



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes - Final

### Planning Commission

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Wednesday, November 7, 2018

5:30 PM

Council Chambers

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#### Special Meeting/Joint Meeting with Board of Adjustment & Hillside Building Committee

#### 1. CALL TO ORDER

Planning Commission Chairman Wastchak and Board of Adjustment Chairman Leibsohn called the meeting to order at 5:30 p.m.

#### TOWN COUNCIL PRESENT

Vive Chair Jerry Bien-Willner

#### STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller  
Community Development Director Jeremy Knapp  
Planner George Burton

#### BOARD OF ADJUSTMENT MEMBERS PRESENT (For discussion on board rules)

Chair Eric Leibsohn  
Board Member Anna Thomasson  
Board Member Emily Kile  
Board Member Hope Ozer  
Board Member Jon Newman  
Board Member Quinn Williams  
Board Member Rick Chambliss

#### 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

None

#### 4. STUDY SESSION ITEMS

- A. [18-431](#) Discussion and Recommendation to the Town Council re Amendments to the Planning Commission Rules.

Andrew Miller, Town Attorney, indicated that this is a kick-off discussion for the rules and amendments to the Board of Adjustment and Planning Commission. Background was provided in the reports. He commented that about a year and half ago the Town Council requested that they make changes to ensure there is more predictability. The Planning Commission last considered their rules in 2008 and the Board of Adjustment considered theirs in 1998. The rules need to consider allowances for reconsideration. Staff was asked to work on the rules through the Town Manager. One of the goals is to ensure there is a more thorough staff review and materials are not submitted at the last moment. He indicated that he will e-mail a draft of the new rules. Materials need to be submitted well in the advance of the meeting. There is a desire to have consistency between the board, Hillside Building Committee and Planning Commission rules. The Hillside Building Committee did not have any rules. This will be a process to allow them to look at the rules and provide feedback. This same process will be started with the Town Council. Once they have provided comments, he will bring a draft to the Council for their consideration.

He mentioned that neighborhood groups speaking need consistent guidelines between the different public bodies.

Chairman Wastchak recommended that they not create four sets of rules but one uniform set of rules that every public body can refer to. The same rules apply to all of them. There may be some distinctions between the committees but they need one set of rules on how to handle meetings. Where there are different nuisances, they can put these in the appendices. This will reduce redundancy.

Mr. Miller indicated that there is no reason they could not do this. The Town Council does things quite differently than the Planning Commission. Blending Planning Commission rules with the Town Council rules will be difficult.

Chairman Wastchak commented the rules for running the meeting can be uniform.

Mr. Miller commented that it might be worth looking at each of the other body's rules and see if other procedures could be applicable.

A board member stated that there seems to be a disconnect between the packet materials and materials handed out tonight.

Mr. Miller commented that the handouts have the redlines for the board members to review. He mentioned that all materials, including the presentation, must be turned in 15 days prior to the Board of Adjustment public hearing. Staff should have at least five days to review the resubmittals. If the materials are submitted by the cut-off date, they will be forwarded to the board or the public hearing will be continued and the applicant will have to cover these costs.

Board Member Chambliss indicated that there are times when opposing groups submit materials right before the meeting and not provide the applicant time to respond to it. He feels things are slanted against the applicant. Anyone in opposition can submit material 24-hours in advance of the meeting. Submittals are often intentionally submitted late.

Mr. Miller commented that the working group can take this into consideration. The board could start the hearing but then provide the applicant ample opportunity to respond.

Board Member Chambliss commented that there should be a deadline for the opposition as well as the applicant and provide the chair discretion to allow late submittals to be accepted by the board. If it is substantive, the applicant should have the opportunity to respond.

Jerry Bien-Willner, Vice Mayor, commented that their goal is to have consistency between the boards. The chair will still have discretion within these more complicated situations. They want predictability on how material is submitted. Everyone will benefit from this. The applicant has the burden of meeting the criteria. The board could consider or disregard supplemental information received by the public. The public always has the right to speak.

Mr. Miller continued that applicant's handouts will not be permitted unless it is a copy of something already submitted. Most applicants now have gone away from handouts and material is included in the PowerPoint. Electronic material needs to be submitted in the packet. Written statements by residents or the general public should be submitted at least 24-hours prior to the posted public meeting in order for staff to be able to assemble and distribute them to the Board. If the public is going to hand something out, then they need to provide ten (10) copies of the material for the Board. He mentioned the PowerPoint presentations by the general public would not be permitted because they have not been scanned for viruses and it is hard to hold them to the three-minute limit. They can provide a printed handout of the PowerPoint.

He mentioned that the working group felt a consistent amount of time should be provided to spokespersons for resident groups and suggested 15 minutes. The group needs to be in attendance so they can be identified. The working group felt that individuals could still speak if they are not reiterating the same material as the spokesperson. He indicated that motions to reconsider are handled under Robert's Rules of Order. These say that a motion to reconsider can be handled at that meeting or the next business meeting. The working group suggested that if a board wants to have a motion to reconsider, then they need to let staff know at least 24-hours in advance of the meeting. This will allow it to be placed on the agenda. It was suggested that the board have at least 15 days' notice for reconsideration and 48 hours for the Planning Commission.

He suggested that they look at their existing rules and the rules for the other bodies to see what is in their rules that they might want in their rules. He indicated that he will send everyone these rules in a word document.

Chairman Wastchak asked if this will be on the agenda in two weeks.

Jeremy Knapp, Community Development Director, stated that they are planning on it.

Mr. Miller indicated that they have scheduled this for a study session with the Council on December 6, 2018.

A Board Member asked what the format is for the Board to get together and discuss the rules.

Mr. Miller commented that he will take all of their individual comments and then send those out. He will summarize these for the Council. He will format all sets of rules for consistency.

Commissioner Georgelos asked if they should send comments to Mr. Miller.

Mr. Miller confirmed that they should.

Commissioner Lewis mentioned that ten years ago he sat on the State Regulatory Review Commission. Before any rule making is created by the State, this commission will review it and decide if it is clear and understandable. The language of rules can be very comprehensive. He suggested they consider doing something similar to this.

Mr. Miller indicated that he can break out some of the rules and provide headers for each section.

Chairman Wastchak asked if there is any opposition from the Board to combining rules where they can.

Vice Mayor Bien-Willner stated that the rules should be consistent where possible. He does see issues with the Board of Adjustment because they have specific rules they need to follow. Staff can handle different sets of rules. Applicants have to migrate back and forth between the different bodies. Submittal requirements need to be consistent.

Chairman Wastchak stated that a December 6, 2018 deadline to the Town Council seems inadequate for providing feedback.

Mr. Miller stated that he just wants feedback on other areas the Commission and Board want considered by this date.

Vice Mayor Bien-Willner responded that the Town Council does not want to rush getting the new rules in place.

#### **No Reportable Action**

- B.**     [18-425](#)     Discussion of Major Special Use Permit Amendment (SUP-18-05)  
7101 E Lincoln Drive - Smoke Tree Resort
- Chairman Wastchak introduced the agenda item.

Jeremy Knapp, Community Development Director, commented that the submittal they are seeing tonight is the same that the Town Council issued the Statement of Direction (SOD) on. He stated that Mr. Gilbert, attorney for the applicant, will go through his presentation and will cover the nature of the application. He indicated that he has also provided a presentation and will indicate how the SOD applies to site plan.

Paul Gilbert, Attorney, commented that he is representing the new owners of the Smoke Tree Resort - Sam Robinson and Taylor Robinson. He indicated that they have come a long way with working with the Town Council regarding the SOD. He complimented the chairman for coming to every meeting. It is his understanding that they are here tonight to give the Planning Commission a full overview of the project and then to take their comment and feedback. He explained that Section one of the SOD requests more information on proposing accessory uses. There are 30 for sale units in the resort but they will not spend a lot of time on these. He believes they need to work through these with the Town Attorney. There will be a total of 180 units. About a 150 of these will be conventional resort units. The SOD refers to the Visually Significant Corridor Plan. Section

three refers to mitigation measures of lot coverage. He invited the architect Erik Peterson, PHX Architecture, to give an overview of the project.

Mr. Peterson commented that they were involved in the Mountain Shadows and Ritz Carlton Special Use Permit projects. They are familiar with the process and the Town's general plan. He presented an aerial view of the property. The site is five acres in size. There are no rules for how to approach a project at this size because the guidelines were written for projects of at least 20 acres. They tried to meet the spirit of the guidelines. The general plan talks about visual openness, community spaces, connections, corridors in and out of the space and public space/art. The owner believes in all of these elements. Most people don't realize that there is a courtyard in the center of the project and experience the parking lot fronting the street. They have plans to revitalize the parking area. He then presented a concept plan and indicated that the property is located in the gateway to the town and at the new intersection for the Ritz Carlton. They want to open the whole resort up to Lincoln Drive. Open spaces and connections will be provided right off of Lincoln Drive. They do not want walls on the front of site but want it to be inviting and open to the public. The landscape in the front will create a landscaped parking zone. All of the parking for the hotel will be placed underground.

Chairman Wastchak asked him to indicate the boundaries of the hotel parking.

Mr. Peterson noted the underground parking will be located on the front half of the site. The red areas in the front are community and open spaces. These include the market, restaurant, hotel lobby, reception areas and plaza. A community path and public art will be located at the front of the site. The purple building is an open pavilion building which will be open on all sides during the day. Most of the density is being pushed toward the back of the site and away from the residential. The buildings will tier downward towards the intersection. He showed a massing graphic.

Chairman Wastchak asked for a copy of the graphic.

Mr. Peterson said that he would provide the Planning Commission one. Then he showed a setback exhibit and building section views to demonstrate the viewsheds. He provided a height comparison with the adjoining developments.

Chairman Wastchak commented that they were showing an encroachment into the view-lines in the plans provided in the packet, but the graphic being presented shows they are outside of these.

Jeremy Knapp, Community Development Director, commented that the difference between the packet and what is being shown is that instead of taking the 20 feet from their property they are measuring the 20 feet from the Lincoln Plaza Medical Center property.

Mr. Peterson stated that the 20 feet is measured on the property if the site contains 20 acres. They are measuring this proportionately due to their smaller size. They are measuring 100 feet all around their property. In the spirit of the guidelines they are keeping a distance of 100 feet until they meet their maximum height. He then provided a rendering to demonstrate the building height being tiered back from the intersection. He reviewed architecture types they are looking to do. Shade structures like trellises and cabanas will be used throughout. He showed an example of the pavilion design. They are planning to rent out the pavilion for events.

Chairman Wastchak asked if the archway onto Lincoln Drive is for pedestrians only.

Mr. Peterson confirmed that it is only for pedestrians. They are aiming to get many view corridors into the project.

Mr. Gilbert commented that there are three documents that guide the design of the Smoke Tree Resort. These include the General Plan, resort guidelines of the ordinance and SOD. He mentioned that the guidelines are not requirements and that they were designed for 20-acre projects. He believes that the Town Council feels their project complies with the General Plan. He highlighted the following sections of the General Plan:

- LU2.1.2 To encourage the continued revitalization and improvement of Special Use Permit (SUP) properties and to protect the adjacent residential neighborhoods.

He indicated that they are meeting this criterion. He mentioned they are surrounded on three sides by commercial and resort uses. Residential is only located west of the site. This residential is part of a redevelopment area in the General Plan. Areas of density and height are located away from the residential. They are looking to reduce their impact on the existing Andaz Resort by reducing the number of windows on the south facing part of the building, keeping balconies only on lower levels and providing landscaping.

- LU2.1.2.1 The town shall continue to encourage SUP property revitalization and improvement within their existing geographical boundaries.

He indicated that they will achieve this. They have received letters from adjoining property owners. The main thrust of these letters is regarding impact on traffic on Quail Run Road. They are aiming to keep traffic off of Quail Run Road and have it directed onto Lincoln Drive. There are two entrances on Quail Run Road. He does not support connecting Quail Run Road between Lincoln Drive and McDonald Drive. There is language in the General Plan that supports this point. He indicated that they are not prepared tonight to speak in detail regarding traffic. He mentioned that their traffic engineer, Dawn Cartier, is working for several other property owners as well. Her study is under review by the Town's consultant.

Paul Mood, Town Engineer, indicated that staff will be finished reviewing her report by the end of the week.

Mr. Gilbert commented that development areas, as identified under Section 2.2 of the General Plan are areas that are intended for resort development in targeted areas. The Smoke Tree property is a resort in a development area. These areas are to provide for new resorts and redevelopment of resorts. The current resort is underutilized. He then overviewed Section 2.2.1.2 which talks about the development of SUP areas. He indicated that the application is consistent with the Town's policies for resort development. They are estimating that the resort will bring in about \$800,000 in annual revenue to the Town. Right now, the resort only brings in about \$30,000.

He then continued to the resort SUP guidelines. He indicated that they have adhered to the majority of the SUP guidelines but need some modifications. Lot coverage is a major factor in this application. They do comply proportionately under the SUP guidelines. In terms of lot density and coverage, the core areas of the different resorts of the town, the Smoke Tree Resort is on the low side. He presented several images of other resorts within the town. He provided a table comparing core development and pointed out that they are number eight on the list. The guideline states that one unit is allowed per 4,000 square feet. This would mean they could only have 58 units. There is no way they could tear down all of the existing buildings and only build 58 units and make a profit.

He mentioned that resorts need critical mass of units and square footage to be successful. They are proposing 150 rental rooms and 30 for sale units. The average room count in the Town is 290. In order to transform the resort, they need between 150 and 200 rooms to make it work. For sale rooms are needed because they are the financing mechanism the project needs for upfront costs. They are willing to include in-lieu fees for the 30 rooms being proposed for sale. The town would not lose any income for these units.



He reviewed the height requirements under Section 4.2.8.1 of the SUP Guidelines that suggest the building height shall not exceed 36 feet. The habitable part of their proposal is only 36 feet. They only exceed 36 feet for architectural elements and screening. This complies with their requirements. Smoke Tree Resort is in close proximity to Scottsdale which has taller buildings. They meet the key standards for setbacks and landscape buffers.

Commissioner Lewis asked what will go above the parking garage and does it have natural light.

Mr. Peterson noted the area of the garage and commented that they have estimated the development that would be above it. The parking is subterranean.

Commissioner Lewis asked what they are proposing for the grocery store.

Mr. Peterson stated that it would have coffee, wine, cheese and a bakery.

Commissioner Lewis indicated that there was a similar store in a resort that was not successful.

The applicant mentioned that the store he was referring to was closed off from the community. It will be more of a neighborhood store as opposed to a traditional grocery store.

Commissioner Lewis asked for an update on a plan for joint ingress/egress with the medical building.

Mr. Gilbert commented that they are waiting to hear from the traffic engineer. By the next meeting they can comment on this point. They are willing to share a driveway.

Commissioner Georgelos asked if they have a final parking number.

Mr. Peterson stated that they do not because they are waiting for their final unit count.

Chairman Wastchak stated that they have lots of flexibility with their underground parking.

Commissioner Campbell commented that he does not want to change the guideline for view corridors but would like to understand where they do not meet this guideline and see if a modification is justified. The diagonal

measurements need to be from the property lines.

Commissioner Georgelos stated that she agrees with Commissioner Campbell.

Commissioner Campbell asked if residences are provided on the top floor.

Mr. Peterson responded that on Section A the part above the diagram are the resort residences.

Commissioner Covington asked about the parking ingress/egress off of Lincoln Drive and if both are necessary.

Mr. Peterson commented that he feels they should be. One entrance would be used by resort guests and the other would be for residents. Deliveries would hopefully be completed underground.

Chairman Wastchak thanked the applicant and invited Mr. Knapp to present the staff report.

Mr. Knapp commented that he will focus on the SOD points. He indicated that the Visually Significant Corridor Plan was adopted by the Town Council last week. He presented the site plan and provided an overview of the tentative schedule. He then highlighted the following from the SOD:

- More information is needed on the new accessory uses and the proposed resort residential to ensure such uses are accessory to the resort.
- The proposed 180 units creates a density of approximately 34 units per acre. The Planning Commission shall take into consideration the 5.3-acre site area and reduce density on the west and south sides of the site.
- There are 30 resort residential units with a size of 1,250 square feet.
- The resort will contain a restaurant/bar and event spaces.
- The Planning Commission shall consider lot coverage and FAR while acknowledging the unique characteristics considered in the development area. Reasonable separation between incompatible uses and buffering of noise, light, traffic and offsite building shall be considered. The proposed lot coverage is 34% and FAR is 62%.
- Height shall be evaluated for its impact on adjacent properties. A minimum height is encouraged on the west side of the site closest to the existing residential properties. Height shall be transitioned up towards the medical facility adjacent to the property. Height shall be measured from existing finished grade.
- Conditioned space is 36 feet in height and architectural elements

extend to 44 feet. A 65-foot setback is shown adjacent to Lincoln and 50 feet is provided from the edge of Quail Run.

- The Planning Commission shall consider view sheds from adjoining properties of any encroachment outside the imaginary plane suggested by the Open Space Criteria. A limited amount of encroachment may be possible due to the size of the lot and the adjacency of commercial uses. Special consideration shall be given to the views from the south side bordering the Andaz resort and the west side bordering Quail Run Road.
- Setbacks shall be considered along the east and south property lines due to adjacent uses. The Town Council wanted the 100-foot setback from the residential property line.
- Consideration needs to be paid to the residential view lines regarding the resort market, outside tables and balconies facing west.
- Attention shall be paid to the landscaping along Lincoln Drive and Quail Run Road. A landscape plan is required. The Visually Significant Corridors Plans shall be considered. A stipulation for replacing dead landscape will be added.
- Drainage and related improvements shall be reviewed. On-site retention needs to be identified as it may conflict with parking and circulation.
- The density and location of the project places a heightened need to ensure the proposal does not have negative impact on traffic safety, parking and circulation. Several items were listed under this category for future consideration.
- 180 Parking spaces are shown with 90 surface and 90 garage spaces. There are four driveways and presently no cross access with Lincoln Medical. They are working on a left in/left out on Lincoln Drive. Currently, there are 33 feet of right-of-way on Lincoln Drive. The Lincoln Medical Center provided 65 feet of right-of-way as required by Town Code and the General Plan. Quail Run Road is a local road and requires 50 of right-of-way.

Chairman Wastchak commented that they want to see the breakdown of the right-of-way early in the process. He wants to see how it compares to Lincoln Medical.

Mr. Knapp commented that staff holds the position that they need to provide the 65 feet of right-of-way from center line on Lincoln Drive and 25 feet from centerline on Quail Run Road as required by code.

Chairman Wastchak asked for a breakdown on dedication versus easement for Lincoln Medical.

Mr. Knapp commented that the Planning Commission proposed to Council that they provide 16 feet of roadway easement and 16 feet of dedicated right-of-way for the Lincoln Medical application. There was a total of 49 feet of dedication from centerline and an additional 16 feet of easement.

Chairman Wastchak stated that they are looking for something along these lines in terms of a compromise. Parking and signage need to stay out of this area. It appears that they are close to what Lincoln Medical provided.

Commissioner Campbell asked that they review the right-of-way on Quail Run Road. It appears that neither of the 25-foot dimensions are for right-of-way.

Mr. Knapp indicated on the plan where the existing right-of-way is located. It is west of the center line. The first 25 feet they are showing would be a roadway easement. This would get them to the full 50 feet. There is 25 feet for a landscape buffer. Some of the landscape area is shown in the right-of-way. Staff's position is that there should be 25 feet of right-of-way with an 11-foot lane on either side of the centerline plus a rolled curb behind this area.

Mr. Gilbert explained their proposal and indicated that the residential side would not be expanded. He indicated that their goal is to allow the full right-of-way at the intersection and then to transition down to a single lane. The area is being dedicated as an easement with landscaping. The road will be completed to the back driveway.

Commissioner Campbell responded that they should not reduce the right-of-way since this is a redevelopment area.

Mr. Knapp continued with SOD items.

- The Planning Commission with focus on the impact of project sign locations, dimension and illumination and their impacts to the streetscape. Two signs are shown at each driveway. More information is needed.
- Context appropriate design will be utilized including lighting, screening of mechanical equipment and the choice of material pallet of the improvements. Renderings from neighboring properties may be required.
- He then reviewed outstanding items to be submitted.

Chairman Wastchak asked what the timeline is for the outstanding items. He indicated that he wants established deadlines for each of the items. Commissioner Campbell stated that the west side of the project is a non-starter. He wants the full 25-foot right of way and not an easement. Quail Run Road will be a major access point for the redevelopment area. The redevelopment area will not be serviced properly without the full right-of-way. He is open to not meeting the open space criteria. He is interested in understanding the portions of the building that are over the 36 feet. It appears the vaulted ceilings are extending above 36 feet. He believes these things can be worked out.

Commissioner Anton indicated that he is concerned about deliveries being able to get into the garage. The location of the garage entrance does not coincide with truck traffic. He does not want truck traffic to conflict with visitor traffic coming into the site. The entrance should be placed by the intersection with the light.

Commissioner Wainwright indicated that Lincoln Drive has to be consistent with the property to the east. He sees no reason to go beyond the unit numbers in the Statement of Direction. He asked which resorts their room rates would be comparable to.

Mr. Gilbert explained that they will be below the Andaz rates and stabilize around \$250.00 per night. In season, the rates will go up.

Commissioner Campbell indicated that he likes the architecture and is open to modifying some of the guidelines.

Commissioner Lewis agreed with Commissioner Campbell's comments.

Commissioner Georgelos believes that there is a need for redevelopment on the property and is not sure about heights yet. She wants clear indication of how the buildings will look.

Chairman Wastchak indicated that they need to see elevations on the west and south sides.

Commissioner Georgelos continued that she agrees that access needs to be provided on the western portion of the property and greater right-of-way is needed. There is another five-acre resort in town, Hermosa Inn, and the density level is much lower.

Mr. Knapp stated that the next meeting is on November 20, 2018. The packets will go out on Wednesday. He asked if they should skip a meeting to give the applicant time to pull materials together.

Chairman Wastchak agreed with this point.

Commissioner Covington stated that there are two units on either side of the building above the view shed line and asked if it is lost how many units would be eliminated on the Lincoln Medical side.

Mr. Knapp noted that six units would be lost. The next meeting will be on December 4, 2018.

**No Reportable Action**

**C. [18-428](#)**

Discussion of a Minor Special Use Permit Amendment  
Ritz-Carlton Area C - North East Corner of Mockingbird Lane and Lincoln Drive  
7000 E Lincoln Drive (SUP 18-14)

George Burton, Planner, reviewed the application. They have slightly modified the request to remove the phased construction. They are requesting to modify the height and size of the guard house and increase the fence wall heights. He showed the property location in an aerial view. The applicant is requesting to increase the guard house from 800 square feet to 1,700 square feet and to 20 feet in height. They will accommodate the porte-cochere entry and two gates. Staff is concerned that if the guard house is unmanned that traffic will back up behind the gates. They are recommending that if the guard house is unmanned that the gates be left in an open position.

Mr. Knapp indicated that they could use a communication device with the resort security. The height of the porte-cochere is for emergency access.

Mr. Burton commented that these changes would amend Stipulation 29. He reviewed the proposed language.

Chairman Wastchak suggested that if they can control the flow remotely without any backup then they will be fine, but if it starts to backup, they will need to comply with the criteria of Stipulation 29.

Mr. Miller commented that if there is an issue they will be in violation of the Special Use Permit. Mr. Burton can draft some specific criteria so it is enforceable by staff.

Commissioner Anton stated that he does not see why they need the additional gates since there are other security gates.

Commissioner Georgelos stated that the secondary gates would not be manned.

Richard Frazee with Five Star Development commented that they should delineate gates from arms. The arms will allow people to stop and talk to guards. Residents will be provided unrestricted access to their homes. The gate will require nonresidents to stop at the gate and call the security to be vetted. Residents can allow guests through the gates.

Commissioner Lewis stated that this appears to be too confusing and there will be conflicts with deliveries and visitors.

Commissioner Campbell asked for a queueing plan. He believes that they will need more static queueing.

Mr. Knapp noted that the guideline requires 150 feet of stacking.

The Commission agreed that the application should be considered a minor amendment.

Mr. Burton asked if the Commission would like the stipulation to be amended to include language requiring the arm to be placed in an open position if the guard house is unmanned.

The applicant stated that he is fine having the arms shown in blue on the plan in an open position if the guard house is not manned.

Mr. Burton added that the applicant is requesting a portion of the walls to increase in height from six feet to nine feet as identified in the plan. Due to the grade differential they are proposing two types of walls. The first is a combination wall with the bottom three feet as a retaining wall and the top six feet as a regular block wall. The second is a stacked wall. The bottom three feet will be a retaining wall and the top six feet will be setback four feet.

Chairman Wastchak asked if these are internal walls.

Mr. Burton responded that they are internal walls. Staff needs more information on walls located on the northern portion of the site on Lots 29 and 30. They would like to see the higher wall transition downward to meet the height of the six-foot wall.

Commissioner Campbell asked if they could do a walk through of the site.

The applicant indicated that the site is not ready for a walk through.

Mr. Burton highlighted another wall section that requires more information

for the next meeting.

The applicant stated that a storm water channel drops off significantly on the north side. This is why they need to stagger wall heights.

Mr. Burton reviewed the amended language of Stipulation 45C, allowing nine-foot walls. He asked if the Planning Commission feels this request meets the requirements of a minor amendment. Staff believes it is a minor amendment.

The Planning Commission indicated that it is a minor amendment.

Mr. Burton asked if the Planning Commission would like to see the updated plans prior to the public hearing on December 4, 2018. The applicant replied he could try for November 20, 2018.

**No Reportable Action**

**D.**     [18-429](#)

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

Mr. Burton stated that Area A is the hotel section of the resort. He indicated that the proposal is for a minor amendment to modify the height and footprint of the hotel building and to add more square footage. Modifications include a change in footprint, change in heights, increase in square footage and a new market place building. The northwest wing will be removed creating a greater setback of 197 feet. They are going to modify the north and south ends of the building and decrease the setback from 200 feet to 190 feet from St. Barnabas. He showed a graphic comparing the 2017 approval with the proposed site plan.

Chairman Wastchak commented that the 2017 drawing was not seen by the current Planning Commission.

Mr. Knapp commented that staff approved a managerial amendment in 2017.

Mr. Burton explained that they are requesting to change the one, two- and three-story components and the hotel lobby. He reviewed the areas of the proposed height change. The north wing will increase from two stories to three stories. The east wing will have a portion increased to two stories and the southern part of the building will drop down to one story.

Commissioner Georgelos asked if the amendment will affect the view corridors.



Mr. Burton presented a viewshed graphic and indicated that most of the hotel will be blocked when the construction of the homes in Area C are completed. The applicant is requesting that the elevator overruns exceed the allowed height limits and extend to 51 feet.

Chairman Wastchak asked how big are the elevator over runs.

The applicant indicated that they are 10' feet by 10 feet.

Commissioner Lewis asked if the density will stay the same.

The applicant responded that 15 rooms will be added.

Mr. Burton indicated that they are also adding a new market building. The proposal will add another 5,000 square feet to the site. This is the maximum for the Special Use Permit. The market place building will be located west of the hotel and contain a height of 28 feet. He asked if they would like to see this item again in a work session on November 20, 2018 or go to public hearing on December 4, 2018.

Mr. Campbell asked if they have shown their plans to the neighboring church.

The applicant commented that they have shown it to the church and will bring back a letter of support.

Chairman Wastchak stated that they will go straight to public hearing.

The Commission discussed current progress on the project with the applicant

**No Reportable Action**

## **5. PUBLIC HEARINGS**

None

## **6. ACTION ITEMS**

None

## 7. CONSENT AGENDA

- A. [18-412](#) Approval of October 16, 2018 Planning Commission Minutes

**A motion was made by Commissioner Lewis, seconded by Commissioner Wainwright, to approve the minutes. 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 mentioned the Visually Significant Corridors Plan was adopted in the last Council meeting. They made a few changes.

Chairman Wastchak asked him to share the final version with the Planning Commission.

Mr. Knapp stated that he would and that hard copies will be printed as well.

## 9. PUBLIC BODY REPORTS

None

## 10. FUTURE AGENDA ITEMS

Mr. Knapp commented that they will review the new plan for stacking at the guard house and wall details on November 20, 2018. On December 4, 2018 they will review a major SUP for Mountain View Medical. They will hold the hearing for parcel A and C as discussed tonight.

Chairman Wastchak suggested that they not meet on November 20, 2018 since the agenda only consists of reviewing the stacking and walls plan.

Mr. Burton stated that he can send it out to the Commission so they have it prior to the December meeting.

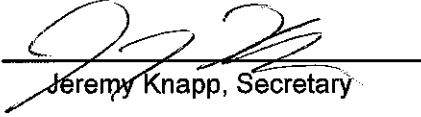
The Commission agreed to cancel the November 20, 2018 meeting.

## 11. ADJOURNMENT

**A motion was made by Commissioner Georgelos at 9:25 p.m., seconded by Commissioner Anton, 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