



## Action Report

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**File #:** 16-047

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**TO:** Chair and Planning Commission

**FROM:** Eva Cutro, Community Development Director  
Paul Michaud, Senior Planner

**DATE:** February 16, 2016

**CONTACT:**

Paul Michaud, 480-348-3574

**AGENDA TITLE:**

Discussion of "Mountain Shadows Resort - Condominium Hotel"  
Preliminary Condominium Map (FP 16-01)  
Southwest Corner Lincoln Drive and 56<sup>th</sup> Street (Assessor No. 169-30-102)

**BACKGROUND**

Request:

MS Condo Hotel Owner, L.L.C. is requesting approval of a Final Condominium Plat Map application for the "Mountain Shadows Resort - Condominium Hotel". This plat map consists of a total of 42 condominiums located on approximately 1.3 acres. The subject site is Lot 131 of the "Mountain Shadow Resort Unit 2 - Amended VII" map, near the southwest corner of Lincoln Drive and 56<sup>th</sup> Street. Development will be pursuant to the approved Special Use Permit - Resort zoning on the subject property for resort unit- hotel key development.

These condominiums will be available for transient occupancy with the adjoining resort hotel, operating similarly to the hotel rooms of the resort. The units will be in one 3-story structure and be architecturally compatible with the adjoining resort hotel buildings. Eight units will be two levels (even units of 1002-1016). Several of the units will be equipped as a "lock-out" unit. The "lock-out" unit will allow at least one full bath and bedroom to be locked off from the rest of the unit, with its own entrance into the main corridor. Including "lock-out" units, there will be a maximum potential of 59 hotel keys.

Proposed Stipulations:

The proposed stipulations can be found with the Planning Commission action report dated February 16, 2016. These stipulations are typical final plat stipulations. These stipulations relate to substantial compliance to the final plat map, Town review of the CC&Rs that may change as a result of the re-plat, processing of final improvement plans, and a deadline to submit copies of the final plat for Town records.

Plat Background:

In a vote of 7 to 0, the Town Council approved the Preliminary Condominium Plat Map for the “Mountain Shadows Resort - Condominium Hotel” on December 17, 2015. Also, the Town Council discussed this application at the study session of December 3, 2015. There were no specific concerns raised at either of the above meetings.

In a 6 to 0 vote, the Planning Commission recommended approval of the Preliminary Plat Map with five stipulations. These stipulations relate to substantial compliance of the final map to the preliminary map, Town review of the CC&Rs, processing of final improvement plans, deadline to submit copies of the map, and the inclusion of necessary easements on the final map. The Final Condominium Plat Map requires no additional easements than the easements shown on the Preliminary Condominium Plat Map.

Plat/Map Conformance:

The proposed plat map is in conformance with the Special Use Permit (SUP) for Area ‘B’ and the Development Agreement for Mountain Shadows Resort. This conformance includes the following:

- SUP Stipulation III.E.43 allows for subdivision of land by one or more plats and/or maps in various forms such as on individual lots and/or horizontal property regimes (i.e. condominium development);
- The proposed Final Condominium Plat Map is in substantial compliance with the Preliminary Plat Map approved by Town Council. There are three differences since approval of the Preliminary Plat Map.
  - The applicant reduced the total condominiums from 44 homes to 42 homes. This change did not affect the 59 hotel keys. This is a result of taking four of the units on the second floor and making them two 1,526 square-foot units with a lock-out,
  - The applicant has three additional parking spaces compared to the total 74 parking spaces shown on the approved Preliminary Plat Map. The proposed number of parking spaces exceeds the SUP stipulated parking standards that requires a minimum of 64 parking spaces. The underground parking area has been redesigned to add more tandem parking and some storage/one-car units. Parking is described in more detail under “Parking” of this report, and
  - Some of the storage units in the underground garage were enlarged;
- The SUP stipulations that all roadways within the SUP will be private local roads, 30 feet in right-of-way width, and 26 feet in pavement width were met with the plat that created the subject lot of the hotel condominium;
- The SUP and Development Agreement have no minimum or maximum lot size, lot configuration, or lot shape requirements;
- The SUP stipulation capping the maximum floor area of 300,000 square feet does not apply since this product is considered Hotel Keys and not Resort Residential; and
- The other noted items as described under Discussion/Facts of this report.

**DISCUSSION/FACTS**

History:

The subject site is part of the Mountain Shadows resort that was demolished in early 2014. In April

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2013, the Town granted Special Use Permit - Resort (SUP) zoning status for the approximate 67 acres that comprise this resort. The 2013 SUP allows for a new resort, resort amenities, and resort residential.

Enforcement:

As of the date of this report, there are no outstanding code violations on this SUP property.

General Plan:

The subject property has a General Plan designation of "Resort/Country Club" according to the Town's General Plan Land Use Map. The proposed plat for resort residential is in conformance with this designation.

Zoning:

The zoning on the subject property is "Special Use Permit - Resort." This zoning was approved in April 2013 by Ordinance Number 653. This is the appropriate zoning for resort residential.

Parking:

The proposed condominium map will comply with the minimum required 64 parking spaces. The Final Plat Map has a total of 74 parking spaces. As this application is for units designed to be hotel keys, parking requirements fall under SUP Stipulation III.G. 93. This stipulation requires 1.2 parking spaces for each unit without a "lock-out" capability and 1.0 space for each "lock-out" portion of a "lock-out" unit. The minimum required 64 parking spaces for this application is based on 17 lock-out units, resulting in 34 parking spaces, and 25 units with no "lock-out" resulting in 30 parking spaces. Based on the previously approved parking statement of the SUP, the parking for the condo hotel is independent of the resort.

The underground parking area has been revised since the approval of the Preliminary Plat Map. The Preliminary Plat Map had a total of 71 parking spaces, including three accessible parking spaces in the garage level and two at-grade parking spaces near the street entrance. The underground area with the Final Plat Map is approximately 4,400 square feet larger than it was with the Preliminary Plat Map. This is a result of expanding the underground garage further east to allow for increasing several of the storage units on the east side of the garage and expanding the underground garage further west to add more tandem parking and eight storage/one-car units that will include their own garage door.

The Final Plat Map parking design is for 74 parking spaces. There will be 27 standard parking spaces, with two parking spaces located at-grade near the building entrance. There will be three accessible spaces as required by code. There will be 18 tandem two-car spaces, resulting in 36 parking spaces that can be used by the valet service. There will be eight storage/one-car units behind a front tandem parking space that can function as a rear tandem parking space but is not considered as part of the required parking calculation. The front tandem parking space is considered as part of the required parking calculation.

Roadways/Emergency Access:

The subject property will have access to Lincoln Drive and 56<sup>th</sup> Street via Tract 'A' through the resort as approved by the SUP. Tract 'A' is Mountain Shadows Drive, being the main access from Lincoln

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Drive. Emergency drive access is met offsite via Mountain Shadows Drive and Valley Vista Lane.

Building Lines & Setbacks:

There are no required setbacks for this property, Lot 131 of the "Mountain Shadow Resort Unit 2 - Amended VII" map.

Building Permit/Town Manager Approval:

The type and character of building, signage, and landscaping are either approved with the building permit and/or by the Town Manager. As such, these items will not be considered with this map request.

Drainage:

An overall master hydrology and drainage study for the entire west side of the Mountain Shadows SUP has been reviewed and approved by the Town Engineer.

Utilities:

The proposed development has an approved assured water supply. Pursuant to the issued Certificate of Assured Water Supply, the Arizona Department of Water Resources has determined there is an assured water supply for 280 lots (homes). This portion of the resort is planned for 108 homes, of which the subject application consists of 42 of those 108 homes.

All new utility lines will be located underground and generally underneath the adjoining private streets and within the noted public utility easements within the plat. These are the same general utility locations as the approved Final Plat. Will serve correspondence from the applicable utility providers were provided with the approved Final Plat. As there is no change, the utility correspondences provided with the Final Plat approval are still valid. All typical type of utilities will be provided; such as water, electricity, natural gas and sewer.

Fire Protection:

The proposed lots will meet all standards related to fire protection. Fire hydrants along Mountain Shadows Drive will service this site. The building will have fire sprinklers in accordance with the Town Fire Code. EPCOR has verified the capacity to service the subject site and fire flow pressure of 2,064 gpm to 2,124 gpm at the required residual zone pressure of 20 psi.

**NOTICING & PUBLIC COMMENTS**

Two residents of Mountain Shadows West reviewed the application, but had no specific comments as of the writing of this report. Except for posting of the meeting agenda, there is no required public notification for a preliminary or final plat. Consistent with the Town's application process, the applicant provided a mailing notification to the property owners within 1,000 feet for scheduled meetings where the Commission or Council will take action.

**NEXT STEPS**

This application is tentatively scheduled for the March 24, 2016 Town Council meeting. Pursuant to the Special Use Permit, the Town Council must take action within 40 calendar days of the Planning Commission action.

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**ATTACHMENTS**

- 1 Vicinity Map/Aerial/General Plan/Zoning
- 2 Application/Narrative
- 3 Prior Minutes
- 4 Utility Correspondence
- 5 Noticing Material
- 6 Final Map Mtn Shadows Resort Unit 2 - Amended VII
- 7 Approved Preliminary Condominium Plat Map
- 8 Proposed Final Condominium Plat Map

*Link to full version of the SUP Ordinances and Development Agreements at [www.paradisevalleyaz.gov/126/Planning](http://www.paradisevalleyaz.gov/126/Planning)*

- C:
- Kristopher Harman (Applicant)
  - Case File: (FP 16-01)