



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Meeting Notice and Agenda Planning Commission

Tuesday, August 7, 2018

6:00 PM

Council Chambers

1. CALL TO ORDER

2. ROLL CALL

Notice is hereby given that members of the Public Body will attend either in person or by telephone conference call, pursuant to A.R.S. §38-431(4).

3. EXECUTIVE SESSION

The Public Body may convene into an executive session at one or more times during the meeting as needed to confer with the Town Attorney for legal advice regarding any of the items listed on the agenda as authorized by A.R.S. §38-431.03.A.3.

4. STUDY SESSION ITEMS

Work/Study is open to the public however the following items are scheduled for discussion only. The Public Body will be briefed by staff and other Town representatives. There will be no votes and no final action taken on discussion items. The Public Body may give direction to staff and request that items be scheduled for consideration and final action at a later date. The order of discussion items and the estimated time scheduled to hear each item is subject to change.

- A. [18-304](#) **Citizen Review of Hillside Code Amendments to Article XXII of the Zoning Ordinance.**
 Draft Ordinance 2018-15.

Staff Contact: Andrew, 480-348-3526

- B. [18-306](#) **Discussion of Major Special Use Permit Amendment (SUP-18-06)**
 7125 E Lincoln Drive - Lincoln Medical Plaza

Staff Contact: Paul Michaud, 480-348-3574

5. PUBLIC HEARINGS

The Public Body may take action on this item.

6. ACTION ITEMS

The Public Body may take action on this item.

7. CONSENT AGENDA

All items on the Consent Agenda are considered by the Public Body to be routine and will be enacted by a single motion. There will be no separate discussion of these items. If a Commissioner or member of the public desires discussion on any item it will be removed from the Consent Agenda and considered separately.

A. [18-305](#) **July 17, 2018 Planning Commission Meeting Minutes**

8. STAFF REPORTS

9. PUBLIC BODY REPORTS

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

AGENDA IS SUBJECT TO CHANGE

**Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Planning Commission are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the Town Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the Town will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.*

The Town of Paradise Valley endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for disabled persons at public meetings. Please call 480-948-7411 (voice) or 480-483-1811 (TDD) to request accommodation to participate in the Planning Commission meeting.



Action Report

File #: 18-304

Town of Paradise Valley Action Report

TO: Chair and Planning Commission

FROM: Andrew Miller, Town Attorney
Paul Michaud, Interim Community Development Director
Eva Cutro, Special Projects Manager
George Burton, Planner

DATE: August 7, 2018

CONTACT:

Andrew, 480-348-3526

AGENDA TITLE:

Citizen Review of Hillside Code Amendments to Article XXII of the Zoning Ordinance.
Draft Ordinance 2018-15.

BACKGROUND:

History

Hillside related matters can be found throughout the Town Code but are most prevalent in Article XXII, Hillside Development Regulations, of the Zoning Ordinance which is often referred to as the "Hillside Code." The Town recently update the Hillside Code and adopted a Hillside Safety Code/Manual. The updates to the Hillside Code (Article 22) were adopted by the Town Council on May 10, 2018 and the Hillside Safety Code/Manual was adopted by the Town Council on June 14, 2018.

Scope of Hillside Code Update:

This update address three items: it updates several definitions to reflect terms that are used in the Hillside Code, it identifies the expiration limits of a hillside application, and it identifies the requirement for a pre-application submittal as part of the hillside review process.

Definitions

After the Hillside Safety provisions were determined to be best added to Article V of the Town Code (in the Building Permits section), some of the definitions in the Hillside Code were no longer needed, so they have now been struck. Also, some additional technical definitions, such as the "Storm Drainage Design Manual" have now been added for clarity.

Pre-Application Submittal Requirement

Since the Hillside Safety Code/Manual was adopted after the recent amendments to the Hillside Code (Article 22), there is a discrepancy regarding the two codes. The Hillside Safety Code/Manual identifies that the applicant must submit a pre-application as part of the hillside review process; however, the pre-application requirement is not addressed in the Hillside Code (Article 22).

Therefore, language has been added to the code to identify the requirement of a pre-application submittal and review. The first step in the process is pre-application submittal; where staff will perform a preliminary review of the project and inform the applicant of the applicable hillside codes, the appropriate hillside review process (e.g. chair, combined, concept, or formal review), and the applicable safety improvement plan requirements. The pre-application submittal is a new requirement, but is similar to the current process in which staff typically has a preliminary meeting with the applicant to go over the project and outline the hillside review process.

Expiration of Hillside Application

The Hillside Code identifies that an applicant must submit a building permit within 12 months from the date of the Hillside Committee approval. However, the code does not clearly identify how much time an applicant has to receive Hillside Committee approval. As a result, staff is proposing to add language to clarify the expiration limits for a hillside application.

Similar to the treatment of building permit applications, hillside applications have an expiration. Therefore, a hillside application that fails to receive Hillside Building Committee or Hillside Building Committee Chair approval within eighteen months from the date of submittal, will expire and will be null and void.

However, extensions may be granted. An applicant may apply for a one-time six-month extension. After that six-month extension, the Town Manager or designee may grant up to two additional extensions based upon circumstances beyond the applicants control. The applicant must identify the circumstances in writing for Town Manager review. If granted, these two additional extensions will be limited to a maximum limit of one hundred eighty days each.

Planning Commission Discussion

The Planning Commission reviewed the code amendments at the July 17, 2018 work session. The Commission had no edits regarding these proposed code amendments.

NEXT STEPS

The draft ordinance is scheduled for Planning Commission review at the August 21, 2018 Public Hearing.

ATTACHMENTS:

Draft Ordinance 2018-15



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ATTACHMENTS:

Draft Ordinance 2018-15

ORDINANCE NUMBER 2018-15

AN ORDINANCE OF THE TOWN OF PARADISE VALLEY, ARIZONA AMENDING THE PARADISE VALLEY ZONING ORDINANCE, ARTICLE XXII, HILLSIDE DEVELOPMENT REGULATIONS

WHEREAS, Article III Amendments, Section 306, establishes the authority and procedures for amending the Zoning Ordinance; and

WHEREAS, the Town Council desires to make some technical corrections to Article XXII, the Hillside Development Regulations, to provide consistency with other recently adopted changes to the Town Code;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA AS FOLLOWS:

Section 1. Article XXII, Hillside Development Regulations, Section 2203 is hereby amended (with deletions shown as ~~strike throughs~~ and additions shown in **bold**):

Section 2203 HILLSIDE DEFINITIONS. Where definitions are not defined in this section, the definitions in Article II shall control. For purposes of this Article, the terms contained in the Article shall have the following meanings:

Acre - 43,560 square feet as measured on the horizontal plane.

Alter the Mountain Top Ridge Line – Any Development on the Primary Ridge Line shown on **FIGURE 3** that disturbs or alters the natural mountain top profile.

Applicant – The person or entity desiring to improve or otherwise engage in any Development of property in the Hillside Development Area, including the owner of the property and any agents acting on behalf of the owner.

Building Pad – The total area under roof of all structures proposed for the property.

Building Pad Slope - The percent of slope measured at right angles to the natural contours along a line passing through the center of the proposed building and terminating at the ends of the Disturbed Area limits of the Building Site.

Building Site - That portion of the Lot or parcel, excluding driveways, upon which a building and appurtenances are to be placed or are already existing, including but not limited to; adequate areas for parking, turnaround areas not separated by driveways, sewage disposal, clearance, and proper drainage which conforms to the requirements of the provisions of this Article and the Town Code.

Cantilever – A rigid structural element of a building, deck, or walking surface that is anchored at one end of a support from which it protrudes more than two feet. This excludes roof overhangs that do not have a walking surface above them.

Chair - The chair of the Hillside Building Committee as selected by the members of the Hillside Building Committee pursuant to Town Code Section 2-5-6(D).

Code - The Code of Ordinances of the Town of Paradise Valley, Arizona in effect as of the date of these Regulations and as may be amended.

Commission - The Planning and Zoning Commission of the Town of Paradise Valley.

Committee or Hillside Building Committee - The Hillside Building Committee of the Town of Paradise Valley as constituted pursuant to Town Code Section 2-5-6.

Conservation - Retention or acquisition of land for the purpose of preservation in a natural state.

Conservation Easement - A permanent open space easement granted to the Town or to a public land trust to prohibit Development of property including roads and utilities and to retain and preserve the land for the scenic enjoyment of the general public.

Council - The Town Council of the Town of Paradise Valley.

Cut - The land surface which is shaped through the removal of soil, rock, or other materials.

Development - Any Grading, excavation or construction.

Disturbed Area - That area of natural ground excluding the Footprint of the residence that has been or is proposed to be altered through Grading, Cut and Fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation (Please reference Section 2207.III).

Driveway – A paved or unpaved area providing access to the property, located between the right-of-way and the parking area or garage of the property.

Fill - The deposit of soil, rock, or other materials placed by man.

Finished Grade - The final grade and elevation of the ground surface after Grading is completed.

Footprint - That area of the residence measured from the outside walls (excluding any overhanging portions) which includes indoor uses such as attached garage, carports, utility room, laundry, etc., but excludes outdoor uses such as patios and breezeways.

Grading - Any excavating, or filling or combination thereof, including the conditions resulting from any excavation or Fill.

Hillside Development Area - Those areas marked in **FIGURE 1** and to all lands where the natural terrain under the building pad has a slope of ten percent (10%) or greater, whether shown in **FIGURE 1** or not. However, a 10% or greater slope, in an area not denoted on **Figure 1**, created by a natural wash on land that otherwise would not be classified as hillside land shall be exempt from the hillside regulations.

Hillside Wash – A natural watercourse at least two feet deep from the top of the bank and measuring at least five feet wide at the top of the bank.

Lot - A legally subdivided parcel of land occupied or intended for occupancy by one main building, together with any accessory buildings including the open spaces required of the Hillside Regulations and having adequate frontage on a public or private street.

Natural Grade - The undisturbed natural surface of the land, including washes.

Off-Site Storm Water – Water that originates during precipitation events that comes from other parcels and flows onto the subject Lot.

On-Site Storm Water - Water that originates during precipitation events that falls directly onto the subject Lot.

Primary Ridge Line - That line running from the highest point along the mountain top downward along a divide to the 1500 foot mean sea level elevation as shown on **FIGURE 3**.

Raised Outdoor Living Area – Uncovered areas such as porches, decks, platforms, and retained areas which extend three (3) feet or more above grade.

Retaining Wall - A wall or terraced combination of walls, including, planters, negative edge pools, used solely to retain more than eighteen inches (18") of material, water, or to support or to provide a foundation or wall for a building.

Raw Spill Slope – An area created by causing or allowing earth or other material to fall, flow or run down the slope, thereby creating a change in the natural appearance and topography.

Sheet Flow—~~A shallow and wide overland flow of water.~~

Significant Natural Features - Include Hillside Washes, Significant Vegetation, and Significant Rock Outcroppings provided these features are in their undisturbed natural state.

Significant Rock Outcroppings - Any surface rock or group formation of rocks covering an area of 200 square feet or larger or any surface rock formation with a height greater than ten feet from the lowest surrounding grade.

Significant Vegetation - A living single tree or cactus having a height greater than 15 feet or three or more trees or cacti, located within a radius of 15 feet, each having a height greater than 12 feet.

Storm Drainage Design Manual – The manual adopted pursuant to Town Code Section 5-10-3.

Steep Slopes—Slopes 20% or greater within a 200' radius of the proposed Building Site.

Subsurface or Seismic Damage—~~Knowledge of subsurface or seismic damage that may have resulted from adjacent or previous development and should be verified through seismic refraction survey.~~

Subterranean—~~That space which lies totally underground, and which cannot be seen from outside the exterior perimeter of the structure on the same horizontal plane which originates at that point where the building intersects the ground.~~

Town - The Town of Paradise Valley.

Unique Topography—~~Non uniform grades throughout the lot.~~

Veneered Rock Slope – A group formation of rocks of similar colors that blend in with the surrounding natural setting.

View Fencing (View Fence) – Fencing that is constructed in such a manner as to achieve 80% overall openness.

Section 2. Article XXII, Hillside Development Regulations, Section 2205, is hereby amended (with deletions shown as ~~strike throughs~~ and additions shown in **bold**):

Section 2205 **REVIEW AND DEVELOPMENT PROCESS.** The Hillside Building Committee shall review Development plans, as outlined in Section 2204, prior to the issuance of a building, Grading or other Development permit. The review and development process consists of up to four stages, depending upon the nature and scope of the proposed Development. In addition, safety reviews and measures may be required as outlined in Section 2205.VI.

- I. **Pre-Application Review:** All applications for development or building and construction within Hillside Development Areas are required to submit a pre-application to determine the need for all such applications to comply with certain requirements pursuant to the Hillside Development Regulations and the Hillside Safety Improvement Measures and Process Manual. The Applicant shall submit a completed pre-application prior to submitting an Administrative Hillside Chair Review, Combined Hillside Building Committee Review, Concept Plan Review, or Formal Hillside Building Committee Review application.
- III. Administrative Hillside Chair Review: The Applicant shall submit a completed application and the required fees to the Town. Proposed accessory structures and additions may be reviewed by the Hillside Building Committee Chair provided the proposed improvements do not: (i) exceed or increase the building height of the main residence; (ii) increase the existing building Footprint by more than 100 square feet; (iii) create more than 100 square feet of additional Disturbed Area; (iv) increase the length of

walls by more than 15 lineal feet; (v) propose a significant addition of exterior lighting; or (vi) create a significant adverse visual impact. The Chair shall review the submittal for compliance with the goals, purposes, and specific criteria of this ordinance.

- HHIII. Combined Hillside Building Committee Review Meeting:** The Applicant shall submit all materials outlined in Section 2206 (III) to the Town. The Hillside Building Committee shall then review the submittal for compliance with the goals, purposes, and specific criteria of this ordinance and either approve, approve with stipulations or changes, or deny the submittal. Minor remodel/additions, site improvements (such as, but not limited to, solar panels, pool and spa additions), shall be reviewed as a Combined Hillside Committee Review.
- HHIV. Concept Plan Review Meeting:** The Applicant, along with their architect and engineer shall submit a completed application and the required fees, to the Town Manager or designee at the time they request a concept plan review meeting (pre-hillside meeting) with the Hillside Building Committee. All new single-family residences and major remodel/additions require a Concept Plan Review Meeting. The purpose of this meeting is to discuss, review, and give suggestions and guidance to the Applicant regarding the proposed development including: the location of the building pad and accessory uses; how these relate to Significant Natural Features; the preservation of existing vegetation; Grading concepts and their adaptation to the natural hillside topography; and how the requirements pursuant to these hillside regulations and purpose statement will guide the proposed Development.
- HHV. Formal Hillside Building Committee Review Meeting:** At this stage, in addition to those materials previously submitted, the Applicant shall submit all materials outlined in Section 2206 (III) to the Town Manager or designee. The Hillside Building Committee shall then review the submittal for compliance with the goals, purposes, and specific criteria of this ordinance and either approve, approve with stipulations or changes, or deny the submittal. All new single-family residences and major remodel/additions require a Formal Hillside Committee Review Meeting.
- HHVI. Safety Measures and Reviews.** Refer to Chapter 5 of the Town Code for Safety Measure and Review Requirements.
- HHVII. Building Permit Review:** The final construction plans submitted to the Town Community Development Department for review and approval shall comply with the final approval of the Hillside Building Committee. Any variation from excavation and Grading requirements within the Town Code must be accompanied by a soils engineering report from a testing laboratory or geological engineer approved by the Town Engineer. No site preparation or construction shall commence until the Town has issued a Grading, demolition, or building permit.
- A. The plans, including any safety measures and reports, for any Development in the Hillside Development Area, must be approved by the Town and appropriate legal permit(s) issued before any clearing and grubbing, Grading, bulldozing, blasting, or movement of earth is commenced. Building permit applications must be

submitted within a twelve month period after the date of approval from the Hillside Building Committee or Hillside Building Committee Chair. If a building permit application is not submitted within a twelve month period, the approval shall be null and void. If appropriate, based upon circumstances outside the control of the Applicant, a one-time six (6) month extension may be granted by the Town Manager or designee. If the permit expires, at no time after that expiration period does the applicant have any vested prior approval rights.

- B. When a building, demolition, or Grading permit is required under the provisions of these regulations or any other provision of the Town Code for new single family residences, major remodels or additions, major site improvements, and minor remodel/additions and minor site improvements, the Applicant shall first provide the Town with a form of financial assurance, and a right of entry and temporary construction easement agreement, acceptable to the Town Attorney.

The financial assurance shall be in an amount sufficient to place the Town in an assured position to do or to contract to be done the necessary work to cover, restore, and landscape exposed fills and cuts to blend with the surrounding natural terrain and to restore the property back to natural grade to the extent possible. The financial assurance shall be calculated in a dollar amount equal to thirty-five (35) times the Grading Permit Fee specified in the Town's Master Fee Schedule or in such greater amount as deemed appropriate by the Hillside Building Committee and Town Manager or designee with the Committee to evaluate a higher fee when there is demolition (with or without Cut and Fill) or the building site has loose fill or boulders, significant washes or drainage ways, or steep and difficult to access terrain that would dictate the need for a higher assurance amount in order to complete restoration of a particularly difficult hillside property site.

The Grading permit for new single-family residences, major remodel/additions, and major site improvements shall be based upon the total number of cubic yards of Cut and Fill needed to restore the property back to Natural Grade. The Grading permit for minor remodel/additions and minor site improvements shall be based upon the total number of cubic yards of Cut and Fill associated with the project that is needed to restore the affected portions of the property back to Natural Grade.

In the event that work or Development on the site has commenced and then subsequently been abandoned for more than six (6) months the building, demolition, or Grading permit shall be revoked and become void; the financial assurance shall be forfeited to the Town at that time; and the financial assurance may be used by the Town, in its discretion, in such amounts as are necessary to restore the hillside property construction site to its original condition (based upon the scope of work - new single family residence, major remodel/additions, major site improvements or minor remodel/additions and minor site improvements).

Further, in the event that at any time during building, demolition, or Grading (or other construction at the site), unhealthy or unsafe conditions arise or are created by the Applicant and are not promptly addressed or remediated so as to cure the unsafe condition, the financial assurance may be used by the Town to address and remediate an unhealthy or unsafe condition. The Applicant or property owner shall, upon reasonable notice from the Town, provide access to the property for the purpose of restoration of the construction site to its original condition (based upon the scope of work - new single-family residence, major remodel/additions, major site improvements or minor remodel/additions and minor site improvements) or to address any health or safety conditions that arise or are created by the Applicant. In the event that building, demolition, or Grading has not commenced within six months from the date of issuance of the building, demolition, or Grading permit, the plan approval and permit shall expire and the financial assurance shall be returned or cancelled.

VIII. Issuance of Certificate of Occupancy: Prior to the issuance of any Certificate of Occupancy for any building constructed pursuant to these Regulations, the applicant shall obtain from the Town certification of compliance with this Article. For projects that are ready for Certificate of Occupancy (C of O) or Certificate of Completion (C of C) between the months of May 15th and September 15th, the applicant may request a temporary deferment on the installation of the landscaping (in which the C of O or C of C may be released without the installation of the landscaping). The temporary landscape deferment is subject to the following conditions:

1. The landscaping shall be installed in accordance with the approved plan,
2. The Town will hold the financial assurance until the landscaping is installed, and
3. The landscaping must receive an approved inspection by the Town within five (5) months from the issuance of the C of O or C of C.

IX. Expiration of Applications. A hillside application that fails to receive Hillside Building Committee or Hillside Building Committee Chair approval within eighteen (18) months from the date of hillside application submittal is null and void. Thereafter, the Applicant must file a new application (along with the applicable application fee and submittal requirements) and the new Application is subject to the ordinance in effect at the time of the new Application. Expired Applications that did not receive Hillside Building Committee review may request a partial refund of 80% of the original application fee. Expired permits that received Hillside Building Committee review (that is, a Concept Plan Review) are not subject to a refund. However, an applicant may apply for a one-time six (6) month extension. The maximum extension is measured from the original date of expiration. After such one-time extension, the Town Manager or designee may extend the time if the Town Manager or designee finds that the Applicant establishes, to the satisfaction of the Town Manager or designee, a hardship or other circumstance beyond the Applicant's control that has led to the delay. The Town Manager or designee may then grant up to two (2) additional "extensions" for periods not exceeding one hundred eighty (180)

days each. All requests for extensions shall be in writing and shall specify the hardship or other circumstance beyond the Applicant's control that justifies the extension request. The application expiration shall be tolled during the time period of any court action that delays the application. For applications file prior to June 21, 2018, the date of June 21, 2018 shall be used as the application submittal date for purposes of expiration of all hillside applications.

Section 3. Article XXII, Hillside Development Regulations, Section 2207.V., is hereby amended (with deletions shown as ~~strikethroughs~~ and additions shown in **bold**):

V. GRADING AND DRAINAGE STANDARDS.

- A. There shall be no clearing, grubbing, Grading, importing or stockpiling of Fill material on, or to, any site prior to approval of such Development by the Hillside Building Committee and approval of a Grading plan by the Town, unless such clearing, grubbing, or Grading, is required by the Town for public safety purposes. If applicable, approval of a Grading plan and drainage report prepared by a registered Engineer may be required for Town review and approval.
- B. The maximum depth of Fill shall not exceed 7.5 feet except beneath the Footprint of the main residence. All exposed Disturbed Area Fill shall be contained behind Retaining Walls or covered with a natural rock veneer and treated with an aging agent and landscaped with indigenous plant material.
- C. Veneered Rock Slopes may be allowed provided that they are approved by the Hillside Building Committee, and:
 - 1. The vertical height of the Veneered Rock Slope does not exceed the vertical height of the exposed Cut with the base of the Veneered Rock Slope structurally engineered for stability.
 - 2. The Veneered Rock Slope does not exceed a one to one slope.
 - 3. Retaining Walls used to limit the height of the Veneered Rock Slope are color treated or veneered to blend in with the surrounding natural colors.
- D. Raw Spill Slopes are prohibited. Any violation will be subject to a stop work order until the spill slope is removed, restored to its Natural Grade, re-vegetated and approved by the Town.
- E. Storm water requirements for Off-Site **Storm Water** and On-Site Storm ~~water~~**Water** shall be per the ~~Town of Paradise Valley~~ Storm Drainage Design Manual.

- F. A Hillside Wash may be realigned in accordance with Chapter 5 of the Town Code and ~~The Town's~~ the Storm Drainage Design Manual.
- G. Washes located on a property shall be maintained in accordance with Chapter 5 and Chapter 8 of the Town Code and the ~~Town's~~ Storm Drainage Design Manual.

Section 4. Any person found guilty of violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$2,500, or imprisonment not to exceed six months, or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as described. A violation of the provisions of this Ordinance or amendments thereto may constitute a civil offense, and any person who is served with a citation charging such violation and who admits, or is found responsible for such offense shall be liable to pay to the Town a civil sanction in an amount not to exceed seven hundred fifty dollars. Each day that a violation continues shall be a separate offense punishable as described.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of "Article XXII - Hillside Development Regulations July 2018" adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 6. This Ordinance shall become effective in 30 days.

Section 7. In accordance with Article II, Sections 1 and 2, Constitution of Arizona, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this ordinance.

PASSED AND ADOPTED by the Mayor and Council of the Town of Paradise Valley, Arizona, this ____ day of July 2018.

Michael Collins, Mayor

ATTEST:

Duncan Miller, Town Clerk

APPROVED AS TO FORM:

ZO-XXII-9

Article XXII - Hillside Development Regulations Ordinance #2018-15
July 2018

DRAFT

ZO-XXII-10

Article XXII - Hillside Development Regulations Ordinance #2018-15
July 2018



Action Report

File #: 18-306

TO: Chair and Planning Commission

FROM: Dawn-Marie Buckland, Deputy Town Manager
Paul Michaud, Interim Community Development Director

DATE: August 7, 2018

CONTACT:

Paul Michaud, 480-348-3574

AGENDA TITLE:

**Discussion of Major Special Use Permit Amendment (SUP-18-06)
7125 E Lincoln Drive - Lincoln Medical Plaza**

REQUEST

Jamel Greenway L.L.C., the property owner of the Lincoln Medical Plaza, is seeking redevelopment of the existing medical plaza located at 7125 E Lincoln Drive (Assessor Parcel No. 174-64-003B). The proposed redevelopment of this property will be a complete demolition of all existing structures for medical office uses.

MEETING PURPOSE

The primary purpose of this study session is to present updates received since the last meeting, to review the Council Statement of Direction (SOD), to describe additional material still needed, and to continue to review the application request.

BACKGROUND

Planning Commission Discussion and Revisions

The Planning Commission discussed this application at the July 17th Work Session. At that time the Commission expressed concern and/or requested additional information on:

- Building height,
- Building signage,
- Landscape buffer along Lincoln Drive,
- Right of Way dedication along Lincoln Drive,
- Parking and traffic impact, and
- Circulation in and out of the property.

The applicant has revised their submittal to address some of the above items:

- Renderings and elevations of the building have been updated and the narrative revised to

- provide a technical explanation for the building height
- A conceptual landscape plan has been submitted and the narrative revised to further explain the spatial limitations on the property
- Narrative details landscape buffer and requests placement of the landscape buffer within the area requested for ROW dedication
- Site plan has been updated to reflect the applicant's desire to utilize both existing driveways onto Lincoln Drive (the applicant is no longer proposing to close the existing eastern driveway onto Lincoln Drive).
- An Andaz sign has been placed on the Site Plan along the eastern most entrance to the site.
- A drainage statement has been submitted
- CivTech is working on a traffic analysis but it is not complete at this time

Due to the late submittal of the revisions, staff has not had adequate time to fully review the changes and provide detailed comments in this action report. Staff will provide additional detail during the work session presentation and provisional comments are provided below.

DISCUSSION/FACTS

Site Location/Size

Minor modifications have been made to the property size since the last meeting. The lot size decreased from 2.14 acres to 2.13 acres. This created slight modifications in the lot coverage and Floor Area Ratio calculations. The proposed lot coverage is 18.3-percent. The proposed floor area ratio is 33-percent. The existing and proposed lot coverage are within the Special Use Permit Guideline of 25-percent. There is no guideline for Floor Area Ratio.

Landscaping/Buffering

The applicant's revised narrative addresses the landscape buffer. The applicant is proposing a 24 foot landscape buffer within the right-of-way dedication area. The narrative states that the plantings in the buffer will be consistent with the Visually Significant Corridors Master Plan and a detached six-foot meandering sidewalk is proposed. However, along Lincoln Drive the predominant tree species is Arizona Ash and this is not within the Visually Significant Corridors Landscape Guidelines, nor is barrio ruella or turf grass which are both proposed along Lincoln Drive. The granite size and color should match the granite used along 56th Street and Mountain Shadows Resort frontage. The buffer is also half the width of the 50' guideline.

Height

The applicant has modified the narrative to more accurately describe the proposed height of the two-story structure. The maximum height of 30 feet to the top of the roofline remains the same but the 36' height now includes both the mechanical roof equipment screening and entryway feature. Height is still measured from the finished floor elevation. Finished floor is not an appropriate measurement point. It is recommended that all heights be taken from existing finished grade. If any portion of the rooftop is visible off-site, care should be taken to minimize the impact. White roofing material is discouraged if visible off-site.

Additional Information

The applicant has been reminded that there are additional information/submittal items noted at time of submittal and during the SOD. These items include a title report, updated site plan, traffic-circulation-parking study, drainage study, water impact service study, exterior lighting plan, exterior wall/fence details, exterior sign plan, and updated elevations/cross sections/renderings.

PUBLIC COMMENT & NOTICING

Mailing notification will be done in advance of the scheduled hearing to all property owners within a radius of 1,500 feet, along with a newspaper advertisement and property posting. There is no required notification for work sessions. To date, no comments have been received to the Planning Division on this application request.

NEXT STEPS

The SOD provides the Planning Commission until October 16, 2018 to act on the application. However, the Planning Commission does have the ability to request an extension from the Council should more time be necessary. It is anticipated that there will be multiple work sessions by the Planning Commission to review this request. The next work session will be August 21, 2018.

ATTACHMENTS

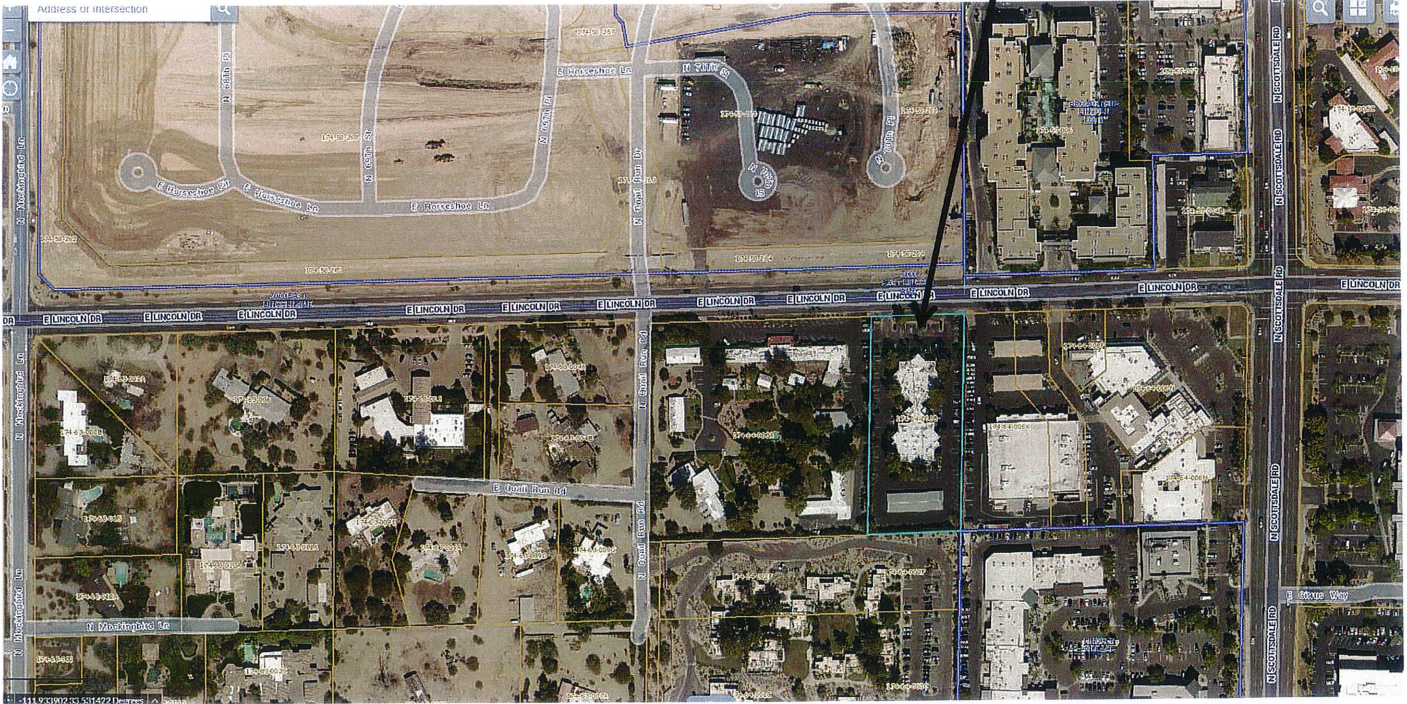
1. Vicinity Map/Aerial/General Plan/Zoning
2. Application/Narrative
3. General Plan Policies
4. SUP History
5. SUP Section 1102.2
6. Major Arterial Cross-Section
7. SUP Medical Guidelines
8. East Lincoln Development Area Boundary Map
9. Existing - Proposed Comparison
10. Compliance to SOD
11. SOD
12. Applicant Material

C: - Applicant
 - Case File



VICINITY MAP

Subject Property

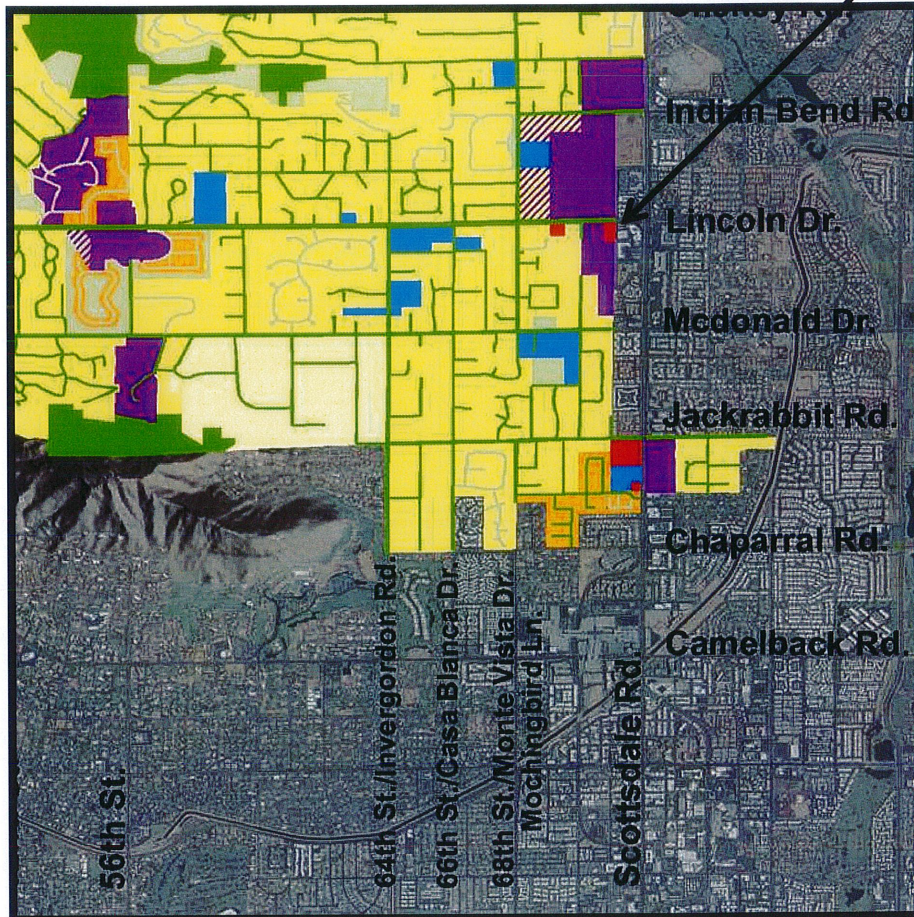


Lincoln Medical SUP
7125 E Lincoln Drive



GENERAL PLAN

Subject Property



Legend

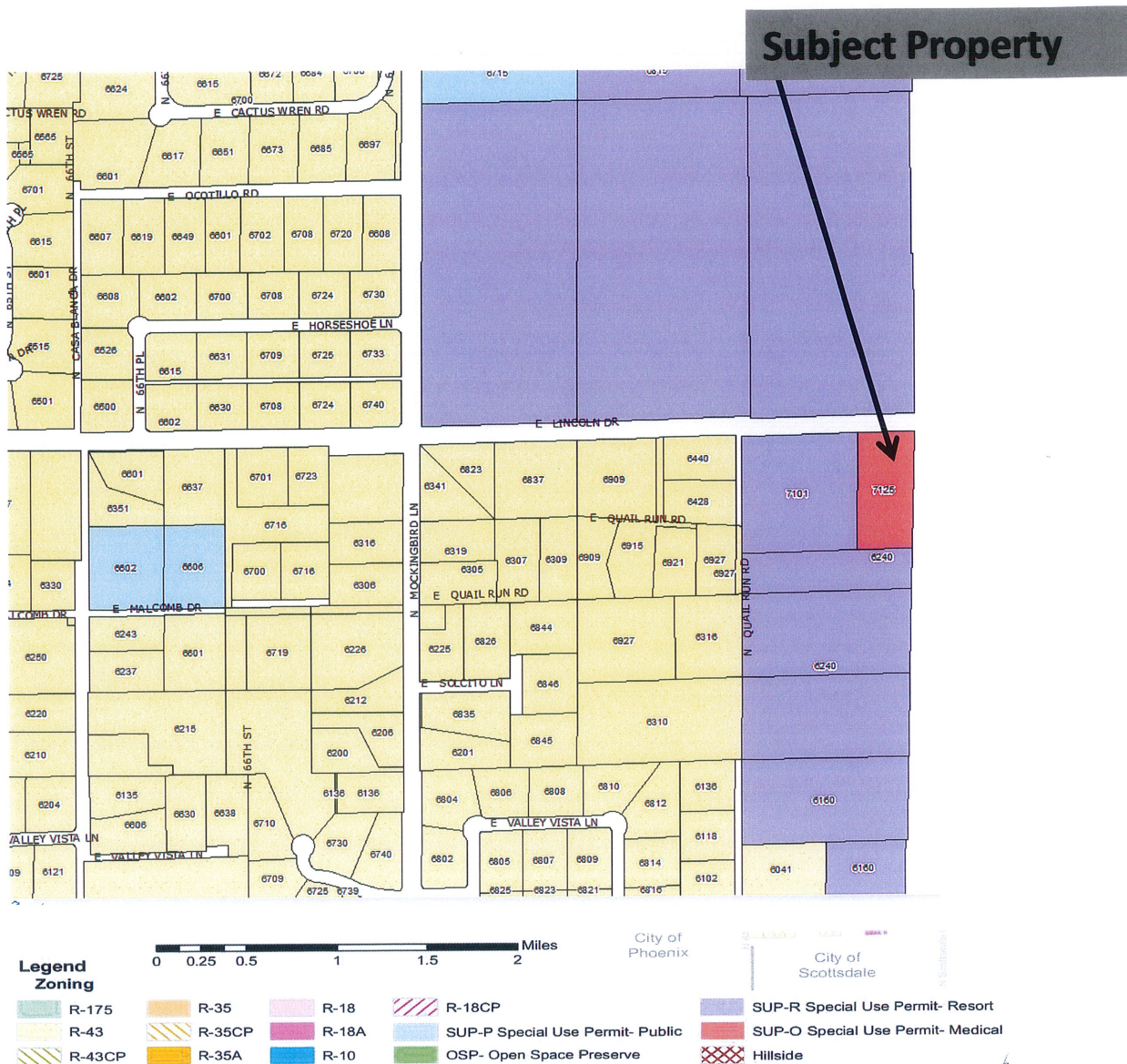
- | | |
|--|---------------------|
| Low Density Residential OR Resort/Country Club | Private Open Space |
| Private Open Space OR Resort/Country Club | Public Open Space |
| Very Low Density Residential | Medical Office |
| Low Density Residential | Public/Quasi Public |
| Medium Density Residential | Resort/Country Club |

Lincoln Medical SUP

7125 E Lincoln Drive



ZONING



Lincoln Medical SUP
7125 E Lincoln Drive



PHONE: 602-230-0600

FAX: 602-212-1787

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

May 15, 2018

Paul Michaud, Interim Community Development Director
Town of Paradise Valley
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: SUP District (Medical Office) Amendment for Lincoln Plaza Medical Center –
7125 E. Lincoln Drive.

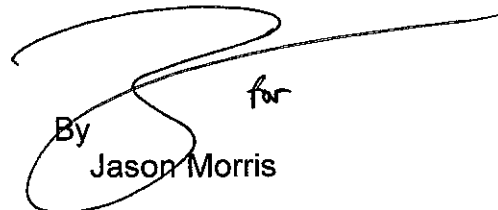
Dear Paul:

Attached hereto is SUP Amendment submittal for the Lincoln Plaza Medical Center. As we discussed, due to the turnaround time necessary to reach Town Council for a statement of direction prior to its summer recess, a couple items for the submittal are still in process. The applicant is engaging Civtech, Inc. to conduct the parking study and traffic impact analysis requested by the Town. Laskin & Associates, Inc. is in the process of preparing the required Landscape Plan, and Optimus Civil Design Group will provide the requested drainage report. The submittal will be supplemented with these items as soon as each one is completed.

Following your review of the submittal, please advise us of any additional information you may need. We look forward to working with the Town and the community to bring a new world class healthcare facility to the residents of Paradise Valley.

Sincerely,

WITHEY MORRIS P.L.C.


By *for*
Jason Morris

JBM/jt
Enclosure

**APPLICATION FOR SPECIAL USE PERMIT AND
MAJOR AMENDMENT TO THE SPECIAL USE PERMIT**

PARCEL NO.: 174- 64 -003B **DATE:** 5/15/2018
(County Tax Assessor Number)

NAME OF SUBDIVISION OR PARCEL: Lincoln Plaza Medical Center

ADDRESS OR LOCATION OF PROPERTY: 7125 E. Lincoln Drive

OWNER: Jamel Greenway, LLC
NAME

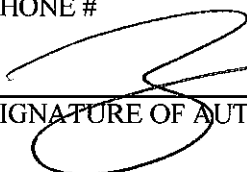
4771 N. 20th Street, Suite 22 ()
ADDRESS PHONE #

See attached authorization letter.
SIGNATURE OF OWNER

AUTHORIZED AGENT: Jason Morris / Withey Morris, PLC
NAME

2525 E. Arizona Biltmore Circle, Suite A-212
ADDRESS

(602) 230-0600 jason@witheymorris.com
PHONE # () ben@witheymorris.com
E-Mail#

 Benjamin Tate for Jason Morris
SIGNATURE OF AUTHORIZED AGENT

**APPLICATION FOR SPECIAL USE PERMIT AND MAJOR
AMENDMENT TO SUP**

(REQUIRED) PLEASE PROVIDE A NARRATIVE/DESCRIPTION OF THE PROPOSAL

(Please Attach Additional Sheets as Necessary):

See attached.

ADDITIONAL APPLICATIONS:

GUARD GATES	<u> </u> YES	<u> </u> X NO
ROADWAY ABANDONMENT	<u> </u> YES	<u> </u> X NO
REZONING	<u> </u> YES	<u> </u> X NO
HILLSIDE	<u> </u> YES	<u> </u> X NO

IF YES, SEE ADDITIONAL APPLICATIONS

May 14, 2018

Town of Paradise Valley
Planning & Building Department
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: SUP Amendment – Lincoln Plaza Medical Center

To whom it may concern:

Please accept this letter as authorization for Withey Morris PLC to represent Jamel Greenway LLC, the owner of the property located at 7125 E. Lincoln Drive, also known as Maricopa County Assessor Parcel Number 174-64-003B. This authorization is specific to the filing, processing and representation at public hearings regarding the above referenced SUP Amendment Application.

Sincerely,



For Jamel Greenway LLC

Unofficial 20 Document

WHEN RECORDED RETURN TO:

Jamel Greenway, L.L.C.
Town & Country Camelback
4771 North 20th Street, Suite 22
Phoenix, Arizona 85016
Attention: James Shough

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kn

50001103
1 of 1

SPECIAL WARRANTY DEED

For the consideration of Ten and No/100 Dollars (\$10.00) and other valuable consideration, LINCOLN MEDICAL, LLC, a Delaware limited liability company, which acquired title as Lincoln Medical, LLC, a Delaware corporation ("**Grantor**"), hereby conveys to JAMEL GREENWAY, L.L.C., an Arizona limited liability company, with an address of 4771 North 20th Street, Suite 22, Phoenix, Arizona 85016, the following real property situated in Maricopa County, Arizona, together with all rights and privileges appurtenant thereto:

See **EXHIBIT A** attached hereto and incorporated herein by this reference (the "**Property**").

SUBJECT ONLY TO: current taxes and other assessments, reservations in patents and all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities and other matters that may appear of record or that a survey of the Property would reveal.

Grantor hereby binds itself and its successors to warrant and defend title to the Property, as against all acts of Grantor and none other, subject to the matters set forth above.

[SIGNATURE PAGE FOLLOWS]

DATED this 31st day of January, 2018.

GRANTOR:

LINCOLN MEDICAL, LLC,
a Delaware limited liability company

By: The S Development Company,
an Arizona corporation

Its: Sole Member

By: [Signature]
Name: Mark Grayson
Its: President

STATE OF Arizona)
County of Maricopa) ss.

The foregoing instrument was acknowledged before me this 29 day of January, 2018, by Mark Grayson, as President of The S Development Company, an Arizona corporation, the Sole Member of Lincoln Medical, LLC, a Delaware limited liability company.

Unofficial Document

[Signature]
Notary Public

My commission expires: 8/31/2021



MERCEDES LILJEGREN
Notary Public - Arizona
Maricopa County
Expires 08/31/2021

EXHIBIT A
LEGAL DESCRIPTION OF THE REAL PROPERTY

the following described real property situated in the County of Maricopa, State of Arizona:

THE EAST 200 FEET OF THE NORTH HALF OF THE NORTHWEST
QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST
QUARTER; AND

THE EAST 200 FEET OF THE NORTH HALF OF THE SOUTH HALF OF THE
NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 4
EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA
COUNTY, ARIZONA.

4851-2477-9354, v. 1

Unofficial Document

GENERAL PLAN POLICIES

Lincoln Medical Plaza Major Special Use Permit Amendment (2018)

7125 E Lincoln Drive

Several General Plan policies apply related to the request for a major renovation of the Lincoln Medical Plaza property. Primary policies that apply include the policies of Goal LU 2.1.2, Special Use Permit Property Revitalization, and several of the policies of Goal DA 2.2.1, Development Area Policy. The subject site is located in a designed Development Area. Below is a more exhaustive list of pertinent General Plan policies for consideration in review of this application request. As applicable, other policies may be considered.

Encourage renovation of SUP sites

LU 2.1.2.4 Special Use Permit Property Maintenance. The Town shall encourage, and where subject to redevelopment require, owners of closed or poorly maintained Special Use Permit properties to upgrade existing structures and properties to improve their physical condition to acceptable standards or require such structures to be removed or demolished.

Consider alternative uses and density in Development Areas

DA 2.2.3.3 East Lincoln Drive Development Areas. The Town should encourage moderate intensity, mixed-use, and context appropriate resort development within the East Lincoln Drive Development Areas that includes reasonable separation between incompatible uses and adjacent residential areas and effective buffering of unwanted noise, light, traffic and other adverse impacts.

Mitigate the impact to residential neighborhoods and adjacent land uses

LU 2.1.2.1 Encourage Revitalization. The Town shall continue to encourage Special Use Permit property revitalization and improvement within their existing geographic boundaries as long as such improvement does not adversely affect the integrity and enjoyment of adjacent residential neighborhoods.

LU 2.1.2.2 Require Impact Assessments. The Town shall require that proposals for revitalization and improvement of Special Use Permit properties include community impact assessments that address beneficial as well as adverse project impacts, including but not limited to noise, traffic, parking, open space or mountain views, and light pollution.

LU 2.1.2.3 Compatibility of Adjoining Uses. The Town shall ensure that development within Special Use Permit properties is compatible with adjacent land uses, particularly residential uses, by requiring such features as:

- Increased building setbacks from rear or side yard property lines adjoining single-family residential uses;
- Building heights stepped back from sensitive adjoining uses to maintain appropriate transitions in scale and to protect privacy;
- Landscaped off-street parking areas, loading areas, and service areas screened from adjacent residential areas, to the degree feasible;
- Lighting shielded to minimize impacts on adjacent residential uses and protect dark skies; and
- Operational restrictions to limit the adverse impact of noise, light, and traffic and minimize the risk of crime to adjacent residences.

DA 2.2.1.2 Balanced Consideration. Consideration of Development Area Special Use Permit applications should balance a need for the Town's fiscal health against a steadfast commitment to protecting adjacent low-density residential character and quality of life.

GENERAL PLAN POLICIES

Lincoln Medical Plaza Major Special Use Permit Amendment (2018)

7125 E Lincoln Drive

DA 2.2.1.3 Minimize Neighborhood Incompatibility. The Town shall require development or redevelopment within Development Areas to provide reasonable separation of incompatible land uses from adjacent residential areas through context- and scale appropriate land planning and architectural design, greater setback distances, noise mitigation, resort property programming, and landscape buffering.

OS 5.1.9.1 Mountain View Consideration. The Town shall place a high priority on the preservation and restoration of mountain views from public rights-of-way during any new, intermediate or major Special Use Permit amendment process.

EP 6.1.3.5 Glare. The Town shall require, through development design features, new development avoid the creation of excessive glare that makes seeing difficult due to the presence of reflected sunlight or artificial light such as floodlights.

Use context-appropriate site/building design

LU 2.1.2.5 Building Design and Site Planning. The Town shall encourage context-appropriate and responsive building design and site planning on Special Use Permit properties that mitigates the scale of larger buildings through careful use of building massing, setbacks, facade articulation, fenestration, varied parapets and roof planes, and pedestrian-scaled architectural details.

LU 2.1.3.1 Visual Openness. The Town shall maximize the benefits of visual openness throughout the Town by specific limits on floor area ratio, setbacks, side yards, and building and wall heights.

LU 2.1.3.2 Conservation. The Town shall encourage energy and water conservation by the appropriate orientation and design of buildings and the use of low-water use landscaping.

CC&H 3.1.3.2 Responsiveness to Context. The Town shall promote building design that respects and responds to the local context, and scale, including use of local materials where feasible, responsiveness to the Sonoran Desert climate, and consideration of the cultural and historic context of the Town of Paradise Valley's neighborhoods and centers.

CC&H 3.1.3.6 Architecturally Significant Buildings. The Town shall encourage the development of architecturally significant public and private buildings and resort development in key locations to create new landmarks and focal features that contribute to the Town's structure and identity and value the Town's location, climate and historic legacy.

CC&H 3.1.4.4 Dark Skies. The Town shall continue to balance the low light levels of the Town with the safety and security of residents and visitors.

OS 5.1.7.1 Landscape Guidelines. The Town shall adopt landscape guidelines and require they be used on all Town projects and in public rights-of-way while allowing a diverse range of treatments on individual properties. Residents and builders shall be encouraged to utilize the guidelines to further the preservation and enhancement of the community's natural environment.

EP 6.1.1.3 Mature Landscape Preservation. The Town shall require new development and redevelopment to preserve mature indigenous and compatible landscaping on-site where feasible.

EP 6.1.1.5 Maximum Feasible Preservation. The Town shall monitor new development and redevelopment to ensure the maximum feasible preservation of native plants and wildlife and existing vegetation.

GENERAL PLAN POLICIES

Lincoln Medical Plaza Major Special Use Permit Amendment (2018)

7125 E Lincoln Drive

EP 6.1.2.4 Urban Heat Island Effects. The Town shall continue to promote planting indigenous and compatible shade trees with substantial canopies, and require site design which uses trees to shade, where feasible, parking facilities, streets, and other facilities to minimize heat island effects.

EP 6.1.3.3 Standards for SUP Development. The Town shall require that Special Use Permit developments not create major adverse impacts on the town's natural and semi-urban landscapes.

WR 6.2.1.5 Water Conservation. The Town shall encourage water conservation for new and existing developments through the use of water-conserving fixtures and devices, conversion and installation of desert adapted landscaping, and other conservation techniques.

S 7.2.4.4 Impervious Surface Reduction. The Town shall limit the scope of new impervious surfaces and encourage reduction of existing impervious surfaces for all new developments in order to reduce storm water runoff.

Highlight the entrance into PV via gateway markers

LU 2.1.3.8 Community Gateways. Major entrances into the Town should be given symbolic markers and landscaping to strengthen community identity and to highlight community design standards. Symbolic markers may include signs, monuments, landscape, and hardscape.

CC&H 3.1.3.3 Enhanced Town Gateways. The Town shall ensure that public improvements and private development work together to enhance the sense of entry at key gateways to the Town through consistent decorative elements such as signage, landscaping, and art that captures the values of the Town and its setting.

CC&H 3.1.3.4 Visually Significant Corridors. The Town shall designate highly visible, prominent, streets, including Lincoln Drive and Tatum Boulevard, as Visually Significant Corridors. Streetscape design guidelines will be developed, to include a reasonable range of treatments of individual properties, to improve and manage landscape conditions as a means to demonstrate a positive and unique character and image of the Town, maintain views, and strive to mitigate the negative impact of traffic impacts while respecting private property rights.

M 4.4.3.2 Visually Significant Corridor Treatment. Town rights-of-way along Visually Significant Corridors shall have attractive, experientially rewarding, and cohesive design elements, including signage, landscaping, medians, interchanges and sidewalks while permitting a reasonable range of treatments of individual properties. Elements that create visual clutter such as unnecessary signage or utility boxes will be eliminated, or their visibility reduced.

M 4.4.3.3 Other Right-of-Way Treatment. All other public roadway right-of-way corridors will demonstrate high-quality landscaping elements consistent with Town Landscaping Guidelines while permitting a diverse range of treatments of individual properties.

Provide community spaces/public benefit

DA 2.2.2.1 Open Space. The Town shall seek to provide open spaces in Development Areas that encourage public gathering, enhance aesthetics, and serve as buffers between uses of significantly differing function and intensity.

DA 2.2.2.3 Public Space. The Town shall work with Development Area Special Use Permit properties to integrate pedestrian amenities, traffic-calming features, plazas and public areas, attractive streetscapes, shade trees, lighting, and open spaces in keeping with the character of the Town.

GENERAL PLAN POLICIES

Lincoln Medical Plaza Major Special Use Permit Amendment (2018)

7125 E Lincoln Drive

DA 2.2.2.4 Public Art. The Town should encourage the integration of public art into the visual character of Development Areas.

CC&H 3.1.2.3 Community Gathering Spots. The Town shall encourage Special Use Permit properties to incorporate strategically located (e.g., accessible to surrounding neighborhoods) community gathering spots that include small and appropriately scaled community-oriented services or amenities designed to support the interaction of Town residents.

To direct orderly and well-planned development within Development Areas to support infrastructure improvements

DA 2.2.3.1 Public Infrastructure. The Town should promote the public and private construction of timely and financially sound public infrastructure within Development Areas through the use of infrastructure funding and financing that is coordinated with development activity and funded by the developer whenever possible.

M 4.2.1.2 Comprehensive System. The Town shall maintain existing sidewalks, paths, bicycle lanes, and trails, and seek ways through transfer, gift, easement, or governmental action to extend or to fill in the system, to better serve the health, welfare, aesthetic, and sociability needs of pedestrians and cyclists.

SUP History – Lincoln Medical

Use of the property for medical office use was established by the Town in 1974 by Special Use Permit approval. Prior to annexation in 1961, the site had a structure on the south end of the site. The latest approvals were for a pharmacy and urgent care center in 2011. Attached is a SUP History of the property.

- *December 2012. Adoption of General Plan*
55 acres near the southeast area of Lincoln Drive and Mockingbird Lane were designated as a redevelopment area in the Town's General Plan. Lincoln Medical Plaza is located in the "East Lincoln Drive South Development Area." This development area is encouraged to have moderate intensity, mixed-use, and context-appropriate resort development. Refer to the attached General Plan policies for more information.
- *December 11, 2011. Approval of a pharmacy/apothecary and urgent care center*
The Town Council approved an intermediate Special Use Permit amendment application to operate a pharmacy/apothecary and an urgent care center. Both the pharmacy and urgent care center were approved in Building A (Suite A-101 and Suite A-103 respectively). Approval was subject to the following stipulations:
 1. All existing Special Use Permit stipulations shall remain in full force and effect, unless changed or modified by the Intermediate Amendment SUP-11-2.

Pharmacy

2. Only one (1) pharmacy shall be allowed.
3. The total square footage for the pharmacy shall not exceed 2,079 square feet and the pharmacy shall be located in Suite A-101, as identified on the attached Site Plan and Floor Plan (Exhibit A and Exhibit C, respectively).
4. Tenant signage shall be permitted on Building A at the entrance to the pharmacy, but such sign shall be no larger than the signs for other tenants of the building or for similar buildings at the Lincoln Plaza Medical Center.
5. The pharmacy shall not sell, dispense, lease or market any non-medically related paraphernalia, products and sundries.
6. The pharmacy's days and hours of operation shall be limited to Monday through Saturday, 8:00 am to 6:00 pm.
7. All activity related to the pharmacy shall be conducted in compliance with State and Federal rules and regulations; and other implementing state statutes and administrative regulations.
8. The pharmacy security measures shall be substantially compliant with the Floor Plan and the narrative.
9. An apothecary may be located in Suite A-101. The apothecary must comply with all State and Federal rules and regulations, and all SUP pharmacy stipulations.

SUP History – Lincoln Medical

Urgent Care Center

10. The total square footage for the urgent care center shall not exceed 2,170 square feet and the urgent care center shall be located in Suite A-103, as identified on the attached Site Plan and Floor Plan (Exhibit A and Exhibit D, respectively).
 11. The urgent care center shall not have any out-patient surgical facilities, ambulatory services or sell any prescription drugs.
 12. The urgent care center's days and hours of operation shall be limited to Monday through Friday, 8:00 am to 5:00 pm.
 13. The east and west monument sign copies shall be substantially compliant with the sign elevation plans and the narrative.
 14. Tenant signage shall be permitted on Building A at the entrance to the urgent care center, but such sign shall be no larger than the signs for other tenants of the building or for similar buildings at the Lincoln Plaza Medical Center.
 15. Directional signs for the urgent care center shall not be visible from off site, must comply with the Special Use Permit Guidelines and shall be limited to a maximum/total number of three (3) signs.
- *July 8, 1976. Approval to construct an aviary*
See attached SUP recorded document 11795/934-935.
 - *January 8, 1976. Approval to construct a site wall at the front of the property and construct new windows for both buildings.*
See attached SUP recorded document 11624/893-894.
 - *November 13, 1975. Approval of an extension for the completion of the plaza*
See attached SUP recorded document 11624/891-892.
 - *December 19, 1974. Approval of an extension for the completion of the plaza*
See attached SUP recorded document 11624/887-890.
 - *June 27, 1974. Establishment of the Special Use Permit*
The medical center was granted Special Use Permit status in 1974. See attached SUP recorded document 11624/884-886.

SUP-76-12
195615
Permit

PARADISE VALLEY TOWN COUNCIL

OKT 117956 934

AMENDMENT TO SPECIAL USE PERMIT ISSUED FOR MEDICAL CLINIC FOR LINCOLN PLAZA MEDICAL CENTER AT 7125 EAST LINCOLN DRIVE, IN THE TOWN OF PARADISE VALLEY.

RESOLVED, that the Special Use Permit issued by the Paradise Valley Town Council for the Lincoln Plaza Medical Center at 7125 E. Lincoln Drive, in the Town of Paradise Valley, on June 27, 1974, as amended on December 19, 1974, November 13, 1975, and January 8, 1976, is hereby further amended as follows: The following new paragraph 5 is hereby approved and adopted and added to the Special Use Permit heretofore granted:

5. Notwithstanding any other provision of this Special Use Permit, the grantee is hereby authorized to construct and maintain an aviary upon the premises subject to this Special Use Permit (a) upon condition that such aviary complies in location, size, design and all respects with the "Site Plan: for Aviary for Lincoln Plaza Medical Center, July, 1976" as certified as such plan by the Paradise Valley Town Clerk, and (b) upon condition that the use of the aviary and the care of the birds therein comply with all applicable laws.

This amendment is hereby incorporated into the Special Use Permit issued for the Lincoln Plaza Medical Center on June 27, 1974, as amended on December 19, 1974, on November 13, 1975, and January 8, 1976, and made an integral part thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Paradise Valley, Arizona, this 8 day of July, 1976.

Barbara vonAmmon
Barbara vonAmmon, Mayor

ATTEST:

Mary Ann Brines
Mary Ann Brines, Town Clerk

APPROVED AS TO FORM:

Roger A. McKee
Roger A. McKee, Town Attorney



SUP-76-12

DKT 11795PG 935

AGREED TO AND ACCEPTED BY:

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Whitney Sorrell

6.9.76
Date

George Sims

Aug 76
Date

STATE OF ARIZONA } ss
County of Maricopa }

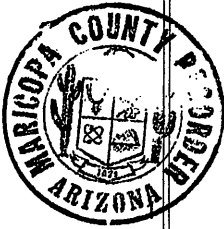
I hereby certify that the with-
in instrument was filed and re-
corded at request of

TOWN OF PARADISE VALLEY

AUG - 4 1976 - 10 35
in Docket 11795
on page 934-935

Witness my hand and official
seal the day and year aforesaid.

Tom Freestone
County Recorder
By Hammons
Deputy Recorder



DXT 11624PG 893

SUP-75-12
86184

PARADISE VALLEY TOWN COUNCIL

M/PERMIT

AMENDMENT TO SPECIAL USE PERMIT ISSUED FOR MEDICAL
CLINIC FOR LINCOLN PLAZA MEDICAL CENTER AT 7125
EAST LINCOLN DRIVE, IN THE TOWN OF PARADISE VALLEY

RESOLVED, that the Special Use Permit issued by
the Paradise Valley Town Council for the Lincoln Plaza
Medical Center at 7125 E. Lincoln Drive, in the Town of
Paradise Valley, on June 27, 1974, as amended on December 19,
1974, and November 13, 1975, is hereby further amended
as follows:

Subparagraph A of Paragraph 1 of the Amended
Special Use Permit is amended by deleting and repealing
the words crossed out, and adding and adopting the words
in all capitalized letters, as follows:

A. CONSTRUCTION AND OPERATION AND MAINTENANCE
of a medical AND DENTAL clinic, pursuant to Article XI,
Section 1101, subparagraph (e) of the Zoning Ordinance
of the Town of Paradise Valley, SHALL BE in STRICT compliance
with ~~drawings pgs. 1-4, dated revised June 21, 1974, entitled~~
~~"LINCOLN PLAZA MEDICAL CENTER," such drawings to be known~~
~~as EXHIBIT A, incorporated herein by reference, and made a~~
~~part of this special use permit.~~ EACH OF THE FOLLOWING SIX
DOCUMENTS, CERTIFIED AS SUCH BY THE PARADISE VALLEY TOWN
CLERK, WHICH ARE HEREBY APPROVED BY THE TOWN OF PARADISE
VALLEY AND THE SPECIAL USE PERMIT GRANTEES AND INCORPORATED
HEREIN BY REFERENCE AND MADE AN INTEGRAL PART OF THIS SPECIAL
USE PERMIT:

1. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA
MEDICAL CENTER OF JANUARY, 1976 - AS BUILT SITE PLAN WITH
RED LINE CORRECTIONS DATED January 6, 1976"
2. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA
MEDICAL CENTER FOR JANUARY, 1976, - SHEET #1"
3. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA
MEDICAL CENTER OF JANUARY, 1976 - SHEET #3"
4. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA
MEDICAL CENTER OF JANUARY, 1976 - SHEET #4"

5. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA
MEDICAL CENTER OF JANUARY, 1976 - SHEET 11"

6. "SITE PLAN FOR SPECIAL USE PERMIT FOR LINCOLN PLAZA
MEDICAL CENTER OF JANUARY, 1976 - LANDSCAPING PLAN"

Said construction shall also be in compliance with 1/87
scale model. Said Special Use Permit shall also be subject
to the following stipulations:

.....
This amendment is hereby incorporated into the Special
Use Permit issued for the Lincoln Plaza Medical Center
on July 27, 1974, as amended on December 19, 1974, and
on November 13, 1975, and made an integral part thereof.

PASSED AND ADOPTED by the Mayor and Common Council
of the Town of Paradise Valley, Arizona, this 8 day
of January, 1976.

Barbara von Ammon
Barbara von Ammon, Mayor

ATTEST:
Mary Ann Brines
Mary Ann Brines, Town Clerk

STATE OF ARIZONA } ss
County of Maricopa }
I hereby certify that the with-
in instrument was filed and re-
corded at request of

TOWN OF PARADISE VALLEY
APR 9 - 1976 - 11 20

APPROVED AS TO FORM:
Roger A. McKee
Roger A. McKee, Town Attorney

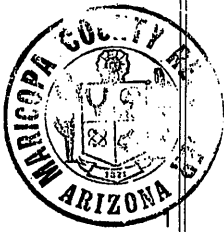
in Docket 11624
on page 893-894
Witness my hand and official
seal the day and year aforesaid.
Tom Freestone
County Recorder
By R. J. Montemayor
Deputy Recorder

AGREED TO AND ACCEPTED BY:
Whitney Sorrell
Whitney Sorrell

1.9.76
Date

Dr. Robert Winkler
Dr. Robert Winkler

1/13/76
Date



DOT 11624PG 891

86183

PARADISE VALLEY TOWN COUNCIL

M/PERMIT
SEP-75-11

AMENDMENT TO SPECIAL USE PERMIT ISSUED FOR MEDICAL
CLINIC FOR LINCOLN PLAZA MEDICAL CENTER AT 7125
EAST LINCOLN DRIVE, IN THE TOWN OF PARADISE VALLEY

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RESOLVED, that the Special Use Permit issued by
the Paradise Valley Town Council for the Lincoln Plaza
Medical Center at 7125 E. Lincoln Drive, in the Town of
Paradise Valley, on June 27, 1974, as amended on December 19,
1974, is hereby further amended as follows:

1. Subsection 11 in the middle of page three (3) of the
amended Special Use Permit is hereby amended by
deleting all of subsection 11 and substituting and
adopting the following new subsection 11:

"Construction of all improvements and structures,
and all landscaping, with the exception of "tenant
improvements", shall be completed on or before
February 1, 1976, and the grantee shall have quali-
fied for and obtained a Certificate of Occupancy
from the Town of Paradise Valley, on or before
February 1, 1976."

2. The following new paragraph 4 is adopted and added to
the Special Use Permit (at the bottom of page three (3)
of the amended Special Use Permit).

"4. This Special Use Permit shall become void
and of no force and effect, at the option of
the Paradise Valley Town Council, upon the
failure of the grantee Special Use Permit holder
to comply with any of the terms, conditions,
or stipulations of this Special Use Permit".

This amendment is hereby incorporated into the
Special Use Permit issued for the Lincoln Plaza Medical
Center on July 27, 1974, as amended on December 19, 1974,
and made an integral part thereof.

PASSED AND ADOPTED by the Mayor and Common Council
of the Town of Paradise Valley, Arizona, this 13th day of
November, 1975.

SUP-B-11

Barbara vonAmmon
Barbara vonAmmon, Mayor

ATTEST:

Mary Ann Brines
Mary Ann Brines, Town Clerk

APPROVED AS TO FORM:

Roger A. McKee
Roger A. McKee, Town Attorney

AGREED TO AND ACCEPTED BY:

Whitney Sorrell
Whitney Sorrell

11-21-75

Date

Dr. Robert Winkler
Dr. Robert Winkler

11-26-75

Date

APR 9 - 1976 -11 20

STATE OF ARIZONA }
County of Maricopa } ss

I hereby certify that the with-
in instrument was filed and re-
corded at request of
TOWN OF PARADISE VALLEY.

in Docket 11624
on page 891-892

Witness my hand and official
seal the day and year aforesaid.

Tom Freestone

County Recorder

By R. J. Montague
Deputy Recorder

100



AMENDED SPECIAL USE PERMIT

TO CONSTRUCT A MEDICAL CLINIC TO BE KNOWN AS
"LINCOLN PLAZA MEDICAL CENTER," AT 7125 E. LINCOLN, IN
THE TOWN OF PARADISE VALLEY, ARIZONA.

RESOLVED, that an amended Special Use Permit be,
and it is hereby issued to Lincoln Plaza Medical Center,
a general partnership of Whitney Sorrell and Dr. Robert
Winkler, for the use of the property hereinafter described
upon the terms and conditions hereinafter set forth:

1. Property. The property to which this amended
Special Use Permit applies is located within the Town of
Paradise Valley, Maricopa County, Arizona, at 7125 E.
Lincoln, the legal description of which is as follows:

The east 200' of the following described
property: The north one-half of the north-
west one-quarter of the northeast one-quarter
of the southeast one-quarter, and the north
one-half of the south one-half of the north-
west one-quarter of the northeast one-quarter
of the southeast one-quarter of Section 10,
Township two north, Range four east, of the
Gila and Salt River Base and Meridian,
Maricopa County, Arizona.

The utilization of the land and buildings of which shall be
as follows:

A. Construction of a medical clinic, pursuant
to Article XI, Section 1101, subparagraph (e) of the Zoning
Ordinance of the Town of Paradise Valley, in compliance with
drawings pgs. 1-4, dated "Revised June 3, 1974," entitled
"Lincoln Plaza Medical Center," such drawings to be known
as Exhibit A, incorporated herein by reference, and made a
part of this Special Use Permit. Said construction shall
also be in compliance with 1/8" scale model. Said Special
Use Permit shall also be subject to the following stipulations:

1. The Town Engineer's memo dated May 17, 1974,
which recommends the following, shall be
complied with:

- SUP-7A-7
- a. Paving width of Lincoln Drive across main portion of the lot should be 24' to back of curb with acceptable tapers at east and west property lines.
 - b. Vertical curb and gutter to match existing at east property line should be provided.
 - c. Driveway entrances should be graded to allow water carried in existing ditch to flow across drives at about 6' north of 40' right-of-way line.
 - d. Ditch flowline should be relocated to align with driveway dips and gutter at east property line.
 - e. Drainage reports for the property should be prepared comparing existing flows with post-development drainage patterns.
2. Exterior building colors shall be the same as used on the scale model and the color chip included in the file.
 3. Mechanical equipment is to be concealed from view from Lincoln Drive.
 4. Exterior lighting levels throughout the project are not to exceed three (3) foot-candles at three (3) foot heights above grade, exterior.
 5. Exterior construction materials, colors, and trim, shall conform to the model and the site plan.
 6. Sewer flow will connect to the City of Scottsdale sewer trunk line in Scottsdale Rd., at Lincoln. Sewer line will be extended north on Scottsdale Rd. and west on Lincoln to the northwest corner of subject property. The City of Scottsdale will approve the sewer plan and appropriate connection fees will be paid to the City of Scottsdale.
 7. The six (6) trees to be located in the front of the property shall have a minimum height of fifteen feet, and palm trees shall be excluded from these plantings.

SUP-74-7

8. Commercial laboratories and pharmacies are specifically excluded from occupancy.
9. The maximum number of rentable office suites shall not exceed twenty-two (22).
10. Title of all land and improvements shall remain under the ownership of Lincoln Plaza Medical Center, a general partnership, and be non-transferable until completion of building project.
11. Building permits shall be obtained within seven (7) months from Town Council approval with final landscaping substantially completed and Certificate of Occupancy issued within sixteen (16) months from Town Council approval.
12. Failure to commence construction within ten (10) months from date of Council approval shall automatically cancel this Special Use Permit, except that the owner(s) may petition the Council for an extension.
13. Certified "as built" drawings shall be submitted after completion of the project, and prior to issuance of a Certificate of Occupancy.

2. Nature of Use. Said property shall be operated only as set forth herein with no expansions, additions, changes or alterations to said real property or uses described herein without an express amendment to this Special Use Permit.

3. Unenforceable Provisions. Should any portion of this Permit be deemed to be unenforceable or invalid, such a determination shall not affect the balance of the provisions hereof.

SUP-74-7

This Special Use Permit was originally approved on June 27, 1974, by the Mayor and Common Council of the Town of Paradise Valley, Arizona, and is re-approved, passed, and adopted as amended this 19th day of December, 1974, nunc pro tunc to June 27, 1974; the time and date provisions of this Permit shall be held to be effective from June 27, 1974.

E. Robert Tribken

E. Robert Tribken, Mayor

ATTEST:

Mary Ann Brines

Mary Ann Brines, Town Clerk

APPROVED AS TO FORM:

Roger A. McKee

Roger A. McKee, Town Attorney

ACCEPTED AND AGREED TO BY
LINCOLN PLAZA MEDICAL CENTER

Whitney Sorrell

Robert Winkler
Dr. Robert Winkler

APR 9 - 1976 - II 20

STATE OF ARIZONA }
County of Maricopa } ss

I hereby certify that the with-
in instrument was filed and re-
corded at request of

TOWN OF PARADISE VALLEY

in Docket 11624
on page 887-890

Witness my hand and official
seal the day and year aforesaid.

Tom Freestone

County Recorder
By R. J. Monitrop
Deputy Recorder

DXT 11624PC 884

SPECIAL USE PERMIT

86181

PERMIT

SUP-74-6

1 TO CONSTRUCT A MEDICAL CLINIC TO BE KNOWN AS "LINCOLN PLAZA
2 MEDICAL CENTER," AT 7125 E. LINCOLN, IN THE TOWN OF PARADISE VALLEY,
3 ARIZONA.

4 RESOLVED, that a Special Use Permit be, and it is hereby issued
5 to Lincoln Plaza Medical Center, a general partnership, for the
6 use of the property hereinafter described upon the terms and condi-
7 tions hereinafter set forth:

8 1. Property. The property to which this Special Use Permit
9 applies is located within the Town of Paradise Valley, Maricopa
10 County, Arizona, at 7125 E. Lincoln, the legal description of which
11 is as follows:

12 The east 200' of the following
13 described property: The N $\frac{1}{2}$ of the
14 NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, and
15 the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the
16 NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, T2N,
17 R4E, G&SRB&M, Maricopa County, Arizona.



18 The utilization of the land and buildings of which shall be as
19 follows:

20 A. Construction of a medical clinic, pursuant to Article
21 XI, Section 1101, subparagraph (e) of the Zoning Ordinance of the
22 Town of Paradise Valley, in compliance with drawings pgs. 1-4,
23 dated "Revised June 3, 1974," entitled "Lincoln Plaza Medical
24 Center," such drawings to be known as Exhibit A, incorporated
25 herein by reference, and made a part of this Special Use Permit.
26 Said construction shall also be in compliance with 1/8" scale model.
27 Said Special Use Permit shall also be subject to the following
28 stipulations:

- 29 1. The Town Engineer's memo dated May 17, 1974, which
30 recommends the following, shall be complied with:
 - 31 a. Paving width of Lincoln Drive across main
32 portion of the lot should be 24' to back of
curb with acceptable tapers at east and west
property lines.
 - b. Vertical curb and gutter to match existing at
east property line should be provided.
 - c. Driveway entrances should be graded to allow
water carried in existing ditch to flow across
drives at about 6' north of 40' right-of-way
line.
 - d. Ditch flowline should be relocated to align with
driveway dips and gutter at east property line.

- e. Drainage reports for the property should be prepared comparing existing flows with post-development drainage patterns.
 - f. On site driveway grades should be a minimum of .5% to carry storm waters.
2. Exterior building colors shall be the same as used on the scale model and the color chip included in the file.
 3. Mechanical equipment is to be concealed from view from Lincoln Drive.
 4. Exterior lighting levels throughout the project are not to exceed three (3) foot-candles at three (3) foot heights above grade, exterior.
 5. Exterior construction materials, colors, and trim, shall conform to the model and the site plan.
 6. Sewer flow will connect to the City of Scottsdale sewer trunk line in Scottsdale Rd., at Lincoln. Sewer line will be extended north on Scottsdale Rd. and west on Lincoln to the NW corner of subject property. The City of Scottsdale will approve the sewer plan and appropriate connection fees will be paid to the City of Scottsdale.
 7. The six (6) trees to be located in the front of the property shall have a minimum height of 15', and palm trees shall be excluded from these plantings.
 8. Commercial laboratories and pharmacies are specifically excluded from occupancy.
 9. The maximum number of rentable office suites shall not exceed twenty-two (22).
 10. Title of all land and improvements shall remain under the ownership of Lincoln Planza Medical Center, a general partnership, and be non-transferable until completion of building project.
 11. Building permits shall be obtained within six (6) months from Town Council approval with final landscaping substantially completed and Certificate of Occupancy issued within fifteen (15) months from Town Council approval.

12. Failure to commence construction within nine (9) months from date of Council approval shall automatically cancel this Special Use Permit, except that the owner(s) may petition the Council for an extension.

13. Certified "as built" drawings shall be submitted after completion of the project, and prior to issuance of a Certificate of Occupancy.

2. Nature of Use. Said property shall be operated only as set forth herein with no expansions, additions, changes or alterations to said real property or uses described herein without an express amendment to this Special Use Permit.

3. Unenforceable Provisions: Should any portion of this Permit be deemed to be unenforceable or invalid, such a determination shall not affect the balance of the provisions hereof.

PASSED AND ADOPTED by the Mayor and Common Council for the Town of Paradise Valley, Arizona, this 27th day of June, 1974.

E. Robert Tribken
E. Robert Tribken, Mayor

ATTEST:

Mary Ann Brines
Mary Ann Brines, Town Clerk

APPROVED AS TO FORM:

Ronald H. Petica
Ronald H. Petica, Town Attorney

ACCEPTED AND AGREED TO:

By: [Signature]
By: Robert Winkler

Lincoln Plaza Medical Center,
a general partnership
between Whitney Sorrell and
Dr. Robert Winkler

STATE OF ARIZONA } ss
County of Maricopa }

I hereby certify that the within instrument was filed and recorded at request of

TOWN OF PARADISE VALLEY

APR 9 - 1976 - 11 20
in Docket 11624
on page 884-886

Witness my hand and official seal the day and year aforesaid.

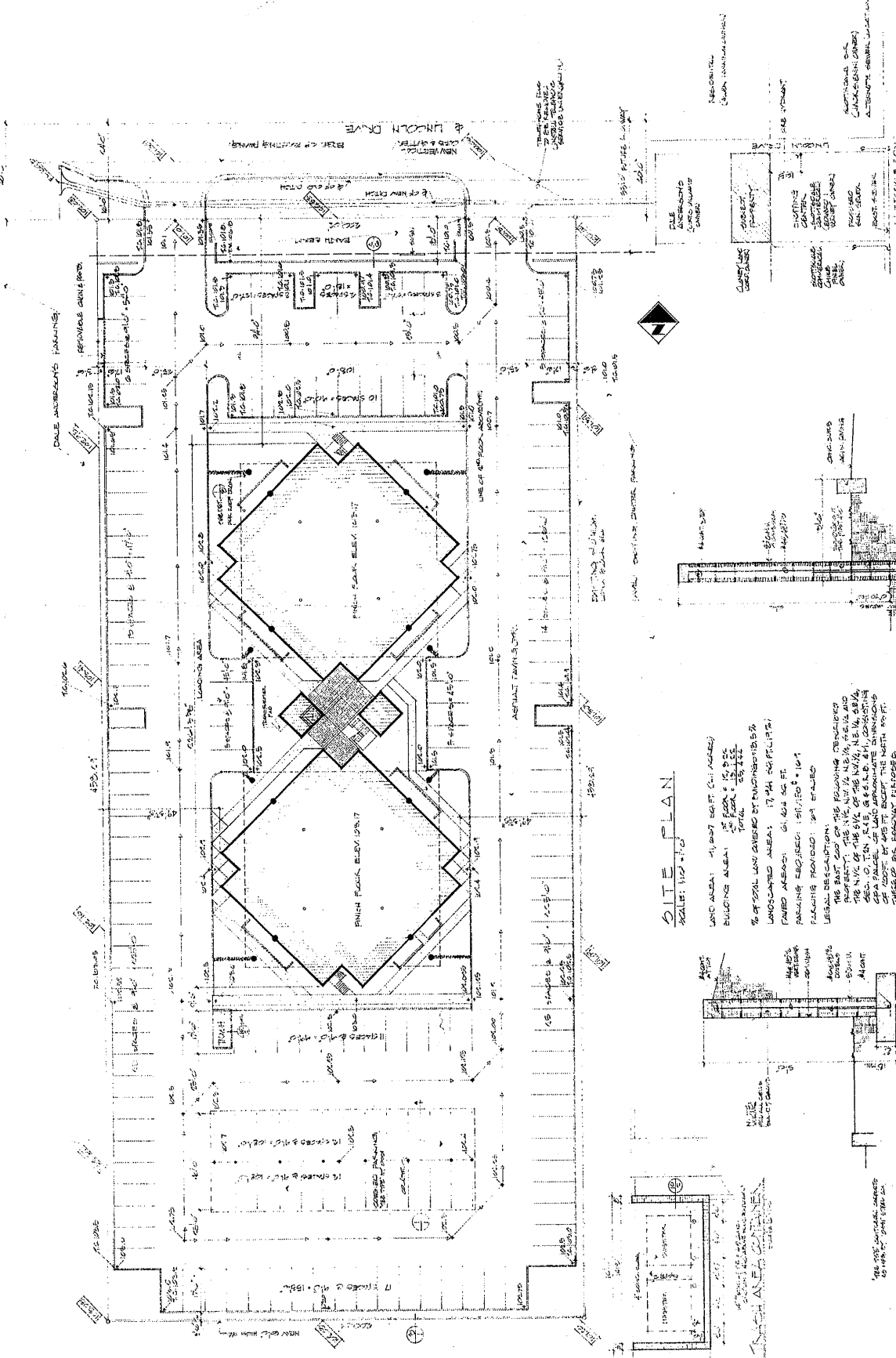
Tom Freestone
County Recorder
By [Signature]
Deputy Recorder



2114-76-1-1
MAILED MAY 27, 1975

I hereby certify this document to be true and correct. The Plans for Special Use Permit for Lincoln Plaza Medical Center of January 1975, Sheet #1, as approved by the Lincoln Plaza Medical Center Board of Directors, and the Special Use Permit for Lincoln Plaza Medical Center issued by the Lincoln Plaza Medical Center Board of Directors, are hereby approved by me, the Architect, on the date of the approval of the Special Use Permit by the Lincoln Plaza Medical Center Board of Directors.

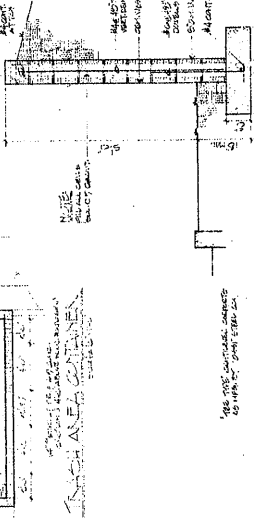
Thomas R. Boltinger
Architect



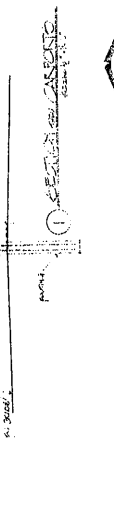
SITE PLAN
SCALE: 1/8" = 1'-0"

LAND AREA: 41,007 SQ. FT. (0.93 ACRES)
BUILDING AREA: 15,000 SQ. FT.
TOTAL: 56,007 SQ. FT.
% OF TOTAL LAND COVERED BY BUILDING: 36.6%
LANDSCAPED AREA: 17,000 SQ. FT.
PAVED AREA: 31,000 SQ. FT.
PARKING REQUIRED: 210/150 = 1.4
PARKING PROVIDED: 100 SPACES
LEGAL REQUIREMENTS:
THE BUILDING SHALL BE LOCATED WITHIN THE BUILDING FOOTPRINT, THE MIN. DIST. TO THE 36TH ST. RIGHT-OF-WAY SHALL BE 10 FT. THE MIN. DIST. TO THE 40TH ST. RIGHT-OF-WAY SHALL BE 10 FT. THE MIN. DIST. TO THE 36TH ST. RIGHT-OF-WAY SHALL BE 10 FT. THE MIN. DIST. TO THE 40TH ST. RIGHT-OF-WAY SHALL BE 10 FT. THE MIN. DIST. TO THE 36TH ST. RIGHT-OF-WAY SHALL BE 10 FT. THE MIN. DIST. TO THE 40TH ST. RIGHT-OF-WAY SHALL BE 10 FT.

NOTES:
1. TREES SHALL BE PROVIDED AT THE RATE OF ONE PER 500 SQ. FT. OF LANDSCAPED AREA (MINIMUM).
2. THE 500 SQ. FT. OF LANDSCAPED AREA SHALL BE PROVIDED IN VARIOUS TYPES.
3. PLANTING SHALL BE OF THE FOLLOWING MINIMUM SPECIFICATIONS:
A. 10" DIA. TREE: 10 FT. TALL, 10 FT. SPAN, 10 FT. WIDE.
B. 12" DIA. TREE: 12 FT. TALL, 12 FT. SPAN, 12 FT. WIDE.
C. 14" DIA. TREE: 14 FT. TALL, 14 FT. SPAN, 14 FT. WIDE.
D. 16" DIA. TREE: 16 FT. TALL, 16 FT. SPAN, 16 FT. WIDE.
E. 18" DIA. TREE: 18 FT. TALL, 18 FT. SPAN, 18 FT. WIDE.
F. 20" DIA. TREE: 20 FT. TALL, 20 FT. SPAN, 20 FT. WIDE.
G. 22" DIA. TREE: 22 FT. TALL, 22 FT. SPAN, 22 FT. WIDE.
H. 24" DIA. TREE: 24 FT. TALL, 24 FT. SPAN, 24 FT. WIDE.
I. 26" DIA. TREE: 26 FT. TALL, 26 FT. SPAN, 26 FT. WIDE.
J. 28" DIA. TREE: 28 FT. TALL, 28 FT. SPAN, 28 FT. WIDE.
K. 30" DIA. TREE: 30 FT. TALL, 30 FT. SPAN, 30 FT. WIDE.
L. 32" DIA. TREE: 32 FT. TALL, 32 FT. SPAN, 32 FT. WIDE.
M. 34" DIA. TREE: 34 FT. TALL, 34 FT. SPAN, 34 FT. WIDE.
N. 36" DIA. TREE: 36 FT. TALL, 36 FT. SPAN, 36 FT. WIDE.
O. 38" DIA. TREE: 38 FT. TALL, 38 FT. SPAN, 38 FT. WIDE.
P. 40" DIA. TREE: 40 FT. TALL, 40 FT. SPAN, 40 FT. WIDE.
Q. 42" DIA. TREE: 42 FT. TALL, 42 FT. SPAN, 42 FT. WIDE.
R. 44" DIA. TREE: 44 FT. TALL, 44 FT. SPAN, 44 FT. WIDE.
S. 46" DIA. TREE: 46 FT. TALL, 46 FT. SPAN, 46 FT. WIDE.
T. 48" DIA. TREE: 48 FT. TALL, 48 FT. SPAN, 48 FT. WIDE.
U. 50" DIA. TREE: 50 FT. TALL, 50 FT. SPAN, 50 FT. WIDE.
V. 52" DIA. TREE: 52 FT. TALL, 52 FT. SPAN, 52 FT. WIDE.
W. 54" DIA. TREE: 54 FT. TALL, 54 FT. SPAN, 54 FT. WIDE.
X. 56" DIA. TREE: 56 FT. TALL, 56 FT. SPAN, 56 FT. WIDE.
Y. 58" DIA. TREE: 58 FT. TALL, 58 FT. SPAN, 58 FT. WIDE.
Z. 60" DIA. TREE: 60 FT. TALL, 60 FT. SPAN, 60 FT. WIDE.



NOTES:
1. TREES SHALL BE PROVIDED AT THE RATE OF ONE PER 500 SQ. FT. OF LANDSCAPED AREA (MINIMUM).
2. THE 500 SQ. FT. OF LANDSCAPED AREA SHALL BE PROVIDED IN VARIOUS TYPES.
3. PLANTING SHALL BE OF THE FOLLOWING MINIMUM SPECIFICATIONS:
A. 10" DIA. TREE: 10 FT. TALL, 10 FT. SPAN, 10 FT. WIDE.
B. 12" DIA. TREE: 12 FT. TALL, 12 FT. SPAN, 12 FT. WIDE.
C. 14" DIA. TREE: 14 FT. TALL, 14 FT. SPAN, 14 FT. WIDE.
D. 16" DIA. TREE: 16 FT. TALL, 16 FT. SPAN, 16 FT. WIDE.
E. 18" DIA. TREE: 18 FT. TALL, 18 FT. SPAN, 18 FT. WIDE.
F. 20" DIA. TREE: 20 FT. TALL, 20 FT. SPAN, 20 FT. WIDE.
G. 22" DIA. TREE: 22 FT. TALL, 22 FT. SPAN, 22 FT. WIDE.
H. 24" DIA. TREE: 24 FT. TALL, 24 FT. SPAN, 24 FT. WIDE.
I. 26" DIA. TREE: 26 FT. TALL, 26 FT. SPAN, 26 FT. WIDE.
J. 28" DIA. TREE: 28 FT. TALL, 28 FT. SPAN, 28 FT. WIDE.
K. 30" DIA. TREE: 30 FT. TALL, 30 FT. SPAN, 30 FT. WIDE.
L. 32" DIA. TREE: 32 FT. TALL, 32 FT. SPAN, 32 FT. WIDE.
M. 34" DIA. TREE: 34 FT. TALL, 34 FT. SPAN, 34 FT. WIDE.
N. 36" DIA. TREE: 36 FT. TALL, 36 FT. SPAN, 36 FT. WIDE.
O. 38" DIA. TREE: 38 FT. TALL, 38 FT. SPAN, 38 FT. WIDE.
P. 40" DIA. TREE: 40 FT. TALL, 40 FT. SPAN, 40 FT. WIDE.
Q. 42" DIA. TREE: 42 FT. TALL, 42 FT. SPAN, 42 FT. WIDE.
R. 44" DIA. TREE: 44 FT. TALL, 44 FT. SPAN, 44 FT. WIDE.
S. 46" DIA. TREE: 46 FT. TALL, 46 FT. SPAN, 46 FT. WIDE.
T. 48" DIA. TREE: 48 FT. TALL, 48 FT. SPAN, 48 FT. WIDE.
U. 50" DIA. TREE: 50 FT. TALL, 50 FT. SPAN, 50 FT. WIDE.
V. 52" DIA. TREE: 52 FT. TALL, 52 FT. SPAN, 52 FT. WIDE.
W. 54" DIA. TREE: 54 FT. TALL, 54 FT. SPAN, 54 FT. WIDE.
X. 56" DIA. TREE: 56 FT. TALL, 56 FT. SPAN, 56 FT. WIDE.
Y. 58" DIA. TREE: 58 FT. TALL, 58 FT. SPAN, 58 FT. WIDE.
Z. 60" DIA. TREE: 60 FT. TALL, 60 FT. SPAN, 60 FT. WIDE.



ZONING ORDINANCE

- iv. Restaurants, banquet rooms and food service facilities which may include live music, entertainment and dancing.
- v. Meeting and public assembly facilities.
- vi. Dwelling units.
- vii. Any other resort-related use specifically approved in a Special Use Permit

3. Signs

All signs shall comply with Article XXV, Signs, or as may have been previously specified in a particular Special Use Permit.

B. Medical Office, Kennels and Veterinary Clinics^{633 658}

1. Definition

A medical office, including a medical clinic, consists of a building or part of a building used solely for the purpose of consultation, diagnosis, and treatment of patients by one or more legally qualified physicians, dentists, optometrists, chiropodists, chiropractors, osteopaths, and occupational therapists, together with their qualified assistants, and without limiting the generality of the foregoing, the building may include reception areas, administrative offices, waiting rooms, consultation and treatment rooms, minor operating rooms, pharmacies and dispensaries directly associated with the medical office/clinic. A kennel, including a veterinary clinic, consists of a building or a part of a building used for reception areas, administrative offices, waiting rooms, play areas and animal retaining/caging units, consultation and treatment rooms, minor operating rooms, and rooms for the diagnosis and treatment of animals by one or more legal qualified veterinarians, together with their qualified assistants.

2. Allowed uses

- a. Offices for medical practitioners and veterinarians; and kennel uses.
- b. Outpatient surgical facilities where patient stays do not exceed 48 hours.
- c. Medical laboratories.
- d. Physical therapy facilities.
- e. Pharmacies, subject to specific approval of such use by the terms of an approved Special Use Permit, and pursuant to the following restrictions:

ZONING ORDINANCE

- i. There shall be no external signage for a pharmacy other than a tenant identification sign for the surrounding medical office SUP complex.
 - ii. Addition of a pharmacy use within a Medical Office Special Use Permit Zone shall be permitted only upon the approval of an Intermediate Amendment to the Special Use Permit as provided for in Section 1102.7(C).
 - iii. Hours of operation shall be not earlier than 8:00 a.m. and not later than 6:00 p.m. – Monday through Saturday.
- f. Medical Marijuana Dispensaries, subject to the following restrictions:
- i. The number of medical marijuana dispensaries within the Town of Paradise Valley shall be limited to no more than one within the boundaries of the Town. Said dispensary shall be allowed only in the Medical Office SUP District and only upon the approval of an Intermediate Amendment to a Special Use Permit.
 - ii. The minimum requirements of this section shall apply to all applications for a medical marijuana dispensary use in a SUP Medical Office District as well as proof of compliance with all DHS regulations related to medical marijuana dispensaries.
 - iii. In addition to the foregoing requirements, applicants for a medical marijuana dispensary shall provide the following:
 - (1) Copy of the operating procedures adopted in compliance with A.R.S. § 36-2804(B)(1)(c).
 - (2) Proof of a valid registration certificate and identification number from DHS for the dispensary and its board members and agents.
 - (3) A security plan showing a floor plan, type and description of and specifications for security measures that the medical marijuana dispensary will use to secure, enclose and lock the dispensary as required by State law and DHS regulations.
 - (4) Exterior site and parking plan.
 - iv. Additional Regulations and Standards for Medical Marijuana Dispensaries
 - (1) Prior to Town approval of the occupancy of any tenant or operator of a medical marijuana dispensary, the owner of the medical office complex shall submit for Town Manager review and approval criminal background information and releases regarding the prospective tenant and all employees to be hired by the tenant; audited financial statements evidencing that the entities or persons who will

ZONING ORDINANCE

own or operate the medical marijuana dispensary have adequate assets, financing, and net worth to appropriately fund a safe and secure medical marijuana; and detailed operations evidencing appropriate policies, protocols and operations procedures to ensure that the medical marijuana dispensary will run and operate in a safe and secure manner.

(2) Medical marijuana dispensaries shall be limited to the use of dispensing medical marijuana products, and shall be prohibited from any other or related use such as a bookstore, spa, restaurant, or coffee shop.

(3) No drive-through service shall be allowed at any medical marijuana dispensary.

(4) No on-site consumption of any product containing medical marijuana shall be allowed at any medical marijuana dispensary.

(5) Medical marijuana dispensaries located within the Town of Paradise Valley shall be prohibited from making any home deliveries of marijuana.

(6) Medical marijuana dispensaries shall be prohibited from offering free or discounted samples of their merchandise.

(7) Means of preventing smoke, odors, debris, dust fluids and other substances from exiting a medical marijuana dispensary shall be provided.

(8) No minors, under 21 years of age, are permitted within a medical marijuana dispensary unless accompanied by a parent or guardian.

(9) No youth activities, including, but not limited to, outdoor basketball hoop structures, playgrounds, and skate parks, shall be permitted on the same medical office complex site that has an approved medical marijuana dispensary use.

(10) If the State prohibits any medical marijuana dispensary within the Town, any Amendment to a Special Use Permit adding a medical marijuana dispensary use shall be deemed immediately revoked by operation of law. The underlying Special Use Permit shall remain.

(11) A medical marijuana dispensary shall be at least 1,500 feet from the following existing uses, as measured within the Paradise Valley municipal limits only: (a) educational institutions (b) places of worship (c) parks and recreational facilities (d) youth centers; and at least 5,280 feet from any other medical marijuana dispensary, as measured within the Paradise Valley municipal limits only.

ZONING ORDINANCE

Measurements are taken from nearest property lines of the medical office use and each of the uses noted above. The location of the dispensary shall optimize distance from residentially zoned property. Residential spacing shall be the primary consideration for all reviews of intermediate SUP amendment applications for medical marijuana dispensaries.

(12) A medical marijuana dispensary shall have operating hours not earlier than 8:30 a.m. and not later than 2:30 p.m. – Monday through Friday or as prescribed in an intermediate Special Use Permit amendment.

(13) There shall be no external signage including, but not limited to, any special event signage, for a medical marijuana dispensary other than a tenant identification sign for the surrounding medical office SUP complex, and no symbols, representations, or slang for the word “marijuana” or its components shall be used on any external signage.

(14) All activity related to medical marijuana dispensaries shall be conducted in compliance with Arizona Revised Statutes, Title 36, A.R.S. § 36-2801 et seq., DHS rules and regulations and other implementing state statutes and administrative regulations.

(15) An SUP amendment for a medical marijuana dispensary shall not become effective until the owner of a Medical Office SUP District property has completed all DHS requirements and obtained a license.

C. Religious Facility, Private School, Non-Profit Organization, Public/Quasi Public

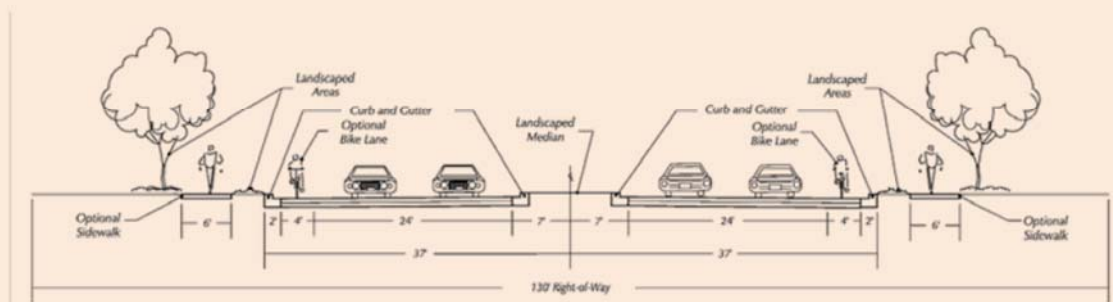
1. Definitions. Any of the following that can demonstrate an exclusively non-profit or non-commercial or purely public purpose.
 - a. Religious Facility - an institution primarily used for the gathering of people for the practice of religious faiths.
 - b. Private School - an institution, including private charter schools, for instruction and education of children or adults and that is not operated by a public school district.
 - c. Non-Profit Organization - an organization that provides social, religious, educational, family support or similar services to individuals and which is certified as a not for profit organization by appropriate state or federal agencies.
 - d. Public/Quasi Public: Structures and uses principally of an institutional nature and serving a public need, such as religious institutions, schools, libraries, governmental offices, museums, post offices, police and fire

MAJOR ARTERIAL CROSS SECTION
2012 GENERAL PLAN

Table 4.1: Circulation Map Classifications and Standards

Classification	Function	Design Character (also see Cross-Sections)
Major Arterial	To provide regional unity and continuity.	<ul style="list-style-type: none"> ▪ Channelized intersections, limited access, crossings, and stops ▪ Parking on rights-of-way prohibited ▪ Landscaped medians and rights of way ▪ Optional sidewalks on both sides, set back a minimum of 5 feet from traffic lanes ▪ Bike lanes only where necessary to interconnect bikeway system ▪ 4 through lanes ▪ Full curbs and gutters ▪ 130-foot right-of-way

Figure 4.2: Typical Major Arterial Cross-Section





SPECIAL USE PERMIT GUIDELINES

TABLE OF CONTENTS

General Purpose	1
Lighting	1
Open Space Criteria.....	2
Resorts.....	3
Medical Office.....	6
Religious Facility, Private School, Non-Profit Organization, Public/Quasi Public.....	8
Country Club and Golf Course.....	10
Guardhouse, Gatehouse, and Access Control Gates.....	12

Section 1 General Purpose

The following guidelines should not be construed as an ordinance. These guidelines are a result of joint discussions between the Town Planning Commission and Town Council to provide a generally-accepted vision of appropriate site, bulk, density, perimeter, parking, sign, lighting, and other related standards during the review of a new or amended Special Use Permit for a non-residential development in the Town of Paradise Valley. The nature of the request, the architecture of the development, the unique characteristics of the site, among other factors; may merit less or more restrictive standards as determined during a complete review of each individual request. It should be noted that meeting all the guidelines listed below does not obligate the Town to grant a Special Use Permit or amendment thereto. These guidelines supplement the regulations as set forth in Article XI, Additional Use Regulations and Special Uses, of the Town Zoning Ordinance.

Section 2 Lighting

The following lighting guidelines shall apply to all non-residential properties requiring a Special Use Permit.

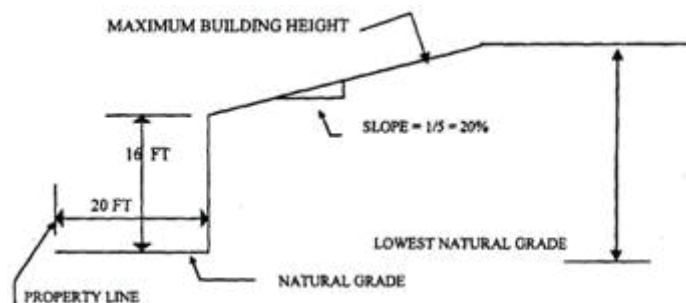
- a. **Outdoor lighting shall be permitted so long as:**
 - i. the light emitting element is shielded so that no beam of light extends above a horizontal plane placed at the lowest level of any exposed portion of the light emitting element; and
 - ii. the light emitting element and reflecting device of all lighting or illumination units is hooded or shielded so that it is not visible from any adjacent lot or real property; and
 - iii. such outdoor lighting or illuminating units do not direct light, either directly or through a reflecting device, upon any adjacent real property.
 - iv. uplighting shall be permitted so long as no light emitting device is greater than 25 watts or emits more than 250 lumens.
- b. Outdoor **pole** lighting shall be permitted **subject to the provisions of subsection A.8.a of this section** so long as:
 - i. the height of such lights or illumination does not exceed **16** feet measured from the natural ground level; and

- ii. Each lighting or illuminating device shall be set back from the nearest property line a distance equal to or greater than the height of the device above natural ground level.
- c. Outdoor light levels, measured in foot candles in accordance with Illuminating Engineering Society of North America (IESNA) standards, shall not exceed the following levels in the locations specified:
 - i. parking lots – 1.6.
 - ii. entrance roadways, interior driveways and drop off areas – 5.0.
 - iii. adjacent to service buildings and loading docks – 5.0.
 - iv. in conjunction with architectural lighting adjacent to all other structures – 3.0.
 - v. outdoor pool decks and function areas – 5.0.
 - vi. outdoor dining areas – 10.0.
- d. No outdoor lighting shall be permitted within any setback area adjacent to a residential property unless:
 - i. the lighting measured at the property line does not exceed 0.5 foot candles; and
 - ii. all light emitting elements are less than three (3) feet in height.

Section 3 Open Space Criteria

The following Open Space Criteria shall apply to all non-residential properties requiring a Special Use Permit. To maintain view corridors around the perimeter of a property, building heights shall be limited around property lines. No building shall penetrate an imaginary plane beginning at 16 feet above the natural grade and 20 feet from exterior property lines, which plane slopes upward at a ratio of one foot vertically for each five feet horizontally measured perpendicular to the nearest property line, as illustrated in Figure 3-1. This limitation shall apply until the maximum allowable height is reached. All height measurements shall commence at the ground elevation at the 20-foot beginning line. Building height measurements shall be taken from the high points of the structure to the closest point on the 20-foot beginning line perpendicular to that portion of the structure. Notwithstanding the foregoing, no structure shall be located closer to an exterior property line than as otherwise permitted for that use.

Figure 3-1



Section 5 Medical Office

1. Bulk and Density Standards
 - a. **Maximum building height**
 - i. *Principal Structures – 30 feet*
 - ii. **Accessory structures – 24 feet**
 - iii. **Service structures – 18 feet**
 - iv. **Towers and other architectural features may exceed maximum building heights, subject to special use permit or major amendment approval.**
 - v. **To maintain view corridors around the perimeter of a property, building heights shall be limited around property lines in accordance with the Open Space Criteria per Section 3 of the Special Use Permit Guidelines.**
 - b. **Maximum lot coverage for all buildings - 25%**
 - c. **Minimum lot area - 5 acres**
2. Perimeter Standards
 - a. **Building setback when property is adjoining residentially zoned property – 60 feet**
 - b. **Building setback when property is adjoining a public street - 40 feet**
 - c. **Parking lots and internal driveways shall be set back a minimum of 60 feet from adjoining residential zoned property**
 - d. **Parking lots shall be shielded with a minimum 3 foot high wall or landscaped berm providing equivalent screening or a combination of both so that no vehicle lights shall shine onto adjacent residential property.**
 - e. **Parking lots adjoining public streets shall be screened with a minimum three foot high, solid, decorative wall or a landscaped berm providing equivalent screening or a combination of both.**
 - f. **There shall be a 40 foot wide landscaped area adjacent to an exterior property line where it abuts residentially zoned property.**
 - g. **There shall be a minimum 30 foot wide landscaped area where an exterior property line abuts a public or private local or collector street and a 50 foot wide landscaped area where an exterior property line abuts a Major or Minor Arterial.**
3. **Parking**
 - a. **On-site parking shall be provided as follows:**
 - i. **Medical offices - 1 space for each 200 square feet of interior floor area.**
 - ii. **Outpatient surgical facilities - 1 space for each 2 employees plus 1 space for each surgical room.**

- iii. **Medical laboratories - 1 space for each 2 employees.**
- iv. **Physical therapy facilities - 1 space for each 1.5 employees.**
- v. **Pharmacy – 1 space for each 300 square feet of interior area.**
- b. **These requirements may be modified in conjunction with special use permit or major amendment approval based on information documenting overlapping usage of on-site facilities by staff and visitors and as contained in an approved traffic and parking analysis.**

4. Signage

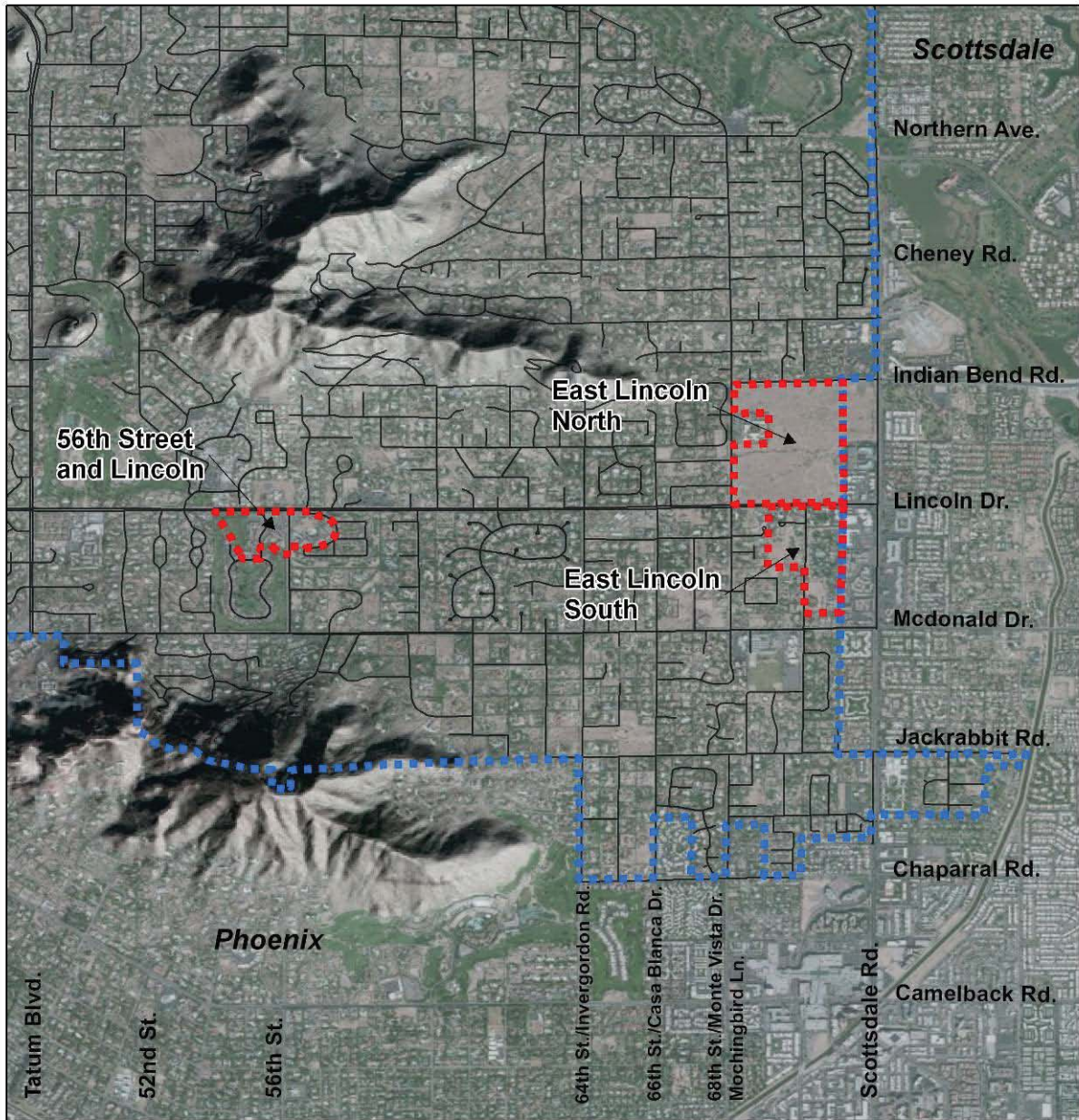
In addition to the provisions of Chapter XXV, Signs, of the Town's Zoning Ordinance, the following regulations shall apply:

- a. **One ground sign that is no higher than 8 feet and no larger than 40 square feet in area shall be permitted at each principal entrance to the property.**
- b. **No moving or animated signs shall be permitted.**
- c. **Traffic and directional signs within the site shall not exceed 12 square feet in area or five feet in height.**

5. Lighting

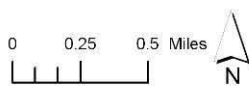
Lighting as per Section 2 of the Special Use Permit Guidelines

Figure 2-3: Development Areas



Legend

- Streets
- Development Areas
- Paradise Valley Boundary



Rev: 19 May, 2011



BACKGROUND

Lincoln Medical Plaza

Council Statement of Direction

The Town Council issued a Statement of Direction (SOD) on June 14, 2018. Height, use, landscaping/buffering, and traffic, parking, and circulation were of particular concern.

History and Conditions

Use of the property for medical office use was established by the Town in 1974 by Special Use Permit (SUP) approval. Prior to annexation in 1961, the site had a structure on the south end of the site. It is unclear from available records the use of the site prior to 1974. The latest SUP approvals were for a pharmacy and urgent care center in 2011.

Use

The property is currently utilized for medical office, along with the proposed use. Section 1102.2 of the Zoning Ordinance defines medical office and lists various medical office uses that may be permissible via a Special Use Permit such as offices for medical practitioners, outpatient surgical for patient stays not exceeding 48 hours, medical laboratories, and physical therapy, among other uses. See the attached Section 1102.2 for more information.

While the use will not change, more information is needed on the type of medical office uses targeted for the site including overnight stays or other late hour use of the facility. Hours of operation for the facility shall also be reviewed and limited. Weekend hours may be a concern.

The site's location adjacent to several existing high-density residential and commercial retail establishments, along with known traffic access and congestion issues along Lincoln Drive resulted in the Town Council's SOD suggesting the limitation on allowable uses and discouraging uses that generate quick turn-around trips at this medical plaza. These discouraged uses include, but are not limited to, retail and medical marijuana dispensaries. The traffic-circulation-parking study has not been submitted and will be important in assessing the impact of the uses on this site.

General Plan/Zoning

The subject property has a General Plan designation of "Medical Office" pursuant to the Town's General Plan Land Use Map. The zoning on the subject property is "Special Use Permit – Medical Office". The proposed medical office use is in conformance with this designation and zoning.

Several General Plan policies apply related to the request for redevelopment of the Lincoln Medical Plaza property. Primary policies that apply are the policies of Goal LU 2.1.2, Special Use Permit Property Revitalization, and several of the policies of Goal DA 2.2.1, Development Area Policy. The site is located in the East Lincoln Development Area that encourages moderate intensity, mixed-use, and context appropriate resort development that includes reasonable separation between incompatible uses and adjacent residential areas and effective buffering of unwanted noise, light, traffic and other adverse impacts. Also, the General Plan encourages upgrading existing structures and properties to improve their physical condition to acceptable Town standards.

Enforcement

There are no known active code violations on the subject site.

Site Location/Size

The subject site is unique in that it does not directly adjoin residential-zoned property. The AJs shopping plaza is to the east, the Andaz resort is to the south, and the Smoke Tree Resort is to the west. The site and land south and west are also part of the East Lincoln Development Area that encourages moderate intensity, mixed-use, and context appropriate resort development. The boundary of this Development Area is shown on the attached map. Retaining the medical use on this site will maintain a mix of uses within the East Lincoln Development Area. This Development Area presently has medical office, resort, and residential uses.

The site is located on the east end of the Town along the main west-east route through Town. This area is near the new development of the Ritz Carlton, along with many commercial and retail uses within the City of Scottsdale. Traffic access and congestion along Lincoln Drive is known to exist between Mockingbird Lane and Scottsdale Road.

The subject site is 2.1 acres. This parcel size is approximately half the size of the suggested minimum site size for a medical plaza by the Town's Special Use Permit Guidelines. The Special Use Permit Guidelines suggest a minimum site area of five acres. These Guidelines did not exist in 1974 when the Town approved the medical use on this site. However, the property has managed to accommodate medical office use without any substantial violations or negative impact to the surrounding area over the last several decades.

Right-of-Way

The applicant has been asked to provide clarification of the existing dedicated right-of-way width, along with the proposed right-of-way dedication and/or easement width along Lincoln Drive. From available records, the existing right-of-way width appears to be either 33 feet or 40 feet in width. Per the Major Arterial cross-section of the Town General Plan, the typical required half-width of right-of-way along Lincoln Drive is 65 feet. Further discussion on this point will be necessary as the project moves forward. Timing with the Town's existing improvement project for Lincoln Drive is critical for median construction and any water, sewer, and utility improvements.

The Town is not looking to add any additional travel lanes, but there will be intersection improvements made at Quail Run Road, median improvements and new sidewalk.

Right-of-way dedication can affect how various metrics are calculated, such as lot coverage, landscape buffers, measurement of Open Space Criteria, and setbacks. Typically, these metrics are calculated based on the post-dedicated area. The SOD does provide some flexibility in considering calculation using the pre-dedication condition. Options may exist for a mix of right-of-way dedication and easement. Staff suggests the applicant dedicate the typical 65 feet of half width along Lincoln Drive.

Landscaping/Buffering

The existing landscape buffer along Lincoln Drive varies between 27 feet and 34 feet from the back of the existing curb, with approximately 10 feet of this depth within the 40-foot right-of-way. 17 feet to 24 feet of this landscape buffer depth is within the boundaries of the subject site. Right-of-way dedication to a 65-foot depth under the existing built condition would result in all the landscape buffer falling within the right-of-way. The existing landscape buffers along the sides and rear yard are approximately 3.5 feet in depth.

The Special Use Permit Guidelines recommend a 50-foot landscape buffer adjacent to Lincoln Drive. The SOD states particular attention shall be paid to the buffer along Lincoln Drive based on the Ritz property just to the north. A stipulation may be considered to ensure replacement of any buffer should the landscaping die. A landscape plan shall be required. The Commission shall evaluate the proper balance of landscaping to soften the building while not obscuring it from the street. Hardscaping and pedestrian access shall be considered with the landscape plan. The applicant has been asked to consider plant material of the draft Visually Significant Corridors Plan as the location of the property is at a major gateway in/out of the Town.

Setbacks

The existing buildings have a front yard setback of 80 feet from the closest point of the building to the south point along the 40-foot dedicated right-of-way line. Other portions of the building have a front yard setback of 94 feet. With a 65-foot dedication along Lincoln Drive, the existing front yard setback reduces to 55 feet from the closest point of the building to the south point along a 65-foot dedicated right-of-way line. Other portions of the building would have a front yard setback of 69 feet. There is still confusion regarding the exact setback until the applicant provides a title report for this property. Existing side yard setbacks are 49 feet. The existing rear yard setback is 130 feet to the main building and 45 feet to the covered parking.

This site is unique in that the adjoining properties are all non-residential. As such, the only Special Use Permit Guideline that applies on setback is the suggested 40-foot setback from a public street. The proposed front yard setback is 67 feet from the closest point of the building to the south point along the 40-foot dedicated right-of-way line. Other portions of the building have a proposed front yard setback of 72.5 feet. With a 65-foot dedication along Lincoln Drive, the proposed front yard setback reduces to 42 feet from the closest point of the building to the south point along a 65-foot dedicated right-of-way line. Other portions of the building would have a front yard setback of 47.5 feet. Proposed side yard setbacks are 56 feet. The proposed rear yard setback is 185 feet to the main building and unclear regarding any covered parking.

Setbacks meet Special Use Permit Guidelines. However, setbacks may need to be increased along Lincoln Drive to accommodate the recommended 50-foot wide landscape buffer adjoining a major arterial. The SOD states in evaluating the appropriate depth of the landscape buffer relative to the Special Use Permit Guidelines, the Planning Commission shall take into consideration, at a minimum, the property's irregular shape, undersized lot, existing conditions, scope of the proposed development, and the Town's desire for additional right-of-way along Lincoln Drive.

Height

The existing buildings are two-story. The maximum height is 27 feet to the top of the mechanical roof screening, with some screens lower in height. The height to the top of the roof deck is 24 feet. These heights are measured from finished floor.

The applicant is proposing a two-story structure with a maximum height of 30 feet to the top of the roofline and 36 feet to the top of the mechanical roof equipment screening and entryway feature. Height is measured from the finished floor elevation. The Special Use Permit Guideline for medical offices suggest a height of 30 feet for principal structures, with possible consideration for higher height to accommodate architectural features. Mechanical screening is generally not considered an architectural feature. The proposed height measurement from the highest portion of the building to the finished floor elevation is also not a method the Town has used to measure height.

The SOD recommends that the Planning Commission evaluate the proposed height as to its impact to adjacent properties and the operational needs for medical office use; minimizing height where possible through means such as articulation of the roofline, reducing the area of the roof mechanical equipment screening, and reduction of the overall height. A compelling reason must be given for height proposed over 30 feet. Please refer to the applicant's narrative for a detailed description of the request for the additional height including ceiling heights, duct clearances, and mechanical screening requests.

Finished floor is not an appropriate measurement point. It is recommended that all heights be taken from existing finished grade. If any portion of the rooftop is visible off-site, care should be taken to minimize the impact. White roofing material is discouraged if visible off-site.

The SOD recommends that the Planning Commission evaluate the proposed height as to its impact to adjacent properties and the operational needs for medical office use; minimizing height where possible through means such as articulation of the roofline, reducing the area of the roof mechanical equipment screening, and reduction of the overall height. A compelling reason must be given for height proposed over 30 feet. Please refer to the applicant's narrative for a detailed description of the request for the additional height including ceiling heights, duct clearances, and mechanical screening requests.

Lincoln Medical Plaza
Comparison Existing & Proposed
August 7, 2018 Planning Commission Work Session

No.	Topic	Existing	Proposed
1	Height	<p>The Special Use Permit Guidelines for medical office suggest a maximum height of 30 for principal structures, with possible consideration for higher height to accommodate architectural features</p> <p>27' to the top of the mechanical roof screening – screening varies in height, 24' to the top of the roof deck, and height measured from finished floor</p>	<p>32' and 36' to the top of the mechanical roof equipment screening and entry feature, 30' to the top of the roof deck, and height measured from the finished floor elevation</p>
2	Building Setbacks	<p>Site adjoins are all non-residential. As such, the only SUP Guideline that applies on setback is the suggested 40' setback from a public street (Lincoln Dr).</p> <p>80' front yard (closest point), 94' (other portions) based on 40' wide existing right-of-way</p> <p>55' front yard (closest point), 69' (other portions) with full 65' half right-of-way</p> <p>49' side yards</p> <p>130' rear yard (45' to covered parking)</p>	<p>60' front yard (closest point -posts overhang), 65.5' (other portions) based on 40' wide existing right-of-way</p> <p>35' front yard (closest point -posts overhang), 40.5' (other portions) with full 65' half right-of-way</p> <p>56' side yards</p> <p>185' rear yard (+/- 60' to covered parking)</p>
3	Lot Coverage/ FAR/ Footprint	<p>The 2.1-acre site is smaller than the recommended SUP Guideline of 5.0 acres.</p> <p>25% lot coverage (SUP Guideline). No guideline on floor area ratio</p> <p>Existing lot coverage at 13.5%</p> <p>Existing at 27.8%</p> <p>Existing Footprint 12,325 sf (excluding overhangs)</p> <p>Existing Total Square Footage at 25,444 sf</p>	<p>Proposed lot coverage at 18.3%</p> <p>Proposed at 33%</p> <p>Footprint 17,065 sf (excluding overhangs)</p> <p>Total Square Footage at 31,000 sf</p>
4	Landscape/ Buffering	<p>50' buffer along major roads (SUP Guideline) Resort Living Character Area draft VSC Plan</p> <p>27' - 34' back of curb on Lincoln Dr (~10' in existing 40' wide right-of-way)</p> <p>Entire existing buffer within the full 65' half right-of-way</p> <p>3'6" sides and rear yard</p>	<p>20' - 36' Lincoln Dr (~10' in existing 40' wide right-of-way)</p> <p>Entire existing buffer within the full 65' half right-of-way</p> <p>4' sides yards, 7' rear yard</p>

5	Open Space Criteria	Existing structures do not fully comply. A setback of 60' is required to have a 24' height and 75' for a 27' height. If the full 65' half width right-of-way dedication is provided, this further makes the existing structures out of compliance with the open space criteria.	Applicant did not provide any Open Space Diagram Site Sections. However, based on the proposed setback, height, and right-of-way dedication matter; the proposed structure will be more out of compliance with the open space criteria. A setback of 120' is required for a 36' height.
6	Parking	SUP Guideline 1 space/200 sf interior area Existing interior area at 25,444 sf SUP Guideline suggest 127 parking spaces 153 existing parking spaces	Proposed interior area at 31,000 sf SUP Guideline suggest 155 parking spaces 144 proposed parking spaces Parking spaces are undersized at 9' x 16'. Town Code requires 180 square feet.
7	Urgent Care & Pharmacy	Section 1102.2 of the Zoning Ordinance for SUP-Medical may allow offices for medical practitioners and veterinarians, kennel uses, outpatient surgical facilities where patient stays do not exceed 48 hours, medical laboratories, physical therapy facilities, pharmacies with conditions, and medical marijuana dispensaries with conditions. 2011 Council approval allowed one pharmacy, 2,079 sf in size, not sell non-medical items, Mon – Sat, 8:00 a.m. – 6:00 p.m., Apothecary allowed 2011 Council approval allowed one urgent care center, 2,170 sf in size, specific to Suite A-103, no out-patient surgical facilities, ambulatory facilities or sell prescription drugs, Mon -Fri, 8:00 a.m. – 5:00 p.m.	The applicant wants to retain the urgent care and pharmacy use. The SOD discourages quick turn-around uses including urgent care

**Paradise Valley
Major Special Use Permit
Lincoln Medical Plaza
7125 E Lincoln Drive
-Compliance to Statement of Direction-**

The Major Special Use Permit for the redevelopment of Lincoln Medical Plaza located at 7125 E Lincoln Drive complies with the Statement of Direction (SOD) as follows:

[Note: The portion of how the application request complies with the SOD will be completed as the Planning Commission continues its review]

SOD Focus Points	Description How Meet Focus Point
<p>[1] INTENSITY-USE:</p> <p>While the use will not change, more information is needed on the type of medical office uses targeted for the site including overnight stays or other late hour use of the facility. Hours of operation for the facility shall also be reviewed and limited. Weekend hours may be a concern.</p> <p>The site's location at the border of the City of Scottsdale is adjacent to several existing high-density residential and commercial retail establishments. Traffic access and congestion issues are known to exist along this corridor. Also, the 2.1-acre site is more than half the size of the suggested minimum size for a medical plaza by the Town's Special Use Permit Guidelines that will limit the parking capacity at this facility. As such, the Council believes it may be prudent to limit some of the allowable uses and discourage uses that generate quick turn-around trips at this medical plaza. These discouraged uses include, but are not limited to, retail and medical marijuana dispensaries.</p> <p>Medical uses bring different safety considerations than other type of uses. There are risks associated with drugs used and stored at medical facilities, access to patient records, patient safety, possible targets for illegal acts, among other risks. Many of these security measures will be handled independently by the medical operator via security cameras, key card access, or other similar methods. There are other security measures that may have visual or other impact externally, such as the use of physical deterrents at entry points, that may require review by the Planning Commission and Town Council. It is encouraged that applicant work with the Town's Police Department on such security measures, including application of any pertinent Crime Prevention Through Environmental Design (CPTED) strategies.</p>	

<p>[2] HEIGHT:</p> <p>It is recommended that the Planning Commission evaluate the proposed height as to its impact to adjacent properties and the operational needs for medical office use; minimizing height where possible through means such as articulation of the roofline, reducing the area of the roof mechanical equipment screening, and reduction of the overall height. A compelling reason must be given for height proposed over 30'.</p> <p>Finished floor is not an appropriate measurement point. It is recommended that all heights be taken from existing finished grade. If any portion of the rooftop is visible off-site, care should be taken to minimize the impact. White roofing material is discouraged if visible off-site.</p>	
<p>[3] VIEWSHEDS:</p> <p>The Planning Commission shall evaluate the impact to adjoining properties by the additional encroachment outside of the imaginary plane suggested by the Open Space Criteria. However, due to the small size of this lot, it's location adjoining other commercial uses, and that the existing structures do not meet the Open Space Criteria, a heavy focus on preserving view corridors is not necessary. If Open Space Criteria is applied the measurement may be taken from the existing property line along Lincoln Drive.</p>	
<p>[4] SETBACKS:</p> <p>Setbacks meet SUP Guidelines but may need to be increased along Lincoln Drive to accommodate the recommended 50-foot wide landscape buffer adjoining a major arterial. If covered parking is provided, setbacks from these structures will also need to be reviewed.</p> <p>In evaluating the appropriate depth of the landscape buffer relative to the Special Use Permit Guidelines, the Planning Commission shall take into consideration, at a minimum, the property's irregular shape, undersized lot, existing conditions, scope of the proposed development, and the Town's desire for additional right-of-way along Lincoln Drive.</p>	

<p>[5] IMPACT TO ADJACENT USES: The Planning Commission shall consider how the proposed setbacks, building heights, location of uses, and any other related design aspect of the project may negatively impact nearby properties located outside the subject site with or regarding unwanted noise, light, traffic and other adverse impacts. Of particular concern, is any outdoor employee areas and service uses such as maintenance, trash collection, mechanical equipment (roof/ground), etc. They should be explained or shown. In particular, trash pickup/storage shall be studied.</p>	
<p>[6] DENSITY AND LOT COVERAGE: The proposed lot coverage increases from 13.5% to 18.7%, still under the 25% Special Use Permit Guideline. The floor area ratio increases from 27.8% to 37%. There are no guidelines for Floor Area. The proposed density and lot coverage are consistent with Special Use Permit Guidelines, and are generally acceptable.</p>	
<p>[7] LANDSCAPING/BUFFERING: The Special Use Permit Guidelines recommend a 50-foot buffer adjacent to Lincoln Drive. Particular attention shall be paid to the buffer along Lincoln Drive based on the Ritz property just to the north. A stipulation may be considered to ensure replacement of any buffer should the landscaping die. A landscape plan shall be required. The Commission shall evaluate the proper balance of landscaping to soften the building while not obscuring it from the street. Hardscaping and pedestrian access shall be considered with the landscape plan.</p>	

<p>[8] INFRASTRUCTURE AND UTILITY IMPROVEMENTS:</p> <p>The applicant shall address and identify the location of on-site retention and identify how the on-site retention may affect parking and circulation. Utility improvements that may have a visual impact or service level impact should be explained and mitigated. Water impact service study, utility information, and hydrology report shall be reviewed.</p>	
<p>[9] TRAFFIC, PARKING, AND CIRCULATION:</p> <p>The primary concern when evaluating impact of this project is safety. Safety for motorists, pedestrians, and any persons that access Lincoln Drive or the properties nearby. Attention shall be beyond the subject site. Staff and/or applicant shall present relevant information to the Planning Commission for consideration that may include:</p> <ul style="list-style-type: none"> • Number of access points in/out of the site • Emergency access to the site • Design of entry/exit and roadway medians related to the restriction of vehicular movements in/out of site (e.g. right in/right out movements) • Deceleration turn lane for eastbound traffic entering the site • Any cross-access easement(s) with the owners of the AJs to the east/Andaz to the south/SmokeTree to the west. • Sidewalk and other pedestrian circulation • Necessary roadway dedication/easement, with consideration of what may be necessary in the short term and long-term • Number of parking spaces, use of shared parking, and ride-share • Full build-out of the Ritz Special Use Permit • Coordination of improvements/impacts with neighboring non-residential properties • Coordination with Town improvements along Lincoln Drive <p>The Planning Commission shall refer to Council any significant decision points that would be based upon incomplete information for further direction.</p>	

<p>[10] SIGNAGE: Planning Commission review shall focus on the impact of project sign location, dimensions, and illumination on the resulting impact to the streetscape. Particular attention shall be paid to any building mounted signage. The Commission shall look at the broader signage plan for the whole of this area of Lincoln Drive including proposed gateway signs, identification signs, and Ritz-Carlton and Smoketree signage, as well as any Andaz signage that may be re-located to Lincoln Drive.</p> <p>The Planning Commission shall refer to Council any significant decision points that would be based upon incomplete information for further direction.</p>	
<p>[11] COMMUNITY SPACES/PUBLIC BENEFIT: More review and information shall be explored regarding community spaces/services that will provide public benefit(s) to Town residents. There is no defined connection from the future sidewalk on Lincoln Drive to the building. This area is important for pedestrian connections within the immediate vicinity. Pedestrian circulation shall be addressed, as well as any hardscape improvements.</p>	
<p>[12] CONTEXT -APPROPRIATE DESIGN: As necessary, the Planning Commission may require that the applicant provide more precise information to verify how the project meets the vision and policies of the General Plan related to context-appropriate design. This includes impact related to exterior lighting, screening of mechanical equipment, and the choice of material pallet of the improvements. This may include providing at least one west-east and one north-south building cross section and updating provided renderings.</p>	

Lincoln Medical Plaza -Statement of Direction- June 14, 2018

The Lincoln Medical Plaza submitted a Major Special Use Permit amendment application for redevelopment of the property located at 7125 E. Lincoln Drive. The approximate 2.1-acre property has been in operation as a medical office since 1974. A new owner purchased the site in 2018. The new owner is proposing a complete renovation of the site with the continued use as a medical office.

Section 1102.3 of the Town's Zoning Ordinance states the Town Council must issue a Statement of Direction for the Special Use Permit application within 45 days of the first staff presentation. In this case, the Statement of Direction must be issued on or before July 8, 2018.

The Statement of Direction is not a final decision of the Town Council and does not create any vested rights to the approval of a Special Use Permit. Any applicant for a Special Use Permit shall not rely upon the matters addressed in the Statement of Direction being the same as those that may be part of an approved Special Use Permit.

Therefore, the Town Council issues the following Statement of Direction for the Lincoln Medical Plaza:

- The General Plan encourages the continued revitalization and improvement of the Town's Special Use Permit properties while protecting the adjacent residential neighborhoods (General Plan Land Use Policy 2.1.2).
- The site is located in a designated Development Area pursuant to the General Plan. As such, in addition to other applicable policies, the following policies may be considered:
 - Consideration of Development Area Special Use Permit applications should balance a need for the Town's fiscal health against a steadfast commitment to protecting adjacent low-density residential character and quality of life (General Plan Land Use Policy 2.2.1.2).
 - The Town shall require development or redevelopment within Development Areas to provide reasonable separation of incompatible land uses from adjacent residential areas through context and scale appropriate land planning and architectural design, greater setback distances, noise mitigation, resort property programming, and landscape buffering (General Plan Land Use Policy 2.2.1.3).
 - The Town should encourage moderate intensity, mixed-use, and context appropriate resort development within the East Lincoln Drive Development Areas that includes reasonable separation between incompatible uses and adjacent residential areas and effective buffering of unwanted noise, light, traffic and other adverse impacts (General Plan Land Use Policy 2.2.3.3).
- The Planning Commission shall focus their review on the visible, audible, and operational effects the amendment may have on the neighbors. In particular, the Planning Commission shall focus their review on:

- Intensity-Use. The property is currently utilized as a medical office. The proposed use is for medical office.

Section 1102.2 of the Zoning Ordinance defines medical office and lists various medical office uses that may be permissible via a Special Use Permit such as offices for medical practitioners, outpatient surgical for patient stays not exceeding 48 hours, medical laboratories, physical therapy, among other uses.

While the use will not change, more information is needed on the type of medical office uses targeted for the site including overnight stays or other late hour use of the facility. Hours of operation for the facility shall also be reviewed and limited. Weekend hours may be a concern.

The site's location at the border of the City of Scottsdale is adjacent to several existing high-density residential and commercial retail establishments. Traffic access and congestion issues are known to exist along this corridor. Also, the 2.1-acre site is more than half the size of the suggested minimum size for a medical plaza by the Town's Special Use Permit Guidelines that will limit the parking capacity at this facility. As such, the Council believes it may be prudent to limit some of the allowable uses and discourage uses that generate quick turn-around trips at this medical plaza. These discouraged uses include, but are not limited to, retail and medical marijuana dispensaries.

Medical uses bring different safety considerations than other type of uses. There are risks associated with drugs used and stored at medical facilities, access to patient records, patient safety, possible targets for illegal acts, among other risks. Many of these security measures will be handled independently by the medical operator via security cameras, key card access, or other similar methods. There are other security measures that may have visual or other impact externally, such as the use of physical deterrents at entry points, that may require review by the Planning Commission and Town Council. It is encouraged that applicant work with the Town's Police Department on such security measures, including application of any pertinent Crime Prevention Through Environmental Design (CPTED) strategies.

- Height. The applicant is proposing a two-story structure with a maximum height of 36 feet to the top of the mechanical roof equipment screening, 30 feet to the top of the roof, and height measured from the finished floor elevation. The SUP Guideline for medical offices suggest a height of 30 feet for principal structures, with possible consideration for higher height to accommodate architectural features. The mechanical screen is not considered an architectural feature. The proposed height measurement from the highest portion of the building to the finished floor elevation is also not a method the Town has used to measure height.

It is recommended that the Planning Commission evaluate the proposed height as to its impact to adjacent properties and the operational needs for medical office use; minimizing height where possible through means such as articulation of the roofline, reducing the area of the roof mechanical equipment screening,

and reduction of the overall height. A compelling reason must be given for height proposed over 30'.

Finished floor is not an appropriate measurement point. It is recommended that all heights be taken from existing finished grade. If any portion of the rooftop is visible off-site, care should be taken to minimize the impact. White roofing material is discouraged if visible off-site.

- Viewsheds. The Open Space Criteria is a Special Use Permit Guideline to preserve viewsheds, encouraging the massing of tall structures in the center of the site. It does not appear that the Open Space Criteria can be met as a setback of 120 feet is required for a 36-foot height. Only a 56-foot setback is provided on both sides, and 67-foot front yard setback (prior to roadway dedication). The rear yard setback is over 120 feet.

The Planning Commission shall evaluate the impact to adjoining properties by the additional encroachment outside of the imaginary plane suggested by the Open Space Criteria. However, due to the small size of this lot, its location adjoining other commercial uses, and that the existing structures do not meet the Open Space Criteria, a heavy focus on preserving view corridors is not necessary. If Open Space Criteria is applied the measurement may be taken from the existing property line along Lincoln Drive.

- Setbacks. This site is unique in that the adjoining properties are all non-residential. As such, the only Special Use Permit Guideline that applies on setback is the suggested 40-foot setback from a public street. The proposed setbacks of 67 feet in the front yard (35 feet with full right-of-way dedication), 56 feet in the side yards, and 185 feet in the rear yard is consistent with Town Special Use Permit Guidelines.

Setbacks meet SUP Guidelines but may need to be increased along Lincoln Drive to accommodate the recommended 50-foot wide landscape buffer adjoining a major arterial. If covered parking is provided, setbacks from these structures will also need to be reviewed.

In evaluating the appropriate depth of the landscape buffer relative to the Special Use Permit Guidelines, the Planning Commission shall take into consideration, at a minimum, the property's irregular shape, undersized lot, existing conditions, scope of the proposed development, and the Town's desire for additional right-of-way along Lincoln Drive.

- Impact to Adjacent Uses. Adjacent uses include resort guest units to the south and future resort guest uses/residences proposed to the west of the site.

The Planning Commission shall consider how the proposed setbacks, building heights, location of uses, and any other related design aspect of the project may negatively impact nearby properties located outside the subject site with or regarding unwanted noise, light, traffic and other adverse impacts. Of particular concern, is any outdoor employee areas and service uses such as maintenance, trash collection, mechanical equipment (roof/ground), etc. They should be explained or shown. In particular, trash pickup/storage shall be studied.

- Density - Lot coverage. The proposed lot coverage increases from 13.5% to 18.7%, still under the 25% Special Use Permit Guideline. The floor area ratio increases from 27.8% to 37%. There are no guidelines for Floor Area Ratio.

The proposed density and lot coverage are consistent with Special Use Permit Guidelines, and are generally acceptable.

- Landscaping/Buffering. The Special Use Permit Guidelines recommend a 50-foot buffer adjacent to Lincoln Drive. Currently a 34-foot Lincoln Drive buffer (16-foot in the right-of-way) exists.

Particular attention shall be paid to the buffer along Lincoln Drive based on the Ritz property just to the north. A stipulation may be considered to ensure replacement of any buffer should the landscaping die. A landscape plan shall be required. The Commission shall evaluate the proper balance of landscaping to soften the building while not obscuring it from the street. Hardscaping and pedestrian access shall be considered with the landscape plan.

- Infrastructure and Utility Improvements. Drainage and related improvements are reviewed with redevelopment projects. The material provided to-date does not give enough information to evaluate these improvements.

The applicant shall address and identify the location of on-site retention and identify how the on-site retention may affect parking and circulation. Utility improvements that may have a visual impact or service level impact should be explained and mitigated. Water impact service study, utility information, and hydrology report shall be reviewed.

- Traffic, Parking, and Circulation. The proposed medical use and location within a heavily-traveled and mixed-use density area near the City of Scottsdale creates a heightened need for ensuring the proposed redevelopment does not have a negative impact on traffic safety, parking, and circulation.

The primary concern when evaluating impact of this project is safety. Safety for motorists, pedestrians, and any persons that access Lincoln Drive or the properties nearby. Attention shall be beyond the subject site. Staff and/or applicant shall present relevant information to the Planning Commission for consideration that may include:

- Number of access points in/out of the site
- Emergency access to the site
- Design of entry/exit and roadway medians related to the restriction of vehicular movements in/out of site (e.g. right in/right out movements)
- Deceleration turn lane for eastbound traffic entering the site
- Any cross-access easement(s) with the owners of the AJs to the east/Andaz to the south/SmokeTree to the west.
- Sidewalk and other pedestrian circulation
- Necessary roadway dedication/easement, with consideration of what may be necessary in the short term and long-term
- Number of parking spaces, use of shared parking, and ride-share
- Full build-out of the Ritz Special Use Permit
- Coordination of improvements/impacts with neighboring non-residential properties
- Coordination with Town improvements along Lincoln Drive

The Planning Commission shall refer to Council any significant decision points that would be based upon incomplete information for further direction.

- Signage. The elevation shows a sign on the front elevation of the building and the site plan shows an entry monument that is ground mounted.

Planning Commission review shall focus on the impact of project sign location, dimensions, and illumination on the resulting impact to the streetscape. Particular attention shall be paid to any building mounted signage. The Commission shall look at the broader signage plan for the whole of this area of Lincoln Drive including proposed gateway signs, identification signs, and Ritz-Carlton and Smoketree signage, as well as any Andaz signage that may be re-located to Lincoln Drive.

The Planning Commission shall refer to Council any significant decision points that would be based upon incomplete information for further direction.

- Community Spaces/Public Benefit. There are General Plan policies that address Development Areas providing public gathering areas, pedestrian amenities, and public art.

More review and information shall be explored regarding community spaces/services that will provide public benefit(s) to Town residents. There is no defined connection from the future sidewalk on Lincoln Drive to the building. This area is important for pedestrian connections within the immediate vicinity. Pedestrian circulation shall be addressed, as well as any hardscape improvements.

- Context -Appropriate Design. Several General Plan policies encourage context-appropriate and responsive building design and site planning on Special Use Permit properties that mitigates the scale of larger buildings through careful use of building massing, setbacks, facade articulation, fenestration, varied parapets and roof planes, and pedestrian-scaled architectural details. The applicant provided several visuals on conceptual architectural design, material, and colors.

As necessary, the Planning Commission may require that the applicant provide more precise information to verify how the project meets the vision and policies of the General Plan related to context-appropriate design. This includes impact related to exterior lighting, screening of mechanical equipment, and the choice of material pallet of the improvements. This may include providing at least one west-east and one north-south building cross section and updating provided renderings.

As per Section 1102.3.C.3.c of the Zoning Ordinance, at any time during the review process, the Planning Commission may request clarification and/or expansion of this Statement of Direction based on additional information that has evolved. However, the Planning Commission shall complete their review of this application no later than October 16, 2018.



DRAINAGE STATEMENT

**LINCOLN MEDICAL OFFICE
7125 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85016**

Prepared By:
Optimus Civil Design Group
4650 E. Cotton Center Blvd, Suite 200
Phoenix, Arizona 85040



This statement and attachments are being submitted as a Drainage Statement to support the proposed development of the Lincoln Medical Office at the SW corner of E. Lincoln Drive and Scottsdale Road, within the SE $\frac{1}{4}$ of Section 10, Township 2 North, Range 4 East, Gila and Salt River Meridian, within Paradise Valley, Maricopa County, Arizona.

This property is designated as Zone D, areas in which flood hazards are undetermined but possible per the Flood Insurance Rate Map (FIRM) Community Panel No. 04013C1770L, dated October 16, 2013.

The subject property comprises of 2.14 acres of currently developed land. This drainage statement has been prepared primarily as documentation for the provision of storm water retention in conformance with Paradise Valley Drainage Standards.

At this time, the site is fully developed as a medical plaza which is slated to be demolished and a new medical office facility is to be constructed. The site was developed prior to any retention requirements and therefore does not retain any runoff onsite. In order to determine the required retention for the proposed project using today's floodplain regulations, the difference between the pre and post runoff conditions will be compared to the first flush volume. The greater of the two will be used.

It has been determined the post condition requires 340 more cubic feet than the existing condition while the first flush requirement is 3,876 cubic feet. Therefore, the first flush governs and the proposed project will be required to retain 3,876 cubic feet onsite.

Due to the limited availability of open landscape area, a 50 foot section of 10 foot diameter pipe will be used as an underground storage system and a drywell will ensure the storm water will dissipate within a 36 hour period.

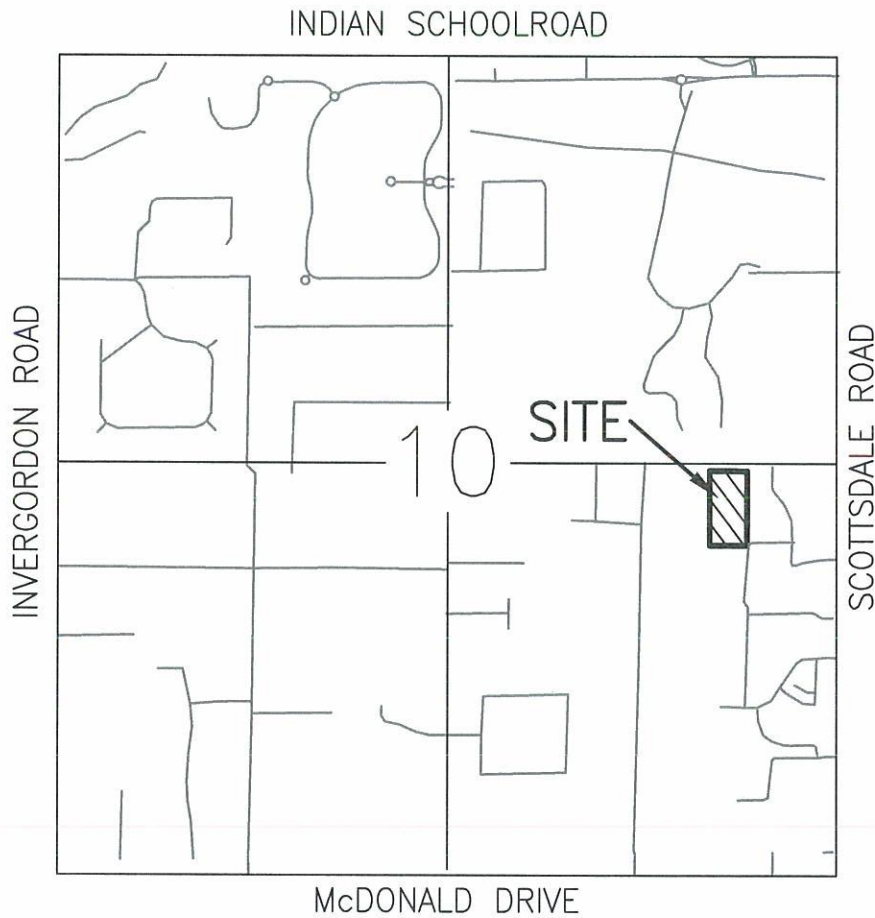
See attached conceptual layout.

Subject:

LINCOLN MEDICAL OFFICE

Job No.:

181290



N.T.S.

VICINITY MAP

SEC. 10, T. 2 N., R. 4 E.



OPTIMUS

CIVIL DESIGN GROUP

4650 E. COTTON CENTER BLVD.

SUITE 240

PHOENIX, AZ 85040

PH: (602) 286-9300 FAX: (602) 286-9400

EXHIBIT A
VICINITY MAP

Prepared By: DB

Date: 7/2018

Checked By: JDB

Sheet No: 1 Of 1

Subject:

LINCOLN MEDICAL OFFICE

Job No.:

181290

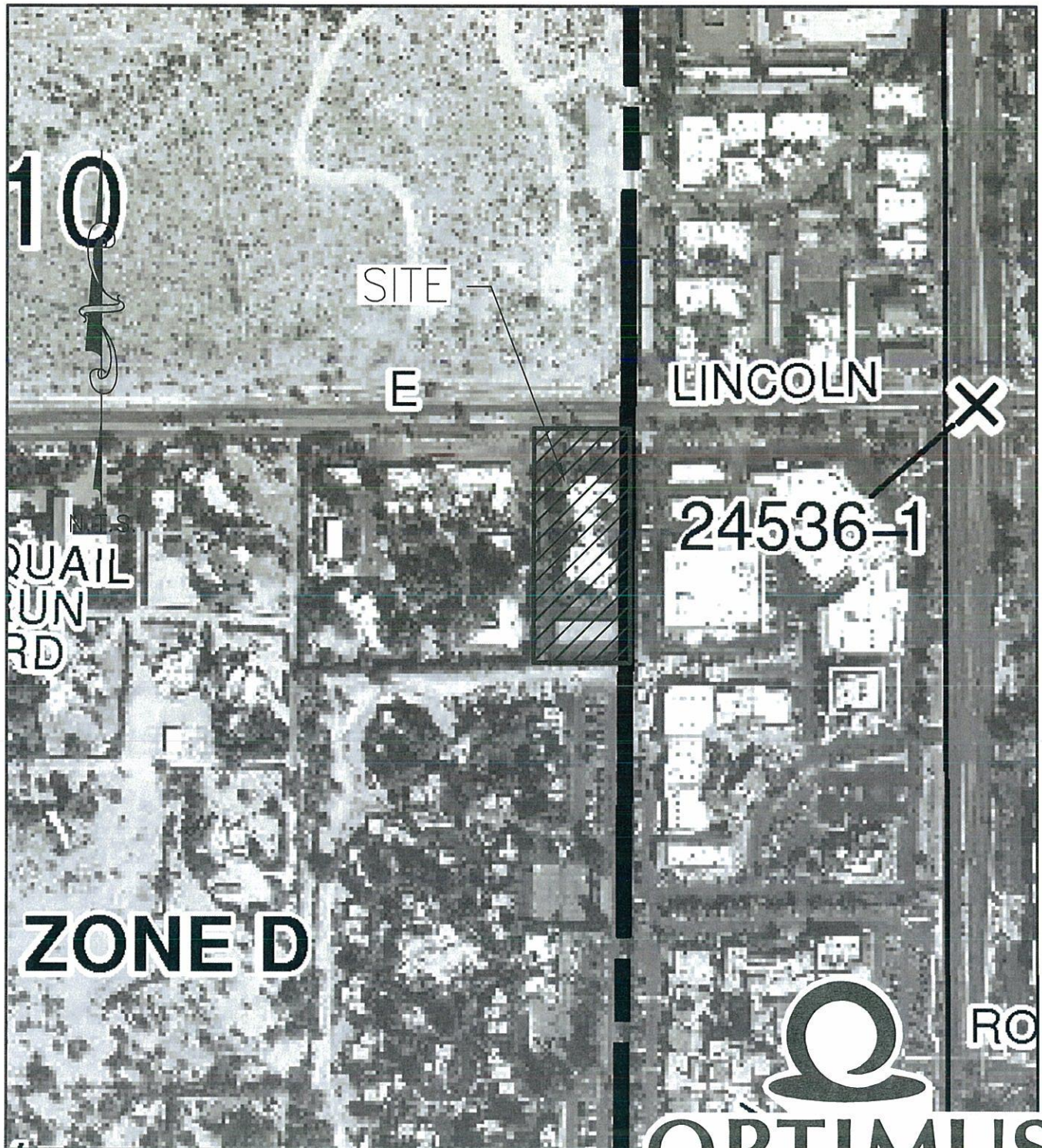


EXHIBIT B
FIRM MAP

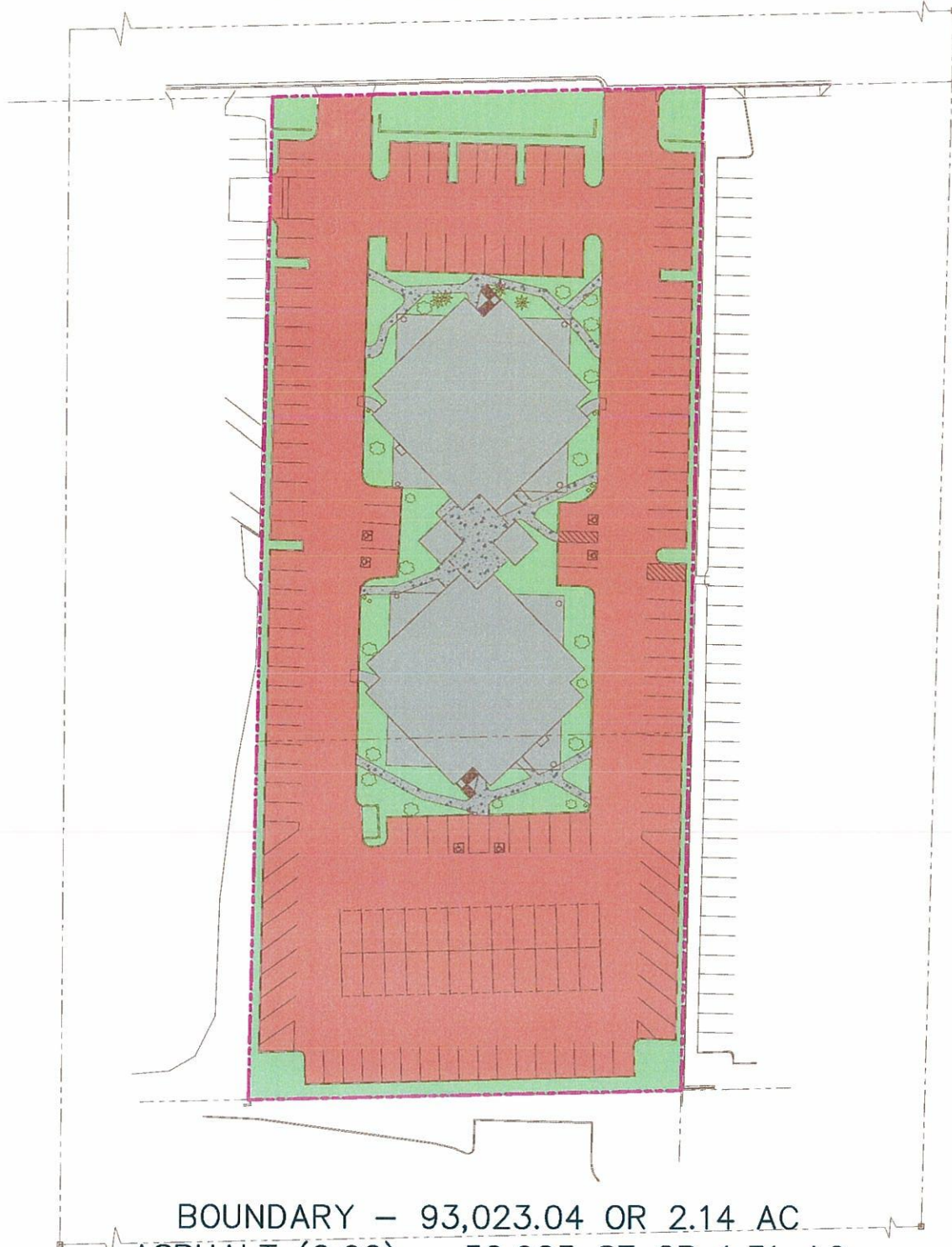
Prepared By: DB

Date: 7/2018

Checked By: JDB

Sheet No: 1 Of 1

PRE CONDITION

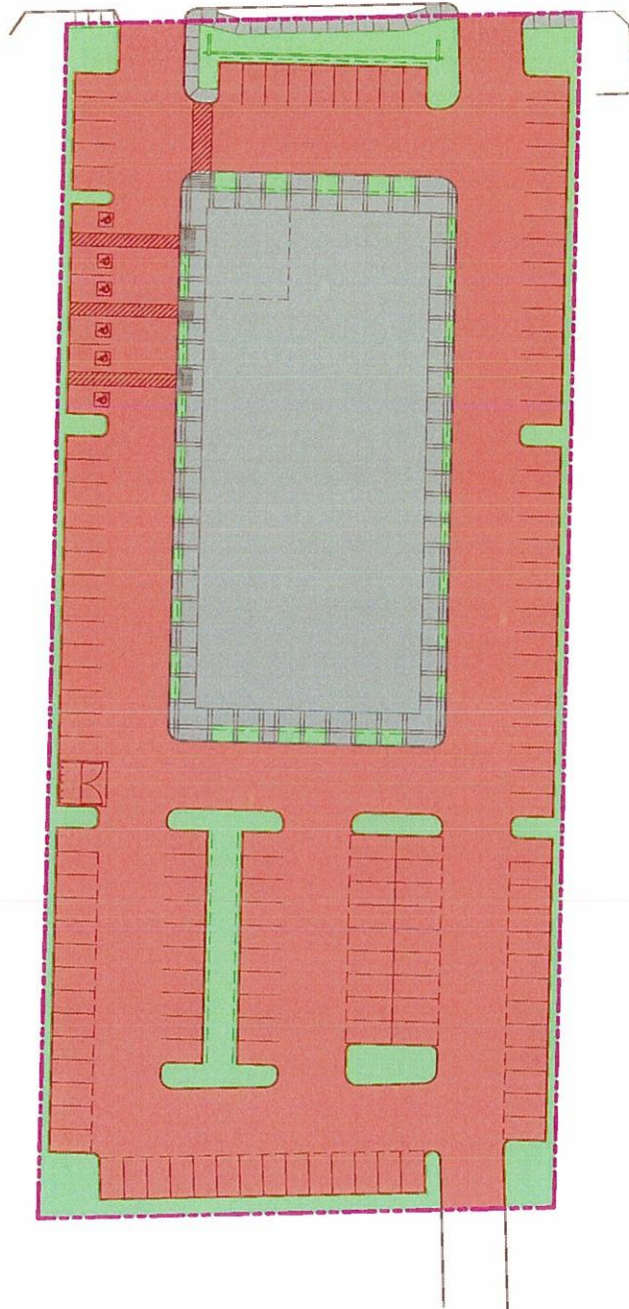


BOUNDARY - 93,023.04 OR 2.14 AC
 ASPHALT (0.90) - 56,925 SF OR 1.31 AC
 CONCRETE (0.95) - 19,325 SF OR 0.44 AC
 LANDSCAPE (0.50) - 16,773 F OR 0.39 AC

$$C \text{ (WEIGHTED)} = \frac{(56,925 \times 0.90) + (19,325 \times 0.95) + (16,773 \times 0.50)}{93,023} = 0.84$$

$$\text{VOLUME REQUIRED} = 0.84 \times (2.19/12) \times 93,023 = 14,260 \text{ CF}$$

POST CONDITION



BOUNDARY – 93,023.04 OR 2.14 AC
ASPHALT (0.90) – 57,633 SF OR 1.32 AC
CONCRETE (0.95) – 23,729 SF OR 0.54 AC
LANDSCAPE (0.50) – 11,661 SF OR 0.27 AC

$$C \text{ (WEIGHTED)} = \frac{(57,633 \times 0.90) + (23,729 \times 0.95) + (11,661 \times 0.50)}{93,023} = 0.86$$

$$\text{VOLUME REQUIRED} = 0.86 \times (2.19/12) \times 93,023 = 14,600 \text{ CF}$$

PROJECT/SUBJECT: _____ PROJECT #: 181290

PREPARED BY: EPA DATE: _____ SHEET NO. _____ OF _____

FIRST FLUSH

$$V = C \times P/12 \times A$$

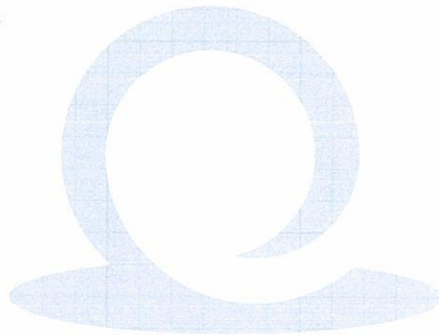
$$C = 1.0$$

$$P = .5''$$

$$A = 93,023 \text{ SF}$$

$$= 1.0 (.5/12) (93,023)$$

$$= 3,876 \text{ CF}$$



OPTIMUS



LINCOLN PLAZA MEDICAL CENTER

SUP 18-06 – Major Special Use Permit Amendment

First Submittal May 15, 2018

Second Submittal July 27, 2018

TABLE OF CONTENTS

Introduction	1
General Site Information and SUP History	1
Surrounding Land Uses	1
Proposed Amendment to SUP	1
Development Plan.....	2
Permitted Uses.....	6
Phasing	6
Lighting.....	6
Screening, Fencing, and Walls.....	6
Roadway Standards & Circulation.....	6
Parking	6
Signage Standards.....	7
Landscaping Standards.....	7

EXHIBITS

Aerial Map.....	Tab 1
Zoning Map	Tab 2
Lincoln Plaza Medical Center Stipulations	Tab 3
Lincoln Plaza Medical Center Approved Plans	Tab 4
Site Plan.....	Tab 5
Elevations	Tab 6
Conceptual Renderings	Tab 7
Vicinity Maps.....	Tab 8
View Corridor Images.....	Tab 9
Conceptual Landscape Plan	Tab 10

INTRODUCTION

This is a request to amend the existing Special Use Permit for the Lincoln Plaza Medical Center, located at 7125 E. Lincoln Drive in Paradise Valley, Arizona (the “Property”). The applicant is requesting an amendment to the existing Medical Office SUP to wipe the slate clean and construct a brand new state-of-the-art medical office building. The existing medical office is approximately 50 years old and in need of a drastic overhaul. Every element of the existing site is outdated: the architecture and site design, the building materials, the infrastructure, and the medical technology. The proposed medical office will substantially enhance the visual appeal of the site and provide Paradise Valley residents with medical facilities incorporating the most cutting-edge technology available today.

GENERAL SITE INFORMATION AND SUP HISTORY

The Property consists of one 2.13-acre parcel located at 7125 E. Lincoln Drive in Paradise Valley, Arizona. See Aerial Map at **Tab 1**. The Property is currently zoned SUP-M and improved with a two-story medical office building constructed in the 1970s. See Zoning Map at **Tab 2**. This Special Use Permit was first granted on July 27, 1974 in case number SUP 74-6. Since then the SUP has undergone only a handful of amendments and has remained relatively unchanged since 1974, with the exception of an aviary that was added in 1976.

The Lincoln Plaza Medical Center SUP subjects the Property to eighteen (18) stipulations. See Lincoln Plaza Medical Center Stipulations at **Tab 3**. Included among these stipulations is a requirement that the Property maintain strict compliance with the approved plans, which are attached at **Tab 4**.

SURROUNDING LAND USES

The Property is surrounded by resort properties in the Town of Paradise Valley on three sides and a grocery store-anchored shopping center in the City of Scottsdale:

- North:** Future site of Ritz Carlton Paradise Valley (SUP-R)
- East:** Lincoln Plaza Shopping Center (C-2; City of Scottsdale)
- South:** Andaz Scottsdale Resort & Spa (SUP-R)
- West:** Smoke Tree Resort (SUP-R)

PROPOSED AMENDMENT TO SUP

The applicant is requesting an amendment to the existing Lincoln Plaza Medical Center SUP to allow the demolition of the existing medical office building and the construction of a modern two-story medical office building. The existing structure has reached the end of its useful life, and in order to maintain stride with medical technology, energy efficient building design, and modern architecture, construction of a new medical office building is necessary.

In the time that has elapsed since the completion of the existing medical office building in the 1970s there have been dramatic, sweeping changes not only in medical technology, but in the delivery of patient care and the structure of the entire American healthcare system. Significant increases in health insurance premiums, the passage of the Affordable Care Act, and rising healthcare costs have forced healthcare providers and insurance companies to substantially recalibrate their approach to patient care.

Efficiency has become the new driving force in healthcare as regulatory pressure, economic constraints, and emerging technologies have altered the medical services landscape.

The old medical office model, consisting of cookie-cutter office suites for unrelated providers without significant support services, is no longer an effective or efficient development model for patient care. Healthcare providers, particularly hospital networks like Honor Health, Banner, Abrazo, and Mayo are now seeking buildings that are more flexible, collegial, and diverse – aimed at improving continuity of care and promoting the efficient provision of medical services. These facilities provide primary care, urgent care, specialty clinics, imaging, diagnostics, social services, and sometimes even ambulatory surgery.

The applicant is proposing an amendment to the Lincoln Plaza Medical Center SUP for the construction of a medical office building designed to suit the needs of modern healthcare providers and patients alike. The proposed facility will take advantage of the latest trends in medical office building design to provide a complimentary suite of medical and wellness-related services that will support the healthcare needs of the residents of Paradise Valley in a convenient, efficient, and cost-effective manner.

DEVELOPMENT PLAN

Overview

The applicant is proposing the construction of a new medical office building on the Property to replace the aging, outdated medical office building currently in operation. See Site Plan attached at **Tab 5**. The proposed building is 30 feet tall to the roofline and 36 feet tall at the highest point of the entryway architectural feature and rooftop screening for mechanical equipment. See Elevations at **Tab 6**.

The goal of the proposed facility is to provide a continuity of care and a well-rounded balance of medical services in a single location to support wellness in the Paradise Valley community. In order to achieve the interior space flexibility necessary to execute this concept, some deviation from the SUP Medical Office Guidelines is necessary.

Lot Standards	
Maximum Lot Coverage by all structures (%)	25% (Approx. 18% proposed)
Lot Area	2.13 acres
Principal Building Standards	
Maximum Building Height (feet)	36 FT
Minimum Building Setbacks	Front: 67 FT (35 FT with full right-of-way dedication) Side: 56 FT Rear: 205 FT

Minimum Lot Area

The Medical Office Special Use Permit guidelines prescribe a minimum lot size of five (5) acres for a medical office site. The 2.13-acre site has operated with a Special Use Permit – Medical Office since 1974, before the current guidelines were created. Despite being undersized, the Property is an ideal location for the relatively low-intensity medical office use. It is surrounded on three sides by resort properties in Paradise Valley and borders a shopping center to the east which is anchored by a boutique grocer. Medical offices are an excellent transitional commercial use between the more intense

commercial uses along a busy arterial street to the east (Scottsdale Road) and the resort uses to the west.

Lot Coverage

The proposed medical office building covers approximately 18% (17,062 SF) of the lot area, well below the 25% maximum lot coverage set forth in the Bulk and Density guidelines for Medical Office Special Use Permits.

Building Height

The proposed medical office building is 30 feet tall to the roofline and 36 feet tall to the top of the entryway architectural feature and mechanical equipment screening. The Medical Office Special Use Permit Guidelines suggest a maximum building height of 30 feet. On June 14, 2018, Paradise Valley Town Council adopted a Statement of Direction for this project, setting forth the criteria for the Paradise Valley Planning Commission's evaluation of the applicant's proposal. With respect to building height, Council provided the following instruction:

"It is recommended that the Planning Commission evaluate the proposed height as to its impact to adjacent properties and the operational needs for medical office use; minimizing height where possible through means such as articulation of the roofline, reducing the area of the mechanical equipment screening, and reduction of the overall height. A compelling reason must be given for height proposed over 30'."

See Lincoln Plaza Medical Center Statement of Direction, Page 2. Here, the requested height is necessary to develop a medical office building that is consistent with modern standards and expectations for high-quality design and construction that will attract premium tenants and in turn provide the highest level of medical care to the residents of Paradise Valley. Additionally, the proposed height is appropriate in context and will have no discernible effect on existing view corridors or adjacent properties.

1) Building Dimensions

In order to meet the needs of healthcare providers, the applicant must provide a medical office building that is capable of supporting current trends in medical care. With sophisticated medical services increasingly moving out of the hospital setting and into outpatient care centers, the technical demands for medical office buildings have increased dramatically. Increased ventilation and electrical requirements and system flexibility for future medical technology all contribute to a necessity of greater floor-to-floor heights. In order to meet the technical demands for the proposed project, the applicant must achieve a 15-foot floor-to-floor height with a 10-foot finished ceiling.

Five feet of ceiling space is necessary to accommodate a minimum 24 inches for duct clearances in addition to at least 30 inches for structural elements. Combined with a need for industry standard 10-foot finished ceilings, a 15-foot floor-to-floor height is the absolute minimum that must be achieved to provide a building that meets today's standards. These dimensions are common across all office environments, but are particularly critical in medical settings where best practices call for separately ducted rooms.

In addition, modern medical office buildings require a certain degree of interior flexibility to accommodate new or expanding elements of the facility as medical trends evolve. This additional height allows for a more spacious, inviting environment with large, open-concept areas and full-height windows that provide more natural light and a more comfortable environment. See Concept Renderings at **Tab 7**.

2) HVAC System

In addition to the 30 feet required to accommodate two stories with 15-foot floor-to-floor heights, an additional 6 feet of height is necessary to screen the rooftop HVAC equipment needed to properly cool, heat, and ventilate the building. The building will be served by a hybrid system of roof-mounted package units with direct ducting to the upper floor, and roof-mounted condensing units providing coolant to ceiling-hung air handlers on the first floor. This will eliminate the need for excess ductwork and shafts to penetrate the upper level, and will provide the most efficient way to zone the overall building for customized airflow. Because it is a decentralized system, all exterior equipment can be sized for minimal height. All equipment will be roof-mounted and screened behind a continuous perimeter parapet wall, saving precious site area for open space, landscape and parking. The parapet wall is inset significantly from the building perimeter, hiding it from view at ground level for most pedestrians on or near the Property. Refer back to Concept Renderings at **Tab 7**.

Alternative HVAC systems that would potentially obviate the need for rooftop-mounted equipment have been considered and eliminated for a variety of reasons. First, the project is too small to contemplate a centralized chiller/boiler system that distributes from one source to all points within the building. The initial cost and ongoing maintenance of centralized systems is too expensive for the scale and scope of this project. Second, the scale and simplicity of operations for the proposed project make a variable air volume system – with its large air handlers (8 feet tall or more) and multi-level ductwork – too large and expensive to consider.

Finally, a fully implemented “split” system with ground-mounted condensing units would require approximately 2,000 square feet to contain all of the necessary equipment. Two “yards” of 1,000 square feet, each with twenty 3-by-3 foot condenser units and 24 inches of clearance on all sides from other units and walls, would be necessary to properly cool the building. This configuration not only takes up a significant portion of valuable lot area, but also adds undesirable surface noise and vibration. Additionally, due to the need for multiple pipeline runs to the building, loss of efficiency is a major consideration when evaluating ground-mounted systems.

3) Context

The proposed height is consistent with the character of the area. The existing building, although slightly shorter (27 feet at the highest point), is two stories. The apartment complex immediately across Lincoln Drive to the northeast – The Lincoln Scottsdale – is three stories (36 feet) adjacent to the roadway and steps up to four stories (48 feet). The apartment complex to the southeast – The Enclave at Borgata – is four stories. The Resort-Related Attached Residences portion of the Ritz-Carlton Paradise Valley (Area D) contains an element of three-story, 36-foot-tall residences along the eastern boundary. The request for additional height – most of which is for architectural elements and mechanical screening – is not inconsistent with building heights in the surrounding area. See Vicinity Maps at **Tab 8**.

The additional building height is necessary to accommodate proper building proportions on an undersized lot. As discussed above, the Property is less than half the minimum lot area for a medical office as set forth in the Special Use Permit Guidelines. In order to maximize the efficiency of the proposed project, certain building area minimums must be achieved. The proposed building height strikes a careful balance between providing the necessary space to execute the concept and maintaining a respectful distance from adjacent properties.

4) View Corridors

The Open Space Criteria in the Special Use Permit Guidelines require a 120-foot setback for a 36-foot-tall building. As noted in the Statement of Direction, these criteria are designed to move the massing of a building to the center of the site in order to preserve existing viewsheds. However, the Statement of Direction notes the following:

“...due to the small size of this lot, it’s location adjoining other commercial uses, and that the existing structures do not meet the Open Space Criteria, a heavy focus on preserving view corridors is not necessary. If Open Space Criteria is applied the measurement may be taken from the existing property line along Lincoln Drive.”

See Lincoln Plaza Medical Center Statement of Direction, Page 3. Additionally, even with the proposed a 67-foot front yard setback and 56-foot side setbacks, there is no discernible effect to view corridors in the area. The only view corridor of any note in the sightlines of the building is Camelback Mountain to the southwest, and the height of the proposed building will not interfere with the views of the mountain. The mature trees to the west of the Property already obscure and/or obstruct Camelback Mountain, and the proposed building height will not create any additional obstruction. See View Corridor Images at **Tab 9**.

Building Setbacks and Landscape Buffer

All proposed building setbacks are consistent with the Medical Office Special Use Permit Guidelines. However, the Town’s request for the applicant to dedicate an additional 33-foot-wide strip of property along its northern property line for public right-of-way potentially interferes with the applicant’s ability to provide sufficient parking and comply with other elements of the Special Use Permit Guidelines.

The existing landscape buffer on the Property along Lincoln Drive does not comply with the Special Use Permit Guideline for a 50-foot landscape buffer adjacent to a major arterial street (Lincoln Drive). In the Statement of Direction, Planning Commission is directed to take into consideration, at a minimum, “the property’s irregular shape, undersized lot, existing conditions, scope of the proposed development, and the Town’s desire for additional right-of- way along Lincoln Drive in determining the appropriate depth of the landscape buffer.”

Providing a 50-foot landscape buffer *in addition to* a 33-foot right-of-way dedication would be fatal to this project. Prospective tenants for the proposed project typically require a parking ratio of 5 spaces per 1,000 square feet of gross leasable area (GLA). At 147 spaces, the proposed project is already under that target at 4.74 spaces per 1,000 square feet of GLA. If the Property were to strictly follow the guidelines with the proposed building, it would reduce available parking by approximately 25 spaces and effectively render the project unworkable. Alternatively, if the applicant attempted to preserve the proposed 147 parking spaces and instead reduce the size of the building to comply with the 50-foot landscape buffer and ROW dedication, it would result in a loss of approximately one-third (11,000 SF) of gross building area – again rendering the project financially infeasible.

In order to properly balance the interests identified in the Statement of Direction, a reduced landscape buffer within the future right-of-way dedication is necessary to protect against losses in parking and lot area that would be detrimental to the project’s success. As described below, the proposed 24-foot landscape buffer will provide plantings consistent with the Visually Significant Corridors Master Plan’s “resort living” palette, as well as six-foot detached meandering sidewalk to provide a pedestrian connection along Lincoln Drive. In short, the proposed buffer meets many of the Town’s goals for the

Lincoln Drive Visually Significant Corridor while providing the applicant the necessary lot area and parking to develop a successful project on an undersized, irregularly-shaped site.

PERMITTED USES

No changes to the existing permitted uses for the Lincoln Plaza Medical Center SUP are being requested in this application.

PHASING

The project is intended to be developed in a single phase.

LIGHTING

The exterior lighting design is focused primarily on parking lot areas and the walkways surrounding the building. All lighting throughout the community will be energy efficient; a combination of LED fixtures, daylight sensors, timers and strategic placement will allow the site to reduce the overall energy usage while providing adequate illumination for safety. In accordance with Dark Skies Ordinances, all exterior lighting will integrate full cut off fixtures with necessary shielding. Pole-mounted lighting will not exceed the 16-foot maximum height and will be oriented for pedestrian and automobile safety. Lighting throughout the site will not exceed the foot candle thresholds set forth in Section 2 of the Special Use Permit Guidelines.

SCREENING, FENCING, AND WALLS

Parking areas, refuse enclosures and equipment will be screened by materials and structures complementing the overall building form. All parking areas will be screened with a combination of decorative walls and a redesigned and refreshed landscape buffer along Lincoln Drive.

DRAINAGE

A drainage statement prepared by Optimus Civil Design Group has been submitted with this application.

ROADWAY STANDARDS & CIRCULATION

The proposed project will maintain the existing driveways at the eastern and western edges of the Lincoln Drive frontage in order to promote efficient traffic circulation throughout the site and onto Lincoln Drive. Because the proposed project is merely a continuation of the existing medical uses of the Property in a marginally larger building, the corresponding increase in average daily trips is expected to be similarly negligible. As such, no significant changes to access or circulation are deemed necessary at this time. A traffic study demonstrating the feasibility and advantages of this proposal is in progress. This traffic study will also explore the possibility of providing a secondary Lincoln Drive access for the Andaz Scottsdale Resort.

PARKING

Given the existing spatial constraints of the site, the applicant is proposing a total of 147 parking spaces, including 141 standard spaces and 6 ADA-compliant spaces. As noted throughout this narrative, the Property suffers from unique geographic limitations. As a result, the proposed site plan is the product of

a careful balancing act between providing the necessary square footage for a competitive, marketable medical office building and ensuring the provision of adequate parking. Although the rise in popularity of ridesharing has improved access the medical facilities and provided some relief with respect to parking demands, the 147 parking spaces currently allocated by the site plan is the minimum necessary to meet the needs of prospective tenants. The traffic impact analysis being conducted by Civtech, Inc. will address these issues in greater detail and be provided to the Town upon completion.

SIGNAGE STANDARDS

Building-Mounted Primary Sign: In order to provide a consistent architectural theme throughout the project, the applicant is proposing a building-mounted primary sign to compliment the design elements of the building entry feature. The proposed signage will feature internally illuminated free-standing letters composed of materials similar in character to the surrounding architectural elements. This will create a continuity with the building design that will provide a more visually interesting presence on Lincoln Drive.

Proposed Primary Building-Mounted Sign Standards	
Max Quantity	1 per street frontage
Max Height	4 FT
Max Sign Area Allowed	40 SF

Traffic and Directional Signage: All traffic and directional signage will conform to Paragraph 4 of the Medical Office Special Use Permit Guidelines.

LANDSCAPING STANDARDS

The intent of the landscape standards is to express and reinforce the highly stylized character of the proposed medical office building. See Landscape Plan at **Tab 10**. The landscape vernacular is an extension of the resort living palette as defined in the Visually Significant Corridors Master Plan with streetscape plantings of large canopied trees including Palo Verde, Ironwood and Chinese Pistache to provide shade for the pedestrian traffic and to effectively ground the architecture. Live Oaks, Willow Acacia, Ash and an assortment of accents and seasonal flowering shrubs define the flora surrounding the building and combine with colorful planter pots, seating opportunities and integral color concrete to create a dynamic setting.

All portions of the development site not occupied by buildings, structures, vehicle access and parking areas, loading and unloading areas and approved storage areas will be landscaped in accordance with the provisions of the Special Use Permit Guidelines at a minimum. As a result, a unique aesthetic will emerge that blends seamlessly with the surrounding area.

The architecture will be softened using plant material to ensure that green space is maximized. To visually soften and reduce the urban heat island produced by the required surface parking, two landscaped parking islands will be provided in the parking area south of the building. The primary building will include landscape foundation planting with a minimum width of five-feet (5') between the building and

parking lot or walkway, as to ensure the architecture is visually scaled down to a pedestrian and visually-comfortable level.

All existing trees will be inventoried and salvaged where possible. All new trees will be a minimum of fifteen-gallon (15g) in size. A minimum of fifty-percent (50%) of trees will be 24"-box or larger in size. A substitution of 36"-box trees for fifteen-gallon trees may take place at a rate of 1.5 trees per one fifteen-gallon tree size. All trees shall conform to the Arizona Nursery Association Tree Specifications, and all plant materials within the Right-Of-Way will be species included in the most current edition of the Phoenix Active Management Area Low Water Use Plant List. All shrubs will be a minimum of five-gallon (5g) in size. All landscaped areas shall have ground surface treatment which may include but is not limited to turf, ground cover, planting, screened decomposed granite, river rock, etc. A pre-emergent herbicide shall be applied to the ground prior to and after the placement of natural surface materials.

Plant material species will be selected and locations will be studied to ensure screening of undesirable view sheds, and limiting conflicts that may exist between plants and vehicular elements, fire access, mechanical equipment, and maintenance access. All plant material within sight visibility triangles shall be selected so the mature height shall not exceed three-feet (3'). In addition, all plant materials shall be placed so their mature size maintains a minimum clearance of three-feet (3') around any fire hydrant. All mechanical equipment, electrical meters and the similar will be screened from public view with plantings or other screening elements.

TAB 1

Aerial Map

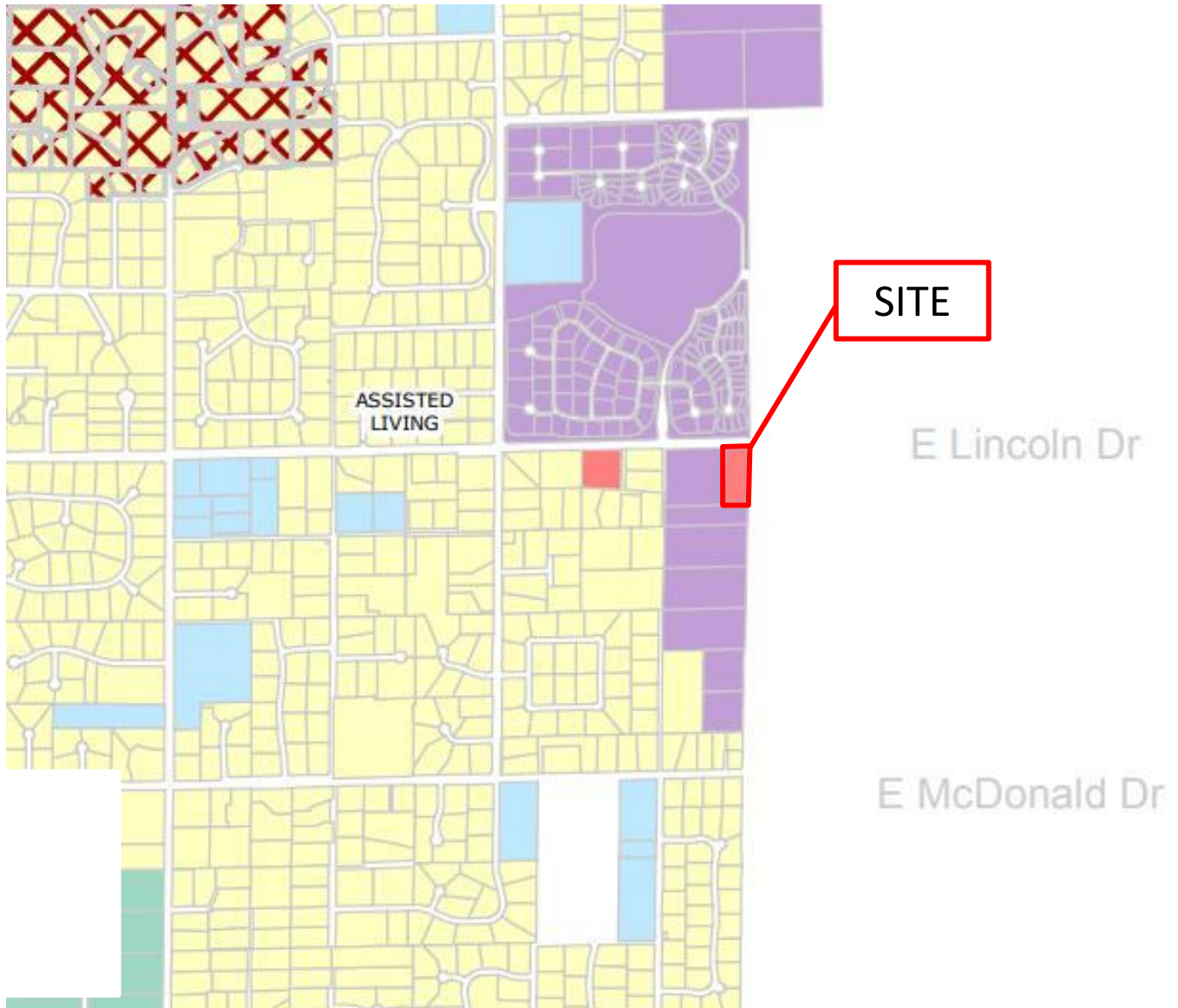


















SWC 44th Street & Palm Lane – Phoenix, AZ



TAB 2

Zoning Map



 R-175	 R-35	 R-18
 R-43	 R-35CP	 R-18A
 R-43CP	 R-35A	 R-10
 R-18CP		 SUP-R Special Use Permit- Resort
 SUP-P Special Use Permit- Public		 SUP-O Special Use Permit- Medical
 OSP- Open Space Preserve		 Hillside
		 Public School



TAB 3

Lincoln Plaza Medical Center SUP Stipulation Checklist
7125 E. Lincoln Dr. SUP- 71-2, 74-6, 74-7, 75-11, 75-12, 76-12

1. Property: The Property to which this Special Use Permit applies is located within the Town of Paradise Valley, Maricopa County, Arizona, at 7125 E.

Lincoln, the legal description of which is as follows:

a. The east 200' of the following described property: The N1/2 of the NW1/4 of the NE1/4 of the SE1/4, and the N1/2 of the S1/2 of the NW1/2 of the NE1/4 of the SE1/4 of Section 10, T2N, R4E, G&SRB&M, Maricopa County, Arizona.

The utilization of the land and buildings of which shall be as follows:

A. Construction and operation and maintenance of a medical and dental clinic, pursuant to Article XI, Section 1101, subparagraph (e) of the Zoning Ordinance of the Town of Paradise Valley, shall be in strict compliance with each of the following six documents, certified as such by the Paradise Valley Town Clerk, which are hereby approved by the Town of Paradise Valley and the Special Use Permit grantees and incorporated herein by reference and made an integral part of this Special Use Permit:

1. "Site Plan for Special Use Permit for Lincoln Plaza Medical Center of January, 1976 - As Built Site Plan with red line corrections, dated January 6th, 1976"
2. "Site Plan for Special Use Permit for Lincoln Plaza Medical Center of January, 1976, - Sheet #1"
3. "Site Plan for Special Use Permit for Lincoln Plaza Medical Center of January, 1976, - Sheet #3"
4. "Site Plan for Special Use Permit for Lincoln Plaza Medical Center of January, 1976, - Sheet #4"
5. "Site Plan for Special Use Permit for Lincoln Plaza Medical Center of January, 1976, - Sheet #11"
6. "Site Plan for Special Use Permit for Lincoln Plaza Medical Center of January, 1976, - Landscaping Plan"

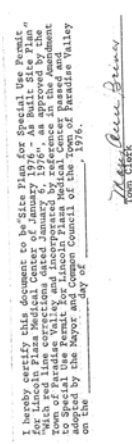
2. The Town engineer's memo dated May 17th, 1974, which recommends the following, shall be compiled with:

- a. Paving width of Lincoln Drive across main portion of the lot should be 24' to back of curb with acceptable tapers at east and west property lines.
- b. Vertical curb and gutter to match existing at east property line should be provided.
- c. Driveway entrances should be graded to allow water carried in existing ditch to flow across drives at about 6' north of 40' right-of-way line.
- d. Ditch flowline should be relocated to align with driveway dips and gutter at east property line.
- e. Drainage reports for the property should be prepared comparing existing flows with post-development drainage patterns.
- f. On site driveway grades should be a minimum of .5% to carry storm waters.

3. Exterior building colors shall be the same as used on the scale model and the color chip included in the file.
4. Mechanical equipment is to be concealed from view from Lincoln Drive.
5. Exterior Lighting levels throughout the project are not to exceed three (3) foot heights above grade, exterior.
6. Exterior construction materials, colors, and trim, shall conform to the model and the site plan.
7. Sewer flow will connect to the City of Scottsdale sewer trunk line in Scottsdale Rd., at Lincoln. Sewer line will be extended north on Scottsdale Rd. and west on Lincoln to the NW corner of subject property. The City of Scottsdale will approve the sewer plan and appropriate connection fees will be paid to the City of Scottsdale.
8. The six (6) trees to be located in the front of the property shall have a minimum height of 15', and palm trees shall be excluded from these plantings.
9. Commercial laboratories and pharmacies are specifically excluded from occupancy.
10. The maximum number of rentable office suites shall not exceed twenty-two (22).
11. Title of all land and improvements shall remain under the ownership of Lincoln Plaza Medical Center, a general partnership, and be non-transferable until completion of building project.
12. Construction of all improvements and structures, and all landscaping, with the exception of "tenant improvements", shall be completed on or before February 1st, 1976, and the grantee shall have qualified for and obtained a Certificate of Occupancy from the Town of Paradise Valley, on or before February 1st, 1976."
13. Failure to commence construction within ten (10) months from date of Council approval shall automatically cancel this Special Use Permit, except that the owner(s) may petition the Council for an extension.
14. Certified "as built" drawings shall be submitted after completion of the project, and prior to issuance of a Certificate of Occupancy.
15. Nature of Use: Said Property shall be operated only as set forth herein with no expansions, additions, changes or alterations to said real Property or uses described herein without an express amendment to this Special Use Permit.
16. Unenforceable Provisions: Should any portion of this Permit be deemed to be unenforceable or invalid, such a determination shall not affect the balance of the provisions hereof.
17. This Special Use Permit shall become void and of no force and effect, at the option of the Paradise Valley Town Council, upon the failure of the grantee Special Use Permit holder to comply with any of the terms, conditions, or stipulations of this Special Use Permit.
18. Notwithstanding any other provision of this Special Use Permit, the grantee is hereby authorized to construct and maintain an aviary upon the premises subject to this Special Use Permit (a) upon condition that such aviary complies in location, size, design and all respects with the "Site Plan for Aviary for Lincoln Plaza Medical Center, July, 1976" as certified as such plan by the Paradise Valley

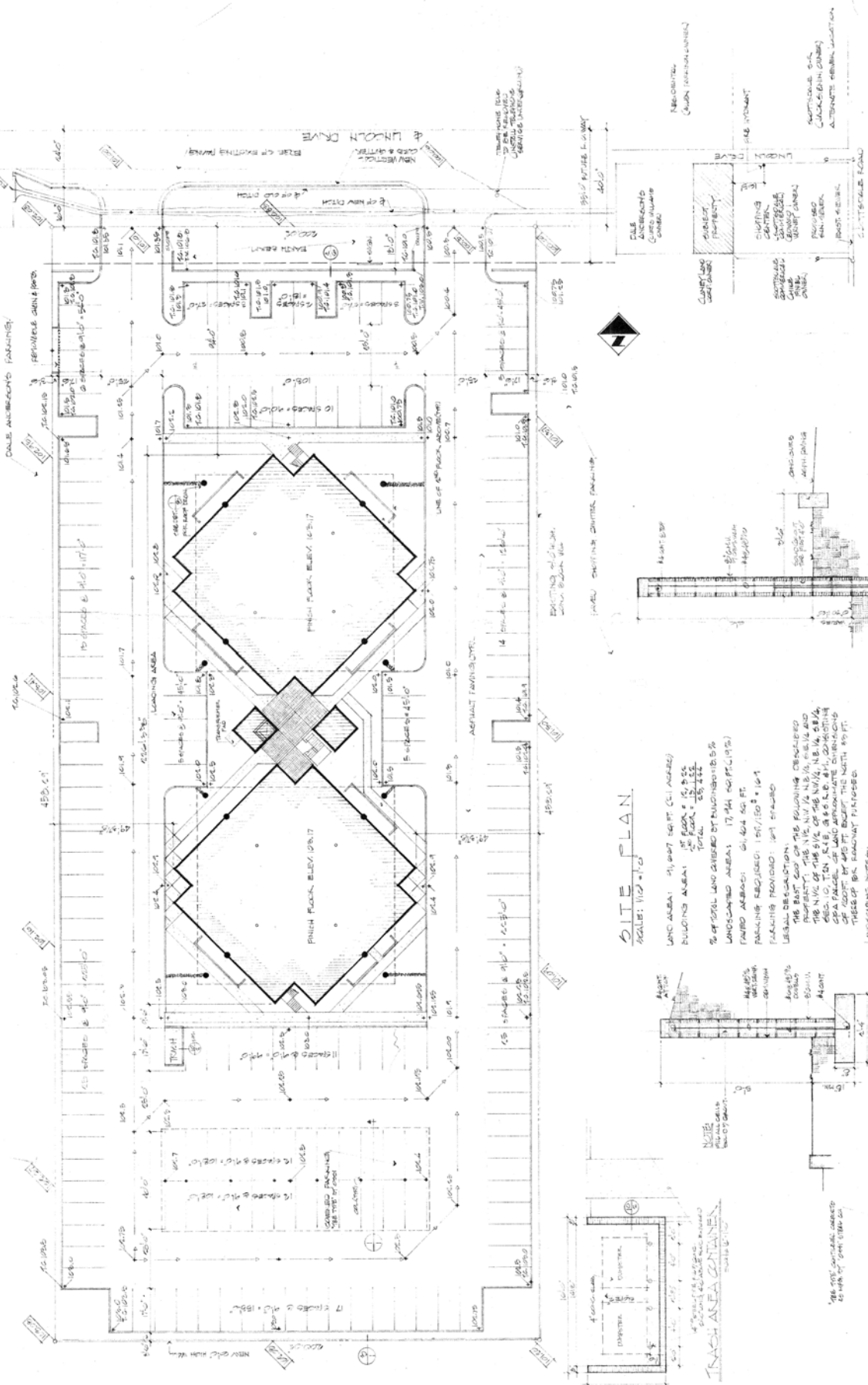
Town Clerk, and (b) upon condition that the use of the aviary and the care of the birds therein comply with all applicable laws.

TAB 4



SUP-75-12 DEC

①



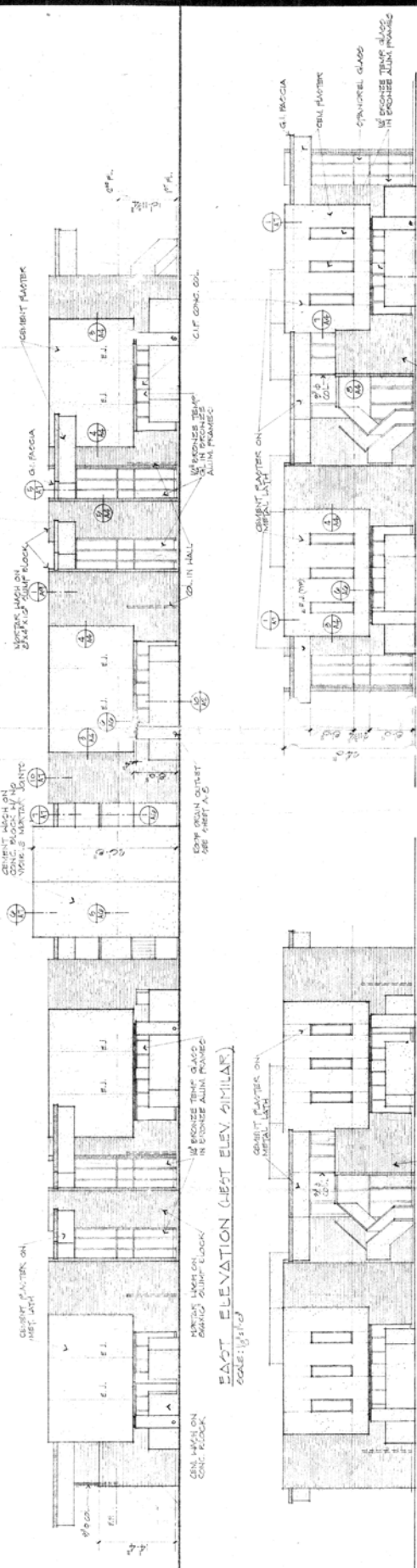
I hereby certify this document to be "Site Plan for Special Use Permit for Lincoln Plaza Medical Center of January 1976 - Sheet #1" as approved by the Town of Paradise Valley and incorporated by reference in the Amendment to Special Use Permit for Lincoln Plaza Medical Center passed and adopted by the Mayor and Common Council for the Town of Paradise Valley on the _____ day of _____, 1976.

Mary Ann Briss

③ WALL & SOUTH PROPERTY LINE

10. November

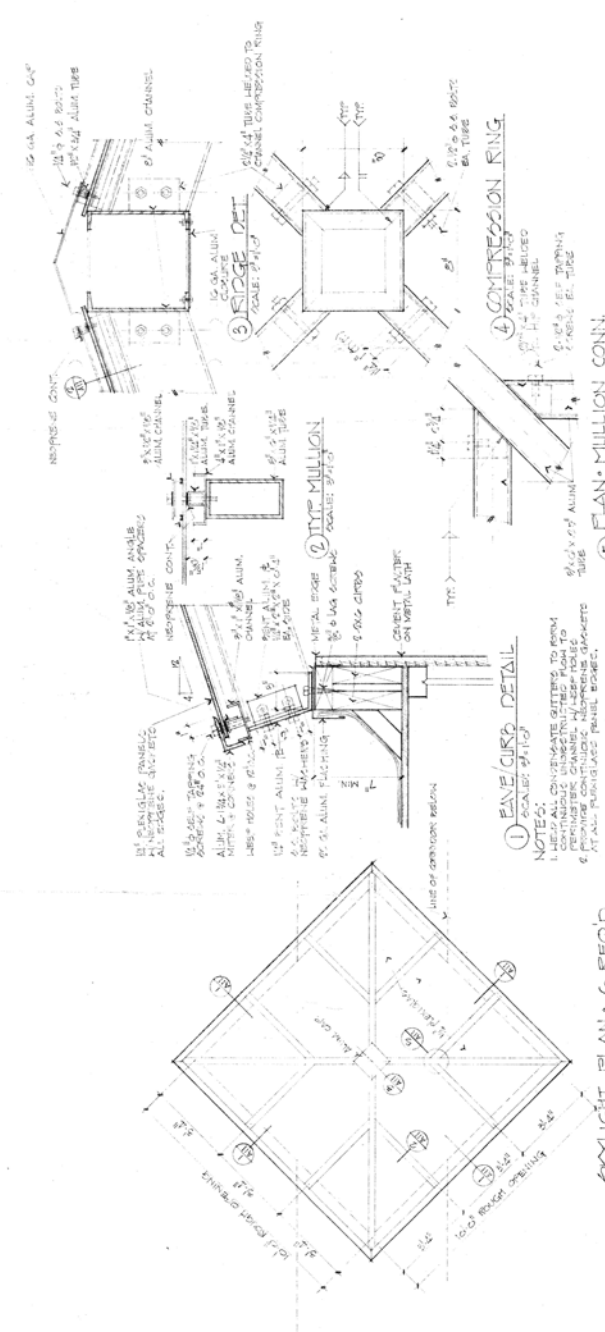
NFB: ALL GOING TO THE 6TH DISTRICT TRAIL. GARD
IN DISTRICT AREA. PLANNED.
ALL NHTS TO BE SENT TO ALCIAA DURING 99-030. 1/18/00 FOR FURTHER ACTION.



NORTH ELEVATION
SCALE: 1/8"=1'-0"

NOTE:
1. ALL WINDOW ELEVATIONS SHOWN IN ALL
ELEVATIONS PLASTER AREAS MINIMUM
100 LBS PER SQUARE FOOT EXCEPT JOINTS

SOUTH ELEVATION
SCALE: 1/8"=1'-0"



EAST ELEVATION (LEFT ELEV. SIMILAR)
SCALE: 1/8"=1'-0"

NOTE:
1. ALL WINDOW ELEVATIONS SHOWN IN ALL
ELEVATIONS PLASTER AREAS MINIMUM
100 LBS PER SQUARE FOOT EXCEPT JOINTS

PLAN - MULLION CONN.
SCALE: 1/8"=1'-0"

1. I hereby certify this document to be true and correct as the same were prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Arizona.

2. I am not providing any services in connection with this project which would require the services of a Professional Engineer in the State of Arizona.

3. I am not providing any services in connection with this project which would require the services of a Professional Engineer in the State of Arizona.

4. I am not providing any services in connection with this project which would require the services of a Professional Engineer in the State of Arizona.

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25. I am not providing any services in connection with this project which would require the services of a Professional Engineer in the State of Arizona.

26. I am not providing any services in connection with this project which would require the services of a Professional Engineer in the State of Arizona.

27. I am not providing any services in connection with this project which would require the services of a Professional Engineer in the State of Arizona.

28. I am not providing any services in connection with this project which would require the services of a Professional Engineer in the State of Arizona.

29. I am not providing any services in connection with this project which would require the services of a Professional Engineer in the State of Arizona.

30. I am not providing any services in connection with this project which would require the services of a Professional Engineer in the State of Arizona.

TAB 5



Jamel Greenway, LLC
4771 N. 20th Street,
Suite B22
Phoenix, AZ 85016

Ownership:

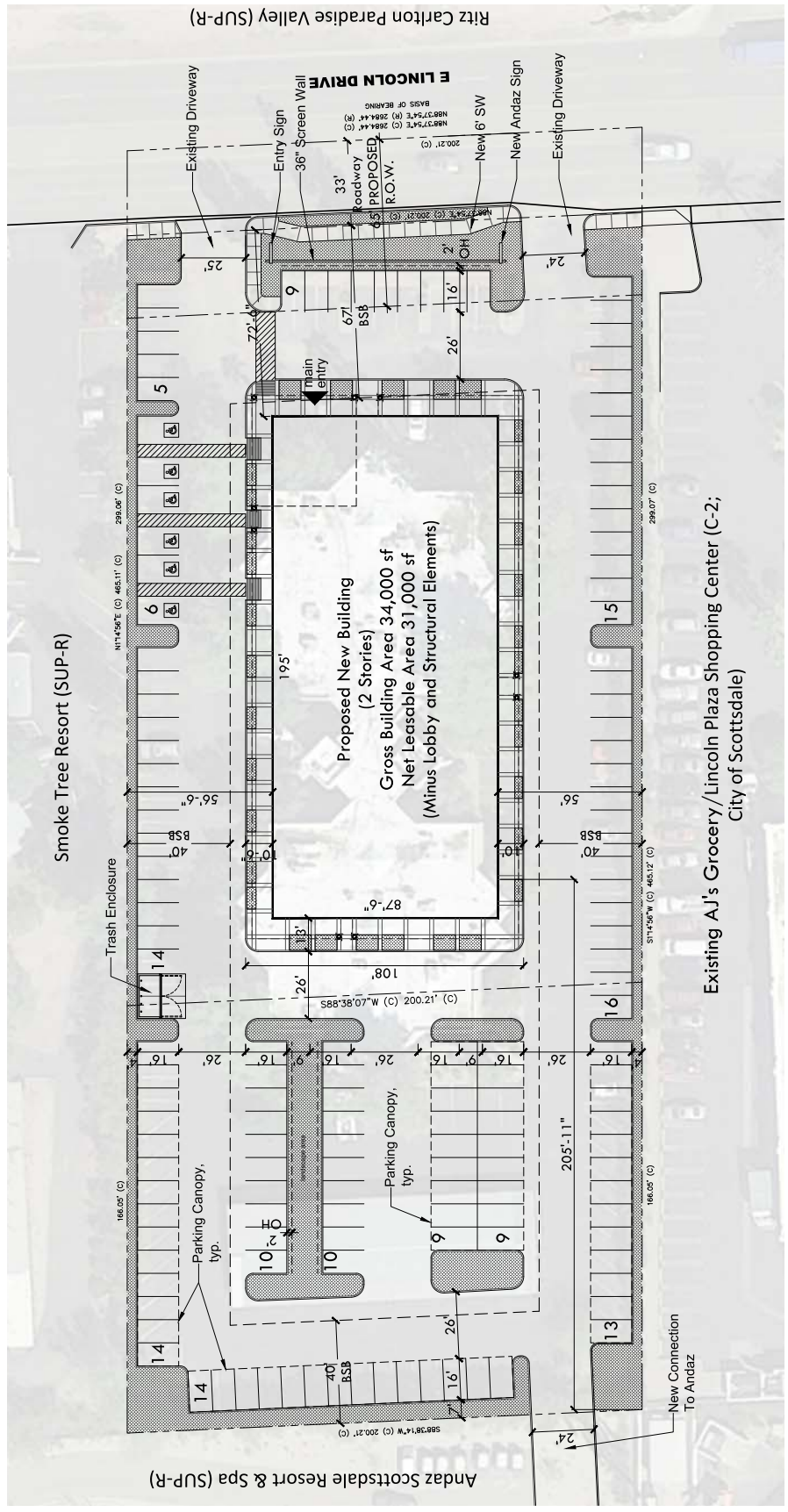
7125 Lincoln
Medical Office
Paradise Valley, Arizona

▲ Development Review Set
▲ Bid Set
▲ City Submitted
▲ City Connection Set
Revisions:

Ownership of Instruments of Service:
This drawing is not to be used or reproduced without the
written consent of Suite6 Architecture + Planning, Inc. The
drawing is the property of Suite6 Architecture + Planning, Inc.

Scale
Date: July 15, 2018
Drawn: Lynn Evans
Checked: Lynn Evans
Sheet Number

A1.0
Master Site Plan



Project Data	
Net Site Area	+/- 93,023 sf +/- 2.13 ac
Lot Coverage	+/- 18.3%
FAR	+/- 0.33
Net Leasable Building Height	existing 25,444 sf proposed 31,000 sf
Parking Std.	147 sp 36'
Parking ADA	6 sp 138 sp
Parking Total	153 sp 144 sp
Parking Ratio	6.0/1000 4.6/1000

Project Information	
Project Name	Lincoln Medical Plaza
Project Address	7125 E. Lincoln Drive Paradise Valley, AZ 85253
Owner	Jamel Greenway, LLC 4771 N. 20th Street, Suite B22 Phoenix, AZ 85016 Contact: Lynn Evans Teli: 602-710-2122 Email: Lynn@handshops.com
Architect	suite6 architecture + planning 6111 N. Cattletrack Road Scottsdale, AZ 85250 Teli: 480-348-7800 Email: dean@suite6.net

Legal Description
THE EAST 200 FEET OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, AND THE EAST 200 FEET OF THE NORTH HALF OF THE SOUTHEAST QUARTER, AND THE EAST 200 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



Vicinity Map N.T.S.

TAB 6

west elevation $1'' = 10' - 0''$

TAB 7



Janel Greenway, LLC
4771 N. 20th Street,
Suite 822
Phoenix, AZ 85016

Owner/Client

7125 Lincoln Medical Office

Paradise Valley, Arizona

▲ Development Review Set
▲ Bid Set
▲ City Submitted
▲ Corporation Set
Revisions:

Ownership of Instruments of Service

This drawing is to be used as a guide only and is not to be used for any other purpose. The client is responsible for obtaining all necessary permits and approvals from the appropriate authorities. The client is also responsible for obtaining all necessary insurance and bonding for the project.

Sheet
Date: 10 Jan 2018
Project Number: 008
Client: Janel Greenway, LLC
Sheet Number

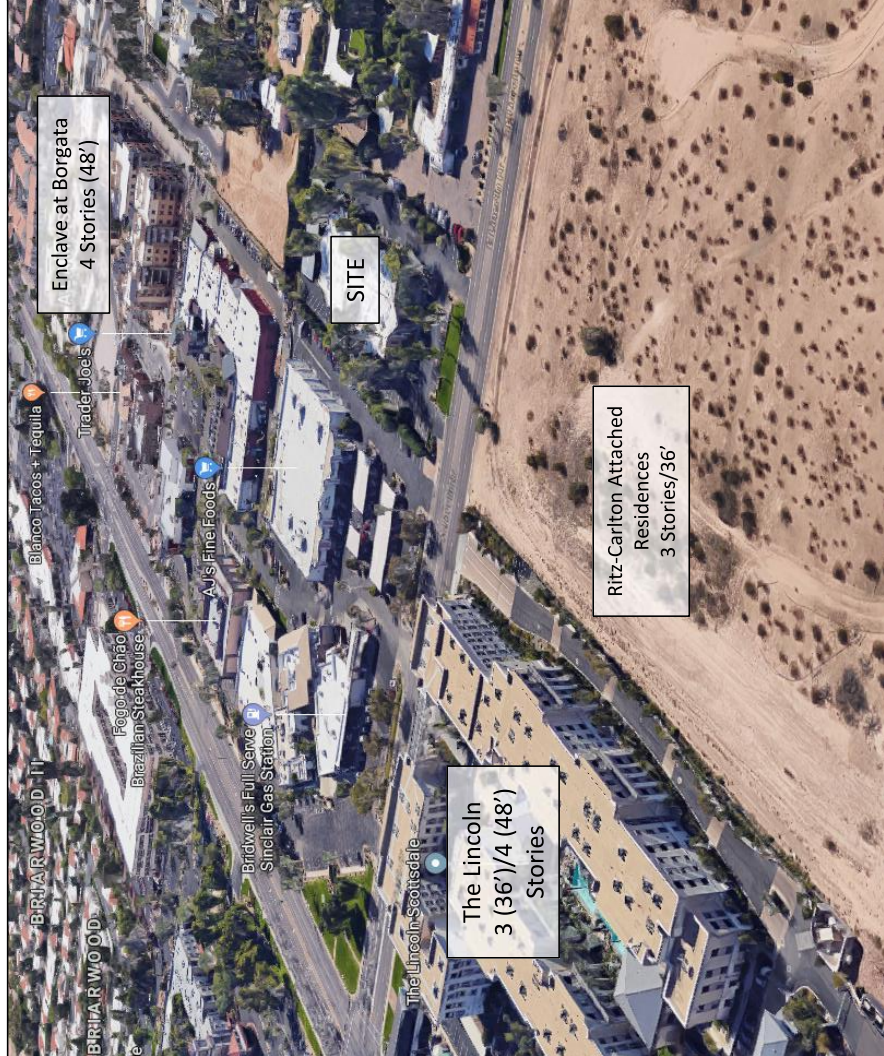
A4.0

renderings

TAB 8

Vicinity Map: Surrounding Heights

Looking Southeast



Looking Northeast



TAB 9

View Corridor (West on Lincoln Drive)



View Corridor (West on Lincoln Drive)



TAB 10

Conceptual Landscape Plan

[illegible]

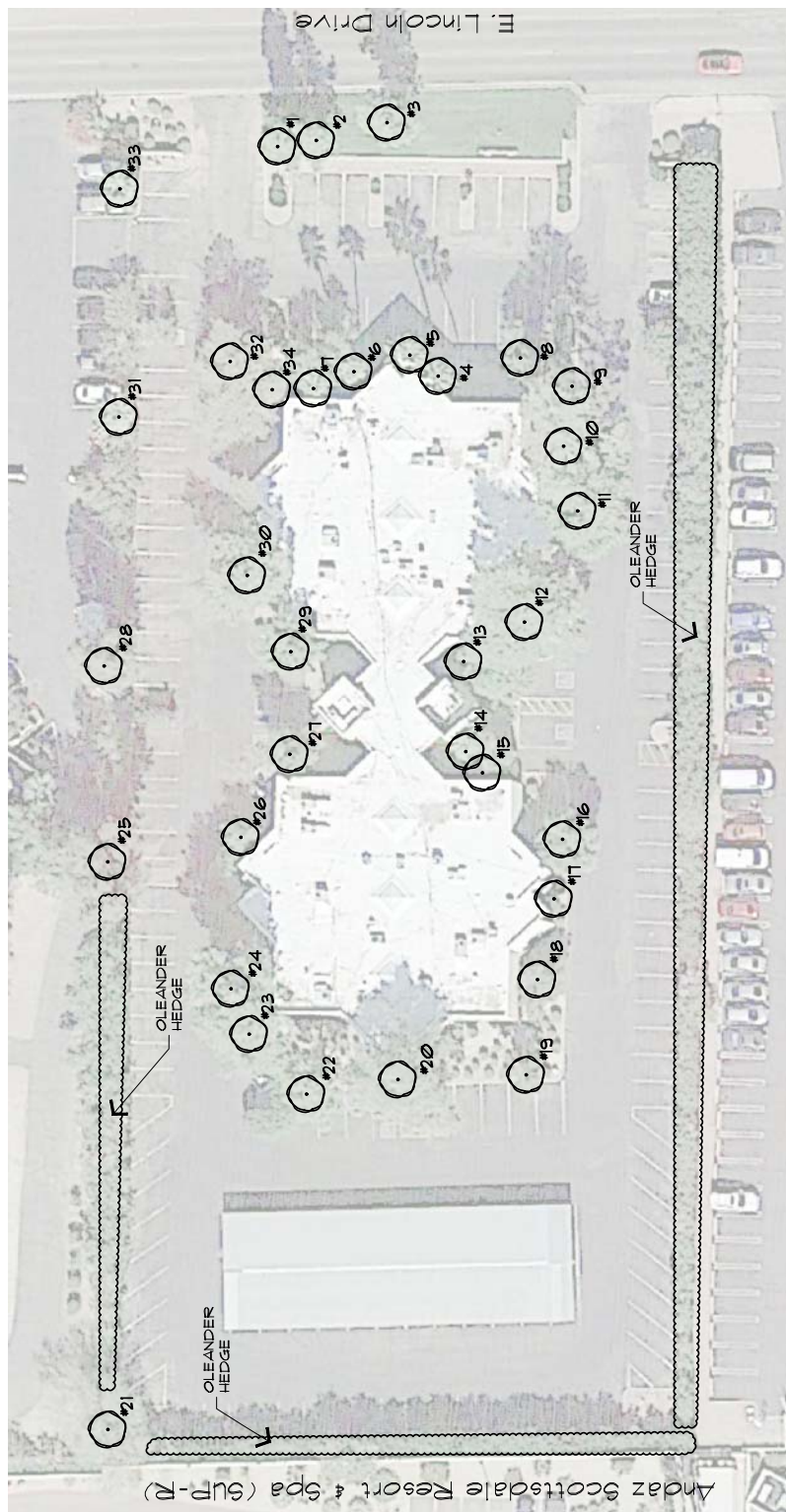
BOTANICAL NAME	COTTON NAME	QTY.	SIZE	NOTES
TREES/PALMS				
Acacia saligna	Yellow Acacia	12	24" Box	Standard Truck
Cassipouira gilliesii	Willow Birch of Paradise	44	24" Box	Hull's Truck
Ficus	Arango Ash	14	24" Box	Standard Truck
Gueja Toxicia	Ironwood	14	24" Box	Upright form
Ocotea virginiana	Live Oak	28	24" Box	Dress Canopy Power Group
ACCENTS & VINES				
Azalea indica	Norfolk Aloe	36	5 Gall.	As Per Plan
Magnolia capillaris	Reigning Palm	10	5 Gall.	As Per Plan
Mayday clematis	Toxicus Spoon	16	5 Gall.	As Per Plan
Hesperis matronalis	Cherry Impatiens	10	5 Gall.	As Per Plan
"Hesperis matronalis"	Pink Tropicana	20	5 Gall.	As Per Plan
SHRUBS				
Drummond's Mosses	Purple Hopsued Bush	31	5 Gall.	As Per Plan
Rhododendron	Dwarf Hydrangea	24	5 Gall.	As Per Plan
Myrica carolinensis	Petite Pink Camellier	22	5 Gall.	As Per Plan
Hamamelis virginica	Franchiser Bush	33	5 Gall.	As Per Plan
Hamamelis patens	Burnio Ruella	14	5 Gall.	As Per Plan
Rubus brittonianus	Bells of Fire	5	5 Gall.	As Per Plan
Taxus canadensis	Yellow Bell	25	5 Gall.	As Per Plan
Taxus canadensis	Orange Jubilee	4	5 Gall.	As Per Plan
GROUND COVERS				
Eranthis pinnatifida	Outback Bonnie	66	1 Gall.	As Per Plan
Liriodenla latifolia	New gold Lantana	39	1 Gall.	As Per Plan
Liriodenla latifolia	Purple Trailing Lantana	20	1 Gall.	As Per Plan
Liriodenla latifolia	Dallas Red Lantana	43	1 Gall.	As Per Plan

GENERAL TONNES

1. CONCEPTUAL LANDSCAPE PLAN IS SCIENTIFIC IN NATURE. AT THE OF LANDSCAPE CONSTRUCTION DRAINAGE ACTUAL LOCATIONS, QUANTITIES, SIZES AND SPACES SHALL BE DETERMINED AND WILL BE PLANNED TO ACCOMMODATE ALL TYPES AND UNITS OF PLANTS, TREES, SHRUBS, GRASS, ROCKS, LOGS, LIMBS AND OTHER MATERIALS THAT ARE COMMON TO LANDSCAPE CONSTRUCTION DRAINAGES. ALL EXISTING TREES SHALL BE PROTECTED DURING CONSTRUCTION.
2. ALL LANDSCAPE AREAS SHALL RECEIVE AN AUTOMATIC REGISTRATION SYSTEM.
3. ALL PLANT MATERIAL SHALL BE INSTALLED PER CITY REQUIREMENTS.
4. ALL PLANT MATERIAL SHALL BE INSTALLED PER CITY REQUIREMENTS. IF A SPECIES THAT DOES NOT GROW TO A HEIGHT OF MORE THAN 24' AND SHALL BE MAINTAINED PER CITY REQUIREMENTS.
5. ALL NON-TREE AREAS SHALL RECEIVE A 2' DEPTH OF DECORFORED GRANITE.
6. THE RETENTION SHOWN ON THE PLAN IS CONCEPTUAL IN NATURE. REFER TO THE CONSTRUCTION PLAN FOR ACTUAL GRADINGS AND DRAINAGE CONFIGURATIONS.
7. ALL EARTHWORK WILL BE DONE TO DRAIN AWAY FROM SIDEWALKS AND STRUCTURES.



Existing Landscape Plan



PLANT INVENTORY						
ID	BOTANICAL NAME		COMMON NAME	HEIGHT	WIDTH	CAL.
	GENUS	SPECIES				
1	Pinus	edulis	Edelweiss Pine	30'	10'	15'
2	Pinus	edulis	Edelweiss Pine	30'	10'	15'
3	Pinus	edulis	Edelweiss Pine	40'	10'	15'
4	Washingtonia	robusta	Washington Fan Palm	35'	6'	16"
5	Washingtonia	filifera	Washington Fan Palm	40'	6'	16"
6	Washingtonia	robusta	Washington Fan Palm	40'	6'	16"
7	Washingtonia	robusta	Washington Fan Palm	40'	6'	16"
8	Olea	europea	Olive	12'	8'	10"
9	Olea	europea	Olive	15'	8'	10"
10	Pinus	edulis	Edelweiss Pine	50'	20'	24"
11	Ecballium	microtheca	Cocklebur Tree	30'	15'	16"
12	Pinus	edulis	Edelweiss Pine	50'	20'	24"
13	Olea	europea	Olive	15'	6'	12"
14	Washingtonia	robusta	Washington Fan Palm	30'	6'	12"
15	Olea	europea	Olive	15'	6'	12"
16	Olea	europea	Olive	15'	6'	12"
17	Ecballium	microtheca	Cocklebur Tree	10'	5'	4"
18	Olea	europea	Olive	15'	10'	10"
19	Brachyotum	populnea	Australian Bottle Tree	12'	15'	18"
20	Ecballium	microtheca	Cocklebur Tree	60'	30'	28"
21	Olea	europea	Olive	15'	12'	10"
22	Pinus	edulis	Edelweiss Pine	50'	15'	24"
23	Olea	europea	Olive	15'	6'	18"
24	Pinus	edulis	Edelweiss Pine	50'	15'	18"

PLANT INVENTORY						
Botanical Name	Common Name	Height	Width	Cal	Health	
<i>Eucalyptus microtheca</i>	Cotton Tree	50'	16"	25"	Good - in flower	
<i>Dialargia laevis</i>	Indian Rosewood	12'	6"	8"	Good - in flower	
<i>Olea europaea</i>	Olive	19'	6"	8"	Good - in flower	
<i>Eucalyptus microtheca</i>	Cotton Tree	50'	17"	24"	Good - in flower	
<i>Banksia integrifolia</i>	Australian Bottle Tree	20'	17"	17"	Flowers close to building	
<i>Phus elastica</i>	Elastica Tree	50'	20"	21"	Flowers close to building	
<i>Washingtonia robusta</i>	Mexican Fan Palm	19'	6"	14"	Flowers close to building	
<i>Phus elastica</i>	Elastica Tree	25'	16"	14"	Fair	
<i>Washingtonia robusta</i>	Mexican Fan Palm	19'	6"	14"	Flowers close to building	
<i>Olea europaea</i>	Olive	19'	6"	10"	Flowers close to building	

EXISTING STUDENTS





Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Action Report

File #: 18-305



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Minutes - Draft

Planning Commission

Tuesday, July 17, 2018

6:00 PM

Council Chambers

1. CALL TO ORDER

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

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. [18-281](#) Consideration of a proposed lot split (LS 18-01)
5617 N Huntress Drive (APN: 169-43-122)
- Eva Cutro, Special Projects Coordinator, presented the application. Subject site is part of the Mountain Shadows Resort property. Ms. Cutro explained that the site was originally approved as two lots in a 40 lot subdivision in 2014. In 2016 the two lots were combined into one. Now the applicant is requesting to split the property back into two lots in the same configuration as the original 2014 plat.

Ms. Cutro explained there is a difference on the rear yard setback from what is shown on the plat in the packet. Lot 25B requires a 20' rear yard setback and Lot 26B an average rear yard setback of 25'.

The approval process was explained. If approval is unanimous the lot split does not need to go to Town Council.

The stipulations were reviewed.

The Commission had no comments or questions.

There was no comment from the public.

No Reportable Action

5. ACTION ITEMS

- A. [18-283](#) Consideration of a proposed lot split (LS 18-01)
5617 N Huntress Drive (APN: 169-43-122)
- A motion was made by Commissioner Wainwright, seconded by Commissioner Campbell, to approve the Mountain Shadows Resort Estates III Lot Split, subdividing approximately 0.461 acres into two (2) residential lots of 10,000 square feet and 10,500 square feet each, subject to the following stipulations:
1. The lot split plat must be recorded with the Maricopa County Recorder's Office, in substantial compliance with the survey plat prepared by CVL Consultants, dated June 13, 2018.
 2. Within 60 days of approval of the plat, the applicant shall submit Mylars and an electronic version in a pdf format for the Town's permanent record.

The motion carried by the following vote:

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

6. STUDY SESSION ITEMS (CONTINUED)

- A. [18-288](#) Discussion of a Minor Amendment to the Hermosa Inn Special Use Permit (SUP-18-08)
5532 N. Palo Cristi Road (Assessor No. 170-03-129)
- George Burton, Planner, described the application request. There will be no change to the previously approved 49 keys and 69,038 sf, the changes are to the locations and elevations of structures.

Mr. Burton gave background on the prior approvals.

Mr. Burton reviewed each aspect of the request describing each building, how it compared to the 2016 approval, and showed photographs/illustrations. He did not break out the prior managerial and minor SUP approvals but, rather, used the 2016 SUP amendment as the baseline.

Commissioner Campbell questioned the elevation of the middle building.

He also discussed the proposed string lights and possible visibility from the street. It was recommended that the applicant set up the lights for viewing by the Commissioners.

Commissioner Anton verified that both proposed tents in the event area can be erected at the same time and that the tents will be visible from the street. Commissioner Lewis had concerns with the tents being erected for up for 16 continual days. Commissioner Campbell noted that the new tent location is far superior to the previous area. It was discussed that the Town noise ordinance will apply. The noise at the property line shall not exceed 56 or 45 decibels. Police will go out with a noise meter if necessary. Chairman Wastchak is less concerned with noise since the tents are more internal to the site. It was recommended that the stipulation that prohibits amplified music also include any music associated with the tent. Applicant will consider this stipulation modification.

Mr. Burton reviewed the parking history, including removal of the garden and construction of a 10' screen wall. He noted that the neighbor to the north had concerns about the wall, measured from their grade and not Hermosa's grade. Neighbor is asking for a 13' tall wall. Doug Jorden, representing the applicant, noted that the wall is proposed to the west end of the parking area. Mr. Jorden states the applicant can extend the wall past the west end of the parking lot. Applicant is also requesting additional parking, although the parking is not required. Commissioner Georgelos asked what the parking requirements are for this site. Mr. Burton responded that 156 spaces are required.

There was discussion on the location and height of the proposed lights. The pole light height is proposed at 10'.

Mr. Burton stated he received 4 comments from the public. There were concerns with the intensity of use, noise, and light.

The application is scheduled for action at the August 21, 2018 Commission meeting. There were concerns about having a hearing before Labor Day. It was decided that the Commission will hear this item on August 21st, take any public comment, and then continue the hearing until September 18th.

There was more discussion regarding parking and the need to increase parking for employee vehicles. Mr. Jorden will provide a parking analysis at the next meeting.

Controlled access to the site and fire access also need additional review.

Commissioner Campbell suggested additional landscaping at the northwest area, west of the parking lot.

There was discussion on the proposed wall and whether an additional 3 feet will have any effect on restricting noise. There was also a concern that if a "no man's land" will exist between the walls it should be gated and secured. It was noted that a gate will be added at each end of tall wall.

Commissioner Lewis had concerns on drainage. Mr. Jorden acknowledged that they will need to comply with the new manual. They will provide additional detail at the permit stage. There was discussion on the lack of retention on the site. It was noted that a stipulation should be added regarding drainage and that additional information is necessary.

Changes to the spa were discussed. It was noted that the spa currently has one treatment room. They are proposing to increase to 3 treatment rooms and 5-6 pieces of exercise equipment. It was explained that there used to be a friends of Hermosa program, the narrative will be revised to explain this in more detail.

Lastly, Commissioner Anton had concerns regarding the proposed string lights and their visibility. One idea is to add shields to the lights. Perhaps a stipulation can be added to provide shields if there are any complaints. The Commission would like photos of the possible shields.

No Reportable Action

B. [18-279](#)

Discussion of Major Special Use Permit Amendment (SUP-18-06)
7125 E Lincoln Drive - Lincoln Medical Plaza

Paul Michaud presented the application in accordance with the application packet.

Chairman Wastchak asked when the public hearing is scheduled.

Mr. Michaud noted the hearing is scheduled for October 16th and then it will go to Council for review.

Mr. Michaud reviewed the Statement Of Direction (SOD).

Chairman Wastchak asked if the applicant has a landscape plan in accordance with the Visually Significant Corridors Plan.

The applicant stated that he can discuss the landscaping, but has no plan at this time.

Mr. Michaud continued to discuss and outline the development (setbacks, height, floor area, etc.).

Mr. Michaud presented each SOD item to the Commission and the next steps.

Additional information is still needed from the applicant. Mr. Michaud identified the pending items that are needed.

Chairman Wastchak noted there will not be a break in the Commission review. The Planning Commission will continue to review documents as they are provided. Chairman Wastchak advised the Commission to be mindful of the SOD items. He also asked Mr. Michaud to identify which SOD items are satisfied as the application goes through Commission review. Chairman Wastchak stated it is ok if the SOD tracking document is sent to Commission even a day before the meeting in order to keep it as fresh as possible.

Jason Morris, applicants' representative, introduced Ben Tate, who will give the applicants' presentation. He stated the proposal provides a similar use that is better than what is currently there. The additional height is needed to accommodate current medical standards. Also, they don't have any residential neighbors.

He reiterated that they are building a better version of what's there. This is their goal. Mr. Tate outlined the scope of the request and history of the lot. The current building does not meet the current medical office needs and standards.

Chairman Wastchak asked for additional information on the increase in height. He noted that the lobby is an architectural feature that is at the maximum height.

Mr. Tate stated that the additional height will not affect the view sheds. He discussed the medical standards, in which medical HVAC equipment requires a 5' clearance which results in 15' floor to floor, in addition to the

required roof mechanical screens.

Chairman Wastchak is not satisfied that there is a need for roof mounted ac units, and that ground mounted systems are an option. He wants the applicant to vet this point.

Jason Morris noted ground mounted units will result in more ground space being utilized which may take up parking spaces.

Chairman Wastchak requested that the applicant provide realistic perspectives (e.g. what is the view or massing from the property line), including perspectives from across the street looking south (back towards the building). Also, show a comparison of the existing and new building from across the street.

Commission Campbell questioned whether the applicant has considered a central ac plan. That is not known at this time.

Mr. Tate explained the requested height. He stated it is contextual appropriate. He identified the height of the buildings on the surrounding properties. He noted, that although the building does not meet the OSC, it will not block any existing view sheds.

Chairman Wastchak noted that additional landscape buffer is necessary along Lincoln Drive. Something can be done.

Jason Morris stated he does not believe the Town has the legal right to require the dedication of land along Lincoln Drive.

Andrew Miller does not necessarily agree with Mr. Morris's assessment.

Mr. Tate stated there needs to be give and take with the ROW dedication and the landscape buffer for this project to work, as there is simply not enough land. The more landscaping that is added will hide the building from those trying to find it.

Chairman Wastchak asked if the landscaping will be compliant with the VSC requirements.

Mr. Tate stated this has not yet been considered.

Chairman Wastchak stated this is an important element that should be complied with. How well does your plan meet VSC? Maybe it can be accomplished even without all of the ROW dedication.

Mr. Tate noted their proposed landscape plan balances both visibility and a sufficient amount of plants. Ben presented the proposed landscape pallet. Civ Tech is working on a traffic impact analysis; however, since it is the same use and roughly the same size building, it will not have any adverse impacts and can accommodate the new building.

The applicant discussed signage and the request for building mounted signage.

Commissioner Lewis questioned the architecture of the building. He does not believe it is very inviting. Wants a more friendly building that gives you a sense of confidence.

Commissioner Wainwright stated he wants a class A building, and that the proposal is an improvement over the existing site.

Commissioner Covington believes there is no context around it, and that this building would stand out. The building will not disappear with additional landscaping.

Commissioner Campbell is supportive of the 15' floor to floor since he works on a lot of medical buildings. Believes there will be enough height on adjacent properties so it will be in context. Willing to give the extra height for the dedication of the right-of-way. Additional landscaping is needed at the street frontage. Wants to hide the building more due to the additional height.

Commissioner Georgelos believes the key word is flexibility. Must be workable for the future. The architecture should fit into the community.

Commissioner Anton's concern is from the building on out. He doesn't want more traffic and believes this is our gateway to the Town. We will need the extra footage on the roadway. We can be flexible on the landscaping. This is doable.

Paul Mood explained that he will be getting the 30% plans for Lincoln Drive. Also, the applicant has parking spaces located in the ROW which is not allowed and the parking spaces are smaller than that recommended by code. The parking analysis must address all access points.

Chairman Wastchak requested that the applicant confer with CivTech on the traffic study being done for Smoke Tree Resort. There was discussion of shared entrances between SmokeTree and the Medical facility.

No Reportable Action

- C. [18-290](#) Discussion to Amend Article 22, Hillside Building Regulations, to incorporate pre-application process and related matters
- Mr. Miller, Town Attorney, explained the Hillside Code Amendment in accordance with the packet.
- Chairman Wastchak clarified that these changes are just a clean up after the technical code update.
- Mr. Miller agreed.
- No Reportable Action**
- D. [18-289](#) Discussion of Amendment to ArticleXVI, Home Occupation; Section 1603, of the Town Zoning Ordinance.
- Andrew Miller, Town Attorney, presented the home occupation amendment in accordance with the packet.
- Chairman Wastchak noted that the town will not be pro-active on parking on lawns in general, unless it is in relation to a home occupation to accommodate that use.
- Mr. Miller clarified that the home occupation will include short term rentals.
- No Commission comments.
- No Reportable Action**

7. PUBLIC HEARINGS

None

8. CONSENT AGENDA

- A. [18-280](#) Approval of June 19, 2018 Planning Commission Minutes
- Approval of minutes. There was a correction at the bottom of page 3. Change to Commissioner Lewis preferred to keep it a 50%; another correction on page 4 at the end of page - Ordinance is mis-spelled. Commissioner Lewis motion to approve and second by Commissioner Georgelos.
- Approved as amended 7 to 0.
- A motion was made by Commissioner Lewis, seconded by Commissioner Georgelos, to approve the June 19, 2018 minutes with two edits. A correction on Page 3 that only Commissioner Lewis stated keeping the homeowner good box at 50% and to correct the misspelling of ordinance on Page 4. The motion carried**

by the following vote:

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

9. STAFF REPORTS

10. PUBLIC BODY REPORTS

Commissioner Wainwright will not be at the 8/7 meeting and Commissioner Georgelos may not be able to attend.

11. FUTURE AGENDA ITEMS

12. ADJOURNMENT

Motion by Commissioner Campbell and seconded by Commissioner Anton. Approved 7 to 0 at 9:13 pm.

A motion was made by Commissioner Campbell at 9:12 p.m., seconded by Commissioner Anton, 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