



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Draft

Planning Commission

Tuesday, July 19, 2016

6:00 PM

Council Chambers

1. CALL TO ORDER

Acting Chairman Wastchak called the meeting to order at 6:05 p.m.

2. ROLL CALL

- Present** 6 - Commissioner Thomas G. Campbell
Commissioner Richard K. Mahrle
Commissioner Scott Moore
Commissioner Jonathan Wainwright
Commissioner Daran Wastchak
Commissioner Jeff Wincel
- Absent** 1 - Chairperson Dolf Strom

STAFF MEMBERS PRESENT

Deputy Town Attorney, Deborah Robberson
Community Development Director, Eva Cutro
Senior Planner, Paul Michaud
Planner, George Burton

3. EXECUTIVE SESSION

None

6. ACTION ITEMS

- A. [16-226](#) Consideration of a proposed monument sign along McDonald Drive Valley Presbyterian Church - 6947 E McDonald Drive
Minor Special Use Permit Amendment (SUP 16-01)
- Paul Michaud described the request in accordance with the application packet. He noted this application was discussed at the June 21, 2016 study session. There was no discussion from the Planning Commission and no persons from the public that spoke on this application request.

A motion was made by Commissioner Wainwright, seconded by Commissioner Wincel, to deem the application request a Minor Special Use Permit amendment

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

Aye: 6 - Commissioner Campbell, Commissioner Mahrle, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak and Commissioner Wincel

Absent: 1 - Chairperson Strom

A motion was made by Commissioner Campbell, seconded by Commissioner Moore, to approve the Valley Presbyterian Church Minor Special Use Permit Amendment for a monument sign located along McDonald Drive near their driveway entrance, subject to the following stipulations:

1. Unless otherwise noted, all improvements to the property shall be in substantial compliance with the following:
 - a. Project Narrative dated June 9, 2016;
 - b. Sign Elevation prepared by Epic Sign Group dated June xx, 2016; and
 - c. Sign site visibility documentation, including site plan, prepared by RCC Design Group, LLC, dated June 13, 2016.
2. Relocate the existing no left turn sign located at the subject driveway onto the new stop sign and to paint a white line parallel to the stop sign on the driveway.
3. All existing Special Use Permit stipulations shall remain in full force and effect, unless changed or modified by this amendment application.

The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Mahrle, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak and Commissioner Wincel

Absent: 1 - Chairperson Strom

4. STUDY SESSION ITEMS

A. [16-228](#) Discussion of Noise Code Revisions

Bob Lee presented the noise code updates in accordance with the packet.

Commissioner Moore asked about the rules to request an early start or pour related to concrete work or shotcrete for swimming pools. Mr. Lee replied early start times are allowable if approved by the Town Manager, such as something reasonable such as pouring concrete early due to the heat.

It was noted that the proposed code change is to allow for a one hour earlier start time in the summer, allow for the Town Manager or designee to approve any requested deviation, and to establish specific times in the code instead of sunrise/sunset.

There was discussion on the type and need of better enforcement. Mr. Lee added that before business hours the police department handles noise complaints and during Town Hall business hours it is the Town Code Compliance officer.

Commissioner Moore inquired about homeowner association rules and hours of operation. Eva Cutro replied that the Town can only enforce the code and not more restrictive provisions in a specific homeowner association.

Commissioner Wincel inquired about the reason behind treating weekends differently, particularly Sundays. It was noted that the existing noise regulations have more restrictive noise code regulations, which is likely a function to accommodate the typical Monday through Friday work schedule and to allow for less noise when people are home relaxing or sleeping.

Ms. Cutro noted that the proposed text changes do not include the exception of summer months for yard maintenance. After discussion, the Planning Commission generally was supportive that the three types of construction (heavy equipment, construction deliveries, and other construction-related activity) in the draft ordinance include the same provision for summer start times, the Saturday and Sunday times be the same, and each allow for exceptions granted by the Town Manager.

Commissioner Wainwright asked whether staff reviewed these changes with the golf course operators in town. Ms. Cutro replied no. She added that the Special Use Permit provisions would apply, but she would verify the restrictions and update the Planning Commission.

Commissioner Wainwright inquired about conflicts between when the Town Public Works staff begins work and the new start times. Deborah Robberson replied this is a policy issue to discuss with the Town Manager. The consensus was that Town staff and residents should abide by the same noise regulations, noting any exceptions for emergency circumstance.

There was discussion on penalties for enforcement. It was noted this section is in a different part of the code.

Commissioner Wincel asked about trash pick-up. Eva Cutro stated the Town Clerk is working on bringing forth proposed code changes and this is not part of this section of code.

No Reportable Action

B. [16-229](#) Discussion of Lighting Code Revisions

Eva Cutro explained the lighting code updates in accordance with the packet.

Commissioner Moore questioned the enforcement limitations with the code provision that addresses security lighting ad being encouraged as a limited use. Staff will relook at this provision.

It was noted to add in a definition of “lumens” to match the hillside definition.

There was discussion on what constitutes safety-security lighting, such as pathway lighting. Staff will relook at this provision. Ms. Cutro suggested adding language that security lighting should be fully hooded and shielded and limited to 10 minutes.

There was discussion on the lighting diagram, noting to add the label 90-degrees and have Chairman Strom explain this diagram.

It was noted to add a definition of entry lighting.

There was discussion on down lights on trees, to clarify this regulation, consider adding definition(s), and consider a limit on the number of these lights. This included the mounted height of these lights, matching the language in Sections D.3 and E.4 of the proposed text change.

There was discussion on the use of Kelvins like the proposed changes on sign lighting, the meaning of colored lights, and excluding underwater lights.

No Reportable Action**C.** [16-230](#) Discussion of Blight

Commissioner Wainwright suggested relabeling this code revision as nuisance properties because of the negative connotation with the term blight. He stated he spoke with Council Members Syms regarding a general statement of direction on this topic.

There was discussion on the direction of incentives versus penalties. Commissioner Wincel noted that the way in which you incentivize these will have different results.

There was discussion on abatement and the abatement process. It was noted that understanding why a property has fallen into disrepair is

important.

Ms. Cutro raised the point about construction sites and blight, as the current regulations do not address this specifically. Commissioner Wastchak agreed enforcement of blight at construction sites should be addressed. There was discussion on when a construction site no longer becomes a construction site.

Commissioner Moore suggested making one document out of the two documents Ms. Cutro provided the Planning Commission.

No Reportable Action

5. PUBLIC HEARINGS

None

7. CONSENT AGENDA

A. [16-227](#) Approval of June 21, 2016 Planning Commission Minutes

A motion was made by Commissioner Moore, seconded by Commissioner Wainwright, to approve the June 21, 2016 minutes with the edit to include the word "informal" prior to the words "no left turn" at the end of page one. The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Mahrle, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak and Commissioner Wincel

Absent: 1 - Chairperson Strom

8. STAFF REPORTS

Paul Michaud gave an update on the Town's Bicycle and Pedestrian Study. He reviewed the upcoming bike-walk event on August 13, 2016.

9. PUBLIC BODY REPORTS

None

10. FUTURE AGENDA ITEMS

Mr. Michaud reviewed the upcoming items, noting there are no scheduled items for August 2, 2016. The Planning Commission agreed to cancel the August 2nd meeting.

11. ADJOURNMENT

A motion was made by Commissioner Wincel at 8:25 p.m., seconded by Commissioner Wainwright, to adjourn the meeting. The motion carried by the following vote:

Aye: 6 - Commissioner Campbell, Commissioner Mahrle, Commissioner Moore, Commissioner Wainwright, Commissioner Wastchak and Commissioner Wincel

Absent: 1 - Chairperson Strom

Paradise Valley Planning Commission

By: _____
Eva Cutro, Secretary