure from any rights-of-way or residential property lines outside of the SUP boundaries and ten (10) feet from any non-residentially zoned property outside of the SUP boundaries.

If the camera and intercom solution identified on page 1 of the narrative (per the approved plans for Minor SUP Amendment SUP-18-14) is problematic or ineffective in responding to traffic backing-up due to an unmanned guard house, then the gate arms located at the guard house must remain in the open position when the guard house is unmanned or be removed. The requirement for the guard house gate arms to be left in the open position or removed shall be required if the Town receives more than 3 complaints in a calendar year that traffic is backing-up due to an unmanned guard house.

The north curb of the entry drive shall abut the sidewalk so as to create a wider entry drive approaching the gate house and thus avoid potential traffic stacking issues.

**3. Revised SUP Stipulation No. 45.c:**

Additional walls not shown on the Approved Plans may be constructed on a lot within enclosed private yards, provided they do not exceed six (6) feet in height. For Area C, the following exception shall apply: The walls shown on the approved plans for Minor SUP Amendment SUP-18-14, shall not exceed a maximum height of 9' tall and are limited to the location and heights as shown on the approved plans.

The motion carried by the following vote:

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

**B. [18-472](#)**

Consideration of a Minor Special Use Permit Amendment (SUP 18-13) Ritz-Carlton Area A - North East Corner of Mockingbird Lane and Lincoln Drive  
7000 E Lincoln Drive

Mr. Burton provided an overview of the request. He showed a map of the

location of the property. The Special Use Permit (SUP) was approved in 2015 by the Town Council. Area A is designated as Resort Hotel.

In 2017, a managerial amendment modified the footprint of the hotel building and reduced the amount of square footage which resulted in reduced building heights. The Commission held a work session on November 7, 2018. The Commission requested that the applicant provide a letter from St. Barnabas Church. He stated that he received a letter today and the church as no objections. They found discrepancies in heights between those noted and calculated in the November 7, 2018 submittal. Sheets 4, 6 and 8 have been updated. They provided cross sections to illustrate the heights.

The footprint of the hotel building will be reconfigured to remove the northwest wing which will contain a greater setback from 140 feet to 197 feet. The building will get 10 feet closer to St. Barnabas Church. He showed a side-by-side comparison of the existing plan and the proposed plan. The northern wing will go from two story to three story, eastern wing from one story to two story, middle/central wing from three story to lobby roof, southern wing will contain a mixture of two and three stories. Heights will vary from 20 feet to 48 feet. The architectural style will remain the same. He identified each area in the plan. He provided a rendering demonstrating the heights of the buildings. The elevator overrun is proposed to exceed the height by three feet.

Commissioner Campbell noted that it is within the internal footprint of the building.

Mr. Burton mentioned that 15 guest rooms and a new market building will be added. The floor area will increase by 5,000 square feet. The market building will be 28 feet tall. He then reviewed the criteria for determining a minor amendment. He indicated that staff is recommended that it be determined a minor amendment. Staff is recommending the Commission approve the minor amendment for Area A to allow for modifications to the hotel building footprint, changes in hotel building heights, modified grades around the hotel, and addition of a new market building, subject to stipulations. He then summarized the proposed stipulations.

Commissioner Campbell stated that the presentation was wonderful and clear.

Chairman Wastchak opened public comment.

Ken May, resident of Scottsdale, commented that he could not see where Scottsdale Road is in relation to the project. He expressed concerns



regarding visibility of the project.

Mr. Burton identified the location of Scottsdale Road on the map.

The man asked what the visibility of the roofs are from Scottsdale Road.

Mr. Burton explained that they will be obscured by existing buildings.

Mr. Miller stated that a future project in Scottsdale will block his view of this project. It is currently undergoing final design review approval.

David Simon, resident, spoke regarding the grade of the resort. He mentioned that it is substantially contoured.

Mr. Frazee, with Five Star, stated that the arrival experience to the hotel is at the elevation of the second floor of the lobby building.

Mr. Simon indicated that he is concerned that the building will continue to have additions.

Chairman Wastchak asked if they can come back again and ask for another 5,000 square feet.

Mr. Knapp explained that they can apply for the 5,000 square feet once and then it is considered an intermediate application. This is a more rigorous process.

Commissioner Campbell noted that page 17 shows a view from Mockingbird Lane. The changes will not be seen because buildings will be in front of it.

Chairman Wastchak closed the public hearing.

**A motion was made by Commissioner Anton, seconded by Commissioner Lewis, 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: 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 Lewis, seconded by Commissioner Georgelos, to approve the Ritz-Carlton Minor Special Use Permit Amendment for Area A to allow for modifications to the hotel building footprint, changes in the hotel building heights, modified grades around the hotel building, and the addition of a new market building, subject to the following stipulations:**

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

Narrative, prepared by Nelsen Partners and dated November 16, 2018.

2. All improvements to the property shall be in substantial compliance with the Plans, prepared by Nelsen Partners and dated November 21, 2018.
3. The elevator overruns/enclosures on the hotel building are allowed to exceed the maximum height by three (3) feet.
4. The property owner and Town shall sign and record a Waiver of Rights and Remedies agreement under A.R.S. § 12-1134 (Proposition 207 Waiver) in the form provided by the Town Attorney within 10 calendar days of the approval of this amendment to the Special Use Permit.
5. All existing Special Use Permit stipulations shall remain in full force and effect, unless changed or modified by the Minor Amendment SUP-18-13.

The motion carried by the following vote:

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

#### 4. STUDY SESSION ITEMS

- A. [18-463](#) Discussion of Intermediate Special Use Permit Amendment (SUP-18-10).  
5410 N. Scottsdale Road - Paradise Valley Medical Plaza
- Mr. Burton reviewed the application. He indicated that the Special Use Permit (SUP) was originally issued in 1979. An amendment occurred in 2003 to add five buildings, new parking, signage, landscaping and lighting. Due to the square footage being added to the property, this application is considered an intermediate amendment. They received a Statement of Direction (SOD) from the Council on November 14, 2018. The property is located on Scottsdale Road and Jack Rabbit Road. This amendment includes a medical building, new parking area, two covered parking canopies, landscape and hardscape improvements and new signage. The SOD highlights review of visible, audible, and operations effects the amendment may have on neighbors. The Commission needs to evaluate the intensity of use, traffic, parking and circulation. The SOD provides for analysis of the number of parking spaces, location of the parking lot and dimension of parking spaces. Attention needs to be paid to signage and impact to adjacent properties. The Commission shall complete their review by February 14, 2019.
- He indicated that the building will be 10,000 square feet and 20'-1" feet tall. A setback of 69 feet will be contained on the west. He discussed the proposed lighting plan and architecture. He showed the site plan and elevations of how the building will look. He provided photos of the area of impact. The new parking will be located south of the new building and contain 33 new spaces. The site will contain a total of 276 parking spaces.

Chairman Wastchak asked to see a photo of the current drop off area.

Mr. Burton provided a photo and stated that it is north of the area shown in the photo.

The Commission pointed out the area of the new drop off area in the photo.

Mr. Burton stated that they will meet their parking requirements. Two canopies will be added to the east side of the campus, contain a total combined square footage of 1,157 square feet, be 11 feet tall with a metal roof. Each canopy will have three light fixtures. He identified their locations in the site photos. He showed the landscaping and indicated that desert plants will be located around the building. A new monument sign will be located between Building C and Scottsdale Road. It will be eight feet tall and 10'-4" wide. He presented detail for the monument sign. The guidelines recommend one monument sign per entrance, a maximum height of eight feet and no larger than 40 square feet. The proposed sign does exceed these standards and is shown in a photo simulation.

Chairman Wastchak asked the area of the proposed sign.

Mr. Burton responded that it is 82 square feet in area.

The applicant stated that there are two current signs but they do not have tenant identification. They are far away from residents and a larger sign would not impact them. It will help the businesses on site.

Commissioner Anton stated that people driving down the road will be distracted. He does not believe this is appropriate. He wants the signs to be located internally on the site instead of adjacent to the road.

Commissioner Georgelos asked to see how the sign would look if it met the existing standards so she can have a reference for comparison.

The applicant stated that there is an entrance on Scottsdale Road and one entrance on Jack Rabbit Road.

Chairman Wastchak asked staff if the existing signs would have to come down before installing the new sign.

Commissioner Campbell stated that due to the nature of the roadway, having monument signs up and down the street, the proposed sign would not stand out. It will be harder to read information on a smaller sign.

Commissioner Anton stated that there is too much information on the sign.

Commissioner Lewis indicated that this is a play to the ego of the physicians wanting their names on Scottsdale Road.

Commissioner Wainwright indicated that he is okay with the larger sign on Scottsdale Road because of the other large signs located on that street. The sign seems attractive. He would like to see the address on the sign as well.

Commissioner Georgelos agreed that the address should be on the sign as well. Not every tenant needs to be on the sign.

Mr. Burton stated that the tenant directional sign will be located between the new building and parking area. It will match the directional signage on the campus. It is nine feet tall and four feet wide. The SUP guidelines recommend a maximum height of five feet and a size of 12 square feet. It is matching what was previously approved on campus. Tenant ID signs will be one foot by two feet in signs and located next to each suite. A letter "I" will be placed on the building as well. A citizen review meeting will be held next Thursday and summary minutes will be included in the packet. A public hearing is scheduled for December 18, 2018.

Commissioner Lewis asked where the HVAC units will be located.

The applicant indicated that there will be a mechanical well included on the roof.

Commissioner Campbell asked if they are addressing existing laundry and waste on the site.

The applicant responded that they will be putting in a screen wall to provide more screening. This will be put in the next packet.

Commissioner Campbell asked if they were able to get a letter of support from the neighbor to the northwest with the view fence.

The applicant stated that he was not able to get a hold of them.

Commissioner Georgelos asked for elevations of the covered parking structure.

Chairman Wastchak mentioned the letter from Ms. Clifford.

The applicant mentioned that they have reached out to her and have not

had a response.

Chairman Wastchak stated that the letter talks about grading and drainage.

Paul Mood stated that the applicant is only required to provide storm water retention for the affected area. He walked the site a few months ago and there might be some challenges for the water to get out to the retention basin. This is something that they cannot require. The Commission could make this suggestion to have the applicant look at it.

Chairman Wastchak stated that he will follow the SOD guidance and the requirements in the standards.

Mr. Mood indicated that he did not get any calls regarding this area during the last storm events.

Chairman Wastchak mentioned that the new drop off area looks like an improvement and has a covering.

The applicant stated that they will have a 5 to 6 decibel reduction from the new design. He mentioned that they will continue to reach out to the neighbors.

Commissioner Campbell commented that he would like to review the landscape plan and its screening benefits to the neighbors.

The applicant stated that they will take a look at the landscape screening. There might be a couple additional spots to place more shrubs.

Chairman Wastchak indicated that they will meet on this again in two weeks for the public hearing.

**No Reportable Action**

**B. [18-427](#)**

Discussion of Major Special Use Permit Amendment (SUP-18-12)  
10555 N Tatum Boulevard - Mountain View Medical Center

Paul Michaud, Senior Planner, stated this is a major special use permit amendment of the medical center at 10555 N. Tatum Boulevard for a phased demolition of all structures and construction of six new medical buildings. He summarized some General Plan policies at they would relate to this site, such as the encouragement of revitalization for Special Use Permit (SUP) properties. The property is triangular in shape and 9.8 acres in size. It is adjacent to commercial zoned uses along Tatum Boulevard and Shea Boulevard and adjoins residential along the rear yard. It contains a total of 95,169 square feet. There are six one story medical office buildings. The last SUP amendment was in 2012 for monument signs. The

site is designated for SUP-Medical and zoned SUP-Medical. Both streets are major rights-of-way and located in Phoenix. They are proposing medical uses. There will be no retail or medical marijuana dispensaries on site. They are proposing pharmacy, urgent care and veterinarian practices with conditions. There is currently a pharmacy on site. He then reviewed the three proposed phases of the site.

The parking will increase from 331 spaces to 410 spaces. They are looking for a reduction from the calculation guideline. 22% of the spaces will be covered. The covered parking will increase the square footage from 11,700 to 17,000 square feet. The street landscape areas are not in compliance with SUP guidelines. The guidelines call for a landscape width of 50 feet and they are proposing a width of 29 feet and 42 feet. Tatum Boulevard is a visually significant corridor. The residential landscaped buffer area is not in compliance with the SUP guidelines of 40 feet and remains at a 25-foot width. Additional landscaping will be added to this area. Two proposed double-faced monument signs are being proposed. They are eight feet tall and contain 30 square feet each side. There are three entrances, but since the two signs are double-sided, they are considered two signs each. There are no SUP guidelines regarding tenant signs. These are being located adjacent to the suites. Buildings A and F will each have a directory sign containing a height of five feet and area of 22 square feet. Building signs are being proposed on the parapets. There are five signs on Shea Boulevard that will be 22 feet high and contain two-foot-high letters. Two building signs are proposed on Tatum Boulevard.

Mr. Michaud read the Statement of Direction (SOD) points.

Chairman Wastchak indicated that depending what Council does on the Lincoln Medical application may affect this location as well. When Council discussed Lincoln Medical, he asked if they were concerned with Schedule I and II drugs on the property or were they worried about the pharmacy making these drugs available to people outside of the facility.

Mr. Michaud stated that some of the Council members appeared to be concerned with the Scheduled I and II drugs being on the property because they could entice someone to break into the property. The SUP provisions have specific hours for pharmacies. The applicant proposed something outside of these hours. The Council wanted further explanation from the Lincoln Medical applicant why the hours were different from those in the code.

Chairman Wastchak asked if the pharmacy would serve people outside of the facility.

The applicant commented that the existing pharmacy serves people on and off the property. This pharmacy does not have Schedule I or II drugs. Mr. Michaud noted that the existing stipulations do not prohibit these drugs.

Commissioner Campbell suggested that they not allow animal boarding in conjunction with veterinary clinics.

Mr. Michaud stated that the veterinary clinic may be better located away from the adjoining residential.

Mr. Michaud commented that the applicant is proposing both one and two-story buildings with a maximum height of 21 feet for the one story and 30 feet for the two-story buildings. The SOD allows the Commission to consider allowing Building D and C up to 36 feet tall.

Chairman Wastchak indicated that the Council recommended that the site not have below grade buildings due to loitering and other concerns.

The applicant stated that they are happy to accommodate this request.

Commissioner Campbell asked if the 36 feet will include mechanical equipment.

The applicant stated that they could do this with a height of 35 feet, including the mechanical equipment.

Chairman Wastchak recommended that they go ahead and move forward with this recommendation.

Mr. Michaud stated that the proposed setbacks for the buildings meet the SUP guidelines of 40 feet from public streets and 60 feet from residential properties. A couple parking canopies are only setback 50 feet. The adjacent properties are zoned R-18A and located southeast and commercial uses are located along Tatum Boulevard and Shea Boulevard to the west and north. The Commission should focus on mitigating impacts of noise above ambient levels. Impacts may include noise, lighting, smells, and related effects. The Commission may consider greater setbacks, building heights and landscaping. He further added items of concern including outdoor employee areas, services and maintenance, trash collection, mechanical equipment, phasing of the project and consideration of design requirements for uses that are open in the early morning or evening hours.

Commissioner Lewis asked if there have been any traffic studies completed.

Mr. Michaud stated that no changes are occurring to entrances. A traffic study analysis is in the packet.

Commissioner Wainwright commented that he used to live behind this medical plaza and the access is not ideal but you learn to live with it.

Mr. Michaud stated that the applicant has done some voluntary outreach. There has been one neighbor who expressed concerns regarding access/traffic.

Mr. Michaud stated that the Commission has until March 5, 2018 to make their Council recommendation, with a preference that the hearing take place on February 5, 2019. He listed the proposed meeting schedule for work sessions and the public hearing dates.

Commissioner Campbell asked how long it will take to make the change for the architectural buildings.

Mr. Michaud stated that the December 18, 2018 packet will go out next Wednesday.

The applicant stated that they could have something ready by Wednesday.

Commissioner Campbell suggested pulling the height back from the edge of the building to break up the massing.

Chairman Wastchak suggested that they work on SOD Sections 1, 3, 4 and 5 for the next work session meeting. He believes they can get this done by February.

**No Reportable Action**

- C. [18-475](#) Discussion of Major Special Use Permit Amendment (SUP-18-05)  
7101 E Lincoln Drive - Smoke Tree Resort Study Session #2

**Indexes:** Smoketree Resort

Mr. Knapp provided an overview of the application. The property is 5.33 acres located at the intersection of Lincoln Drive and Quail Run Road. It has been in operation since 1954, contains 32 rooms but only 23 rooms are in service. The restaurant is not in use. The General Plan designates the site as SUP-Resort and it is within the Lincoln Drive South Development Area. The site is zoned SUP-Resort. The applicant is requesting 150 traditional hotel guest rooms, 30 resort residential units of approximately 1,250 square feet with lock-off features which will be available for rent through the resort. There will be a restaurant and bar/lounge area and an assortment of accessory uses. Indoor and outdoor



event space is provided.

He stated that staff received updated site plans and renderings, a final traffic circulation and parking study, and they are waiting on the drainage study. They are also waiting for a water impact service study and have received the exterior lighting plan and details for the walls.

Chairman Wastchak stated that the Lincoln Drive median design will be a discussion item at the Council meeting on Thursday.

Mr. Knapp commented that they will discuss it within the context of the Lincoln Drive access plan for the capital improvement plan. There are three options being proposed by Civ Tech, who is working for Lincoln Medical and Smoke Tree. The Town's engineer and a third-party engineer have reviewed these Lincoln Drive options.

Chairman Wastchak indicated that this is in their packet. They will not talk about this tonight because they need to see what the Council wants to do.

Mr. Knapp reviewed the updated plans. They are proposing 33 feet of dedicated easement, 16 feet of landscape easement and 16 feet of parking and circulation easement. There is a reconfiguration of the driveway on the eastern part of the site entering in from Lincoln Drive for an auto-court and valet. They are now showing a 100-foot setback on Quail Run Road from the residential property line. There is 25 feet of right-of-way to be dedicated on Quail Run Road. A trash enclosure is now being shown on the south side and on the north near the auto-court. The second story has been changed to have the spa on the front. The two units are being added near Quail Run Road.

Chairman Wastchak asked if any of the units are not in the rental pool.

Mr. Knapp commented that the owner can decide to include their unit in the pool or not.

Mr. Miller stated that they can ask questions regarding the development agreement. He said that the applicant's attorney, Paul Gilbert, commented that they may be willing to enter into a development agreement so if units were out of the rental pool, they would replace the lost bed tax with a replacement formula. If all rooms will have the required furniture, fixtures and equipment (FF&E) is still being determined. If a unit is sold but required to be rented, then it may be considered a security. He believes they may be able to make the full FF&E.

Chairman Wastchak mentioned that the Council was not looking favorably

upon nonparticipation in the rental pool. He asked for guidance on what can be talked about.

Mr. Miller stated that they can talk about it and look at requirements that were placed on Mountain Shadows.

Mr. Knapp stated that it affects Building G and the 3rd story of Building K.

Commissioner Georgelos stated that this seems very dense.

Chairman Wastchack commented that the list of uses are only possible uses. He suggested that staff develop the use list based on what has been allowed in other SUPs.

Mr. Knapp went over the Statement of Direction (SOD) lot coverage recommendations. He indicated that the proposed lot coverage is 34% with a floor area ratio of 62%. The lot coverage requirement guidelines for all resort structures shall not exceed 25%, total of all impervious surfaces is 60% and open space shall meet at least 40%. Based on the size of the lot, these percentages may not be reasonable.

Commissioner Georgelos stated that there are two separate parcels and the legal description includes Lincoln Drive resulting in the area being less than the 5.3 acres.

Chairman Wastchak commented that the Council wants the Commission to consider lot coverage, but they only told them that the proposal is too high and needs to come down.

Commissioner Lewis stated that the key consideration is ingress and egress for this project.

Commissioner Georgelos stated that it appears there is a utility easement that runs east and west. She asked how buildings are going to be constructed over this easement. She noted the area in the drawing. She has not seen the underlying documents.

Mr. Miller stated that it looks like it is supposed to be for electric utilities.

The applicant indicated that they can provide more detail on this easement.

Commissioner Anton stated that there appears to be lack of green space and the pool appears to be small for the amount of proposed rooms. Everything appears to be dedicated to maximizing the amount of rooms.

Commissioner Georgelos stated that she agrees and the site is overly crowded with too many units.

Commissioner Campbell noted that the property lines have not been properly identified yet. There is landscaping and parking shown in the right-of-way on Quail Run Road.

Mr. Knapp responded that typically they allow landscaping in the right-of-way from the back of curb to the property line.

Commissioner Lewis asked if they have done a title search on the right-of-way.

Commissioner Campbell stated that he doubts it, but the property lines should be known.

Chairman Wastchak stated that they look at the deceleration lane proposed on Lincoln Drive.

Mr. Knapp commented that the Town Engineer worked with their third-party engineer, Kimley Horn; and of the three options, recommended that both Lincoln Medical and Smoke Tree have one shared access which will be about 85 feet from the eastern property line of Smoke Tree. He identified the location on the site plan. The Town Engineer is recommending 115 feet of stacking due to the turning radius. A dedicated right turn lane will access the same drive access. The landscaping area will accommodate the deceleration lane. He noted two driveways that will be eliminated. There will be shared access easement between Smoke Tree Resort and Lincoln Medical Plaza and a non-vehicular access easement between Lincoln Medical and AJs and to the south along the Andaz resort.

Commissioner Anton asked if parking at Smoke Tree Resort will be free.

Mr. Knapp commented that he believes it will be free.

Commissioner Anton stated that if they do charge for parking, then customers will overflow onto Lincoln Medical.

The applicant stated that there will be a cross-access easement.

Chairman Wastchak indicated that they need to find a way to move traffic between the properties safely. The property owners will need to worry about cross parking.

Commissioner Campbell responded that the priority is safety and access.

This has to be accommodated through the shared access.

Chairman Wastchak asked if staff has any concerns regarding the right-of-way on Quail Run Road.

Mr. Knapp stated that the landscape buffer does not meet their guidelines for right-of-way.

Commissioner Anton stated that they don't want people parking on Quail Run Road.

Mr. Knapp stated the SOD addresses consideration of heights and viewsheds. Minimum height is encouraged on the west side of the property near residential and then transitions up in height towards the east side of the site. A compelling reason must be given for heights over 36 feet. This height shall be limited in area and only allowed for mechanical equipment and architectural elements. All heights shall be taken from existing grade. He presented a graphic showing allowable heights on the site. The exhibit will need to be updated to show the true setbacks. The applicant is proposing 36 feet in height near Quail Run Road and Lincoln Drive and 44 feet near Smoke Tree. He then showed the viewshed exhibit. Setbacks are shown with 65 feet from the right-of-way on Lincoln Drive and 20 feet from the east and rear property lines. There is 75 feet shown on the Quail Run Road side, which equals 100 feet when the 25 feet of setback is added from the residential property lines.

Commissioner Campbell stated that he does not have any objection on the Smoke Tree side, but would like to see stair stepping to the west. He indicated that he is speaking more of in terms of architectural massing.

Commissioner Georgelos stated that they could do small tweaks to get it into compliance.

Chairman Wastchak indicated that they have not talked about the number of units to this point. The Council did not seem to have a concern regarding the number of units. They want building massing to be pulled away from the residential side.

Commissioner Wainwright commented that it is more about the overall mass of the project and not the number of units.

Commissioner Anton indicated that developers typically come with more than they need, so he hopes they have room to come down. It is too much for him now.

Commissioner Georgelos agreed that it feels dense and cluttered.

Chairman Wastchak stated that this feels more like a hotel than a resort. There does not seem to be adequate space for meetings. The aesthetics and design of the building does look really good.

Commissioner Anton stated that the garbage area has now been moved up. He does not understand why the garbage is being placed on the north side of the lot by the entrance. He suggested that they locate all of the garbage on the rear of the project.

Mr. Knapp reiterated that they need to look at setbacks on the east and south sides of the property lines considering adjacent uses.

Chairman Wastchak asked if the 65-foot setback off of Lincoln Drive move further south following the addition of the deceleration lane.

Mr. Knapp commented that this will have a major impact and he assumes the applicant will maintain the location of the buildings and bring the setback down to something less.

Chairman Wastchak asked if normally the setbacks on the east and south would be 40 feet.

Mr. Knapp commented that the minimum distance from exterior property lines adjacent to uses, other than residential, shall be 100 feet for the principle structure and the property line. The setback for an accessory structure would be 40 feet.

Mr. Knapp reviewed impacts to adjacent uses. The resort has a market with outside tables along the western side of the property near the existing residential uses, with the resort restaurant in direct line of sight from a residential property. Balconies for the hotel guest room keys and resort residential units also face west. The Commission shall consider impacts including noise, light, traffic and other adverse impacts. Storage and deliveries will happen on the rear of the property under the structure. The restaurant and market are on the front side of the development. He showed photos from Quail Run Road, Andaz Resort and Lincoln Drive.

Commissioner Georgelos asked if it is possible to move the restaurant seating to the internal side as opposed to the western side.

Mr. Knapp stated that they could establish a stipulation that the dining space be located on a specific portion of the building.

Commissioner Georgelos stated that she is concerned with people sitting on the patio generating noise.

Commissioner Anton stated that he is not concerned because it is a daytime use and on the ground level.

Mr. Knapp responded that they have not had a conversation regarding hours of operation.

Commissioner Wainwright stated that they might not hear anything due to the noise from Lincoln Drive.

Chairman Wastchak asked where would the employees break.

The applicant clarified that there would be a small employee area below in the garage.

**No Reportable Action**

## 6. ACTION ITEMS

None

## 7. CONSENT AGENDA

### A. [18-462](#) Approval of November 7, 2018 Planning Commission Minutes

**A motion was made by Commissioner Campbell, seconded by Commissioner Lewis, to approve the November 7, 2018 minutes with some minor edits. These edits included adding the word "of" after the word "neither" in the paragraph on Page 12 regarding Quail Run Road on the Smoke Tree Resort item, changing the word "delivers" to "deliveries" on Page 15 regarding the Ritz Carlton - Area C item, and noting the the "A Commissioner" references are from Commissioner Covington. 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 stated that the Town holiday party is on Friday.

Mr. Knapp asked the Commission to reschedule the January meeting schedule due to the New Year holiday. The meeting dates were set for Wednesday, January 9th and Tuesday, January 22nd at 6:00 p.m.

Commissioner Campbell stated that he cannot go to the Hillside Building Committee meeting on January 12, 2019. He asked if there is someone

that wants to fill in. Commissioner Georgelos stated that she can make it.

**9. PUBLIC BODY REPORTS**

None

**10. FUTURE AGENDA ITEMS**

Mr. Knapp stated that they will have a continuation of Smoke Tree, Mountain View Medical and PV Medical. They could have a plat for Valley Vista Lane. There will be a work study for minor amendment Ritz, Area A1, for the heights on the Villas Building.

Mr. Miller stated that they will work on a text amendment for managerial amendments appeals to the Council. This should be coming to the Commission at some point.

**11. ADJOURNMENT**

**A motion was made by Commissioner Anton at 10:05 p.m., seconded by Commissioner Lewis, to to adjourn the meeting. The motion carried by the following vote:**

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

**Paradise Valley Planning Commission**

By: \_\_\_\_\_  
Jeremy Knapp, Secretary