



**PARADISE VALLEY  
HILLSIDE BUILDING COMMITTEE MINUTES  
APRIL 12, 2017**

**1. CALL TO ORDER**

The Hillside Building Review Committee met on Wednesday, April 12, 2017, at Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253. Committee Members present included Chair Scott Jarson, Scott Tonn and Planning Commissioners Dolf Strom, James Anton who attended the meeting for Jonathan Wainwright, and Daran Wastchak. Staff present: Planner George Burton, Building Safety Manager Bob Lee, Engineering Technician Richard Edwards, Interim Town Engineer Woody Scoutten, and Executive Assistant/ Deputy Town Clerk Natalie Montenegro. Chair Jarson called the meeting to order at 8:00 a.m.

**2. EXECUTIVE SESSION**

Chair Jarson stated the Hillside Building Review Committee may convene to an executive session at any time 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.

**3. APPLICATION REVIEW**

**A. Combined review for Marsoner Residence - 6199 N. 44th Street (APN: 169-20-115). Application for landscape and site drainage improvements.**

**Nick Prodanov, Civil Engineer**  
**Reinold Masoner, Owner**

Planner George Burton said the applicant made site drainage improvements and landscaping at 6199 North 44th Street without committee approval and permits. The application was on the March 8 agenda but was continued so that water tests could be done to identify where the water travels. The drainage report identifies that the improvements would not have an adverse effect on properties downstream. Mr. Burton stated that water tests were done on March 14.

Mr. Burton said that the new grading design will use some of the existing rip rap, restore two parts of the disturbed area to its natural state, and provide on-site retention. The

drainage report states these improvements will reduce the impact on neighboring lots and will not change the historic flows.

Commissioner Strom stated the highest point is at the southwest corner and the lowest point is at the northeast corner of the lot. He said the Hillside Committee approved the home in 2004. He asked what has changed to create a problem on this lot. Mr. Burton said the applicant built a berm and swale on the property and the neighbor is concerned that water will get to his house.

Mr. Prodanov, the civil engineer, explained that Mr. Masoner had constant issues of dirt deposits in the right of way. Unfortunately, the contractor he hired did not go through the procedure of getting Committee approval and permits. He said he had 2 options to address the erosion issues: to put everything back to the original plan or to get permits to fix the problem. The proposed drainage plans were found acceptable.

Commissioner Anton said that the debris is not being retained on the property but is being collected in the northeast corner.

Mr. Prodanov said a swale was created to bring water to the retention area in the northeast corner.

Chair Jarson asked him to show the location of the rip rap on the drawings. Mr. Prodanov said that they will remove some of the existing rip rap and the rip rap that remains will set in colored concrete to blend with the surrounding desert colors. Historic drainage patterns will be restored and preserved.

Commissioner Strom asked if water will flow across the street and into the neighbor's property. He asked how much water will be retained onsite. Mr. Prodanov said the water flow will be less and 50% of what is generated on the property from the roof, drive, etc. will remain on-site, and will go to the retention basin.

Chair Jarson asked if the landscaping will be desert plants and natural soils, no artificial turf. Mr. Prodanov said the plan is to save as many plants as possible.

Commissioner Wastchak asked how much water will continue off the property and if it crosses the street to the neighbor's driveway. He thought the neighbor is putting a burden on the applicant with issues on his property. Mr. Prodanov said that the lot across the street is considered a "sump" lot that collects water.

Commissioner Wastchak asked Mr. Edwards to explain the water test. Mr. Edwards demonstrated on the map the three locations where the water was dumped and the path it took along the two streets. He said the test was for a minimal event and did not have an adverse impact on downstream properties.

Commissioner Wastchak asked who is responsible for fixing the problem. Mr. Ed Gookin, the civil engineer for the neighbor, Mr. Bill Wilhoit, said the applicant is responsible since he is adding a 3-foot berm on the property.

Chair Jarson, Commissioner Strom and Commissioner Wastchak discussed the 2006 aerial photo, including the landscape at that time and water control measures.

Commissioner Anton asked if there were complaints from the neighbor prior to the build. Mr. Wilhoit said his house was built in 2000 and when this house was built in 2006, there was no problem with water flow. He is concerned that the new landscaping and berm will cause water to come to his property.

Chair Jarson asked if there is a requirement to restore the area. Mr. Burton said there is no requirement to completely restore the hillside. Mr. Prodanov said that restoring it to its natural flow will cause more silt. Mr. Wilhoit said he does not feel it can be restored to adequately impede the flow to his property.

Jim Fursini, the builder representing Mr. Wilhoit said the water collects at the culvert and exits. Mr. Prodanov said he has a problem with the culvert and feels it is not needed. He said there are water and sewer lines under the street that may interfere, and then there is the question of who will maintain and clean it.

Mr. Wilhoit said years ago he agreed to share the cost of maintaining and cleaning the culvert with the Town. It has not been an issue.

Commissioner Wastchak asked if the berm is impeding or redirecting the water flow. Mr. Scoutten said that there is a low point on the neighbor's property and the water will cross the street to that point. It's an unfortunate location of the driveway.

Chair Jarson said that this application is appropriate for hillside and the applicant provides a prudent and sensible solution. He said if nothing were done to the property, it still would not solve the neighbor's problem.

Commissioner Wastchak asked if the Town has worked with both of them to try to solve the problem. Mr. Scoutten said no, they have not met with them.

Commissioner Anton asked if the retention basin is large enough to solve the problem and the engineer said no.

Commissioner Strom asked Mr. Wilhoit if removing all the landscaping will solve the problem of water in the driveway. Mr. Fursini said there are two controls that prevent water from going to house. The first control is a rise in the driveway and the second is the drainage ditch in the motor court. Mr. Wilhoit said he has never had a problem in 17 years. Mr. Fursini said the concern is that the applicant changed the topography and that in turn will change flow of the water. Mr. Wilhoit asked if the Town can guarantee

that his changes will not affect his property. He said there is a Town ordinance that states you cannot change the flow of the water.

Mr. Prodanov feels the project is being held hostage because the neighbor wants a drainage culvert. Mr. Tonn said the plan is to restore to what was there in 2006.

Chair Jarson said that the intent is to be a good neighbor and be willing to work together to come to a solution. He would like the property owners to meet with the Town Engineer.

Commissioner Wastchak moved to continue this application to the next meeting on May 10. Commissioner Strom seconded the motion which carried unanimously, 5-0.

**B. Concept Review for McLinden Residence - 5564 E. Palo Verde Lane (APN: 172-47-058C). Application to construct a new single family residence, casita, pool, and trellis.**

**Drew Bausom, Contractor**  
**Andy Byrnes, Contractor**

Planner George Burton presented the application to construct a new home, guest house, pool and trellis at 5564 East Palo Verde Lane. He said the existing house was demolished and the plans for the new home meet all the height and setback requirements. There will be onsite retention around the property. The guest house is detached and also meets the height and setback requirements. The pool barrier will be discussed at the formal review. The trellis will be at the front of the pool area and will provide covered parking for guests. The floor area ratio and disturbed area is below the allowable.

Andy Byrnes, the construction Manager, described the concept design for the new construction. He said the site has two washes along the property line to the east and west. The new home is on two levels and will not interfere with the washes. They will revegetate and landscape back to natural and repair the existing cut. The materials for the home will match the natural surroundings. Board formed concrete walls and natural weathering steel will ground the building. Dark metal cladding and shaded glass will blur the line between interior and exterior. There will be a flat steel and wood roof above the main living area. The main level roofs will be spray foam with a gravel broad cast top coat to minimize their effect. The casita roof will be a "green roof" with low maintenance desert planting.

Commissioner Strom asked if the green roof will have plants and if rainwater will stay on the roof. Mr. Scoutten said green roofs need to be higher than 2.8 inches. Mr. Byrnes said it is higher than 2.8 inches and it has overflows to eliminate excess water during a storm.

Commissioner Strom asked if water retention is needed. Mr. Byrnes said there are washes on both sides of the house.

Commissioner Wastchak said the grading and drainage plan shows a depression and they would like to see the dip in the grading plan.

Commissioner Strom asked Mr. Burton if staff is okay with the natural grade lines shown on the plans. Mr. Burton said the grade lines appear to be okay.

Teresa Mau, a neighbor above the subject property, said that she has lived in her house for 45 years and has had 3 floods. She wants to warn the new owner to be mindful of the drainage plan and to keep the natural flows.

Chair Jarson asked about the driveway surface. Mr. Byrnes said it is exposed aggregate and giant pavers. Commissioner Strom stated his concern that the giant pavers may prevent retention.

Howard Ginsberg, the neighbor to the north, said he has lived here for 30 years and wanted to hear about the plan for the property.

**C. Concept review for a new single family residence located at 6149 E Indian Bend Road (APN: 169-35-014).**

**C.P. Drewitt, Architect**  
**Nick Prodanov, Civil Engineer**

Bob Lee presented the application to construct a new home on the southwest corner of Indian Bend Road and 62nd Street. The drainage issues will be addressed at the formal review. The disturbed area far exceeds the allowable.

Mr. Drewitt explained the concept design for the new home. He said it will be a modernist structure that includes stem platting, edge cut stone, rusty stone, powder coated steel cladding on fascia and bronze.

Chair Jarson asked about the roofing materials. Mr. Drewitt said they plan to use a TPO membrane roofing system (thermoplastic polyolefin) with a granular top coat. The landscaping will be desert plants and they have eliminated the grass areas.

Chair Jarson asked about the surface at the bocce ball court. Mr. Drewitt said it is crushed shell. Chair Jarson reminded them to be mindful of the LRV factor.

Commissioner Strom wanted to know where the path of the surface water. Mr. Prodanov said there is going to be a retention basin by the motor court and a 30 inch storm drain. He showed the Committee how the water will flow on the property. Mr. Tonn asked if the water flow will change. Mr. Prodanov said the sheet flow dumps into a

little swale. Commissioner Strom asked if any drainage problems have been reported. Mr. Lee and Mr. Edwards said there have been no issues with drainage on this site.

Chair Jarson said he would like to see the desert landscape and lighting plans. He also reminded the applicant that no grass and palm trees would be good.

Commissioner Strom asked the number of the cut and fill. Mr. Lee said it is 4,388 cubic feet.

Commissioner Strom wanted to see the water flow again. Mr. Prodanov explained all the flows.

Mr. Scoutten said that the retention on the property is not balanced. He would like the applicant to add a retention basin on the eastern side above the driveway to balance it.

Commissioner Anton said that the retention would help with the water coming from Indian Bend Road.

#### **4. STAFF REPORTS**

There were no staff reports.

#### **5. COMMITTEE REPORTS**

There were no committee reports.

#### **6. NEXT HILLSIDE BUILDING COMMITTEE MEETING**

The next meeting was scheduled for Wednesday, May 10 at 8:00 p.m. and the June meeting was scheduled for June 14 at 8:00 a.m.

#### **7. ADJOURNMENT**

Commissioner Strom moved to adjourn. The motion was seconded by Chair Jarson which carried unanimously 5-0. The meeting adjourned at 9:45 a.m.