

**13. FUTURE AGENDA ITEMS****18-469          Consideration of Requests for Future Agenda Items**

Interim Town Manager Brian Dalke summarized the future agenda schedule. There were no requests to add items.

**14. MAYOR / COUNCIL / MANAGER COMMENTS**

Council Member Pace provided an update on ACOPS. She complimented the Police Department on the successful YANA program and Blue Wednesday. She reported on the Over the Edge fundraiser for Special Olympics, the Fill a Cruiser donation drive for Vista del Camino, and future topics to be discussed at Coffee with a Cop.

Council Member Stanton wished everyone seasons greetings. He congratulated Mayor Collins, Council Member Sherf, and Brian Dalke and thanked them for their service to the Town.

Council Member Stanton responded to comments made by Council Member Dembow at a previous meeting. He stated that he did not attend the last meeting because of a previous commitment. He stated that he has been friends with the Brown family for many years and contacted them to express his condolences but once a lawsuit had been filed against the Town, he ceased communications. He rejected the allegations made and stated he would not resign.

Council Member Pace, Council Member Moore, and Vice Mayor Bien-Willner recognized Mayor Collins for his service and mentorship.

Mayor Collins recessed the meeting at 9:08 PM.

**15. STUDY SESSION CONTINUED****18-438          Discussion of Lincoln Plaza Medical Center Major Special Use  
Permit Amendment**

**A motion was made by Council Member Pace, seconded by Council Member Moore, to go into executive session at 9:19 PM to discuss items 18-466. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins  
Vice Mayor Bien-Willner  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Stanton

**Absent:** 1 - Council Member Sherf

Vice Mayor Bien-Willner reconvened the meeting at 9:45 PM

Senior Planner Paul Michaud updated the Council on the discussion points from the November 1<sup>st</sup> Council Study Session including:

- Traffic documentation
- Right-of-Way / Parking
- Height / Solar / Grade elevation
- Definition of retail
- Medical Marijuana stipulation
- Pharmacy and phase 1 and 2 narcotics
- Urgent care noise and lights
- Sign illumination

There was Council discussion and additional concern raised about traffic volume and congestion, building height, building design and security, and lighting. The Council requested updated site plans with the options from the traffic report. There was consensus that another study session was needed on this item.

## **16. ADJOURN**

**A motion was made by Council Member Pace, seconded by Council Member Stanton, to adjourn. The motion carried by the following vote:**

**Aye:** 5 - Vice Mayor Bien-Willner  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Stanton

**Absent:** 2 - Mayor Collins  
Council Member Sherf

Vice Mayor Bien-Willner adjourned the meeting at 10:16 PM.

Vintage Car Show would be held on Saturday, November 10<sup>th</sup> at Town Hall.

Council Member Moore announced that the Experience Scottsdale Board of Directors would hold a retreat on November 12<sup>th</sup>.

## **15. STUDY SESSION CONTINUED**

Mayor Collins recessed the meeting at 7:17 PM and reconvened the Study Session in the Boardroom at 7:30 PM

### **18-409            Update on the Town of Paradise Valley Public Safety Foundation 501(c)3**

Advisory Committee on Public Safety (ACOPS) Chair Julie Pace and Committee Member Michael Cummiskey updated the Council on the creation of a 501(c)(3) foundation to accept donations to support public safety needs in Paradise Valley. It was believed a buffer between the Police Department and fundraising activities was appropriate; therefore, the foundation would be set up as an independent entity.

The Council discussed the draft Articles of Incorporation, Mission Statement, and Memorandum of Understanding with the Town of Paradise Valley. They discussed Foundation membership and criteria for accepting and rejecting donations.

Council Member Pace stated she is working on the bylaws. It was agreed that Council Members would forward any comments or suggestion on the Memorandum of Understanding to Council Member Pace by next Wednesday and it would be scheduled for a vote on November 15, 2018.

### **18-388            Discussion of the Major Special Use Permit Amendment (SUP-18-06) 7125 E Lincoln Drive - Lincoln Plaza Medical Center**

Senior Planner Paul Michaud presented a request by Jamel Greenway L.L.C., owner of Lincoln Plaza Medical, to redevelop the existing medical plaza located at 7125 E Lincoln Drive. The existing buildings would be demolished and a new medical office building would be constructed. He stated that the Planning Commission voted 6 – 0 to forward the application to the Town Council with a recommendation for approval, subject to stipulations.

The Council discussed the applicants request to provide 16-feet, of the total 65-foot roadway dedication, by easement instead of right-of-way in order to accommodate parking. The Council also discussed including a stipulation to prohibit a medical marijuana dispensary. They questioned the size of the pharmacy and if it would include retail. Noise associated with ambulances was also discussed.

Traffic and circulation was a concern, especially given the property's proximity to other development projects. Town Engineer Paul Mood reported that the Town retained a third-

## 18-399 Discussion of the Walk & Bike Plan

Duncan Miller, Town Clerk



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Action Summary

### Planning Commission

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Tuesday, October 16, 2018

6:00 PM

Council Chambers

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#### 1. CALL TO ORDER

#### 2. ROLL CALL

**Present** 6 - Commissioner Daran Wastchak  
Commissioner James Anton  
Commissioner Thomas G. Campbell  
Commissioner Pamela Georgelos  
Commissioner Orme Lewis  
Commissioner Jonathan Wainwright

**Absent** 1 - Commissioner Charles Covington

#### 3. EXECUTIVE SESSION

**A motion was made by Commissioner Campbell about 6:45 p.m., seconded by Commissioner Georgelos, to go into executive session to discuss legal advice pertaining to rights-of-way. The motion carried by the following vote:**

**Aye:** 6 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Georgelos, Commissioner Lewis and Commissioner Wainwright

**Absent:** 1 - Commissioner Covington

**A motion was made by Commissioner Campbell at 7:00 p.m., seconded by Commissioner Georgelos, to go out of executive session. The motion carried by the following vote:**

**Aye:** 6 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Georgelos, Commissioner Lewis and Commissioner Wainwright

**Absent:** 1 - Commissioner Covington

#### 4. STUDY SESSION ITEMS

#### 5. PUBLIC HEARINGS

**A. [18-381](#) Consideration of the Major Special Use Permit Amendment (SUP-18-06)**

**7125 E Lincoln Drive - Lincoln Plaza Medical Center**

A motion was made by Commissioner Campbell, seconded by Commissioner Anton, to forward to the Town Council approval of Ordinance #2018-19 of the Lincoln Plaza Medical Center Major Special Use Permit Amendment with the conditions and effective date as described in said ordinance; including four revisions.

Stipulation C.4 to read "The area of the pharmacy shall not exceed 2,500 square feet in total area." The drafted square footage was 2,079 square feet.

Stipulation F.2 to read "[Correct site topography and elevations shall be supplied by the Owner prior to Council consideration of the final Ordinance so that a fixed finished grade elevation can be specified in the Ordinance.] Final grading and drainage plans and documents, prepared by a registered civil engineer, must be submitted for review and approval by the Town Engineering Department prior to issuance of a building permit for the improvements associated with SUP 18-06." The sentence in brackets was added.

Stipulation J.1.b to read "The south portion of this Right-of-Way shall be sixteen feet (16') in width and deeded as a roadway easement to the Town for future Public Improvements. [It is expected that the Owner's reservation of uses in the roadway easement area will be determined by the Town Council in a development agreement, or otherwise. The Planning Commission would recommend shared left turn ingress and egress with adjoining property owners be explained, but also expects that this issue will be determined by the Town Council as well.]"

Stipulation J.1.c to be stricken that read "The Right-of-Way deed instrument(s) shall be recorded with the Maricopa County Recorder, Maricopa County, Arizona, concurrent or prior to the Effective Date of this Ordinance" since this will be covered in the development agreement.

The motion carried by the following vote:

**Aye:** 6 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Georgelos, Commissioner Lewis and Commissioner Wainwright

**Absent:** 1 - Commissioner Covington

## **6. ACTION ITEMS**

## **7. CONSENT AGENDA**

**A. [18-382](#) Approval of September 18, 2018 Planning Commission Minutes**

A motion was made by Commissioner Campbell, seconded by Commissioner Georgelos, to approve the minutes with two edits on page 7 made by Commissioner Campbell. The motion carried by the following vote:

**Aye:** 6 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Georgelos, Commissioner Lewis and Commissioner Wainwright



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes - Final

### Planning Commission

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Tuesday, October 2, 2018

6:00 PM

Council Chambers

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#### 1. CALL TO ORDER

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

#### STAFF MEMBERS PRESENT

Deputy Town Attorney Deborah Robberson  
Community Development Director Jeremy Knapp  
Senior Planner Paul Michaud  
Planner George Burton  
Town Engineer Paul Mood

#### 2. ROLL CALL

**Commissioner Covington attended by phone.**

**Present** 6 - Commissioner Daran Wastchak  
Commissioner James Anton  
Commissioner Thomas G. Campbell  
Commissioner Charles Covington  
Commissioner Pamela Georgelos  
Commissioner Jonathan Wainwright

**Absent** 1 - Commissioner Orme Lewis

#### 3. EXECUTIVE SESSION

**A motion was made by Commissioner Campbell, seconded by Commissioner Wainwright, to go into executive session to discuss legal advice pertaining to rights-of-way. The motion carried by the following vote:**

**Aye:** 6 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Covington, Commissioner Georgelos and Commissioner Wainwright

**Absent:** 1 - Commissioner Lewis

**A motion was made by Commissioner Georgelos, seconded by Commissioner Wainwright, to go out of executive session. The motion carried by the following vote:**

**Aye:** 6 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Covington, Commissioner Georgelos and Commissioner Wainwright

**Absent:** 1 - Commissioner Lewis

#### 4. STUDY SESSION ITEMS

- A. [18-364](#) Discussion of Major Special Use Permit Amendment (SUP-18-06)  
7125 E Lincoln Drive - Lincoln Medical Plaza  
Chairman Wastchak introduced the agenda item.

Paul Michaud, Senior Planner, indicated that the commission is familiar with the project so he will provide an update from the last meeting. Staff met with the applicant on September 27, 2018 to discuss access. Notices have gone out for the required neighborhood meeting to be held on October 3, 2018. New material was submitted the morning of October 2, 2018. He reviewed the photometric plan and commented that the only exterior building lighting is shown. Guidelines require lighting to be hooded and shielded. Their plans indicate that all lighting is shielded. There is a 16-foot maximum allowed for pole lights. Pole lights are required to be setback at least the distance of the height of the light fixture or greater. The two lights adjacent to the front parking lot along Lincoln Drive are setback about 13 feet. The guidelines restrict up-lights to 250 lumens, but none are proposed. The Zoning Code, Section 1023, limits lighting to no more than 0.75-foot candles at the property line. The proposed lights are well under this requirement. Most of the lighting is on the building. Landscape lighting shall not be higher than three feet. He indicated that they will need to have the height of mounted lighting included in the fixture detail page.

The applicant commented that the lights are mounted eight feet in height.

Paul Michaud indicated that most of the lights are attached to the building and there are a few parking lot canopy lights. He suggested that the lights be turned off when they are not in use.

Chairman Wastchak stated that he is worried about lights in the back-parking lot not being on at night for safety purposes. He indicated that he would like to hear from the police department on what they would like to see.

Paul Michaud commented that staff is more concerned about the amount of lighting on the building and suggested that some of these be turned off afterhours.

Commissioner Anton suggested that they utilize motion lights.

Mr. Michaud commented that the special use standards for medical signage allows one per principle entrance. It is unclear if there are two



entrance signs, a directional and multitenant sign.

The applicant clarified that they are proposing one monument sign at the west entrance and one directional sign at the east entrance.

Jeremy Knapp, Community Development Director, stated that on sheet A4 it shows a rendering of both signs.

Mr. Michaud indicated that the guidelines allow for one sign at each entrance and are limited to 40 square feet of signage. Article 25 of the Zoning Ordinance states that no sign is allowed on public property. The sign must be internally lit. The photometric will need to include sign lighting. Signs may only be illuminated during established operational periods. Section 201 Definitions states that double faced signs are considered two signs. Technically, a multitenant sign is considered two signs. They are in compliance with these guidelines. There are no standards for building signs. The proposed building signs are 40 square feet in size. These signs are internally illuminated.

He then reviewed the landscaping plan. There is a four-foot increase in the landscape area along Lincoln Drive. This distance varies from 27 feet to 32 feet from back of curb to the parking space screen wall. The screen wall is three feet in height and will be visible from Lincoln Drive. They are proposing to remove the berm, but the wall meets guidelines. The applicant has revised the narrative regarding the medical marijuana dispensary language. They removed the 25-foot-tall entrance atrium and lowered it in height to match the rest of the building. They are requesting to keep the perimeter parking canopies.

Mr. Michaud showed a comparison rendering of the entrance before and after the height was lowered. He referred the Commission to the packet and stated that he believes they are compliance with the Statement of Direction. The draft ordinance contains the draft stipulations. The neighborhood meeting is on October 3, 2018. If the Planning Commission is not ready to act on October 16, 2018, he will need to know this in order request an extension from the Town Council on October 11, 2018.

Chairman Wastchak asked if he has a list of the outstanding items.

Paul Michaud stated this list is summarized in the action report. He does not know if they have everything regarding the traffic report. Other than this, the applicant addressed all items.

Chairman Wastchak commented that he wants to get a sense from the Commission to see if they are ready to act on October 16, 2018. He does

not want to go to Council and find that they missed something. He would have like to have the matrix completed and a full staff review on all items.

Commissioner Anton requested to see the master site plan and asked if it is anticipated that the majority of traffic will come off Scottsdale Road on the west side.

Paul Michaud confirmed that this would be the main entry.

Commissioner Anton asked if the drop off point should be moved to the east to help with traffic getting backed up.

Chairman Wastchak explained that it is incumbent on the applicant to make sure traffic is not backed up. If it becomes a problem, they will address it themselves. If they do not handle this, then the police department will receive complaints.

Commissioner Anton suggested that they install signage to direct people to pull up further.

Commissioner Georgelos commented that installing a sign would be an easy solution.

Commissioner Campbell stated that he would be supportive of that. He believes that there is a good distance here and people will probably be dropped off on the north and east sides of the building.

The applicant stated that they do not want to design the parking lot for 2% of the users. He will take a look at it but is okay with wayfinding signage. Their design is based off of a model that has been used for other similar projects.

Chairman Wastchak indicated that he is in favor of them using pavement markings.

Commissioner Anton requested a stipulation for drop off pavement markings to the east of the entry.

Chairman Wastchak commented that they do not know if it will be problem. He would like to give the town the ability to go back and require the marking to be added in the future.

Mr. Michaud suggested that they have the applicant include this language in their narrative.

Commissioner Campbell commented that people will only use the drop off if the ramp is nearby.

The applicant suggested to add a simple stipulation that states the applicant will take proper measures to ensure congestion and traffic move smoothly and safely through the drop off/pick up area in order to allow the applicant to deal with it as they see fit.

The Commission in general agreed with this language.

Chairman Wastchak stated that he wants to address the right-of-way (ROW) dedication versus an easement. He asked for staffs opinion and asked why they are proposing a 12-foot dedication and 21-foot ROW instead of a 20-foot dedication and 12-foot easement. He would like to see the dedication go as close to the parking stalls as possible.

The applicant commented that they asked the design team to place the fee-simple dedication right up to the monument sign location because they cannot place their monument sign in the dedicated area. If they push the monument sign to far back it diminishes its visibility.

Paul Mood, Town Engineer, commented that he would like to see a full dedication.

Chairman Wastchak asked what will happen if they do not get a full dedication and a partial easement.

Paul Mood commented the request for full dedication is that the Town does not know what will happen in the future with utilities or roadway.

Chairman Wastchak asked what can be done in an easement.

Paul Mood commented that a roadway easement will allow for the road, curb, gutter and sidewalk.

Chairman Wastchak indicated that the monument sign could be compromised if the Town came in with conflicting infrastructure.

The applicant stated that it does not matter if it is an easement or dedication, as long as they have their monument signs.

Deborah Robberson, Deputy Town Attorney, asked if the only issue with the dedication is the signage.

The applicant commented that they are doing the same use on the site.

They do not believe that a total dedication is fair.

Chairman Wastchak stated that they do not want the parking in the dedication area so this is why he wants the dedication pushed all the way to the parking spaces.

Commissioner Campbell suggested that they have a 16-foot dedication and a 16-foot ROW easement. This will allow them to have the monument sign in the same place.

Chairman Wastchak commented that it looks like the monument sign is about 2-3 feet from dedication line.

Commissioner Campbell responded that it measures about four feet.

The applicant stated that he does not believe the dedication of another couple feet will make a tremendous difference. A full dedication is not reasonable to the applicant.

Chairman Wastchak commented that this is the first time they have seen the dedication plan and he want to know the difference in what the Town can do between a dedication area and a ROW easement.

Deborah Robberson commented that the reason they want the dedication is for the standard Lincoln Drive design. This is a major Special Use Permit amendment and it requires the dedication.

The applicant commented that they care about visibility and would like to protect their right for the monument sign. If there is something the Town vitally needs, then they will accommodate it.

Commissioner Georgelos stated that there will be substantial redevelopment along Lincoln Drive and will need the ROW to accommodate this. This is a new Special Use Permit.

The applicant stated that if the Town can tell them from a technical stand point they will try to work providing more.

Commissioner Campbell stated that a 16-foot dedication and 16-foot easement compromise will allow them to have their monument sign. They cannot get a better compromise.

Chairman Wastchak suggested that they go into executive session so they can talk with staff.

Deborah Robberson, Deputy Town Attorney stated that she is happy to go into executive session to provide some legal advice about the dedication.

A motion was made by Commissioner Campbell to go into executive session.

*[Meeting reconvened]*

Chairman Wastchak asked Mr. Mood what the stipulation is for the dedication. He stated that the easement will allow them to build out the roadway and move the sign, if necessary, then he is fine with it.

Deborah Robberson stated that the 16 feet is needed for a travel lane, sidewalk and landscape buffer.

The applicant commented that they would have to see the language of the easement. Ownership will not want language that will obstruct the operation of the site.

Commissioner Georgelos stated that their client will not want the liability of the roadway and may want a dedication anyway.

Chairman Wastchak thanked the applicant for lowering the height of the entrance.

Commissioner Covington stated that it makes the building look more attractive.

Chairman Wastchak commented that he wants to go through the stipulations to make sure they get worked out now.

Commissioner Georgelos stated that that overhangs and parking canopies are not included in the building footprint calculations.

The applicant stated that the site plan and narrative have been updated to include this point. The building coverage is now 38.8%.

Paul Michaud reminded the Commission that the guidelines suggest a 25% coverage.

Chairman Wastchak stated that 14% of the proposed lot coverage is due to the parking canopies.

Commissioner Georgelos asked about the location of emergency access.

Chairman Wastchak stated that they provided turning radius movements in the parking drive aisles in the back for trucks to get around the property.

Commissioner Georgelos asked what they have done with the building signage.

Mr. Michaud pulled up the elevation drawings showing the signage. The signs are 40 square feet in size.

The Commission agreed that their concerns had been addressed.

Chairman Wastchak commented that under Stipulation of uses, medical marijuana dispensary is not allowed on the property. This varies from the applicants narrative.

The applicant stated that they are saying the same thing but differently.

Chairman Wastchak commented that the pharmacy stipulation will be for people at the building. That will be the primary use.

Commissioner Campbell stated that they focus on the new stipulations and not readdress the existing stipulations.

Chairman Wastchak commented that the pharmacy shall not exceed 2,079 square feet in total area. He asked if this is the right size.

The applicant appeared okay with this size.

Commissioner Georgelos indicated that there was an intermediate approval of the use on the property and asked if this approval will live on.

Chairman Wastchak responded that it would not. Anything from the past is being rescinded.

Commissioner Georgelos asked if they have the ability to approve a use that is not in the zoning ordinance.

Deborah Robberson stated that they are effectively granting a zoning ordinance and this will allow the urgent care and pharmacy uses.

Chairman Wastchak on the urgent care stipulations commented that it provides a list of items that may be included and asked if they are limiting the use to those items.

Commissioner Georgelos suggested that they add "but not limited to."

The applicant stated that the urgent care is required to close prior to the rest of the center. In the narrative he is asking for an operating time of 7:00 a.m. to 10:00 p.m. The Commission agreed that this time is fine.

The applicant suggested to delete the maximum square footage for urgent care.

Commissioner Campbell indicated that he wants a cap on urgent care and suggested 5,000 square feet.

The applicant asked if any of the other pharmacies limit the sale of Vicodin or Hydrocodone (class I and II prescriptions). Some procedures may require a prescription for these drugs.

Commissioner Campbell stated that the other pharmacy in Town had break ins and the Town had to eventually eliminate the sale of these drugs.

Chairman Wastchak noted under Stipulation 9.d that there will be no class I and II drugs or medical marijuana on the premises. He asked if this means they can sell to patients, but not to customers coming in.

Commissioner Georgelos stated that this is a distinction between the drugs that the doctors have on hand and not the pharmacy.

The applicant indicated that there will be a pharmacy that sells internally so there will be no retail traffic.

Chairman Wastchak clarified that as it is written now, the pharmacy will not be able to sell Class I or II drugs.

The applicant responded that they do want to sell these as the pharmacist will serve both outside and internal customers.

Chairman Wastchak moved to right-of-way parking and circulation, regarding shared access to the adjoining property on Smoke Tree and Andaz centers may be allowed. The owner shall demonstrate through a traffic and parking study from a licensed engineer as approved by the Town Engineer that the shared access does not create adverse impacts. This item will not be resolved. He asked how they will write this item coming from them to the Council.

Mr. Michaud commented that the stipulation that the stipulation is in the form of "may" since this matter will be discussed in more detail at the Council level.

Chairman Wastchak moved to signage, regarding sign lighting being placed on a timer.

Chairman Wastchak stated that he would like to see a recommendation from staff on when the lighting will be turned off and have consultation with the police department.

It was noted that the stipulations state that all pharmaceuticals will be locked, secured and controlled in the safest manner in order to comply with all federal and state regulations. Commissioner Campbell indicated that he is fine with eliminating the schedule one and two drug exclusions with the understanding that it is not a retail pharmacy.

Commissioner Anton asked if class one and two prescriptions can only be written by doctors in the building.

Chairman Wastchak commented that this is the case. He asked staff if the stipulations regarding security, **Crime prevention through environmental design** (CPTED) regulations and Class I drugs been run by the police department.

Paul Michaud indicated that staff reviews have been completed and any changes will be routed through staff again, including the police department.

The applicant raised concern over the proposed light reflective value stipulation. The stipulation limits the roof color to 38% reflective value. They are concerned about creating a heat island effect. He indicated that they are requesting it be increased to 50%.

Chairman Wastchak commented that this a concern from the Hillside Committee and Council Member Pace. They do not want to see roofs painted white. The ordinance does not cover flat land properties. He feels that there is a benefit to having flat roofs painted with lighter colors.

Commissioner Campbell stated that he is fine with 50%.

The Commission voiced their agreement.

The applicant stated that they need to update the drawings attached to the ordinance to make sure everything aligns.

Chairman Wastchak asked if the drawings will be updated by October 16, 2018.



Jeremy Knapp indicated that they will need the drawings by end of day Friday to provide adequate time for staff reviews.

Chairman Wastchak asked the Commission if they are ready to decide on October 16, 2018. He indicated that he feels they are ready.

The Commission agreed.

**No Reportable Action**

## **5. PUBLIC HEARINGS**

None

## **6. ACTION ITEMS**

None

## **7. CONSENT AGENDA**

None

## **8. STAFF REPORTS**

Jeremy Knapp, Community Development Director stated that he had an initial overview of the Visually Significant Corridor plan with the Council at the last meeting. The Council provided their feedback regarding the intersection of Tatum Boulevard and Lincoln Boulevard. The plan is to come back to the Council and spend an hour getting into more detail. They are planning to adopt the document on November 1, 2018.

Chairman Wastchak stated that he believes there was only concern about the monument in the middle.

Jeremy Knapp added that there were some thoughts about not added seating elements to the corners because this is the Town's busiest intersection. They want more of a landscape environment.

Commissioner Anton stated that they were not exactly happy with it either.

## **9. PUBLIC BODY REPORTS**

None

## **10. FUTURE AGENDA ITEMS**

Paul Michaud stated that the next meeting is on October 16, 2018 and it will include the public hearing for Lincoln Plaza Medical Center. The

## 5. STUDY SESSION ITEMS

### A. [18-344](#)

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

Paul Michaud, Senior Planner, provided an overview of the project. The packet has the revisions from the last meeting. The narrative contains a lot more information regarding height and the applicant has provided updates to their landscape plan. The renderings have been updated to show signage and roof equipment. A trip generation statement was provided but they do not have all of the materials for site circulation. Under the Statement of Direction (SOD), the applicant must provide a narrative regarding the intensity of use. A medical marijuana dispensary would also require a separate Special Use Permit (SUP) application. The hours of operation for the site will be from 7:00 AM to 8:00 PM, Monday through Friday. He then provided the specific hours of operation for the pharmacy and urgent care uses.

Mr. Miller suggested that they make it clear that a medical marijuana dispensary requires an intermediate special use amendment.

Chairman Wastchak agreed that they need to be very clear.

The applicant, Benjamin Tate, commented that the previous SUP did not specifically prohibit medical marijuana dispensaries, which is why he stated that they are subject to the regulations of Article XI requiring a separate amendment to the SUP.

Chairman Wastchak stated that if there was a prohibition in the SUP they would have to come back and amend the SUP to remove the prohibition.

Mr. Miller stated that the only way they could get a medical marijuana dispensary is to go through the SUP process.

Mr. Michaud stated that the applicant has now provided more information regarding the roof design and heights. The graphics now show the setbacks of the parapets. They are setback around 20 feet from the roof edge. The smaller parapet is about eight feet setback from the roof's edge.

Commissioner Lewis asked how high the parapet is.

Mr. Michaud responded that the smaller parapet is 32 inches high and the larger parapet is 36 inches. The Commission identified that at the last meeting, the direction was to lower the atrium roof and this was not done. Rather, the narrative indicates that it provides an architectural expression and screens roof AC units.

Chairman Wastchak asked the applicant to provide some feedback on this issue.

Mr. Tate indicated that the latest site plan was responsive to the Commissioners' comments given in the last meeting. They moved the building and trash enclosure further into the lot. They also reconfigured the parking and the south side of the building. They want to keep the height entry feature because it helps to create a better-looking building. The SUP guidelines for medical centers allow for an increase in height. Additional height is allowed for architectural features. The roof also provides screening of roof top mechanical equipment. He noted that they moved the parapets back 20-25 feet from the roof's edge to minimize the visual impact of the screening. If the roof feature is lowered, then they will see the mechanical screening from Lincoln Drive.

Commissioner Georgelos requested a drawing of how the building would look without the additional atrium height.

Mr. Tate stated that they will put one together.

Chairman Wastchak agreed that if they push the roof lower that it would make the building look plain and flat.

Mr. Tate stated that they have now included the trees on the perimeter of the site in the rendering.

Commissioner Lewis asked what are the tree species.

Mr. Tate stated that he does not have that information but it should be in the landscaping plan.

Commissioner Lewis stated that architecturally, he is still not satisfied because the entrance is modern looking and the vertical members are fairly small. They need more substance in them.

The applicant's architect stated that they do not want to make them too big.

Commissioner Lewis stated that he would like to see these revised prior to taking a vote.

Chairman Wastchak clarified that the trees are a Chinese Pistache species.

Commissioner Campbell reminded Commissioner Lewis that they did

Speak about solar being installed on the parking shade structures.

Chairman Wastchak stated that he likes where the project is going.

Commissioner Campbell indicated that architectural elements called out in the code refer to chimneys and other small elements. The plans are showing a significant portion of the building going above the allowable height. It is a one-story space and does not need to be 2-1/2 stories tall.

Chairman Wastchak commented that the lobby is only one corner of the building and is helping to provide articulation for the building. They are not trying to stretch the height across the building. This property is not looming over residential. The building has been setback an additional eight feet from the front.

Commissioner Lewis commented that they are setting a precedent for what will go in next door. The building is more modern than he would like.

Commissioner Wainwright stated that there needs to be a compelling reason to go above 30 feet and he is not sure that screening is a compelling reason.

Mr. Tate mentioned that if they did not care about the Town's guidelines, they would not have taken the time to put a section in the narrative as to why they feel it is appropriate. They need to bolster their justification. He indicated that Paul Gilbert spoke in the last Council meeting and indicated that SUP guidelines are guidelines, and not meant to be strictly adhered to, like a zoning ordinance. The concern about setting a precedent is that all SUPs are unique and he urged the Planning Commission to look at each project individually.

Commissioner Georgelos agreed that these are unique SUPs. They still need to consider how others have been treated and some precedent will be set. If they go above the height requirement, she would like additional justification. She wants to see how the building will look without the additional height allowance. She feels that the height on the corner is more than a fireplace.

Mr. Tate stated that architectural elements need to be looked at within the context of the type of building they are talking about.

Commissioner Wainwright commented that he likes the direction they are going. The property is surrounded by commercial and precedent does not weigh into this. He leans more towards the roof corner being an architectural feature. If it can come down that would be a good thing.

Commissioner Anton stated that the applicant is missing a compelling reason to increase the roof height.

Commissioner Campbell stated that the raised element on the right-hand side is uncomfortable for him to look at. He believes that there is enough articulation without the height increase. He believes that this is a structural enhancement and not an architectural element.

Commissioner Lewis stated that he loves the nature of the cantilevered roof on the left and the shade element. He believes that this design would be more inviting if utilized on the entrance.

Mr. Michaud reviewed the open space criteria and mentioned that the Planning Commission seemed to not have an issue with it. The building has been moved back an additional five feet further south to meet the SUP requirements for distance from the right-of-way. It is unclear if the parking on the perimeter of the site is covered. A four-foot setback will be required. There are no guidelines for the covered parking.

Chairman Wastchak commented that he is concerned with the covered parking structures on the property line.

Commissioner Lewis noted that it is next to C2 zoning.

Commissioner Campbell stated that the tenants will most likely want the covered parking for their vehicles.

Mr. Tate indicated that they will clarify this in the next submittal.

It was suggested that if they are going to add covered parking on the property line that they should do it on the AJ side.

Commissioner Georgelos asked if the south property is residential.

Chairman Wastchak responded that it is a resort use.

Mr. Michaud noted that the trash enclosure was relocated to the east side of the site and there are no employee areas on the site.

Chairman Wastchak asked if they do not show the amenities now could they put it in later.

Mr. Michaud commented that they would have to analyze what level of amenities they are. He suggested that they address this now. Also, they do

not have all of the details for the lighting plan and traffic counts. They are meeting the guideline for lot coverage at 25%, with a proposal of 18.3%. However, staff is not clear if this includes the roof overhang and the parking canopy. They are probably still under the guideline but that numbers needs to reflect all structures.

The applicant noted that the landscaping meets the visual corridor plan.

Chairman Wastchak asked Jeremy Knapp if the frontage is close to what they would like to see on this corridor.

Mr. Knapp responded that the General Plan calls for a 30-foot total cross-section for major arterials.

Commissioner Campbell asked if they normally have screen walls within the right-of-way.

Mr. Knapp indicated that no parking or structures are permitted within the town right-of-way. He is not sure that there is a full dedication of the 65 feet of right-of-way. The two parking spaces and everything along the front property line fall within the right-of-way.

Mr. Tate indicated that this is one of the points in the statement of direction that they negotiated with the Town Council. The amount of landscape buffer and setback that they would be required would not be a hard and fast rule but the Planning Commission could take other things into consideration, like the size and shape of the property. By moving the building back, they were able to pick up another five feet of landscape buffer. In order for this project to move forward, they cannot add more landscaping buffer. Tenants are looking for a minimum of five spaces per 1,000 square feet. They are already below this and do not want to lose more. The margins are razor thin and it may be a better option to do tenant improvements to the existing buildings.

Chairman Wastchak asked if they have addressed which portion of the 65-foot right-of-way is dedication compared to easement.

Mr. Tate stated that they have not discussed this in detail with staff but they are amendable to discussing the areas that will be dedicated and those that will have an easement. He indicated that he wanted to receive direction from the Planning Commission on this issue.

Chairman Wastchak stated that they need to make a proposal to staff and start this dialog. He cares about having the physical space for the landscaping but wants to have staff review their proposal.

The owner of the medical plaza indicated that the Town is wanting the right-of-way for free. He does not care what the combination of the easement and dedication are as long as everyone gets what they want. He wants the parking and the Town wants a sidewalk on the south side of Lincoln Drive.

Commissioner Campbell mentioned that right-of-way dedication is always part of the SUP discussion. He indicated that they could move the parking out of the dedicated ROW area and only lose one parking stall. He asked if they can use screen berms in the right-of-way instead of the walls. The signs could be move back as well. The peninsulas throughout the site could be reduced or eliminated. This is the first parcel in a major redevelopment area and if they need 130-foot right-of-way, then the Town should get the 130-foot right-of-way.

Chairman Wastchak commented that the Council still wants the entrance for Andaz through the property. He was told that the Andaz resort does not want this entrance. He asked the applicant to comment on this point.

The owner of the medical plaza stated that there have been some discussions but their focus has been to work out the right-of-way issues first. He is willing to do it but not at the detriment of their plan.

Commissioner Campbell suggested that Andaz use the Quail Run Road alignment to get access to Lincoln Drive. There is a light going in at Quail Run Road.

Chairman Wastchak commented that this would bring people in through the back, whereas if they came in through the applicant's property then it would bring people to the front of the property. He asked the applicant to work with staff on these issues.

The owner of the medical plaza stated that if they have to push the sign back it will be a detriment not having directional signage for his tenants. He mentioned that he is willing to give up a left-out entrance if needed.

Mr. Michaud stated that they will need to get more information regarding site drainage in the utility section of the narrative.

Mr. Tate stated that they are working to get all of the question marks filled in for the next work session.

Mr. Michaud commented that they will need more information regarding the traffic statement and any changes to the entrances will affect the traffic

statement.

Mr. Tate suggested that if all of the questions have been answered except for the entrance, the Planning Commission could act on everything else and allow the Town Council to decide on the entrance.

Commissioner Lewis concurred with this. They have to look at the whole strip.

Commissioner Campbell requested parking data for the next meeting.

The applicant commented that the traffic count is on the conservative side. The lobby area won't be leasable space.

Mr. Michaud indicated that they can get another two feet of parking length from the landscaping overhang. There did not seem to be a lot of interest from the Planning Commission with regard to community spaces. The Planning Commission will need to act by October 16, 2018. They have another meeting on October 2, 2018, but there is not a lot of time to get the packet out. The applicant will have to hold a neighborhood meeting and must provide a minimum of 10 days notice prior to the meeting.

Chairman Wastchak commented that he would like more time. He asked the applicant if they can squeeze everything in.

Mr. Tate indicated that they will try to be ready for the October 16, 2018 meeting.

Mr. Michaud stated that they will need to notice the meeting. He suggested that they hold the neighborhood meeting soon. He reviewed the applicable dates and deadlines.

One of the Commissioners requested that they provide some outdoor space so they won't have to come back later for an amendment.

Chairman Wastchak stated that he wants to see the access road cut out and not included in the Planning Commission recommendation.

**No Reportable Action**

## **6. ACTION ITEMS**

None



meeting on November 6, 2018 will have work session items and they may discuss some of the minor amendments. They may have a hillside preliminary plat review or the PV Country Club sign logo. Mountain View Medical is going for a statement of direction on October 11, 25 & November 15, 2018. The Planning Commission will see this item in December 2018.

Jeremy Knapp commented that Smoke Tree Resort will be reviewed on November 20, 2018.

Commissioner Covington stated that November 6, 2018 is election day and October 16, 2018 he will be absent for a medical procedure.

Chairman Wastchak stated that he is leaning towards cancelling the meeting on November 6, 2018. He will be coming in from out of town that same day.

Commissioner Campbell stated that he is fine with this as well.

Paul Michaud suggested that they wait until October 16, 2018 to make decision on cancelling the meeting.

## 11. ADJOURNMENT

**A motion was made by Commissioner Campbell at 8:30 p.m., seconded by Commissioner Anton, to adjourn the meeting. The motion carried by the following vote:**

**Aye:** 6 - Commissioner Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Covington, Commissioner Georgelos and Commissioner Wainwright

**Absent:** 1 - Commissioner Lewis

**Paradise Valley Planning Commission**

By: 

Jeremy Knapp, Secretary

some changes to Article 22 adopted by the Council on May 10, 2018. The Hillside Safety Manual was adopted on June 14, 2018. He then reviewed the scope of the three amendments.

- Definitions: Removing several definitions that are no longer in use in the code; modifying some definitions to be in accordance with the recent amendment adopted in the safety manual and code update. He directed the Commission to the new and modified definitions presented in bold. These included:
  - o Adding a definition for Chair.
  - o Adding clarification of the Hillside Committee.
  - o Defining Storm Drainage Design Manual
- Expiration of Hillside Applications: Language has been added to the code requiring the applicant to receive committee or chair approval within 18 months from the date of the application. They can request a one-time six-month extension and the Town Manager may grant two six-month extensions based on circumstances out of the applicant's control.
- Pre-application Submittal: The recently adopted Hillside Manual has a pre-application process so this amendment will align the code with the manual. This is similar to what staff does now.

Mr. Burton indicated that today is a citizen review hearing and they can take public input. A public hearing will be held on August 21, 2018, and the Commission's recommendation will then be forwarded to the Council.

Chairman Wastchak thanked Mr. Burton for his presentation. He then asked for public input. There was none. He requested that the Hillside Ordinance be included in the next meeting's packet.

**No Reportable Action**

**B.     18-306**

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

Paul Michaud, Interim Community Development Director, presented the staff report regarding the SUP 18-06 Lincoln Medical Plaza. He explained that the applicant is proposing to demolish all of the two-story medical structures and build a new structure. The property contains 2.1 acres and the new building will be approximately 5,500 square feet larger. The building will have two stories and covered parking will be provided behind the building. The use of the site will remain medical.

There is a lot more information in the narrative than was provided in the last work session meeting. They removed reference to the single tenant as they are retaining the allowance for multiple tenants. A pedestrian connection is

provided from the building to the street. They have not spelled out which specific uses will be in the building. It would be helpful for them to cite a specific section of the zoning ordinance.

Chairman Wastchak asked if the Special Use Permit will limit the list of uses or will they have the freedom to put anything in the building.

Mr. Michaud stated that they will need to detail the types of uses being proposed and reference the code. They may want to restrict specific types of uses as well. They are proposing to keep the pharmacy which is already allowed on this property. Some of the existing uses are tied to a specific suite number, so they will have to be tied back to something specific in the new building like square footage. There are hours that are restricted under the existing Special Use Permit. The existing Special Use Permit stipulations mimic the zoning ordinance.

Chairman Wastchak asked if the Special Use Permit allowance for a pharmacy was included in the documentation.

Mr. Michaud responded that was provided in the last meeting.

Chairman Wastchak commented that if they are going to allow the pharmacy they will need some general parameters.

Mr. Michaud commented that there is a requirement for public amenities in association with the Special Use Permit. The applicant will need to address this in the narrative as to how they are going to meet this or align it with the vision of the Commission.

Commissioner Covington asked him to be more specific.

Mr. Michaud likened amenities to something you would find in a resort development. As this is a medical facility, public amenities are limited but the applicant could propose the incorporation of public art.

Chairman Wastchak asked if any of the Commissioners feel strongly about having public amenities.

Commissioner Lewis commented that with his experience with the children's hospital, art was extremely important. He is not sure if a medical office necessitates that level of art. He would like to see some art throughout the premises so it does not become a sterile environment.

Mr. Michaud indicated that the applicant has provided more information in the narrative to justify the 36-foot height. The buildings will meet the Class A

building standards and contain 15-foot floor to floor, with five-foot ceiling space. They have related their context to other buildings nearby that are 36 feet or taller in height. They provided information regarding view sheds that are being blocked by existing trees on the Smoke Tree resort side. The existing structure does not meet the open space criteria and neither will the proposed structure. They mentioned this in the narrative. He believes that a rendering would be helpful to show the criteria. The Commission requested a roof plan to show parapets and equipment location.

Chairman Wastchak commented that in tab seven they show one picture of the roof which gives them a sense of what is being planned for the roof. He suggested that they get a few more angles to show the roof design.

Mr. Michaud commented that a little more information is needed to demonstrate that the whole roof is not at 36 feet.

Commissioner Anton asked what would happen if the applicant decided to come back later on to add solar on the roof.

Mr. Michaud responded that there are four levels of Special Use Permit amendments. The first level is a managerial amendment which can't be visible or above 1,000 square feet. The next level is a minor amendment.

Commissioner Lewis asked if the parapet is perpendicular or does it have a slight cant to it. He suggested that a canted design might soften the visual impact.

Chairman Wastchak stated that illustrations show the parapet straight up and down but a canted or battered design may be worth consideration.

Commissioner Lewis indicated that the height of the building will set a precedent to the neighboring parcel to the west.

Chairman Wastchak commented that on the issue with height the Commission needs to consider if the applicant has provided justification. The property to the west will need to justify their height as well.

Mr. Michaud commented that the elevation shows building height being measured from finished floor. It will need to be shown measured from grade on the elevations. The Planning Commission requested that the applicant shows the HVAC units in the elevations. He asked the Commission if they felt the applicant made enough justification on their building height in the narrative.

Commissioner Campbell stated that 15-foot floor to floor stories is a

modern standard for medical buildings. These buildings have a lot of equipment that require ceiling space. These duct spaces get really full. The second floor could require a drain that cannot be punched through duct work. He believes that the northeast entrance is over height. He does not see the necessity for more height in this location as it has a one-story element. He believes that the 30-foot height would be fine in this location. He suggested the parapet be setback. He is comfortable with the height throughout the rest of the building.

Commissioner Covington stated that the roof height for the other side of the building from the main entrance is only 30 feet.

Commissioner Anton agreed with Commissioner Covington and commented that the building should meet the 30-foot building height on the front. The HVAC units can be pushed back so the parapet wall is not as visible. He stated that the 15-feet per floor seems to justify going over the height allowance. It was noted that the additional space needed between the floors does not apply to the entrance.

Chairman Wastchak stated that there is justification for the height in regards to HVAC units and agreed with Commissioner Campbell that the entryway does not need to be 36 feet and should be brought down to 30 feet. He stated that he wants to see the height of the mechanical equipment and does not think they need six-foot high parapets. He asked what is staff's recommendation on how to measure height.

Mr. Michaud commented that they know what the grades are as they have been established in the Special Use Permit. They do not use finished floor.

Chairman Wastchak commented that he wants to know what is being installed on the roof and what the insets are and can they pull the parapet in more.

Commissioner Campbell suggested that they put the solar panels on the carports. He stated that even low sloped roofs need to drain and he assumes they will drain to the perimeter of the building.

Chairman Wastchak commented that the drain will usually be installed adjacent to the parapet.

Commissioner Campbell commented that the drain will be raised one inch for every four feet. He indicated that the additional six feet of height can be used up.

Mr. Michaud continued with the narrative. He indicated that they added

more information regarding the landscape buffer. The dimensions are the same for the buffer. The building will meet the 40-foot front setback using the 33-foot-wide right-of-way, which was confirmed in the title report. The Statement of Direction allows flexibility to consider something other than a 50-foot buffer measured from a 65-foot right-of-way. The larger buffer would result in parking loss and financial feasibility. A landscaping plan has been submitted. They stated in the narrative that it meets the draft Visually Significant Corridor plan palette. Staff does not feel that it meets this 100 percent.

He stated that elements not fully addressed included:

- Existing right-of-way was verified at 33 feet but staff would like them to get to a 65-foot right-of-way.
- The applicant could consider moving the building at least five feet south to meet the 40-foot setback with a 65-foot right-of-way and increase the landscape buffer.
- The applicant could do a reconfiguration of their parking lot to obtain more landscaping.
- The plant list does not include many of the Visually Significant Corridor plants.

Mr. Michaud presented the Commission a copy of the landscaping plan and stated that the visually significant corridor is located along Lincoln. There is a discrepancy between the landscape plan and the narrative.

Chairman Wastchak commented that the landscape plan has a row of ash trees. He asked what coordination is being done with the landscape architect and the Visually Significant Corridor plan.

The applicant stated that because this landscape plan was put together prior to their last work session it was not revised. They were trying to get their plans to staff prior to the work session so there may be some discrepancies that they can change and make consistent.

Mr. Michaud commented that they have not seen the parking study yet, but he is anticipating that it will meet the 144 spaces provided in the plan. The Town does not have parking standards but requires a parking study.

Commissioner Anton stated that he does not think the 144 spaces will be full at one time but believes there will be more demand for accessible spaces pursuant to the Americans with Disabilities Act. He suggested that they look at getting more accessible spaces.

The Commission generally agreed with this suggestion.

Chairman Wastchak asked about a drop-off area.

Commissioner Anton responded that they have wide drive aisles to accommodate drop-offs. He indicated that there will be a lot of emergency vehicles on site to take people to the hospital.

Chairman Wastchak commented that if someone is dropping off then it will block one of the drive lanes.

It was suggested that they provide drop-off stalls for customers.

Chairman Wastchak asked the applicant's attorney, Benjamin Tate, if he could comment on the right-of-way dedication and moving the building on the site.

Mr. Tate responded that the number being discussed for parking is five spaces per 1,000 square feet. They are already below this number at 4.7 spaces per 1,000 square feet. It will be hard to lose the additional spaces and still attract tenants they are seeking.

One of the Commissioners commented that five spaces per 1,000 square feet would equate to 155 spaces.

Mr. Tate explained that they have discussed this issue at length and even came up with multiple site plans showing more parking and even a concept with ground mounted mechanical equipment. If they had to do the full right-of-way dedication and landscape buffer it would result in a smaller building and fewer parking spaces. This would be a deal killer and the numbers would not make sense.

Chairman Wastchak commented that it is not the Town's job to make these deals profitable and they need to look out for the interest of the Town. These projects are typically not purchased until the zoning approval is in place. He asked Mr. Michaud if there were some options if they could not get the full right-of-way and a landscape buffer.

Mr. Michaud commented that one option is to get 40 feet of right-of-way and 25 feet of easement.

Paul Mood, Town Engineer, stated that they would have to get an easement and a stipulation to allow parking, site wall, and signage in the easement. He stated that the parking stalls are too small. They are only 16 feet in length and the code requires at least 180 square feet with a 9-foot by 20-foot dimension. If there is an overhang, the applicant can request to

make up two feet in the overhang. The driveway separation does not meet the Department of Transportation standards, as their centerlines are only 135 feet apart and the standard is 250 feet. There will be a center median installed on Lincoln Drive, so this property will only have a right-in right-out entry.

Chairman Wastchak stated that they need to have the conversation regarding the Smoke Tree resort for a shared driveway. He asked Mr. Tate if he has spoken with the owners of this resort.

Mr. Tate indicated that he spoke with Dawn Cartier prior to the meeting, as she is doing the traffic project and is in a position to understand their project.

Chairman Wastchak stated that there needs to be an owner-owner conversation because they will need an entrance on the Smoke Tree resort side and will eliminate the west entrance.

The Commission agreed that it would be in the best interest of property owners to work together.

Commissioner Campbell asked what the function of the landscape strip in the back.

Chairman Wastchak indicated that this is the top of the island.

Mr. Mood clarified that the dimensions of the islands did not get shifted in the plans. He will need to look at the turn distances in the parking lot to see if vehicles can make the turn.

Commissioner Lewis asked where are they on the issue regarding the alignment of the front curb. He expressed concern that there is only a hiatus of eight inches that someone could run into. This difference occurs between the Smoke Tree resort and the medical plaza.

Chairman Wastchak commented that he will have to go out and take a look. He asked if it juts out on the east side.

Commissioner Covington commented that this is the case.

Mr. Mood stated that their capital project will align the road.

The Commission then consulted Google Street View and inspected the property.



Commissioner Covington indicated that it may be on the Smoke Tree resort side.

Mr. Michaud continued with the narrative. He stated that the applicant included information on nuisances like noise. He suggested that they state if there are outdoor employee areas in the narrative. They show trash collection on the Smoke Tree resort side. Staff had suggested that they put this on the AJ grocery store side.

Chairman Wastchak commented that he would like to talk about this later on.

Mr. Michaud stated that they will need more information on the exterior lighting plan. Information related to walls and exterior fences needs to be outlined.

Commissioner Campbell commented that he is worried about the north to south landscape area and asked what is its function.

Mr. Michaud commented that it is for landscaping.

Commissioner Campbell suggested that the landscaping island be removed to get longer stalls.

A Commissioner asked why staff suggested moving trash to the other side.

Mr. Michaud responded that they wanted to get it away from the Smoke Tree side and the resort and put it on the commercial side of the property.

Commissioner Campbell expressed concern regarding the area that is being proposed. He feels that it will be awkward for the garbage truck. The geometry of the trash truck works better on the east side.

Mr. Michaud commented that the applicant submitted the drainage statement and they are waiting for water utility impacts. They will need to address Crime prevention through environmental design (CPTED) design aspects for the property.

Chairman Wastchak asked if there had been any reference to CPTED standards.

Mr. Tate commented that they have not made any reference to CPTED in what was submitted but they will address it.

Mr. Mood stated that they miscalculated the preexisting condition in the

drainage statement. They will need to recalculate this.

Mr. Michaud stated that the narrative has been revised to account for the second access onto Lincoln Drive. Access was added on the Andaz resort site to the south of the property, along with accommodation of the Andaz sign. A traffic/parking circulation study is needed. The parking spaces are under sized. Driveway aisle widths can be reduced from 26 feet to 24 feet.

Chairman Wastchak asked if they want patron of the Andaz resort driving through their property.

Mr. Tate responded that he is not sure and they will need to address this in the traffic impact analysis in light of the shared access consideration with Smoke Tree resort.

Chairman Wastchak was surprised that the Andaz monument sign was included in the drawing. He commented that the Council expressed a desire to have all of the entrances off Quail Run Road. He believes that it would be fantastic to have an Andaz entrance on Lincoln Drive but the problem is that they will be adding all of this traffic to a place that already has a lot of traffic. He feels that this is a big deal.

Commissioner Anton stated that he and Commissioner Covington spoke with the general manager of Andaz and he did not have any concern regarding building height. He does not see having his customers travel through the medical facility parking lot to get to the resort as a positive. He feels that there will be parking issues between the properties. He is 90 percent against the idea.

Mr. Michaud continued that the covered parking needs to be included in the lot coverage calculation. They should show the floor area ration and lot coverage of the existing site. They need to call out the dashed line as a roof overhang. They have an APS and telephone easement that needs to be shown. There are some new perspectives from different sides. He asked if they have any comments.

Chairman Wastchak commented that the perspectives are helpful.

Commissioner Lewis stated that he does not care for the architecture of the building. However, the landscaping does mitigate some of his issues. He does not want to lose the trees next to the building. He commented that he wished the building did not have a mundane grey color. The front of the building looks fun but the back of the building looks like a prison.

Chairman Wastchak commented that the trees around the building are

mostly Live Oaks.

Mr. Michaud indicated that the next Planning Commission meeting is on August 21, 2018 and September 4, 2018. The packets for the August 21st meeting will go out next week. If the do not get anything by Thursday, he is not sure staff will have enough time to review the plans.

Mr. Tate commented that having another submittal by Thursday is unlikely.

Mr. Michaud commented that he will let the Chairman know if they get something worth meeting on.

Mr. Tate explained some of his concerns with getting a shared access on Smoke Tree resort. Smoke Tree's application may be delayed and make coordination difficult.

Chairman Wastchak asked if Mr. Mood has any advice.

Mr. Mood responded that Smoke Tree resort could move their driveway now.

Mr. Michaud indicated that Smoke Tree resort is in operation and they may have interest in wanting to have a shared driveway due to the forthcoming median improvements.

Chairman Wastchak commented that this is a good point.

Mr. Tate asked if the new drive would require a Special Use Permit.

Chairman Wastchak asked the Community Development Director to comment.

Mr. Michaud indicated that it depends on how they are moving it. They could use this entrance. A minor amendment will move quickly through the process.

No Reportable Action

## **5. PUBLIC HEARINGS**

None

## **6. ACTION ITEMS**

None

## **7. CONSENT AGENDA**

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**