

A. [20-404](#)**Continued Discussion of a Major Special Use Permit Amendment
(SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort**

Commissioner Wastchak inquired if they could discuss the email regarding the Levi residence and Smoke Tree Resort in their executive session.

Andrew Miller, Town Attorney, stated they could and provided them with an example of how they might make the motion to properly include that item in the executive session.

Commissioner Rose disclosed that he had a phone conversation yesterday with the applicant, Taylor Robinson.

Paul Gilbert, legal representative for the applicant, listed the items the Planning Commission would be discussing, which included up light features and the draft stipulations. He noted that the applicant provided a complete rendering of the Smoke Tree façade, as well as, examples of up light features as requested. He indicated the applicant is basically satisfied with the stipulations. He clarified alcohol would not be served at the Third Floor Communal Area, but requested Stipulation 33 be reworded to allow guests to bring a drink to from their room and/or order room service. Regarding Stipulations 54 and 55, he stated the applicant would like the ability to rent the event lawn and pavilion at the same time under the condition that they would be for small enough numbers, so it would not create any parking issues. He apologized that the applicant does not have the renderings for them this evening, but indicated these will be completed in the next few days.

Mr. Michaud briefly reviewed the project summary and pointed out the updates from the prior meeting, which included reduction of the pole lights and a valet parking plan among other things. He showed images of the up light examples. He noted there were two new public comments, one of which objected to the density, traffic, and branding. He reviewed items still under review. He gave an overview of the draft stipulations.

Mr. Michaud asked the Commission if it was their intent to prohibit alcohol on the Third Floor Communal Area.

Commissioner Wastchak stated his concern was that there was not a bar in that area serving alcohol which may create an atmosphere that was noisier on the third floor.

Mr. Gilbert clarified that there is no bar on the third floor, but they would like to allow someone to get a drink from another location and bring it up there if they desired.

Commissioner Campbell asked if the allowance included someone calling for room service on the third floor and get drinks delivered.

Mr. Gilbert responded yes.

Commissioner Campbell stated he could see more of an issue with that.

Mr. Gilbert pointed out that a guest could do the same thing at the pool or any other location.

Mr. Wastchak pointed out that the issue was that this location was three stories up. He noted that sound would project further from the third-floor location than from the pool on ground level.

Commissioner Rose commented that he agreed with the other Commissioners.

Commissioner Campbell suggested removing the words "or consumed."

Commissioner Georgelos asked what would stop guests from taking up a cooler of drinks and creating a party atmosphere, which was really what the Commission is trying to avoid.

Taylor Robinson, owner, explained that the third-floor area would only be accessible with a key card and a controlled elevator. He stated there was also on-site staff that would be responsible for keeping things in compliance with the stipulations. He suggested that the term "wet bar" be removed from the stipulation.

Commissioner Georgelos expressed concern that there could still be a problem.

Mr. Robinson asked if the issue was with people consuming alcohol and leading to noise on the outdoor patio or if they didn't want alcohol in the third floor at all, including in the rooms.

Commissioner Campbell stated that the stipulation was regarding the communal area on the third floor and not the rooms.

Mr. Gilbert pointed out that the stipulation requires the doors to the outdoor third floor patio be closed at 10:00 p.m.

Commissioner Georgelos commented that a lot of noise could be generated between 10:00 p.m. and 6:00 a.m. She suggested the doors close earlier.

Commissioner Campbell asked if the doors were just closed or if they would be locked at that time.

Commissioner Georgelos added that she believes there will be an alcohol issue up there and things such as the key card access are easy to circumvent.

Mr. Gilbert suggested limiting the noise instead of the alcohol. He noted that people could make a lot of noise without alcohol.

Commissioner Georgelos agreed that there could still be noise with alcohol, but suggested that the alcohol factor would create more noise. She stated that if the Commission allows alcohol it would be best if there are limits on the noise and

to close the area early.

Mr. Robinson reiterated that he is agreeable to whatever the Planning Commission requested of him on this matter.

Commissioner Rose stated that the Third Floor Communal Area was not to be a roof top bar and that it was not open to the public. He noted he would not be opposed if someone brought a drink up, but he believed it could become a slippery slope if several guests bringing their own alcohol up there.

Commissioner Campbell stated a stipulation could be drafted to prohibit room service to deliver drinks to the third floor, but noted that is difficult to police. He suggested adding a stipulation that prohibits alcohol to be served there and that outside alcohol could not be served. He noted that people would be more likely to throw a party somewhere else if they had those limitations.

Commissioner Covington agreed and noted that the resort may not want people bringing liquor into a public access place since it may affect their liquor license.

Commissioner Georgelos expressed that she still felt that the restrictions would be easy to circumvent.

Chairman Wainwright stated he did not see it becoming a nuisance, if alcohol could not be served there.

Commissioner Wastchak indicated that he agreed with Commissioner Covington's suggestion to add there shall be no alcohol served on or brought from off property to the third-floor area.

Commissioner Lewis stated he was sympathetic to the direction they were going. He asked if allowing alcohol in the pool area would be a contradiction and if they should have the same stance for any exterior hard liquor.

Chairman Wainwright pointed out that the third-floor area is the only area they were suggesting being more restrictive than the rest of the property.

Mr. Gilbert indicated he was comfortable with the revision.

Commissioner Covington asked if they still had a limit on the noise threshold for the third-floor area.

Mr. Gilbert replied yes.

Commissioner Georgelos asked about requiring the doors be closed earlier.

Commissioner Campbell commented that an electronic door closer is possible that would not allow the doors to be held open during certain hours.

Mr. Gilbert stated that nobody could be on the patio after 10:00 p.m.

Commissioner Wastchak asked what after hours meant for the third-floor area

in the stipulations.

Mr. Miller indicated he did not see the 10:00 p.m. closing time listed.

Mr. Michaud clarified that the 10:00 p.m. was listed under Stipulation 37, the noise section. He indicated that Commissioner Wastchak was correct that after hours was not clarified.

Commissioner Wastchak indicated he was only concerned with a closing time for the outside portion of the Third Floor Communal Area. He shared that the resort could regulate what happened inside.

Commissioner Campbell suggested they alter the stipulation to say access shall not be permitted after 10:00 p.m. until sometime in the morning.

Mr. Robinson stated that the restaurant and other facilities open at 6:00 a.m. and recommended the patio open back up at that same time. He indicated the exterior doors would be electronically controlled and will have a sensor to allow people back inside after the doors are locked but not allow people back in.

Commissioner Wastchak asked if Areas B and C on the floor plan were considered outside and if they should both fall in the prohibited access between 10:00 p.m. and 6:00 a.m.

Mr. Robinson clarified that Area B is fully enclosed, but has more of a transparent structure than Areas G and A.

Commissioner Wastchak clarified the limitation is to Area C.

Mr. Michaud asked if the Planning Commission wanted all the detailed stipulations on Sheet A21 and in the ordinance, or only in one or the other.

Commissioner Wastchak stated he would like them on both.

Commissioner Rose asked why the plans in their packets are called approved plans.

Mr. Michaud indicated that the plan set in the packet become approved plans after ordinance adoption and once construction plans come in, Town staff checks the construction plans for compliance to the approved plans. He clarified that the plans with the Special Use Permit zoning are not construction plans.

Commissioner Rose indicated it was strange to approve things in renderings and not actual drawings.

Mr. Miller explained that the intention is that the approved plans and stipulations work together as a set. He noted that something like this is more predictable than some of the more generalized Special Use Permits where there is more freedom to move things around.

Regarding the hotel key definitions, Commissioner Wastchak indicated he felt it would be best to give a specific maximum number on the amount of hotel keys rather than having a range.

Chair Wainwright shared that he did not see a need for a minimum number of hotel keys.

Mr. Miller suggested maintaining a certain number of rooms in order for it to be an actual resort.

Mr. Robinson explained that the plan is for 122 rooms.

Chair Wainwright asked if the applicant would be opposed to a minimum number such as 110.

Mr. Gilbert replied he did not see an issue with a minimum number.

Commissioner Georgelos pointed out that the minimum was already built in since the definition of Minimum Resort Hotel Improvements requires the Maximum Hotel Keys which is now defined as 122 rooms.

Chair Wainwright stated he would like to give flexibility to possibly combine rooms in the future.

Mr. Robinson indicated he was happy to be locked in at 122 rooms.

Commissioner Covington suggested striking the words "at least" from the requirement for one swimming pool under Minimum Resort Hotel Improvements.

Mr. Michaud asked if the Commission wanted to include any project phasing stipulations or the order for the certificates of occupancy since each building requires to get their own certificate of occupancy.

Mr. Robinson shared that he plans to have construction take place all in one phase.

Chair Wainwright stated he was fine with leaving Stipulation 17 the way it is worded.

Commissioner Campbell agreed.

Commissioner Covington expressed that he felt it was adequate.

Commissioner Wastchak inquired on the timing of the curb for the deceleration lane.

Paul Mood, Town Engineer, explained and indicated more details concerning the curb cut are in Stipulation 14.

Commissioner Rose asked if there was going to be a sidewalk in front of the

resort.

Mr. Mood replied that their site plan included a sidewalk on the property frontage.

Chair Wainwright asked when the sidewalk would be completed.

Mr. Miller explained that the Town is still working on the timeline and phasing of the public improvements, and that those dates would be included in the Development Agreement.

Commissioner Wastchak remarked that Stipulation 24 addresses exterior colors and noted that the Planning Commission had not approved any colors.

Mr. Michaud stated the colors will be as generally shown in the renderings.

Commissioner Georgelos indicated she was concerned that the renderings were not concrete enough to be approved.

Commissioner Rose asked if the Commission will get color or material boards for the project.

Mr. Michaud stated not unless the Commission asked for that detailed information.

Mr. Robinson shared that they planned to submit materials as part of the construction phase and that staff would verify that they were substantially the same with what was included in the Special Use Permit.

Commissioner Wastchak asked when the issue regarding the relocation of the existing utility box along Lincoln Drive will be resolved and if it will be part of the Development Agreement.

Mr. Gilbert replied that their team needs direction from Arizona Public Service Electric (APS), but APS cannot give them direction until they have construction plans submitted. He noted that the resort owner cannot address and solve this issue until they have gotten the feedback they need from APS.

Commissioner Wastchak asked if pools, spas, and Jacuzzis could be open 24 hours a day or only 6:00 a.m. to midnight.

Mr. Miller explained that pools, spas, and Jacuzzis located indoors were opened 24 hours and exterior ones would have the restricted hours.

Commissioner Wastchak inquired if the decibel amount five feet from the speaker is important when there are other stipulations out to the property line.

Mr. Michaud stated in speaking with the third-party reviewer for the acoustical study that a measurement at the speaker level would allow it to be set properly so the noise limit is not exceeded at the property line.

Commissioner Wastchak stated that he appreciated that they stated what the

limits were in Stipulation 41 rather than just referencing the Town Ordinance. He added that there is a typo on Stipulation 42. He pointed out they were missing the word "an." He requested that staff verify whether Andaz Resort has a similar stipulation.

Mr. Miller recommended adding "on Sundays and holidays" to the last sentence of Stipulation 41.

Mr. Gilbert asked if they could discuss Stipulation 54. He recommended that it read "The Pavilion and Event Lawn may have simultaneous events as long as these events do not exceed the parking capacity."

Mr. Robinson suggested "events held at the Pavilion and Event Lawn shall not exceed the capacity of either individual venue."

Further discussion was made about how Stipulation 54 should be worded.

Mr. Michaud indicated that staff will wordsmith the stipulation and have Commission review it at their next meeting.

Commissioner Georgelos asked why the parking plan referred to in Stipulation 53 was triggered at 90%.

Mr. Gilbert indicated that the stipulation was almost word for word what the parking study said.

Mr. Mood commented that one of the third-party consultants told him the valet parking should kick in at 85%-90% of available parking. He shared that the applicant should know based on the bookings if they will need valet parking, so that proper preparation could be made.

Mr. Miller asked for clarification on the word capacity in the stipulation and if it only referred to the room count and not events happening at the resort.

Mr. Robinson deferred to the language on page 9 of the parking management plan which indicates it is the total supply of available parking.

Commissioner Covington pointed out that the resort may not have to go to valet parking at 90% if there was not an event.

Commissioner Wastchak remarked that the parking management study is a part of this approval.

Commissioner Georgelos stated that the stipulation needed some additional wordsmithing and suggested staff work on that and verify definitions matched between the ordinance and the parking management study.

Mr. Michaud indicated he would bring an edited version back at the next meeting. He inquired if the Commission had any direction for staff concerning Stipulation 67 on the architectural up light fixture.

Commissioner Campbell shared that he was comfortable with the up lights after seeing the examples.

Commissioner Rose inquired how the Town can be sure that the end result would not allow for more up lights.

Commissioner Campbell stated the resort owner would be limited to the location and the number of fixtures in the plan set. He added that he liked the offer the applicant made to put them on their own circuit so they could be deactivated if there was any objection.

Commissioner Wastchak asked about an option to simply reduce the brightness or number if the Town determines the lights to be too bright, rather than completely shutting them off.

Commissioner Georgelos commented that there was a sidewalk in the right-of-way area, and she did not believe there would be enough illumination without the up lighting.

Chair Wainwright agreed. He noted that their next meeting will be on November 3, 2020 and that Mr. Gilbert has requested to not hold the meeting on that date

Mr. Gilbert stated that it was election day eve and he was concerned that their minds might not be on the subject at hand and would prefer it being moved to another day.

Discussion was made on other dates and times to hold the meeting. It was determined that the meeting would be Monday, November 2, 2020 at 6:00 p.m.

Chair Wainwright asked if there were any public comments. There were none.

No Reportable Action



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Draft

Planning Commission

Tuesday, October 6, 2020

6:00 PM

Council Chambers

**IN-PERSON ATTENDANCE AT PUBLIC MEETINGS HAS BEEN SUSPENDED UNTIL
FURTHER NOTICE. WATCH LIVE STREAMED MEETINGS AT:
<https://paradisevalleyaz.legistar.com/Calendar.aspx>**

1. CALL TO ORDER

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

STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller (attended remotely)
Planning Manager Paul Michaud
Senior Planner George Burton
Town Engineer Paul Mood (attended remotely)

2. ROLL CALL

Except for Commissioner Lewis, all other Commission members attended remotely.

Present 7 - Commissioner Jonathan Wainwright
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Daran Wastchak
Commissioner Orme Lewis
Commissioner Thomas G. Campbell
Commissioner James Rose

3. EXECUTIVE SESSION

None

4. STUDY SESSION ITEMS

- A.** [20-385](#) Continued Discussion of a Major Special Use Permit Amendment
(SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort
- Chair Wainwright introduced the application item and turned the time over to the applicant.

Paul Gilbert, legal counsel for the applicant, mentioned that they will review the parking management plan, Quail Run Road, acoustical study, and lighting plan. They are also working on renderings and visuals in response to comments they heard from the Commission in the past. He requested that Dawn Cartier, traffic engineer for the applicant, be able to discuss the traffic management report and Quail Run Road towards the end of the meeting because she has a conflicting engagement at the beginning.

Chair Wainwright indicated that they were aware of this and will accommodate her schedule.

Mr. Gilbert stated Mike Dickenson will present on the acoustical report and Mark Greenwalt will discuss the project lighting.

Paul Michaud, Planning Manager, mentioned that no public comments have been received since the last meeting. He indicated the documents being discussed tonight were included in the Planning Commission packet. He showed the location of the site in an aerial view and commented there are 122 keys and a stand-alone restaurant with a bar and lounge. There will be a market, coffee shop, and an indoor/outdoor event space with a pavilion. He then reviewed the three floor levels. He indicated that the Town Council on September 10, 2020 modified the Statement of Direction to provide the Commission four additional meetings to provide a recommendation. The Commission continued the public hearing on September 15, 2020 to November 17, 2020. He mentioned staff is working on the stipulations to be reviewed on October 20, 2020. The applicant will host a third neighborhood meeting at the resort on October 21, 2020 from 6-7 p.m.

Mr. Michaud described the items that are still under review which included the density/third story, stipulations, Quail Run Road design, and the development agreement (which the Council will approve). He began with noise and referred to the Statement of Direction and highlighted several elements requiring further evaluation. He indicated that the Town Code Section 10-7-3 applies uniformly to all property in the town limits, to onsite noise at the property line, and the acoustical study provided by the applicant addresses this section. He stated the regulations of the noise ordinance and mentioned Section 10-7-4 and Article 8-10 for vehicle and construction noise. The Special Use Permit (SUP) Guidelines only contain one provision pertaining to loading, truck parking, trash containers requiring a distance of at least 100 feet from residentially zoned property. He indicated the project trash and loading areas are located 230 feet to 280 feet from the property line of the Five Star project to the north and 360 feet to 400 feet from the residential parcels to the west. He provided information regarding noise complaints received from the Police Department over the last 18 months which totals 36 complaints.

He stated that the acoustical study was completed by MD Acoustics and was modeled based on the proposed project elements. The Town hired a third-party reviewer, Acoustical Consulting Services. The third-party reviewer has determined that the study meets all industry standards. He mentioned the study complies with the Town Code with a few caveats: delivery/garbage bin location, modeling assumptions, and ambient noise. The modeling was based on the 56

dBA and 45 dBA scenarios. He provided a map showing the two scenarios overlayed on the site plan. He mentioned the trash area exceeds the 45 dBA within the provided time limits. A recommended stipulation would prohibit activity during the 45 dBA periods. The resort would be responsible for managing activities and for closing doors and windows at 10 p.m. and no amplified music in specified areas of the resort. Ambient noise exceeds limits along Lincoln Drive currently due to vehicular noise.

Chair Wainwright suggested they stop and address these issues before moving on.

Commissioner Wastchak stated his main concern is the residential areas and believes the applicant has placed the point source noise away from the residential on the east side of the project. Due to the building location, the noise would not extend west or north, but would move east towards the commercial building. He asked how concerned do they need to be with the commercial neighbor.

Mr. Michaud stated the Town would still enforce the noise regulations at 45 dBA.

Commissioner Wastchak asked what feedback is requested if the problem is already resolved.

Mr. Michaud mentioned that the noise could exceed and wanted to know if there is concern from the Planning Commission in this regard.

Commissioner Wastchak indicated he is not concerned since there is a stipulation in place.

Commissioner Georgelos asked what the nature of exceedance is with other resorts.

Mr. Michaud commented that the ordinance is uniformly applied to all resorts.

Commissioner Georgelos asked to what extent do they have excess noise at other resorts due to loading and trucks.

Mr. Michaud stated that staff looks at loading and unloading with the other resorts to limit exceedances.

Commissioner Lewis asked how high the wall is and its impact to the neighboring property.

Mr. Gilbert stated the wall surrounding the trash area is six feet tall.

Commissioner Lewis asked which side the truck is loading from.

Mr. Michaud stated the truck would come in from Lincoln Drive and then leave the same way.

Mr. Gilbert stated that Lincoln Plaza Medical Center owner reviewed the site

plan and has no objection.

Commissioner Covington stated he is okay with the noise issue since the source point is on the east side of the project.

Commissioner Campbell mentioned what the dBA level is on southeast corner and what does the sound do when heading south. He asked if it is in compliance before hitting this corner.

Mr. Michaud reviewed the dBA level diagram and noted the color level is shown in compliance at the southeast corner.

Mr. Gilbert noted the dBA level is at 37 at this corner.

Chair Wainwright asked where the medical center's trash is located.

Mr. Michaud indicated it is on their west side.

Commissioner Campbell asked for clarification on how trucks enter the site and load.

Taylor Robinson, owner, stated the trucks will come through the shared entrance on the northeast side of the site to keep truck traffic off of Quail Run Drive. He then overviewed the site movements of the trucks and explained they would exit the same way they came in.

Commissioner Georgelos asked if the trucks would complete a loop around the property or do a 3-point turn.

Mr. Robinson indicate they would not loop the site. He mentioned the contracts with the service providers would require this and limit the service hours. Trucks will not be permitted to use Quail Run Road. He believes they would have pick up 2-3 times a week. This could be scaled back if trash is not produced at this rate.

Chair Wainwright suggested the resort owner work with the neighboring property to have the same provider and reduce overall trips.

Commissioner Georgelos asked what the effect is from these trucks and the guest rooms in the area.

Mr. Robinson stated the trucks using the loading area and trash pick up would be scheduled during transition times of guests. The rooms have been engineered to have less acoustical transmission through the walls.

Commissioner Georgelos asked about the ambient noise surrounding Lincoln Drive and how it affects the study.

Mr. Robinson stated the ambient noise along Lincoln Drive was measured at 64 dBA. The code allows separate acceptance levels along these streets.

Mike Dickerson, Acoustic Engineer, mentioned that the study ignored the road noise and focuses on the noise from within the property. He indicated that event noise from Monday-Saturday generated the 49 dBA across the street.

Commissioner Lewis asked if the structure for the event pavilion is permanent and what material is proposed.

Mr. Robinson replied that the pavilion is 4,000 sf and is open for hosting small events.

Eric Peterson, architect for the applicant, commented that the pavilion will be open and occupied similar to a park pavilion. There is an exposed truss system and column that would retain a door system that would remain open. The doors will shut when there is an event to mitigate noise. There are solid doors on the residential side to force noise to the center of the property. The acoustical engineer will work with the architect to ensure the sound is retained.

Commissioner Georgelos asked for more information on how the modeling was completed and how noise is retained when there is a band playing.

Commissioner Campbell asked for more information regarding the type of sound used in the analysis.

Mr. Robinson noted that the red dots in the study are the point source areas. He provided an explanation of each of the point sources.

Robert Pearson, with MD Acoustics, stated that it was modeled as a two-speaker system on the event lawn. He provided an overview of the dBA levels and distances from the speakers. At night, the events are moved indoors and levels drop significantly. He mentioned that the pool area was modeled as a point source with a reference of 70dBA three feet away. The report is based a worse case situation where all source points are generating noise concurrently.

Mr. Michaud explained that the conditions in the contract will be incorporated into the development agreement.

Commissioner Georgelos asked how the model was affected by the third-floor element and what protections were in place during the time the doors were open.

Mr. Pearson stated that the third floor had a 70 dBA at five feet away. There won't be any speakers on the outside of the third-floor amenity. There is a parapet wall that will shield some of the sound. Noise levels will vary when doors are opened and closed.

Mr. Robinson stated that they have accepted a stipulation to prohibit the outdoor speakers on the third floor.

Mr. Michaud continued with his presentation and moved onto lighting. He indicated the applicant removed lighting from along Quail Run Road and Lincoln Drive. He presented a lighting map and indicated the lighting is in compliance.

The pole lights are 16 feet tall. There are six more accent lights on the trellises since the last time the Commission looked at it. A new carriage light has been added that meets all standards. The pathway lights, temperature and shielding are in compliance with the SUP Guidelines. The eight bollards on Lincoln Drive has been relocated into the project. The 24 palm tree ring lights at 16 feet in height are still in the plan. There are hand rail lights on the second story. The sign illumination and water features are in compliance. He presented a plan of the proposed second and third floor lighting and mentioned they are in compliance. He showed the photometric plan.

Commissioner Lewis stated that when he did the walk through at the St Barnabas church lighting was a serious issue for the neighbors. The height was reduced from 24 feet to 16 feet.

Mr. Burton, Senior Planner, clarified that a height of 12 feet got approved. The SUP Guidelines suggest the setback to meet the height of the pole lights.

Commissioner Wastchak commented that he is more worried with lights that could impact residential properties and mentioned that this is not the case with this development. He stated that on the adjoining Andaz Resort property line the poles are moved back 16 feet. He asked what is preventing them from doing the same on east property line.

Mark Greenwalt stated that their preference is to move the poles to the front where the cars won't hit them. He indicated that they tried to follow this on the Lincoln Drive side. They added as much buffer on the residential side as they could.

Commissioner Wastchak referenced the site plan and asked if the Commission were to ask the poles on Lincoln Drive to be moved back 16 feet from their current two-foot setback, how big of a lighting impact difference would there be.

Mr. Greenwalt replied that it would not make a large difference and they could move them 20 feet south.

Commissioner Wastchak indicated that he is okay with keeping them in their current location.

Commissioner Campbell mentioned that if they pushed the poles back to 20 feet it could create a landscape peninsula.

Commissioner Georgelos commented that the majority of light poles are in a landscape island, except for the ones in the southwest island. She asked if the poles will be protected not being in an island.

Mr. Greenwalt replied that having the poles closer to the curb is due to aesthetics. Having a pole at the rear of a parked car creates more impacts with pulling out. He indicated they are willing to change the plan if requested.

Commissioner Georgelos asked if there are any statistics for parking lot accidents and placement of lighting poles.

Mr. Greenwalt mentioned that he is unaware of any.

Mr. Michaud stated the Town does not have this type of data.

Commissioner Rose asked if the light poles on the north side are 16 feet tall.

Mr. Greenwalt confirmed they are 16 feet tall.

Commissioner Rose asked the applicant if the poles can be lowered in height.

Mr. Greenwalt mentioned that they are trying to preserve safety and maintain at least ½ foot candles across the site. The lower the pole height will create increased light intensity and less of a spread. He added that reducing a foot or two is fine.

Commissioner Rose referenced St Barnabas church and mentioned they have a height of 12 feet.

Commissioner Campbell mentioned that these lights were adjacent to people's rear yards.

Commissioner Lewis stated that 12 feet will work aesthetically very well and 16 feet is too much.

Mr. Robinson stated that they are happy to make 12 feet work.

Commissioner Georgelos asked if the applicant is going to do the height of 12 feet throughout the site or only along Lincoln Drive. She mentioned that her preference is to do it throughout the site.

Mr. Robinson commented that they will work on doing 12 feet throughout the site.

Commissioner Georgelos asked for elaboration on up-lighting on the buildings.

Mr. Greenwalt stated the plans show where they could do some up lighting on the front of the building and around the pool. There are some architectural points that can be better defined with up-lighting.

Commissioner Georgelos noted that the plan shows a lot of potential building wash lighting. She is concerned with affecting dark skies.

Commissioner Covington indicated that he agrees, and does not want to have the lighting washing the walls and does not want any light fixtures within the rights-of-way.

Commissioner Campbell stated that he is not concerned with lighting around the pool and the rooms building. He does not want the uplighting near Lincoln Drive and Quail Run Road.

Mr. Greenwalt stated that they want people to see the resort and have some presence as visitors pull into the property and believes it would hurt the building not to have some lighting. He mentioned he can provide a rendering to see how it would look.

Commissioner Wastchak agreed that he would like to see how the lighting will look. He recommended the applicant provide options showing 30% and 50% reduction from the street sides.

Commissioner Covington mentioned there is plenty of landscape lights and the building should be lit.

Mr. Robinson commented that he is happy to remove the lights from the plan that the Planning Commission is concerned with if he can keep the remainder of the lights.

Commissioner Wastchak replied that he believes the Commission would be fine if the lights were removed.

Commissioner Campbell asked if the Planning Commission could get some examples of the uplights that they can drive out and take a look at it.

Commissioner Lewis stated that there is a balance that needs to be achieved. He is okay with a 50% reduction.

Mr. Gilbert asked if they would be okay with removing the lights on Lincoln Drive and Quail Run Road if they kept the interior lights.

Chair Wainwright commented that it would be helpful to have an example of what can be kept.

Commissioner Rose wants there to be low level way finding signage. He is okay with the proposed lighting along Quail Run Road and Lincoln Drive.

Commissioner Lewis indicated that people want to see the silhouette of the building and something needs to be done to highlight the building.

Commissioner Georgelos asked for a depiction of how it will look.

Mr. Greenwalt commented the lighting will be low. The bollards will only be three feet high and will be down lit. There will be handrail lighting to avoid the look of poles. Some of the palm trees will have tree ring lighting. The pole lighting is for the parking lot only. There are a few wall sconces on the patios and casitas throughout. You will be able to see a light glow, but not the source. The intent is not to light all of the walls, but to define the architecture. He mentioned some examples.

Commissioner Rose asked for a few examples of the lighting they are considering so they can go see them.

Mr. Greenwalt suggested checking out the drop off area at the Mountain

Shadows resort. He also suggested visiting the Scottsdale waterfront lighting on the arches. He mentioned the statue is called One Eye Jack in Old Town.

Commissioner Campbell suggested they visit the properties indicated and learn more what it will look like. They could always take Mr. Gilberts compromise to eliminate the lights in the future.

Commissioner Campbell requested a follow up email from the applicant of where to go look.

Commissioner Georgelos asked regarding the landscape lighting within the Lincoln Drive right-of-way.

Mr. Greenwalt stated that there is none in this location.

Mr. Robinson commented that they are willing to accept a condition that if members of the community have issues with the LU fixture upright that they be shut off.

Commissioner Campbell mentioned that he would like to take two weeks to educate themselves.

Chair Wainwright agreed with visiting the sites and mentioned that the stipulation is generous.

Commissioner Georgelos stated that she agrees with Commissioner Campbell. She mentioned that all resorts have some lighting in the thoroughfare.

Mr. Greenwalt stated that there will be a shield on the pole light. There may be some light spill-over but they have done everything possible to prevent this from happening.

Chair Wainwright asked regarding the sidewalk and if people will feel comfortable walking there without the lighting.

Mr. Robinson stated that it is less comfortable without the lighting. He liked it with the landscaping lighting. He believes it is consistent with the rest of the town.

Commissioner Campbell asked for the applicant to review the lighting along the north side of the site. He commented there are 11 lights in that area.

Mr. Greenwalt stated that these are flush-grade up-lights to light the trees. Being flush to grade makes them so they won't get damaged.

Commissioner Campbell mentioned that there would be landscape lighting from the tree that would spill over onto the sidewalk. He explained that the sidewalk would be safe to walk down between the two sources of light.

Mr. Greenwalt agreed with Commissioner Campbell and indicated there would be some lighting spilling onto the sidewalk.

Mr. Michaud continued with his presentation and moved onto parking. He explained that the Statement of Direction was to ensure the development does not have a negative impact on traffic safety, parking, and circulation. The Planning Commission needs to ensure there is adequate parking provided for the proposed uses. The Zoning Ordinance requires a minimum of 180 square feet per stall with a minimum dimension of 9 feet x 18 feet with a two-foot overhang. The proposed plan does not meet the 40-foot setback along the street, but does comply with the three-foot-tall screening of headlights. He indicated that the study used the ULI shared parking method for modeling. Peak weekday demand is in the evening at 181-187 spaces and on the weekend in the evening at 175-178 spaces. There are 170 traditional parking spaces and 199 on-site parking spaces when in the valet mode. They have a month to month agreement with the medical center to use 25 spaces from 5:30 pm - 4:30 am Monday-Thursday and starting 5:30 pm Friday to 4:30 am on Monday. He then summarized the Parking Management Plan. The valet plan would be triggered when they are at 90% or 153 parking spaces of the total 170 spaces. This would be monitored based on hotel occupancy and event booking. Additional measures would take place and could require employees to take alternatives modes to work.

Paul Mood, Town Engineer, commented that the applicant submitted the Parking Management Plan and he and the third-party reviewer have reviewed it. He indicated that due to staff comments, the applicant is showing 162 feet of stacking off of Quail Run Road to the valet stand. They have added a second exit only onto Quail Run Road. He denoted the site of a second valet stand that could be utilized for large events. He mentioned that staff and the third-party reviewer, Kimberly Horn, feel their comments have been addressed.

Chair Wainwright asked the applicant's traffic consultant to introduce themselves.

Commissioner Lewis commented that the fountain will help mitigate the traffic noise. He asked where they are with this element.

Mr. Michaud identified the location of the fountains on the site.

Mr. Robinson stated that the intent with the fountain was acoustic. The splashing water has the ability to mask certain frequency sounds. They have been placed strategically throughout the site.

Eric Peterson mentioned that the fountains are small and low in height. Their sound is localized within the areas in which they are placed.

Commissioner Wastchak asked for clarity for what triggers the valet mode.

Dawn Cartier with Civ Tech stated that valet mode is triggered by the events and resort booking operations. The resort should know this information ahead of time. They will begin to transition to valet mode typically 24 hours beforehand.

Commissioner Wastchak asked how many spaces will be filled when all rooms

are occupied and the resort is fully staffed with no events.

Ms. Cartier explained referred to her study and indicated it is 141 spaces. She indicated that the valet mode would be primarily for events.

Commissioner Georgelos mentioned that there is a restaurant and market, and believes it may be easier to trigger valet mode at 153 occupied spaces.

Ms. Cartier clarified that parking is highly dependent on the number of visitors and other uses that will be used at the same time. She explained that most resorts are not at 100% occupancy very often and floats in the 90% range. She does not expect to see the resort in valet mode more than 20% of the time.

Mr. Robinson referred to the Parking Management Plan matrix and explained that these are the main drivers they use to ensure parking is adequate when planning events.

Ms. Cartier stated that a non-captive ratio is those coming to the resort for an event but are not staying at the resort.

Commissioner Rose stated that it is not always the amount of parking spaces, but the buildup of those trying to get into the site at one time. He is concerned the resort won't be able to handle the traffic under a valet scenario.

Ms. Cartier stated that they have looked at this point. They believe the second valet in the northeast corner of the property can be pushed to the northwest corner and provide lots of internal stacking. She commented that the 162 feet of stacking will accommodate eight vehicle and Epic Valet told her team that turnover time per vehicle is 2-4 minutes. Understanding these numbers helps them decide staffing numbers.

Commissioner Rose asked how people will know about the second driveway.

Ms. Cartier stated through the use of external signage and parking instructions are typically given in the invitation with events.

Commissioner Georgelos stated the valet stands will be operated as a relief valve. She asked how would the vehicles move around the site.

Ms. Cartier indicated that the valet will meter the parking and will be responsible to pulling in and out. She explained that the one-way traffic flow shown on the valet plan helps to circulate traffic.

Commissioner Wastchak asked how are they getting the additional spaces with valet.

Ms. Cartier responded they do not have double stacking opportunities. She explained they pick up cars in the entry on the front. Eight additional spots are picked up on the side with parallel parking. There are two spots south of the trash containers. This area will be left open. Five spaces are near the north side of the dumpsters.

Commissioner Rose commented that going into valet mode lasts longer than one night to accommodate guests in the hotels.

Commissioner Wastchak assumed if the customer is a hotel guest, the valet may not park them in a nontraditional space.

Ms. Cartier stated that at the end of an event, the valet will often move the cars to parking spaces and the keys will be placed at the front desk.

Mr. Robinson commented that typically when they move into valet parking, they will stay in that mode for a long period of time.

Mr. Michaud continued with his presentation and suggested opening public comment.

Chair Wainwright opened public comment and provided his number for those having problems connecting in.

Maria Ruttle, resident, stated she is residing and is speaking on behalf of the residents on Quail Run Road to the west side of the road. She thanked the Commission for the discussion and asking great questions. She believes her privacy has been encroached upon since the Andaz Resort parking lot was changed. She stated that Andaz resort then placed an emergency exit on Quail Run Road on her private family parcel. This has created a liability because those using the exit are entering private property. The four way stop light has created traffic problems, privacy issues, and devalued her property value. She mentioned they are in favor of Smoke Tree Resort redevelopment and believes the applicant has been willing to work with residents. Their goal is to maintain privacy. She wants zero traffic on her private road. She asked Mr. Robinson to review the proposal they discussed in the past.

Mr. Robinson referred to the drawing on the screen. He explained the layout of the street and stated they are proposing that once you are south of the resort entrance there will be two low monuments stating that the area is different and will dissuade traffic from entering (which may include signs). As you progress south you encounter Ms. Ruttle's property. They worked this solution out with the Town Engineer. They tied the east side of Quail Run Road into the private parcel to discourage cars from driving past that point. A relief exit drive was added on the resort site for valet operations. This serves as a hammer head to allow a 3-point turn to turn around. He mentioned the desire by Mrs. Ruttle for a gate on her family private parcel to prohibit going further south.

Mr. Michaud stated that gates and private roads are typically approved through a private road Conditional Use Permit (CUP) and private roadway gate Special Use Permit (SUP). He added there is a draft stipulation and development agreement that provides allowance for independent study that would trigger the CUP/SUP process for the proposed gate.

Ms. Ruttle stated that the value of the property has changed since they have moved away from a private driveway. She wants some assurance from the

Town acknowledging that the property values have diminished. She was told that the ordinance states a gate is not allowed, but she has not found this code.

Chair Wainwright mentioned that the Commission is not in a position to discuss this question tonight, but they can try to incorporate her concerns in the approval process.

Andrew Miller, Town Attorney, stated the Town is redoing Lincoln Drive to make it safer. As part of this effort, the Town is trying to eliminate the multiple driveways and funnel this traffic to two driveways. One of these is the shared driveway that will be on the east end of the Smoke Tree Resort property and the other would be to use Quail Run Road which is a signalized intersection. Doing this will result in more traffic going down Quail Run Road. The west half of Quail Run Road is presently a public street. The street dead ends onto private property. The code does not allow for a structure on a property without a home. He indicated that the granting of a SUP is a legislative act to be approved by the Town Council. The Council can study this gate option, but cannot guarantee it. The General Plan suggests that Quail Run Road should be a through street from Lincoln Drive to McDonald Drive. Many residents would like to see the through street removed from the General Plan. Today, the Town's direction is to follow the General Plan. He believes the applicant has been responsive in his proposed improvements.

Mr. Mood referenced the street exhibit and noted that parcel "H" is the private land being discussed. He then stated that there would need to be an analysis to determine if a large truck can safely turn around. Currently the Smoke Tree Resort would need to improve their half of the street. When the property to the west is developed, these owners will need to improve their half.

Commissioner Wastchak asked how the roadway is similar to what was done in Echo Canyon.

Mr. Mood stated that the Town could sign the road, but the resident would like the gate for the added protection.

Mr. Robinson mentioned that his internal analysis shows that the turnaround is sufficient with the sliding gate. He mentioned they are happy to make adjustments to accommodate what needs to be done.

Commissioner Wastchak asked if the street drawing would be included in the approved drawings.

Mr. Michaud replied yes.

Ms. Ruttle mentioned that it will be a burden to have to wait 2-3 years to see if a gate is warranted. She indicated that the resort owner is willing to work with them to install the gate with his project. She does not want to do a traffic report and go through another process in 2-3 years. She mentioned she is willing to maintain the gate. They have been talking about the installation of a gate for a while and this is not the first time.

Chair Wainwright explained that if they want to gate this street it would require a

new SUP.

Mr. Miller indicated that a separate application would be required. Typically, private roads require a separate application track. This is not something that can happen today. They would need to discuss the issue thoroughly.

Chair Wainwright indicated that this is not an element that can be incorporated into the current application time track. He then closed public comment.

Commissioner Wastchak asked when they would return to the APS Cabinet.

Mr. Michaud commented that two potential cabinet locations are shown on the illustration with Quail Run Road.

No Reportable Action

5. PUBLIC HEARINGS

None

6. ACTION ITEMS

None

7. CONSENT AGENDA

A. [20-387](#) Approval of the September 15, 2020 Planning Commission Minutes

A motion was made by Commissioner Campbell, seconded by Commissioner Georgelos, to approve the September 15, 2020 minutes. The motion carried by the following vote:

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

8. STAFF REPORTS

None

9. PUBLIC BODY REPORTS

None

10. FUTURE AGENDA ITEMS

Mr. Michaud stated that their next meeting is October 20, 2020 and their only item is the Smoke Tree Resort for a work session. He indicated 7171 E. Paradise Canyon Estates Minor SUP amendment is ready to move forward. The Commission requested scheduling this item for a work session on December 1, 2020 and action on December 15, 2020.

Mr. Miller stated that the Council will consider a resolution to prohibit the sales of recreational marijuana and will require a tight timeline for the Commission's



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Final

Planning Commission

Tuesday, September 15, 2020

6:00 PM

Council Chambers

**IN-PERSON ATTENDANCE AT PUBLIC MEETINGS HAS BEEN SUSPENDED UNTIL
FURTHER NOTICE. WATCH LIVE STREAMED MEETINGS AT:
<https://paradisevalleyaz.legistar.com/Calendar.aspx>**

1. CALL TO ORDER

Chairman Wainwright called the meeting to order at 6:12 p.m.

STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller
Planning Manager Paul Michaud
Senior Planner George Burton
Town Engineer Paul Mood (attended remotely)

2. ROLL CALL

Except for Commissioner Lewis, the other Commissioners attended remotely.

Present 7 - Commissioner Jonathan Wainwright
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Daran Wastchak
Commissioner Orme Lewis
Commissioner Thomas G. Campbell
Commissioner James Rose

3. EXECUTIVE SESSION

None

5. PUBLIC HEARINGS

None

- A.** [20-350](#) Consideration for a Major Special Use Permit Amendment (SUP-18-05) -
7101 E Lincoln Drive - Smoke Tree Resort [Continuance]
- Chairman Wainwright opened the public hearing on the Smoke Tree Resort item.

Patty McCaleb asked if they knew the dates of the next four meetings they would be discussing this item.

Paul Michaud stated the dates are October 6, October 20, November 3, and November 17, 2020.

Chairman Wainwright remarked that the Planning Commission will most likely take action on the item at the November 17, 2020 meeting.

Chairman Wainwright asked if there were any additional comments from the public. No further comments were made.

Commissioner James Rose shared that the newspaper indicated there would be a roof top outdoor bar and lounge at Smoke Tree.

Chairman Wainwright responded that in the original statement of direction identified it as roof top bar and lounge. He added that the applicant requested it be changed in a modified Statement of Direction and the Town Council elected not to do that.

A motion was made by Commissioner Wastchak, seconded by Commissioner Covington, to continue the public hearing for a Major Special Use Permit Amendment (SUP-18-05) on the Smoke Tree Resort located at 7101 E Lincoln Drive to the regular meeting of November 17, 2020 to allow for more time to review the application material. The motion carried by the following vote:

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

4. STUDY SESSION ITEMS

A. [20-357](#) Discussion of Building Pad Heights for Non-Hillside Lots

Paul Mood, Town Engineer, introduced the item starting with background information on the request for recommendations on building pad heights from Town Council. He provided an overview of the current Town Code section which addresses building pads and explained how the current code is interpreted by the Engineering staff. He pointed out loopholes in the code that allow developers to create flat finished floor on sloped sites that can sit up to six feet above neighboring lots. He indicated that residents have complained about this, indicating that it disturbed their viewsheds and allowed people up slope to see directly into their backyards.

Commissioner Wastchak clarified that even in these situations the viewshed could not be disturbed more than 24 feet from the lowest natural grade.

Mr. Mood shared other complaints they have gotten from residences including that current codes allow for larger homes on properties that sit closer to setback lines. He shared that staff also get complaints about drainage, but indicated that new properties were designed to meet storm drainage standards



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Final

Planning Commission

Tuesday, September 1, 2020

6:00 PM

Council Chambers

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FURTHER NOTICE. WATCH LIVE STREAMED MEETINGS AT:
<https://paradisevalleyaz.legistar.com/Calendar.aspx>**

1. CALL TO ORDER

Chairman Wainwright called the meeting to order at 6:12 p.m., allowing time for Commissioner Lewis to access remotely.

STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller (attended remotely)
Senior Planner George Burton
Planning Manager Paul Michaud
Town Engineer Paul Mood (attended remotely)

2. ROLL CALL

Commissioner Covington left the meeting shortly before the vote on the extension.

Commissioner Lewis left the meeting shortly before the vote on the extension and returned remotely shortly after the vote on that item.

Present 7 - Commissioner Jonathan Wainwright
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Daran Wastchak
Commissioner Orme Lewis
Commissioner Thomas G. Campbell
Commissioner James Rose

3. EXECUTIVE SESSION

None

4. CITIZEN REVIEW SESSION AND STUDY SESSION ITEMS

- A.** [20-327](#) Continued Discussion of a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort
- For disclosure purposes, Chairman Wainwright indicated that Commissioner

Georgelos and himself met with the applicant prior to the meeting.

Commissioner Rose spoke with the applicant over the phone last week.

Commissioner Covington indicated he previously met with the applicant and one other Commissioner via Zoom.

Commissioner Campbell stated that he teleconferenced with the applicant and two other Commissioners prior to the meeting.

Commissioner Wastchak indicated that Commissioner Covington, Campbell, and himself met with the applicant at the same time.

Commissioner Lewis indicated he also met with the applicant since the last meeting.

Discussion was made on the schedule for special meetings on the item moving forward.

Chairman Wainwright opened the meeting up for public comments on the extension request. No comments were offered.

Commissioner Campbell expressed that he was in favor of the extension and preferred holding meetings on this item in the fall rather than the summer.

Commissioner Covington commented that he was in favor of the extension request.

Commissioner Georgelos agreed with Commissioners Campbell and Covington. She expressed concern that the special meeting schedule would be too tight.

Paul Gilbert, attorney for the applicant, stated that he felt the schedule allowed for enough time to get what they needed done.

Taylor Robinson, property owner, suggested keeping the proposed applicant timeline to have Planning Commission recommendation by early November. He believed it allowed for sufficient time and that the Planning Commission could request more time if the deadline for review was set for December 15, 2020 as suggested by the Planning Commission.

Commissioner Campbell inquired if everyone was available for a meeting every Tuesday in October. He indicated that he would be available.

Commissioner Wastchak indicated he would be available for all four meetings in October. He suggested that the Planning Commission go with the longer timeline so that if things went longer than expected they would not have to request an extension again.

Chairman Wainwright agreed with going with the longer timeline.

Commissioner Lewis stated he did not have any conflicts with the proposed meetings in October, but expressed concern about when the Planning Commission would have in-person meetings for the public to attend.

Commissioner Rose expressed that he would also be available for all four of the October meetings, but wondered if a week between meetings allowed the applicant enough time to address possible comments in-between.

Paul Michaud explained that when meetings took place a week apart that it could be a challenge to get new information out to the Commission.

Commissioner Campbell noted that they have done this in the past and pointed out that they could also stagger topics more than one week apart to allow the applicant more time to address comments.

No Reportable Action

5. PUBLIC HEARINGS

None

6. ACTION ITEMS

- A. [20-328](#) Recommendation of a Statement of Direction (SOD) Extension for a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort

A motion was made by Commissioner Campbell, seconded by Commissioner Georgelos, to recommend that the Town Council modify the Statement of Direction (SOD) to extend the Planning Commission hearing date for the Smoke Tree Resort application (SUP-18-05) from September 30, 2020 to December 15, 2020. The motion carried by the following vote:

Aye: 5 - Commissioner Wainwright, Commissioner Georgelos, Commissioner Wastchak, Commissioner Campbell and Commissioner Rose

Absent: 2 - Commissioner Covington and Commissioner Lewis

7. CONSENT AGENDA

- A. [20-321](#) Approval of August 4, 2020 Planning Commission Minutes

A motion was made by Commissioner Campbell, seconded by Commissioner Lewis, to approve the minutes. The motion carried by the following vote:

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

Absent: 1 - Commissioner Covington

- B. [20-326](#) Approval of August 18, 2020 Planning Commission Minutes

A motion was made by Commissioner Campbell, seconded by Commissioner



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Final

Planning Commission

Tuesday, August 18, 2020

6:00 PM

Council Chambers

**IN-PERSON ATTENDANCE AT PUBLIC MEETINGS HAS BEEN SUSPENDED UNTIL
FURTHER NOTICE. WATCH LIVE STREAMED MEETINGS AT:
<https://paradisevalleyaz.legistar.com/Calendar.aspx>**

1. CALL TO ORDER

Chairman Wainwright called the meeting to order at 6:04 p.m.

STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller (attended remotely)
Senior Planner George Burton
Planning Manager Paul Michaud

2. ROLL CALL

Present 7 - Commissioner Jonathan Wainwright
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Daran Wastchak
Commissioner Orme Lewis
Commissioner Thomas G. Campbell
Commissioner James Rose

3. EXECUTIVE SESSION

None

4. STUDY SESSION ITEMS

- A.** [20-319](#) Continued Discussion of a Major Special Use Permit Amendment
(SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort
- Mr. Gilbert, representing the applicant, presented and expressed thanks to the Commission. There had been contradicting information found from the last meeting regarding the APS cabinet.

Owner Taylor Robinson clarified that they were able to confirm the electrical source to the Smoke Tree Resort was indeed the cabinet in the discussion,

previously thought not to service the Resort. For APS to determine the plan for that cabinet, they required a full load calculation. The design and engineering of that cabinet would have to be decided at a future date. The number of cabinets would be between 0-2 cabinets.

Mr. Gilbert updated the revisions made and additional materials submitted since the last meeting. There were no revisions to the application but did submit new materials. They submitted the Parking Management Plan that was under review by Town Staff. They provided an acoustical study that was under review by Town Staff and a third-party consultant. The right-of-way cabinet could either go in the right-of-way or the Southwest corner of the Resort property. He stated the applicant was willing to stipulate that once the SUP was approved and the Engineered drawings were submitted to APS, they would comply with the Town's Visually Significant Corridor and APS requirements.

Additionally, he was in the process of having the photometric plan updated as requested by the Commission to show a minimum, maximum, and average foot candles and that the light source on the signs were shielded.

They would be holding their Neighborhood meeting on August 20, 2020. It would be a mix of in-person and virtual meetings. The in-person portion would be conducted on-site by Mr. Robinson, and the virtual portion would be controlled by Mr. Gilbert via a Zoom conferencing call.

Chairman Wainwright asked how many Commissioners could attend that meeting.

Planning Manager Paul Michaud noted that the Town Clerk posted there may be a quorum of the Commissioners present, and therefore all could attend.

A Commissioner commented that the Commissioners should avoid having extended discussions at the meeting. They should just hear comments from the public. If they discuss items, there would need to be someone present taking minutes. Additionally, the applicant should record the meeting for future purposes.

Mr. Gilbert continued by addressing items on the agenda.

Lot Coverage and Floor Area Ratio

The SOD required that this item be discussed, and the unique

characteristics of the development area and amendments made to the site since it was last evaluated should be considered. The site was at the border of Scottsdale and surrounded by three commercial or resort properties; the fourth side was residential. The residential properties were included in the redevelopment area designation in the General Plan. However, they continued to consider the area as a residential zone and tried to provide protections for that side. They had reduced the number of rooms from the original proposal.

Reasonable Separation and The Buffering of Noise, Lights, Traffic and Views

They had protected the residential property area bordering the Resort. On the west side, balconies had been removed, a 100-foot set back was in place, the higher density uses were located on the center and East portions of the property and lush landscaping was proposed along the west side. Other areas were buffered from traffic and offsite noise. They eliminated the tiered heights along the South and proposed a sixty-foot set back from the Andaz property and limited the building height to two stories. The only balconies would face the pool area. The three-story element was on the East side of the property. The noise generating elements were focused at the center and East of the property. The entrance to the market and coffee shop were internally facing. There were a few spots that exceeded the open space criteria, which were reviewed with the Commission. They screened the buildings from offsite views using setbacks and landscaping.

Mr. Gilbert stated that a neighbor had expressed concern that guests of the hotel might come onto her property. They worked with her and the Town and presented multiple proposals that were acceptable to her.

All the Resort aspects had been carefully considered to support the operations of the Resort but also achieve stabilization. They would enter referral relationships. For example, they would refer most of the spa guests to the Andaz Resort. The Mountain Shadows Resort did not have a spa, and they provide referrals as well. They did not want to compete but enhance their surroundings. The proximity to the Scottsdale/Lincoln Corridor resulted in a walkability score of 57. That score was given by an independent firm called walkscore.com. It evaluated walking distances to retail and dining. Their score was high.

The SOD suggested 25% lot coverage, and the Smoke Tree was 29.3%. This compared favorably to other resorts located in Town. There was not an existing Code or SUP guideline concerning floor area ratio.

Density and the SUP Guidelines

Mr. Gilbert suggested they merited a less restrictive guideline due to the following factors. They were next to Scottsdale; the property was under five acres and surrounded by commercial uses on three sides. During the SOD process, the Council acknowledged that some leeway regarding density should be granted considering the size of the property. He referred to the current SOD. Density had been reduced on the West and South sides of the property. They considered it to impact the residents and felt most of the residents were supportive of the project. Each component had been well thought out.

He had received a copy of the proposed ordinance, which had been reviewed but had not received it in time to submit written comments. They were prepared to discuss the proposed Ordinance with the Planning Commission.

Commissioner Campbell asked if they could be provided the information to join the neighborhood meeting virtually.

Mr. Gilbert had already sent the information.

Mr. Michaud stated he would send the information again after the meeting.

Chairman Wainwright asked the Staff to move forward with their presentation.

Mr. Michaud presented. The project summary included 122 guest rooms, 20 were detached suites. The Resort included a restaurant and bar/lounge, third story amenity, accessory uses, and indoor/outdoor event space.

Parking had been discussed in previous meetings. The Commission had heard from the parking/traffic consultants with the agreement that the Resort could be fully parked on site. The applicant stated they would provide extra parking capacity during large events, retain a contract for 25 spaces at Lincoln Medical Center, employ alternative offsite parking for employees, and review stipulation 45 and/or 47 for edits or clarify in the Parking Management Plan. A few Commissioners were still concerned the site was under parked.

The existing APS cabinet along Lincoln Drive was discussed with a clarification that the cabinet serviced the site, stipulation 12 addressed

utilities and screening, they provided two possible locations for the cabinet relocation.

Landscaping was reviewed, resulting in the South and East perimeter hedges and staggering of trees, buffers along the street were less than the SUP guidelines, there were less trees on Quail Run Road, less Ironwood trees per the guidelines, and no specific concerns were noted.

The lighting was discussed in the previous meeting. Lighting fixtures and photometric discussion resulted in an agreement that the 16' pole lights along Lincoln Drive would be screened by the proposed trees. An issue arose in case a pole light fell, and that needed to be addressed in the development agreement, or an added stipulation. There was general support for the landscape, right-of-way bollard, and palm tree lighting. The applicant was to provide a light output summary table on the photometric plan/report.

The right-of-way discussion clarified the Lincoln Drive 45'6" dedication. The general agreement was based on no future widening of Lincoln Drive to three lanes. The challenges of acquiring land from other properties along the corridor were noted.

The Resort identification signs complied with the SUP Guidelines, except the number of signs. Many Commissioners found the number of signs acceptable because the applicant reduced the number of existing driveways and worked out a shared driveway. The accessory use signage would not be outward-facing and was added as Stipulation 50. The applicant was to provide information regarding light source shielding, color temperature, and output levels.

The acoustical study and Parking Management Plan were being reviewed by a third party and Town Staff. That information could be expected at the next Planning Commission meeting.

There were three new public comments since the last Commission meeting. All three comments were concerning density. One comment was concerned with vehicle stacking and turned around on Quail Road. The owner of the Andaz Resort was concerned with density, setbacks, and landscaping along the South property line. The Oleanders along the South would remain and were located on the Andaz property, the hedges proposed would go in front of the Oleanders. Staff highlighted the turn around on Quail Run Road.

The Smoke Tree Resort proposed a 29.3% net and 27% gross lot coverage, an 85% net and 78% gross of impervious surface, a 15% net, and 12% gross of open space, a proposed 64% net and 59% gross for floor area ratio (FAR).

Additionally, staff presented the draft stipulations. The Commission would review Attachment Q and he expected further edits based on the following discussions. The ordinance format generally followed other resort SUPs. The stipulations exhibited had fifteen categories, and the text in bold brackets were known areas for further edit/input. Some items would be in the development agreement that the Council would approve along with other specific items like right-of-way, financial, or other related matters.

The next meeting would be held on September 1, 2020, and include a Citizen Review, redlines of the Draft Ordinance, and revisit any items from prior meetings. The meeting on September 15, 2020, would be a Public Hearing or a request to extend the September 30 finish date.

The presentation was concluded.

Chairman Wainwright opened the public hearing.

There were no public comments and the public hearing portion was closed.

Chairman Wainwright wanted the Commission members to be clear with the applicant regarding any items that Commissioner could not support.

He addressed the right-of-way dedication issue. He asked if any Commissioners had an issue with the proposed 45'6" dedication. No Commissioners commented.

He asked if any Commissioners were opposed to the third story element. Commissioner Campbell asked what the height of the Lincoln Medical Center was. He had issues with the third story elements after reading the Andaz Resort comments.

Commissioner Wastchak also read the letter from Gary Stuttgart at the Andaz resort. He visited the Andaz property and looked North at the Smoke Tree Property. There were concerns with noise, height, and density. He felt that the letter indicated if the Oleanders stayed in place, then many concerns would be mitigated.

Commissioner Covington had the same impression of the letter.

Commissioner Rose also agreed.

Commissioner Georgelos felt that the letter listed important factors and that if the oleanders stayed, it would help but would not make all of the issues okay.

Commissioner Wastchak clarified that he knew the oleanders staying would not make all the issues go away.

Commissioner Campbell was concerned that the Commission considered that eight feet of building would show over the oleander bushes west of the Lincoln Plaza Medical Center property. He encouraged the Commission to go to the Andaz site and visualize the Smoke Tree Resort buildings. There was not much of a landscape buffer on the West side of the property.

Commissioner Georgelos agreed with Commissioner Campbell. She asked what the precedent for third story structures was in the Town.

Mr. Michaud commented that there was a third story element at the Mountain Shadows, Five Star, and Montelucia Resorts.

Commissioner Georgelos felt those properties were further away. The Andaz property next door did not have third story elements and she felt that a third story at the Smoke Tree would loom over the Andaz. Generally, the Resort was building and parking heavy, which did not allow for landscaping and buffering.

Andrew Miller pointed out that the Andaz property went through a rezoning process. There was a third story element proposed on the East side against residential areas. The third story element was not viewed as favorable and removed.

Commissioner Lewis thought there was a tentative solution for the third story as it was not to be used for residents but a guest amenity. On the north side of the property may be a better place for a coffee shop eliminating the need for a third story. He felt the issue could be reviewed and determine the best solution for all parties.

Chairman Wainwright was comfortable with the right-of-way if the Town was and wouldn't ask for more. He felt the third story element had been addressed thoroughly, and he felt that Mr. Gilbert needed to get support from the Andaz for the third story element. He was supportive of the third

story element as long as the neighbors of the property were as well.

Mr. Gilbert commented that in previous meetings, there was a consensus that the third-floor amenity was acceptable. He suggested they conduct site-line studies to demonstrate there would be no adverse effect.

Owner Taylor Robinson stated they would discuss this issue with the neighboring properties in detail. The Town had a standard for evaluating if a structure would loom over another. The standard of open space criteria was used in designing the buildings and also the maximum height on the Southern boundary. He would report back to the Commission on the findings.

Chairman Wainwright clarified that adjacent properties did not have the right to veto the design. He felt the feedback to the applicant was that the issue was thoroughly discussed, but the change in the Commissioner's opinion came once the letter from the Andaz Resort was brought to attention. He advised the applicant to get support from adjacent property owners.

Commissioner Campbell wanted clarification that the oleanders were an existing mitigation element and that they were not on the Smoke Tree Resort property. He noticed the roots were on the north side of the fence wall.

Mr. Michaud stated that looking at the aerial view of the site the applicant felt the oleanders were not on their property but could be a mixture of both properties. The roots did not appear to be on the north side based on the aerial view. The applicant would need to verify the roots conclusively were not on their property.

Commissioner Wastchak stated if the oleanders exist on the Andaz property, he did not believe that Smoke Tree wanted to take them down. They could be left up. He asked if Mr. Robinson could give any information or insight about that boundary.

Mr. Robinson commented that the image shown was from the County Assessors Office, and they had confirmed that it was correct. The wall on the north side of the Andaz property was 4-6 feet South of their property line. His intent was that the oleander hedge remained and was supplemented with the sour orange hedge and staggered trees.

Commissioner Wastchak suggested that their landscaping plan showed

the oleanders. He hoped that Mr. Robinson would have a conversation with the Andaz to clarify those would stay.

Mr. Robinson stated he would do that.

Commissioner Campbell asked that those drawings be shared with the Commission as well.

Commissioner Covington noted that the Lincoln Medical Center was heavily reviewed about the screening of their mechanical equipment on the roof. He asked what the requirement of that height was.

Chairman Wainwright remembered it was higher than what it ended up being.

Mr. Burton remembered that the proposed new building roof height was 30', but the mechanical screen would extend 2' above that. He recalled that they recessed the mechanical screen, and it was invisible from off the property.

Chairman Wainwright noted the letter from Andaz made an impact and he wanted the applicant to work with the neighbors. The parking was an issue in the previous meeting. According to the parking analysis, the consultants agreed that the parking was fine.

Commissioner Wastchak commented that they were waiting to see an additional document regarding the parking. He wanted to hold off on the parking decision until they had the Staff review on the information.

Chairman Wainwright noted that was fine, but if there were significant concerns, they could make the applicant aware now.

Commissioner Rose understood the parking analysis but felt there would still be a parking issue for weddings, events, and the restaurant while at 100% occupancy.

Chairman Wainwright addressed that the APS cabinets did not delay the projects. He asked if the Staff could handle the stipulations of the cabinets.

Commissioner Campbell asked the applicant at the last meeting to show potential accommodation for the cabinets and wanted to see the potential renderings.

Chairman Wainwright asked if he could draft a stipulation to help the Commissioners be comfortable with the potential options.

Commissioner Campbell would have rather seen a prospective site plan showing a second cabinet accommodated.

Mr. Michaud commented that there was a site plan not included in the Commissioners packets, showing two cabinets on the Southwest corner and the other in the Quail Run right-of-way at the South end.

Commissioner Campbell asked if that accommodated a second cabinet.

Mr. Michaud stated his understanding from Town Engineer Paul Mood that it would connect from the West so that the connection would be to the West or in the right-of-way.

Commissioner Campbell asked if they were positive that there would not be a second cabinet accommodated East of the existing cabinet on the Southeast corner.

Mr. Michaud noted he was not in the meeting with APS, and Mr. Mood may need to answer if he was present at the next meeting.

Mr. Robinson shared his perspective from the meeting with APS. The lines were fed from the North. The cabinet existing was a special cabinet installed when the Town did not have sufficient right-of-way for a standard size cabinet. If that cabinet were to change, APS would update it to a more modern cabinet design.

Chairman Wainwright wanted to clarify Mr. Robinson's comments that the cabinet would remain as it was, or APS would update the cabinet equipment. He asked if they update the cabinet would it be moved to either across the street on the corner of Quail Run Road or down to the Southwest corner of the property. The new equipment would mean a new location, or it was left where it was.

Mr. Robinson commented that what Chairman Wainwright stated was correct. During the design review with APS, new locations would be proposed if needed. They could not identify the location yet if it was required to be moved.

Chairman Wainwright felt that the applicant had tried to accommodate the Commission well. The motivation of his question was the timing of giving

approval. He understood it was expensive to move the cabinet.

Mr. Robinson was willing to accept a stipulation to the effect of cabinet placement and screening. When APS finished their final design, they would comply with the Town and APS requirements.

Mr. Miller noted that when the stipulation was drafted, he wanted to have the flexibility and input from Town Engineer Paul Mood. There were other opportunities to allow the Staff flexibility for placement. He preferred high accessibility and beautification of the cabinet boxes on Quail Run.

Chairman Wainwright asked if there was a way to allow approval of that later or allow for the Staff to approve the cabinets.

Mr. Miller said yes, there was a way to incorporate a stipulation regarding that approval. He wanted objective criteria established before the Staff approval of the cabinet.

Chairman Wainwright stated that Commissioner Campbell could create stipulations for the cabinet.

Commissioner Rose commented that by fitting 122 units on the property that had taken away the resort feeling of the project. The views from the rooms were not favorable. The density had made it apparent to the architect that they had to design the Resort in the way it was currently. In a conversation with Jason Walton, Montana Hotels, indicated it was not a resort but imbedded and interactive with the local environment. He felt it was important to know what was built on the 4.6 acres.

Commissioner Lewis agreed with Commissioner Rose's comment. He was concerned about the coffee shop near a busy road, and perhaps, there were ways to reconfigure amenities.

Commissioner Georgelos agreed with Commissioner Rose. She reviewed the density of various resorts in Town. The density exceeded any resort they had seen. The 4.6 acres and 26.5 units per acre seemed high density. There were large structures and parking surrounding it with a small pool. It did not seem like a resort. She detailed the retail, gym and guest room amenities. There should be reduced density to feel like a resort, larger pool area, and lush landscape. The Southeast side had a large building and drove more parking.

Mr. Gilbert wanted an opportunity to evaluate and address the comments in

a future meeting.

Chairman Wainwright stated the Commission would try to be as transparent as they could with the applicant.

Commissioner Wastchak wanted to know the other Commissioner's opinions on the issue and if it was in alignment with Commissioners Georgelos, Lewis and Rose.

Commissioner Covington was sympathetic to the comments made by the Commissioners. He was concerned about the Resort being at the entrance of the Town. He was uncomfortable with the third story due to the architectural rhythm of the Town. The density issue would be a continued discussion and wanted to know how that could be addressed. He wanted the Resort to be profitable. He asked if the lighting outside the property wall along Lincoln Drive discussed in the last meeting was still in the plan. He was not in favor of the lights.

Mr. Michaud stated his impression was they were still in the plan. Most of the Commissioners were in favor of the bollards and lights in the right-of-way.

Chairman Wainwright wanted clarification on what lights he had referenced.

Commissioner Covington clarified it was the lights along the street and illuminating the sidewalk. He felt it was contrary to the rest of the Town and that they were a dark sky Town.

Chairman Wainwright asked what the resolution was regarding the safety of the sidewalk or dark sky environment.

Mr. Michaud commented that the Staff stated there would be no light fixtures in the right-of-way. Usually, there were landscape lighting in residential subdivisions. Not all the Commissioners at the last meeting voiced their opinion, but a few were in favor of the bollard lighting and landscape lighting. The applicant was fine to keep or remove the bollard lighting.

Mr. Robinson noted that in the last meeting, there was a discussion regarding the bollard lighting. They received a redlined draft of the SUP inserting language that the bollards and lighting would be removed from the right-of-way. The liability was not wanted by the Town in the event of a

dedication. He wanted the Commission to quantify what was expected of them to do the best they can to address the concerns.

Commissioner Rose believed that some effort on the architects and applicants' part with the unit count. If 122 units were not needed, could it be reconfigured to have more pod units like on the Southwest side. He asked if there were any alternatives to the architect's drawing currently.

Chairman Wainwright asked if it was a true resort given the size.

Commissioner Rose stated the architect would need to look at the property and the applicant would need to give the Commission the least amount of rooms that the Resort needed to be profitable. The market and coffee shop used resort space. He was led to believe that the third-floor element was going to be where guests would visit for snacks and coffee.

Commissioner Lewis agreed.

Commissioner Georgelos commented that the density was 2.5 times greater than the Town guideline of 11 units per acre. She wanted to get as close to that as possible. She felt that it could feel like a resort with changes made. She noted the Hermosa Inn was the most similar property to this and it had a resort feeling.

Mr. Gilbert commented that the Hermosa Inn was a restaurant primarily. It was not designed as a hotel and felt it was not a fair comparison. The five-acre property had to be reworked entirely. The guidelines were set were for twenty-acre properties. The properties could go higher or lower than the guidelines set. He felt the SOD and Guidelines instructed them to take into consideration the small property size. The Commission had asked the applicant to make difficult changes. They had hearings with the Town Council, but there were no major concerns over density. Part of the Resorts flexibility was to have for-sale units. They were not prohibited, and they had been allowed elsewhere. The Commission did not want those units, and so the applicant removed them. Those units were a way to finance the project. He did not suggest they be brought back.

Chairman Wainwright noted that significant changes had been made and that they wanted to consider all of the elements of the property that made the Resort a challenge.

Commissioner Rose asked what the fewest number of rooms that could make the project successful.

Mr. Robinson stated that Jason Walton, Montana Hotels, and the architect was also on the call. If additional materials were needed, that would take time, but they were all willing to answer questions at tonight's meeting. He wanted to reach a consensus. The pro forma was the historical analysis of similar properties' performance. The average resort occupancy was 68%; the average daily rate of a resort room was \$250. The operating costs were deducted and that arrived at the sustainability on an ongoing basis. To answer Commissioner Rose, if the daily rate could be increased, that could be done but would drive the occupancy down. The alternative was to reduce the number of rooms and drive the rate high enough to sustain the maintenance of the rooms. It was not feasible in the current market. They conducted a sensitivity analysis on where the room count could be pushed, including techniques to drive occupancy. The 122 rooms were the result. For sale units would drastically change the numbers. With the Town Council against dwelling units, that was the best they could configure.

Commissioner Wastchak referred to Mr. Robinson's comment that when a price point was elevated, the price point per room put them in direct competition with other resorts. He asked what the issues would be if he moved their Resort into a more competitive price point with other resorts nearby.

Mr. Robinson noted that from a number's perspective, the resorts in the Town have distinct market segmentation where they had been established in their niche for different appeals of resort guests. The Town of Paradise Valley did not currently have a property for the niche that the Smoke Tree Resort would fill.

Jason Walton, Montana Hotels, commented that there had been struggles with the Andaz performance. He felt the owner pushed against the competition. He believed the Resort was the right size for that location. Paradise Valley was not a strong luxury resort market. The Courtyard Marriott was doing better at ADR and occupancy than some resorts. In the broad scope of a luxury resort, Paradise Valley had a casual inventory of properties with a unique following. They wanted to compliment what was currently available in the Town. They did not want to offer more of the same product. They viewed the Smoke Tree Resort as a modern-day reinterpretation of a resort experience. He leveraged the surroundings and whatever was done would be done exceptionally. A self-contained resort was not possible on the property. If they wanted them to lower density and create more luxury, this was not a good site for that.

Chairman Wainwright asked Mr. Walton to explain why it was not a good site for a luxury resort.

Mr. Walton answered there was an easing of open area criteria and setbacks on their plan. On a five-acre property, one hundred and twenty-two rooms were considered low density. Usually, they would hold six hundred rooms. The room count at the Smoke Tree was a balancing act because of scalability. The property offered the least views and had high traffic on Lincoln Drive. The percentage of the property exposed to Lincoln Drive was high. He felt that they filled a niche to complement other resorts. The redevelopment area calls for high intensity. He felt this property was an ideal density for the area. Their guests would be drawn to the Resort for its location and proximity to amenities instead of a secluded resort.

Chairman Wainwright reiterated what Mr. Walton said that the Resort could not be like others in the Town. He asked how their target guest differed from others.

Mr. Walton noted that one signature feature was for small groups to come and stay booking six-to twelve rooms and find small areas to congregate. That was the largest competition for Airbnb type rentals. The pods would allow small groups to have communal areas linked to their rooms.

Mr. Robinson commented that the third-floor amenity was different than what was previously discussed.

Mr. Walton stated that the Resort would not be a large corporate group resort. They were not a branded resort. Their guests would be a family with older children. There was an opportunity for overflow at the Ritz-Carlton. Their guest would also be attending weddings and reunions.

Chairman Wainwright noted that the third story amenity could be blocked off to accommodate different groups. The guests would have a group area in the hotel. He asked if the plan on the screen was one of the areas he was describing.

Mr. Walton replied, yes. A group or family could reserve a space and have keyed access. He explained the guest and corridor rooms that could be reserved with different services. It was their modern-day interpretation of a resort.

Chairman Wainwright recognized that the size and location of the Resort were unfair to compare to other resorts in the area. He wanted the flexibility

to be given to the applicant.

Commissioner Rose referred to Table 3, page 21, of the Traffic Study done by Simtech. The trip generation summary included weekday trips. He asked if there was a study done for weekend trips. He read on page 20 that event space was not anticipated to generate offsite trips. The event space and meeting area were not expected to impact trips during the peak hour and including that number in the study would double count anticipated trips. He gave a scenario stating that over 140 cars could be at the Resort. He wanted to see where that was in the Traffic Study.

Mr. Robinson clarified that Commissioner Rose's questions had two parts being how the number was dependent on if the traffic had been modeled to include the weekends and how the event space was accounted for in the traffic. The methodology used for the event space was the ITE. That traffic generation calculation had base rates. The traffic engineer used a base rate for the rooms that included event space. That led to the comment of it being double counted. On receiving directions from the Town Engineer and Kimley Horn, they required the use of the base rate that included the event space. The ITE model was modified to reflect that.

Commissioner Rose stated that he helped answer his questions. He again gave a scenario that could impact traffic when the Resort was at peak use. There was currently traffic in the area, and this would increase that.

Mr. Robinson commented that the Parking Management Plan accounts and plans for the scenario that Commissioner Rose was concerned with. It had been reviewed by Town Staff, Engineers and Consultants.

Commissioner Rose was concerned about the traffic t

No Reportable Action

5. PUBLIC HEARINGS

None

6. ACTION ITEMS

None

7. CONSENT AGENDA

None

8. STAFF REPORTS



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Final

Planning Commission

Tuesday, August 4, 2020

6:00 PM

Council Chambers

**IN-PERSON ATTENDANCE AT PUBLIC MEETINGS HAS BEEN SUSPENDED UNTIL
FURTHER NOTICE. WATCH LIVE STREAMED MEETINGS AT:
<https://paradisevalleyaz.legistar.com/Calendar.aspx>**

1. CALL TO ORDER

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

STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller (attended remotely)
Senior Planner George Burton
Town Engineer Paul Mood (attended remotely)
Planning Manager Paul Michaud

2. ROLL CALL

Present 6 - Commissioner Jonathan Wainwright
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Daran Wastchak
Commissioner Thomas G. Campbell
Commissioner James Rose
Absent 1 - Commissioner Orme Lewis

3. EXECUTIVE SESSION

None

4. STUDY SESSION ITEMS

- A.** [20-314](#) Continued Discussion of a Major Special Use Permit Amendment
(SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort

Mr. Gilbert, legal representative for the applicant, noted that his partner Cassie Ayres, Owner of property Taylor Robinson, and Traffic Engineers Dawn Cartier and Sue Thompson were present. He wanted to update the

Commission on all revisions and focus on topics of the Statement of Direction (SOD) that had been preselected for discussion. The changes were detailed in a packet given to the Commission.

- Updated details for the market and coffee shop showing the square footage.
- Provided exhibit showing existing topography and finished floor elevations.
- Added a view of the North elevation as viewed from Lincoln Drive.

He then discussed the specific SOD sections, including parking, landscaping, utilities, lighting, and signage.

Parking:

- The Town and the Smoke Tree's consultants had both mutually concluded that the site plan provided adequate parking on the site.
- Kimley Horn concluded that the peak weekday demand was 187 spaces at 6:00 p.m. in March, and the peak weekend demand was 178 spaces for 8:00 p.m. in March. They believed the demand was addressed with the valet plan.
- He would provide a draft parking management plan. It was currently being updated to include suggestions from parking consultants.
- The parking agreement with adjacent Lincoln Plaza Medical Center was not needed due to the parking being adequate.
- The off-site parking agreement was not necessary, but they did have one.
- They had demonstrated the project would not have a negative impact on traffic safety, parking, and circulation.
- Traffic analysis resulted in one recommendation to change the traffic light timing at Scottsdale Road and Lincoln Drive. The change was recommended regardless of the Smoke Tree Resort being constructed.
- The multiple driveways on Lincoln Drive had been condensed to one main entrance that serviced both the Smoke Tree Resort and Lincoln Medical Center.
- The site provided circulation by cross access with Lincoln Medical Center.
- The main entrance to the Smoke Tree Resort would be through the traffic light on Quail Run Road. The Lincoln Drive access would be primarily a service entrance.

A Commissioner asked if they have a total of 224 spaces available with the medical center agreement.

Mr. Gilbert responded there were 199 spaces with the valet plan.

Ms. Dawn Cartier clarified there would be 224 spaces with the agreement with the medical center for 25 spaces.

Commissioner Rose asked how the hotel meeting banquet visitors in a 4,000 square foot ballroom would result in an estimated parking demand of 48 spaces on Table Six of the Kimley Horn study.

Ms. Cartier noted that parking was not designed for a rush. When they designed parking for a resort, they calculated for the guests already staying at the resort that may be a part of an event.

Commissioner Rose commented that if the resort were at maximum occupancy and there was a 200 guest event, they would need 195 spaces. He noted that the number of employees was understated.

Ms. Cartier noted that the Parking Management Plan used the idea of vouchers for employees to receive rides to the site. It freed approximately 35 spaces.

Commissioner Rose noted that it was a good practice, but he felt that financially that would not be sustainable for the resort owners. He mentioned the valet parking during events could be a challenge based on the configuration.

Ms. Cartier noted that resorts understood the peak of events in advance. In that situation, there would be a need for maximum use of 199 spaces; they would look to park valet off-site first and reserve the spots closer for when the heavier traffic arrived. There would likely be two valet stands during peak hours. She believed the resorts could plan well in advance and be able to manage the guest and employee parking.

Owner Taylor Robinson commented that the distance from the main valet entrance on Quail Run was roughly 500 feet. It would take no longer than a minute for a valet to park a car at the Lincoln Plaza Medical Center and get back to the station. They would leave the entrance and go south through the south end of the resort and then go north to use the shared access driveway to enter the Lincoln Plaza Medical Center parking.

Commissioner Rose felt the plan was ambitious.

Mr. Robinson asked if there was a different plan that Commissioner Rose proposed.

Commissioner Rose noted that the parking needed additional spaces. He disagreed with the consultants' opinion.

Mr. Robinson stated if there were any questions regarding the parking analysis calculations Jeff Weckstein and Sue Thompson were on the line to answer.

Mr. Gilbert noted that as they finalized the parking plan, they could provide more detail and answer any questions. He wanted the Commission to be comfortable with the idea.

Commissioner Covington asked if the parking agreement with Lincoln Plaza Medical Center was in place and if they anticipated any parking on Quail Run Drive.

Mr. Gilbert stated the agreement was enforced. Lincoln Plaza Medical Center had the right to cancel the agreement with 30 days' notice.

Ms. Cartier answered that she did not foresee any parking needed on Quail Run Road. She could not guarantee that people would not park on Quail Run Road.

Commissioner Campbell wondered what the peak use times were for Lincoln Plaza Medical Center.

Ms. Cartier did not anticipate that the peak use times would overlap with the Smoke Tree Resort.

Commissioner Campbell was confused about the Lincoln Drive right-of-way. He wanted clarification from the staff if a third eastbound lane would be necessary, excluding the deceleration lane. He noted a dedication was needed. He asked if that would have an impact on parking and if there was a plan to make Lincoln Drive six lanes wide.

Mr. Mood indicated there were no plans for that at this time. It would be difficult because there was an existing development agreement with Lincoln Plaza Medical Center to the east. They would need to go through an additional acquisition process to get the right-of-way as well.

Mr. Gilbert noted in order for the Town to add a right-of-way, they would need to condemn part of the right-of-way for AJ's Market and other businesses, additional property at Lincoln Plaza Medical Center, property to the west, and then private lots. He noted it was not likely to have three lanes.

Commissioner Campbell stated that three lanes would not be ideal on

Lincoln Drive. The traffic was heavy. His questions was satisfied.

Andrew Miller confirmed that some Council Members did not want to see three lanes in the area.

Chairman Wainwright asked the Commissioners point of view on the dedication of right-of-way.

Commissioner Campbell knew that the engineers on the project would be leaving the meeting soon, and that was why he brought the issue forward.

Commissioner Georgelos referred to the project comparison chart regarding parking. The spaces per key at the resort were on a spectrum from one to over three spaces per key. She asked how the number 1.39 spaces per key was arrived at for the Smoke Tree Resort. The concept of a voucher program did not seem cost-effective. She wanted to know information about those items.

Ms. Cartier noted that when her firm analyze resorts, they evaluate not only the rooms but also the ancillary and outside uses. They began by comparing other resorts parking spaces to key ratios. The Smoke Tree Resort had fewer amenities than other resorts, and it would be penalizing them by disproportionately charging them with parking for ancillary uses. They found that there was more parking per square foot of amenities than any other resort in the Town.

Commissioner Georgelos asked Ms. Cartier to compare and contrast the Smoke Tree Resort to the Hermosa Inn.

Ms. Cartier commented that Hermosa Inn has a small number of rooms. A large portion of visitors came from off-site. The 35 rooms provide 7,000 square feet of ancillary or amenities use. The Smoke Tree had 122 rooms, roughly four times the number of Hermosa Inn, not quite two times the amenity space, creating the difference.

Mr. Gilbert stated the Hermosa Inn was a restaurant that operated as a resort. The Smoke Tree was a resort primarily. He represented the Phoenician Resort with similar issues regarding the parking plan. They were entitled to provide parking for employees off-site and bus their employees to the resort, which the City of Phoenix approved. Commissioner Georgelos asked if that idea had been considered and where the employees would be parked in this instance.

Mr. Gilbert responded that as part of the parking management plan, but he did not know where the parking would be for employees. It could differ

depending on parking availability based on time of year.

Commissioner Georgelos compared the two resorts that the Smoke Tree Resort had more units than the Hermosa Inn. Hermosa Inn had a restaurant approximately 2,600 square feet, and the Smoke Tree Resort had a restaurant about 2,100 square feet. She did not believe the restaurant would be only serve resort guests. Hermosa Inn had 2,000 square feet of retail, and Smoke Tree had 2,500 square feet. She understood that the retail would be for primarily resort guests but figured that others would use these resources. She noted there were three parking spaces per room key at the Hermosa Inn. She preferred to see additional parking at the Smoke Tree Resort regardless of the consultant findings.

Mr. Robinson commented regarding the sentiment to have additional parking, including the 199 spaces plus the 35 spaces by bringing employees in by voucher or other off-site means, and with the Lincoln Plaza Medical Center agreement, that provided a 30 % increase over the available on-site parking should it be needed. The parking consultants and himself could review any assumptions of uses for the retail and fitness portions of the resort. Any contracts for amenities brought to the resort would be made to fit the Smoke Tree requirements.

Commissioner Georgelos noted that the point of the amenities was to encourage business. She felt it would be helpful to review the different parking assumptions and allow the Commission to understand the numbers provided in the parking study.

Ms. Cartier noted the table for Project Comparison of Parking Rates and Amenity Inventory used a number of 170 spaces provided for Smoke Tree with non-valet. With 199 spaces at the Smoke Tree, they are at 1.63 parking spaces ratio. It was just below Mountain Shadows and Doubletree Resorts parking ratio. With the additional 25 parking spaces at Lincoln Plaza Medical Center, the ratio increased to 1.83 spaces that would put the Smoke Tree between Mountain Shadows and Motelucia Resorts parking ratio. When adding a voucher or off-site bussing system for employees, the ratio increased to 2.12, which was in line with the Ritz Carlton parking ratio.

Consultant Sue Thompson stated that they had worked with Ms. Cartier and their team to understand the uses within the facilities.

Commissioner Campbell asked if there was an anticipation of issuing memberships to the fitness center on-site.

Mr. Gilbert stated the fitness area will be limited to only guests of the hotel, and no memberships sold.

Chairman Wainwright noted that when they were comparing the Smoke Tree to other resorts, the Smoke Tree Resort was the only one with the ability for overflow parking on an adjacent property. The peak use times of the Lincoln Plaza Medical Center and the Smoke Tree Resort did not overlap. The Lincoln Plaza Medical Center would probably sell parking to the resort during peak times for employee parking.

Mr. Gilbert believed that was correct. He felt that the assumption of employees parking during peak times in the Lincoln Plaza Medical Center was accurate.

The parking consultant detailed the steps for a shared parking analysis. He referred to Figure 1: Shared Parking Analysis, in the parking study, provided to the Commission. He began with the land use program, which was the primary use of rooms and ancillary uses. He then adjusted the base ratio. Those adjustments included:

- A driving ratio adjustment for visitors using rideshare, taxi, or other means to visit the resort.
- An adjustment to the non-captive ratio. The percent of guests that are on site for a particular use, that are not on-site for additional use. He explained that being an event where a percentage of visitors stayed at the hotel and attended the event.

That would equal the project rate for each land use. The next step would be to evaluate the presence factors. Those factors would be adjusted based on different land uses peak at different times of the year, and also have different variations of activity over the day. This resulted in the recommended supply, which was the output of the shared parking model.

Additionally, he reviewed Table 2: Base Parking Ratios. The ratios were the industry standards found in the Urban Land Institute Model Publication and the Drive Ratio Adjustment for employees used U.S. Census data. Eighty-five percent of employees drove to work alone. They took a ten percent reduction in drive ratio to reflect carpooling activities to be conservative. Hotel guest shared parking had significant research. In shared parking, there was a fifty percent drive ratio. Half arrived via automobile. The Shared Parking guideline was to provide parking for a fifty-nine percent drive ratio on weekday and sixty-nine percent on weekends. It further suggested adding for the adoption of ride-hailing. The data was collected before the advent of Uber or Lyft type services. Paradise Valley did not have many transit options. They decided to classify the use as a business hotel in a suburban environment and used a seventy percent drive rate for the analysis.

Next, he discussed the Hotel Even Space Patrons. The baseline guidance

for resort hotel events was a half driving ratio. With Businesses as hotels, the percentage was higher at a 68 percent drive ratio. In their analysis for the Smoke Tree Resort, they used a 75 percent driving ratio. Retail and Dining customers were all assumed to drive to the location. When non-captive ratios could vary from one property to another, typically a ratio of 20-70 percent had been used to fine-tune parking requirements for mixed-use projects. He referred to Table 4: Non-Captive Ratio Assumptions. He detailed the ratios that varied for the amenities and based on time of day. Presence Factors were adjustments made to account for the parking demand by the hour, day, and month of the year.

He concluded that was the basic model. He referred to Table 5 in the parking study for the calculations. The shared parking model would satisfy the recommended parking supply to fulfill an 85-percentile day. The parking management plan would be to accommodate scenarios of being at max capacity.

Ms. Thompson provided the context regarding the ULI parking model. Walker Consultants and Kimley Horn contributed to the model, but the information came from consultants from across different parts of the industry. A developer looking to see what parking was needed could use this model. It was not only for resorts. Walker Consulting's background was thousands of studies to be sure there wasn't excess parking but still provide adequate parking for visitors.

Commissioner Wastchak commented that the models were fine-tuned. He asked how often they go back and review models to verify them.

Mr. Weckstein replied they do go back and visit properties to see what was happening. He gave examples of going back to resorts and evaluating the parking. Repeat clients state that the studies did work.

Ms. Thompson commented that her background was in operations. Once Mr. Weckstein provided a parking model, she would then base operations of the parking on that. She usually was the one to work with the owner to help them manage the results of the parking study. She did go back and check with the owners once a project was complete.

Commissioner Rose asked Ms. Thompson and Mr. Weckstein what Estimated Parking demand meant referring to Table 5 of the parking study. The study identified that fifty-nine percent of visitors to the resort would drive a car.

Mr. Weckstein commented that it estimated parking need for each individual land use, and then totaled. That was equivalent to an eighty-fifth performing percentile. The ULI publication showed fifty percent, but in their

analysis, they assumed seventy-five percent would drive.

Commissioner Rose noted a leisure guest staying at the resort did not have amenities to keep them on-site. They would probably make adjustments knowing they were going to need to leave the site. He asked if they had underestimated the parking spaces for hotel leisure.

Mr. Weckstein commented there could be a situation of a sell-out of the resort, and it could be all local people not flying into the Town. That could require more parking spaces. The table showed the projected need for hotel guests at the peak of the resort. There was a higher demand later in the evening, but the restaurant and banquet space would be winding down. They did not take the drive ratio for leisure resorts but used the business as a resort model to increase the ratio to a seventy-five percent drive rate.

Mr. Gilbert addressed the topics in the SOD. He stated that the trees had been staggered, changed to live oaks, and showed what was approved for the Lincoln Plaza Medical Center side. He stated this complied with the SOD landscaping guidelines.

Mr. Taylor described the proposed screening of the utility cabinet along Lincoln Drive. He stated that this cabinet did not service the Smoke Tree Resort. It was for regional infrastructure. He did not feel they should be required to move them and it would be costly. He asked for the consideration for the cabinets to stay.

Mr. Gilbert reviewed exterior lighting and signage.

Planning Manager Paul Michaud reviewed items from the staff report and read into the record a new comment from a resident named Mr. Shoen.

Mr. Michaud reviewed the parking lot setbacks, noting the proposed setbacks are not compliant with the Special Use Permit Guideline of 40 feet. He continued that the parking lot screening will include 3' tall walls along the street frontage, with such walls not at the typical 10' setback. Screening along the south and east side includes proposed sour orange hedges and the existing oleanders.

Mr. Michaud continued to discuss the proposed utilities. There was discussion regarding the screening of the existing electric utility cabinet along Lincoln Drive, including the need to provide electric loads to APS to determine relocation.

Mr. Michaud reviewed the landscaping as it related to the Visually Significant Corridors Plan, Special Use Permit Guidelines, and the Town Code. He noted that the landscape setbacks per the guidelines were not

met along the street frontages, that there are two less trees than the guideline along Quail Run Road, and there are no proposed Ironwood trees along the street frontage (only internal to the site).

Mr. Michaud reviewed the proposed exterior lighting. He stated that many 16-foot tall pole lights are not setback the height of the pole, noted that bollard and landscape lighting is shown within the right-of-way not supported by Town staff, raised questions regarding the proposed palm tree lights based on prior Special Use Permit applications, and stated the applicant needed to provide additional summary information on the photometric plan.

The Commissioners discussed the lighting in the rights-of-way and the palm tree ring lights.

Mr. Robinson answered the bollards were proposed outside of the screening wall. The poles were easily removed but felt the combination of well-placed light would benefit the sidewalk.

Chairman Wainwright and Commissioner Campbell were supportive of the lights within the rights-of-way.

Commissioner Campbell stated the palm tree lights are directed downward and located in areas mostly internal to the site. He expressed support for these lights with a stipulation they are not mounted over 16 feet.

Mr. Michaud reviewed the proposed signs. He explained the Zoning Ordinance requirements and Special Use Permit Guidelines. He explained that the resort identification signs exceed the guideline on number of signs and thereby total aggregate sign area. He also stated that the applicant needs to provide details that the sign light source is shielded, its color temperature, and its foot-candle output.

The Planning Commission discussed the resort signs, noting that since the applicant reduced the number of driveways and worked out a shared access driveway with the medical center that the proposed number of signs looks reasonable.

Mr. Michaud reviewed the resort retail signage for accessory use. He stated that Sheets A62 and A63 illustrated signs related to accessory uses and the hotel. If allowed, he suggested that the Planning Commission define the maximum number of signs, maximum mounting height, maximum sign area, and whether illumination is allowable. He added that there are no Town Guidelines for this type of signage.

Commissioner Wastchak wanted to know the locations of the signs for

accessory use. The details were important for staff and the Commission to provide feedback to the applicants. He asked what the staff would need in order not to bring this item back to the Commission.

Mr. Michaud answered that this could be defined by general stipulations, generally located on the building, height to top of the sign, stipulate the maximum number of signs, sign areas if they could be illuminated. For signs visible off the property, there should be stipulations of where they could be located, their size, and if they could be illuminated.

Commissioner Wastchak wanted to be sure that on completion of the resort that there were no surprises. He wanted clear guidelines and clear information on where the signs for accessory uses would be located.

Commissioner Covington wanted clarification that there would be no outward-facing signage for the market or the coffee shop.

Mr. Michaud understood that in a meeting that was stated. He had not heard it personally.

Mr. Robinson commented the signage proposed was comprehensive. They had removed any signage for accessory uses to make them internally facing. They would like outward facing signs but willingly forwent that to make the plan compliant and pleasing.

Commissioner Wastchak asked Mr. Michaud what the Commission needed to provide him with if the ancillary use signs were internally facing.

Mr. Michaud stated that as long as the signs were internal facing and it couldn't be seen from the street, the Town could allow these signs if part of the approval of this application request. He added that these type of signs would still need a building permit.

Commissioner Rose asked if there would be no signs on Buildings G and I.

Mr. Robinson confirmed there would be no outward-facing signs on those buildings. If there was signage on the buildings, it would be restricted so it could not be seen from off-site.

Mr. Michaud stated the next meeting would be on August 18. He detailed the items to be discussed.

Commissioner Campbell wanted to give the applicant credit for the joint entry. He was comfortable that they use signage at that entry also.

Chairman Wainwright agreed with that.

Commissioner Covington asked if the entrance from Lincoln Drive was mainly intended for service.

Mr. Gilbert confirmed, yes.

Commissioner Wastchak referred to the electric cabinet on Lincoln Drive PowerPoint slide. In the legislative update document prepared for the meeting, Mr. Michaud indicated there was sidewalk outside of the dedicated right-of-way that needed an easement. The red area on the picture displayed was a view triangle easement. He asked if that piece of the sidewalk was what he referred to in the legislative update. He asked if staff was recommending there be an easement for that piece of pavement.

Mr. Michaud stated that it was the piece referred to in the document.

Town Engineer Paul Mood commented that any public sidewalk that fell out of the right-of-way would need a sidewalk easement.

Mr. Gilbert was cooperative in providing the easement.

Commissioner Wastchak wanted to know the Town's position on the electrical cabinet located in that area.

Mr. Mood commented that APS representatives indicated there was not sufficient information from the resort if the cabinet could remain. It was old infrastructure, and they were not sure if it could remain or not. The screening requirements were three-foot clear of the cabinet in all directions.

Commissioner Wastchak stated there was not enough room to screen the electrical cabinet.

Mr. Gilbert did not think it needed work but was willing to work with APS and would follow through. He could continue this item to the next meeting.

Mr. Robinson clarified that the red diagram on the photo shown was a roadway easement that the Town had received through a condemnation proceeding. The black triangle was the view triangle. The three-foot clearance for APS was for permanent structures, and one foot for removable panels.

Commissioner Wastchak felt it was important that this item was settled before the Smoke Tree Resort review was complete.

Mr. Robinson noted that part of the information needed by APS was that the lines run for this cabinet were regional and did not serve the resort. The Smoke Tree Resort load data would not apply.

Commissioner Wastchak asked Mr. Mood why APS was telling them that this would impact the project if the load was not coming through that cabinet.

Mr. Mood responded that was the information received from a representative at APS who was familiar with the area.

Commissioner Campbell felt it still needed discussion regardless of if it were a regional or local cabinet as it would affect the design of that corner.

Mr. Mood commented that APS told him if it needed to be replaced by Smoke Tree or APS, it would be replaced with up to two to three cabinets.

Chairman Wainwright wanted to table the discussion for the moment, but felt it needed more information and study in the future. He was sympathetic to the fact that that line was not servicing the Smoke Tree.

Mr. Robinson proposed a solution that they would be happy to stipulate that the cabinet design and screening would need to meet the Visually Significant Corridor plan and Town Ordinance. APS review time was not quick, and to have a settled reviewed drawing would take time. He felt that could be bridged through stipulations. If all concerns of the Commission were met, then the box could remain. If not, then the cabinet would have to be relocated to an appropriate location.

Commissioner Campbell asked if they could use the 56th Street model with the three cabinets and ask the applicant how they would accommodate those three cabinets.

Mr. Robinson was willing to show a drawing to that effect. The cabinet was fed from directly north through Lincoln Drive. The lines exited to the west and went down Lincoln Drive. When a cabinet like that was replaced, the conductors could not be reused and would need to be replaced. There were multiple ways the conductor could be run to affect the cost of replacement drastically.

Commissioner Wainwright did not want to hold up the project hostage to APS's schedule.

Mr. Gilbert stated he might not have the information in the next meeting, but

they would provide it.

Commissioner Georgelos wanted confirmation on what would happen regarding the utility boxes, so there was no miscommunication. She agreed with Commissioner Campbell's suggestion.

Commissioner Covington did not want to hold the applicant up regarding the cabinet, but wanted it to be addressed.

Commissioner Georgelos asked what had historically been done in the rights-of-way regarding the bollards along the sidewalk and lighting on the trees.

Mr. Michaud commented they typically did not see bollards in the right of way or walkways. Occasionally there was landscape lighting in the rights-of-way residentially. Mountain Shadows and the Andaz resort had ring lights for the palm trees. They had been approved, but at those times, there was a desire to limit them and require a maximum height.

Commissioner Georgelos did not feel that the bollards were appropriate in the front areas. It was not generally done in rights-of-way and sidewalks. Instead of lighting the entire area, she asked if they could consider landscape or sidewalk lighting. She did not want the area to be unsafe. She felt that tree lighting should be limited.

Commissioner Georgelos asked the other Commissioners to consider the amount of illumination.

Mr. Michaud commented the applicant submitted photometrics, but they need to provide a summary table for minimum, maximum, and average light levels. That would help the staff determine if it met the guidelines. In his overview, it looked like most of the lighting was compliant.

Chairman Wainwright asked Commissioner Georgelos to articulate her concerns, and then the Commissioners would take a pole of what the Commissioners thought.

Commissioner Georgelos asked if there was concern about the bollards outside of the resorts along the sidewalks, the number of lights and illumination considered, and other aspects as well.

Commissioner Campbell asked the Town Engineer if he had concerns with the lighting regarding the vehicles. He wanted the pathway to be as safe as possible for pedestrians, and that would require lighting. He liked it when desert trees were up-lit. He supported the design.

Mr. Mood responded that there were no safety concerns, but a maintenance issue. Lighting would not impact a driver.

Commissioner Wastchak liked the design. The height of the light-poles could be a concern, but the trees around them would be much taller. He is fine with the bollards facing the property. He wanted the lighting there to be consistent with lighting along Lincoln Drive. Safety was paramount. He was flexible if they could keep consistency.

Chairman Wainwright agreed.

Commissioner Rose wanted the pathway to be on the safe side.

Commissioner Covington asked if this was the only property with lights along the sidewalk on Lincoln Drive.

Mr. Michaud stated there was similar lighting at the Montelucia via an easement on their property. The Visually Significant Corridors plan includes lighting. He stated that the development across the street does not require similar bollard lighting within the rights-of-way.

Commissioner Wastchak asked if the long meandering sidewalk on the north side of Lincoln Drive would have no lighting. He felt that it was interesting that there was no lighting on that path.

Mr. Michaud stated there would only be street lighting at major intersections. Landscaping lighting was not required with that Special Use Permit.

Commissioner Covington stated that the majority of the palm tree lighting would be internal and was open to the lighting. It was a well-documented plan.

Chairman Wainwright was impressed by the lighting, and that was a heavily used sidewalk. He wanted to be sure it was safe.

Mr. Michaud summarized that the next meeting, they would review lot coverage/floor area ratio, the draft ordinance, and revisit items.

Chairman Wainwright was grateful for the presentations. He asked if Commissioners had any thoughts on the right-of-way relating to Lincoln Drive.

Commissioner Wastchak noted his only issue with the dedication of

right-of-way versus easement was already discussed. Once that issue was addressed, he was satisfied with what the Commission had done based on staff's presentation and their thoughtful approach.

Commissioner Georgelos commented that, in general, her concerns with right-of-way dedications were for the Town to acquire the dedications during the Special Use Permit process. She understood that the dedication is based on the staff information provided. If there wasn't a use for another travel lane, that was fine, but didn't want there to be a misstep. If there was never a time that another lane would be added, then the current plan was fine.

Commissioner Campbell stated his concerns were addressed earlier in the meeting, and he was satisfied.

Commissioner Covington deferred to the Town staff and Town Attorney. He felt if they were satisfied, he was also.

Chairman Wainwright commented the third story element was essential to the applicant. The Commissioners were comfortable with what was provided.

5. PUBLIC HEARINGS

None

6. ACTION ITEMS

None

7. CONSENT AGENDA

A. [20-315](#) Approval of July 7, 2020 Planning Commission Minutes

A motion was made by Commissioner Campbell, seconded by Commissioner Wastchak, to approve the minutes. The motion carried by the following vote:

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

Absent: 1 - Commissioner Lewis

B. [20-316](#) Approval of July 21, 2020 Planning Commission Minutes

A motion was made by Commissioner Campbell, seconded by Commissioner Wastchak, to approve the minutes. The motion carried by the following vote:

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



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Final

Planning Commission

Tuesday, July 21, 2020

6:00 PM

Council Chambers

**IN-PERSON ATTENDANCE AT PUBLIC MEETINGS HAS BEEN SUSPENDED UNTIL
FURTHER NOTICE. WATCH LIVE STREAMED MEETINGS AT:
<https://paradisevalleyaz.legistar.com/Calendar.aspx>**

1. CALL TO ORDER

Chairman Wainwright called the meeting to order at 6:05 p.m. allowing time for all Commissioners to enter remotely to the meeting.

STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller attended remotely
Planning Manager Paul Michaud
Senior Planner George Burton
Town Engineer Paul Mood attended remotely

2. ROLL CALL

Present 7 - Commissioner Jonathan Wainwright
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Daran Wastchak
Commissioner Orme Lewis
Commissioner Thomas G. Campbell
Commissioner James Rose

3. EXECUTIVE SESSION

None

4. STUDY SESSION ITEMS

- A. [20-312](#) Continued Discussion of a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort
- Paul Gilbert, project representative, highlighted some of the changes they have made as a result of comments from the last Planning Commission meeting including changes to the landscape plan. He assured the Commission that a roof top bar was not included in their plans. He explained, the third-floor amenities consisted of self-serve snacks for guests only, work space, seating

areas, restroom, exercise space, and hotel storage. He clarified that there will be no outdoor speakers or after hours access.

Mr. Gilbert reviewed the Statement of Direction (SOD) standards and addressed how the resort complied with each standard. He shared that it met the use requirement since the properties primary function was as a resort and with accessory uses including a restaurant and coffee shop which are primarily intended for hotel guests. He shared that the resort met the setback standards under the SOD and pointed out how they have altered their plans to reduce any potential noise issues including placement of amenities and balconies.

Mr. Gilbert commented that the applicant team is working to finalize an acoustical study, and indicated this study is in compliance with the SOD. He addressed the traffic, access, and circulation SOD standards and efforts done to comply. He pointed out that the applicant wanted to further discuss what the Town wants versus what the Town needs for the dedication on Lincoln Drive since the requested 65 feet of dedication would kill their project.

Paul Michaud, Planning Manager, provided an overview of the project including a project summary. He noted that no new comments had been made since the last meeting and two citizens expressed concerns with density at the last meeting. He then pointed out a list of things that had and had not been provided by the applicant as requested by the Commission at the last meeting.

Mr. Michaud reviewed some of the efforts made to lower the resorts impact to adjacent uses, including no balconies on the exterior side of the resort, three-foot-tall parking lot screen walls, and designated loading area located away from nearby residence and resorts. He pointed out that other potential impacts to adjacent properties would need to be more fully discussed including noise, light, and traffic.

Mr. Michaud presented further details on the proposed and requested setback standards for principle and accessory structures. He indicated that they met the setback requirements. He presented a brief overview of the landscape and parking setbacks which currently did not meet the guidelines but would be discussed further at the August 4, 2020 meeting.

Mr. Michaud continued his presentation addressing information provided in the traffic study which included sight and visibility, access, and parking. He noted that there was a need to secure more appropriate cross access easements and that there was a discrepancy on the amount of parking and valet spaces between studies. He shared that the Town was working on a sidewalk project along Lincoln Drive which the property owner was coordinating with the Town. He shared several other details concerning other sidewalks and walkways along and inside the site.

Mr. Michaud provided further detail regarding the right-of-way. He noted that the General Plan called for a 65 foot right-of-way from the centerline, but the applicant was proposing 45 feet and 6 inches. He pointed out that the current right-of-way was 33 feet and that a 65 foot right-of-way would impact parking as well as building design plans.

Chairman Wainwright opened up the meeting for public comment on the item. No public comments were offered.

Commissioner Rose asked why the parking study projected 50% of the parking for the event lawn and pavilion would come from the resort.

Mr. Gilbert explained that the parking discussion is set for the August 4, 2020 meeting and the applicant team will work through those numbers more before then.

Taylor Robinson, property owner, stated with the nature of the resort and the resources on site that if an event for 100 people would be booked on the event lawn they would require a portion of the attendees to book a block of rooms and that occupancy numbers would not create an issue with the parking numbers.

Commissioner Rose stated that he did not have concerns with the third-floor amenities.

Commissioner Wastchak asked if the plan is to use the Lincoln Plaza Medical Center parking lot for overflow parking. He noted that may alleviate some of the parking issues for evening events.

Paul Mood, Town Engineer, responded that the applicant provided a shared parking agreement with the medical center for 25 spaces. He added that the agreement indicated the spaces could not be used by employees and that they would be available from 5:30 p.m. to 7:00 a.m. He noted that it was a month to month agreement.

Commissioner Rose expressed concern that it was limited to only 25 spaces and that it was quite a distance for valet parkers to get the cars to that area.

Mr. Mood indicated he could address these details further at their next meeting.

Commissioner Wastchak expressed that he hoped the project would include no amplified music in their stipulations.

Mr. Gilbert replied that his client is willing to accept that stipulation.

Commissioner Campbell commented that he appreciated the change in tree type and layout to improve the screening on the south side. He added that as long as the applicant can accomplish what the Town wants to do he was fine being somewhat flexible with the width of the right of way dedication. He added that he was grateful for the further detail on the third-floor space and the decision to not allow any amplified music.

Commissioner Georgelos stated she valued the changes made in response to the Commissioners' previous comments. She indicated that she would still prefer having some of the changes made to the third-floor amenities included in the stipulations to ensure what the use of the space will be. She indicated that she still had concerns with parking for the site. She added that she is

concerned about the future growth of Lincoln Drive and was not comfortable with the proposed smaller dedication.

Commissioner Wastchak pointed out that Commissioner Georgelos comments about needing to plan for the future growth on Lincoln Drive were valid. He asked Mr. Mood if he felt the Town were really losing concerning future needs and capacity by allowing for the smaller right-of-way.

Mr. Mood explained that Lincoln Plaza Medical Center has dedicated 40 feet of right-of-way next to a sidewalk and utility easement that ranges from approximately 8 feet to 17. He clarified that theoretically meant that the Town would not be able to widen the roadway in front of Lincoln Plaza Medical Center. He shared that other areas along Lincoln Drive ranged from 40 feet to 65 feet, which would require the Town to acquire additional land to add in a third lane. He remarked that the proposed 45 feet and 6 inches gave the Town enough room for two lanes of traffic in both directions in addition to a right turn deceleration lane and sidewalk along the road.

Mr. Mood stated that the reduced width may not allow for future drainage or utility improvements in the right-of-way. He explained that the current Lincoln Drive Improvement Project storm drains were already covered and that utility companies would need to work with Lincoln Plaza Medical Center and Smoke Tree Resort to relocate utilities within the 45 feet.

Commissioner Wastchak asked if there was anything more to do as far as traffic was concerned if additional lanes could not be added.

Mr. Mood shared some of the improvements the Town is making with the Lincoln Drive Improvement Project including changes to optimize traffic signal timing and turning lane additions.

Commissioner Georgelos inquired why staff recommended the 65-foot dedication.

Mr. Mood stated that per the General Plan staff asks for the 65 feet, but the SUP process allows for negotiations.

Andrew Miller, Town Attorney, clarified staff always asks for 65 feet, but on some projects have taken less or in different formats through a negotiation process and depending on the individual situation of each property. He pointed out that requiring the 65 feet would put a hardship on the applicant in regard to their site plan and parking.

Commissioner Georgelos expressed that she would take into consideration the comments that had been made, but still felt uncomfortable that the reduced width decreased flexibility for future improvements.

Commissioner Covington inquired on the exact numbers.

Mr. Michaud replied the proposal was for a 45-foot and 6-inch dedication with no additional easement.

Mr. Miller pointed out that with many of the other developments there was a 40-foot right-of-way with an additional 25-foot easement which allowed for more possible future flexibility.

Commissioner Georgelos suggested that if the Town does not require the full 65 feet for the right-of-way dedication that the Planning Commission might consider a larger additional dedicated easement.

Commissioner Covington commented that the change from a lounge room to an exercise room was a big improvement on the third floor amenity.

Commissioner Lewis stated he believed the third floor was going to be for socializing and not for exercise.

Mr. Robinson replied that the Commission suggested some additional uses, including a fitness facility, that would make the site more of a resort than a hotel which they felt was an appropriate use on the third floor.

Commissioner Lewis remarked that he would prefer the development being limited to two stories.

Mr. Robinson pointed out that in the traffic study done for Lincoln Plaza Medical Center there was five times as many cars that would visit that site then the resort. He commented that the proposed traffic light timing changes were recommended to happen regardless of what development does or does not happen at the Smoke Tree Resort site.

Commissioner Georgelos noted that in general she is not in favor of the third-floor heights, but noted the project meets the 36-foot height requirement. She shared that she still felt it was a very dense development which is driving some of the issues.

Chairman Wainwright stated that he was comfortable with the reduced right-of-way as long as the Town was comfortable that what it needed for dedication. He shared that he is enthusiastic about the third-floor element since it will create some architectural interest as well as a nice gathering space.

Mr. Michaud asked for further information from the Commission regarding timing of public meetings.

Chairman Wainwright indicated he would like to see the public meetings take place at the earliest date possible.

Commissioner Georgelos recommended giving themselves some more time since there are still several issues that need to be addressed.

Mr. Gilbert stated they were flexible and willing to accommodate anything that needs to be done.

Further discussion was made on a tentative schedule moving forward.

Commissioner Rose inquired how Mr. Robinson arrived at the density of 122 guest rooms.

Mr. Robinson explained that they had to consider what number of rooms it would require to justify resort operations without relying on the prevalence of accessory uses that would otherwise bridge the gap.

Commissioner Rose asked who their competitors were for this project.

Mr. Robinson replied the resort will be in the four-star category and is most like the Montelucia resort.

Commissioner Rose commented that the project lacks many of the resort amenities and was concerned about the density. He inquired if the pavilion space was included in the traffic study.

Mr. Robinson responded he did not know, but would look into that and respond as soon as possible. He shared that the traffic engineer will be present at the August 4, 2020 meeting as well.

Mr. Robinson provided an explanation on why it was currently a month to month contract including restrictions on the medical center site. He noted that hopefully by the August 4, 2020 meeting there will be consensus on what the peak parking demand will be and if this project can meet that requirement on their own without the additional parking agreement with Lincoln Plaza Medical Center.

Chairman Wainwright suggested they move forward with scheduling the public meetings as soon as possible.

Mr. Michaud clarified that they would move forward with having the applicant send out a notice for a neighborhood meeting in mid-August, a Planning Commission Citizen Review on September 1, 2020, and a hearing date on September 15, 2020. He noted that if dates changed the applicant would be required to send out new noticing.

No Reportable Action

B. [20-313](#)

Discussion of Changes to Rules of Procedure for the Planning Commission

Mr. Miller provided background information on the item. He pointed out some of the major issues the Town had, which included late submittals of materials by applicants and general public, clarity on the allotted speaking times, and timing requirements and agenda setting requirements for motions to reconsider a motion or action taken at a prior meeting. He indicated that all the changes had been highlighted in the document.

Mr. Miller pointed out some additional changes, one of which was additional clarification on the application requirements. He noted that the Town will no

longer consider an application complete until all the documentation has been received. He noted that application material needed to be submitted five days prior to the date and time that the agenda packets are distributed to the Commission. He shared additional changes to submittal deadlines including earlier submission of any digital presentations from applicants among others.

Mr. Miller shared that speaking times were often limited to three minutes, but a spokesperson for a group may be allotted more time to speak by the chair, but not in excess of 15 minutes. He pointed out some specific changes made to the procedures for motions to reconsider. He clarified that an item that has received a passing motion to be reconsidered will be discussed at the meeting in which it received the motion to be reconsidered. He encouraged members of the Commission to read over the changes and contact him with any further questions. He suggested that the Planning Commission could discuss the item further at a study session.

Commissioner Wastchak asked if the training manual that was also provided to them was cited in the resolution document they reviewed.

Mr. Miller replied that it did not.

Commissioner Wastchak commented that their copies of the document did not have the changes highlighted which made it more difficult to identify what language had been changed.

Mr. Miller indicated that he could send them the redline version as well.

Commissioner Georgelos stated that it might be helpful to have a redline version in their packets for future discussions, so they can make comparisons to the previous version.

No Reportable Action

5. PUBLIC HEARINGS

None

6. ACTION ITEMS

None

7. CONSENT AGENDA

None

8. STAFF REPORTS

Mr. Michaud announced that the Town recently hired a part time Special Projects planner named Loras Rauch who will be starting next week. He indicated the position was temporary and that she would be assisting the Planning Department while the Community Development Director position

remained vacant.

Commissioner Wastchak inquired what the plan was for the Community Development Director position.

Mr. Michaud stated his understanding is that the Town was not looking to fill the position immediately. He added that he was unsure of the timeline but did not believe they would be seeking out a new director for the remainder of this year.

Commissioner Wastchak expressed concern that they were going through a General Plan Amendment without a director.

Mr. Michaud noted that one of the roles of the temporary position was to help manage the General Plan.

9. PUBLIC BODY REPORTS

Commissioner Wastchak pointed out that the recent newsletter did not include plans for a pull in/drop-off area for the La Cholla trailhead and was concerned that traffic and safety would be a problem if it happened on Invergordon Road. He inquired if anyone had brought the topic up with the City of Phoenix.

Mr. Michaud indicated that issue was discussed in a recent staff meeting and that a staff member was supposed to reach out to the City of Phoenix about it.

Commissioner Wastchak requested that they gather further information on that issue.

Mr. Miller stated that it was his assumption that wherever the location of the new trail head will become the unofficial drop-off area and that the Town Manager was talking with the City of Phoenix to get more information on where that will be and how a drop-off will work.

10. FUTURE AGENDA ITEMS

Mr. Michaud announced that the next meeting was scheduled for August 4, 2020. He shared that there was only one agenda item which was the continued discussion of Smoke Tree. He shared that they will likely have additional items on their agendas as they get into September.

11. ADJOURNMENT

A motion was made by Commissioner Wastchak at 8:48 p.m., seconded by Commissioner Campbell, to adjourn the meeting. The motion carried by the following vote:

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



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Final

Planning Commission

Tuesday, July 7, 2020

6:00 PM

Council Chambers

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1. CALL TO ORDER

Chairman Wainwright called the meeting to order at 6:15 p.m. The meeting was delayed due to some technical issues with some Commission members connecting remotely.

STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller attending remotely
Community Development Director Jeremy Knapp attending remotely
Planning Manager Paul Michaud
Senior Planner George Burton
Town Engineer Paul Mood attending remotely

2. ROLL CALL

Present 7 - Commissioner Jonathan Wainwright
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Daran Wastchak
Commissioner Orme Lewis
Commissioner Thomas G. Campbell
Commissioner James Rose

3. EXECUTIVE SESSION

None

4. STUDY SESSION ITEMS

- A. [20-307](#) Discussion of a Major Special Use Permit Amendment (SUP-18-05) -
7101 E Lincoln Drive - Smoke Tree Resort

Indexes: Smoketree Resort

Commissioner Wainwright began the meeting. He noted the agenda item was a continuation that did not get a recommendation for approval from the Planning Commission in March 2019. The Town Council had modified the Statement of Direction (SOD) and sent it back to the Planning Commission. He noted this was for the Smoke Tree Resort Special Use Permit (SUP) Amendment.

Paul Gilbert, representing the property owner, stated that the applicant team is available on the call for questions. He noted that items had changed on the application since 2019 that he will summarize. He hoped the Commission would be pleased with the changes. Below are some of the items Mr. Gilbert brought up:

- The General Plan designates the property as a redevelopment area.
- Section 1 of the SUP guidelines states the Town could require less or more restrictive standards. Mr. Gilbert felt the project meets the less restrictive standard due to their proximity to Scottsdale, the small size of the property, the property is surrounded on all three sides by commercial zoning, and only the western boundary is adjacent to a residential area.
- The SOD stated that the Planning Commission should take into consideration the approximate five acre size of the site and reduced density on the west and south sides, which had been done.
- The applicant had located the more intense uses in the front and center of the property.
- The applicant addressed safety concerns by removing a driveway on Lincoln Drive and combined an entrance on Lincoln Drive with the adjacent medical center.
- The applicant preserved viewsheds and reviewed them, concluding no adverse effect of neighboring properties.

Additionally, Mr. Gilbert noted that the June 2020 comments from the Town Council were positive. He listed the changes to the plan since March 2019.

- Eliminated the "for sale" units
- Reduced the number of units from 180 to 122
- Reduced the density on the south and west borders
- Increased setbacks from the south property line to 60 feet
- No third-floor room spacing
- All third-floor rooms face Lincoln Plaza Medical Center
- Only 15 keys on the third level
- Removed balconies on the west side to protect residential privacy
- 100 feet between the residential property on the west to the nearest structure which was limited to 24 feet in height

- The noise generating elements are located inside of the structure
- The dining area for the restaurant has been moved away from the residential neighbors on the west
- Eliminated roof elements
- Agreed to a maximum height of 36 feet from natural grade
- There would be areas that the buildings will be lower to ensure they comply with the height restriction
- Chimneys and architectural features comply with the 36-foot height guideline
- There were Open Space Requirement (OSC) guidelines on the south and west sides that they met; and not on the east side
- There was good feedback from the neighborhood meetings
- There was an issue with the parking spaces needed and agreed with the Town Council to develop a parking management plan

Chairman Wainwright thanked the applicant. He noted he may have questions for them and would allow them to address any public comments. He asked Commissioner Rose to introduce himself.

Chairperson Jim Rose looked forward to being on the Planning Commission. He gave his background and career history. His experience had been in product development and hotel management.

Chairman Wainwright thanked Commissioner Rose.

Planning Manager Paul Michaud presented the SUP application to the Commission. He explained that he would review the background, the revised SOD from the Council, density, heights, and viewsheds.

Mr. Michaud showed slides comparing the 2019 and 2020 site plans. He identified ground level, second-level, and third-level plans. He read in entirety the revised SOD.

Mr. Michaud provided a tentative schedule with each meeting date corresponding to topics within the SOD. He noted he would address the three items for discussion during this meeting unless otherwise directed.

Mr. Michaud reviewed the density. The SUP Guidelines state that the maximum density of guest units should equal 1 unit for every 4,000 square feet of site area. The current proposal shows 122 units or 26 units per acre for this approximate five acre site. The SUP guidelines recommended a maximum of 11 units per acre. The average Paradise Valley Resort has nine units per acre and is 40 acres.

Mr. Michaud reviewed the project height. He noted the SUP Guidelines

recommend maximum building height of 36 feet, accessory structures at 24 feet, and service structures at 18 feet. The proposed height was complying from the natural grade as well as the accessory structures. He added that the main guest unit building sits at a two-foot lower grade near the pool area.

Mr. Michaud continued on the criteria for open space regarding viewsheds. There is an encroachment on the third story facing Lincoln Plaza Medical Plaza and on the pedestrian archway along the Lincoln Drive side.

Chairman Wainwright opened the public comment portion.

Melvin Comstock, resident, felt that Paradise Valley would benefit from the resort. He was concerned that the density was 2.5 times greater than the SUP guidelines. He noted the development of the Ritz-Carlton and the Smoke Tree Resorts would add traffic to Lincoln Drive and there are already existing concerns on Lincoln Drive without the resorts being open. He understood the economic need for a certain number of units, but felt that it should be the developers' responsibility to address.

Chairman Wainwright noted he had been in email contact with Mr. Comstock and indicated he could continue to communicate with him.

No additional comments were made. The public comment portion was closed.

Chairman Wainwright asked if the Commission had questions for the staff or applicant.

Commissioner Rose asked if the applicant would be able to accommodate the stipulation for the outdoor portion of the restaurant or lounge to not be in use after 10:00 p.m.

Taylor Robinson, applicant, noted the amenity on the third floor is for guests only. A key card would be needed to access the area and the elevator. This provisions will allow them to control when the area was accessed.

Commissioner Rose asked if there would be entertainment in the lounge area.

Mr. Robinson noted the resort management would have to coordinate that to not conflict with the events in the pavilion or on the event lawn.

Commissioner Rose asked how many people could gather on the event lawn and if there would be entertainment.

Mr. Robinson responded that the peak number was 200 people. The event space wasn't designed for corporate customers, but 200-person events. Entertainment would have to follow Town noise ordinances and stipulations that are in place.

Commissioner Lewis was concerned with the proposed small corner market near a larger grocery store and the impact of traffic.

Paul Gilbert addressed the concern by stating the store is very small. The shop would be 2,000 square feet and would not generate much traffic.

Mr. Robinson recognized that the primary use of the resort was the guest units. He noted that accessory uses should be for guests only. He referred to the area as a gift shop with sundries and things catering to a coffee shop or similar function. It would be internally facing and could only be accessed by entering the resort main entrance. He recognized that some outside patrons would visit, but the majority would be resort guests.

Commissioner Wastchak inquired about traffic entering through the Quail Run Road and Lincoln Drive access points, specifically what will prevent a driver from using the Lincoln Drive access.

Mr. Robinson noted that the primary access will be on Quail Run Road. The shared access with the Lincoln Medical Center is already in discussion. The right turn deceleration will not be installed until a future date. He noted the design intent is to separate any traffic to the resort which would be guests or visitors for events to use the main entrance. The second entrance on Lincoln Drive would be primarily for service entrance and deliveries. Deliveries would be brought from Scottsdale Road and make a left turn into the Lincoln Drive entrance which is nearest the loading dock. It would not prevent people from making a button-hook turn to use the coffee shop; however, it would not be convenient.

Commissioner Campbell asked if the market had an entrance to the north or just one to the courtyard to the west.

Architect Eric Peterson stated there would be windows and cafe tables to the north. The majority of windows/door will open to the courtyard. He did not feel the market and coffee shop uses will draw much traffic as it would not be publicized.

Commissioner Campbell, referring to Sheet A11, stated that he was glad to see the vertical construction to the north and interior of the site. The parking on the perimeter eliminates any landscape buffers to the site

except for trees. The Desert Willow tree proposed does not get large. He asked if a more ambitious tree could be planted as that is the only landscaping buffer they have to screen the buildings. He wondered if the north row of trees in the south parking area could be staggered to create visual mitigation.

Responding to a question on the south and east landscaping, Mr. Michaud stated there are mock orange hedges proposed along these property lines.

Commissioner Campbell asked what the mature height of those hedges would be.

Mr. Michaud stated those hedges are shown at 6 feet in height at full maturity.

Mr. Peterson noted that the shrub hedge was mostly on the Andaz property, and they anticipate that hedge staying. The west and residential side had significant landscaping. The east side did not have as much landscaping, as that was next to the medical center. He noted the trees could be staggered. Larger trees would limit how many cars could be parked. If larger trees were installed, they would need to eliminate parking spaces.

Commissioner Campbell asked if there was a five-foot island for the trees.

Mr. Peterson stated they are willing to look at different tree options. He commented that the third story element was along the east side of the property.

Commissioner Campbell noted that the east area should be the direction to stagger the trees to create a buffer.

Chairman Wainwright asked if Commissioner Campbell had a type of tree species he would recommend.

Commissioner Campbell noted he did not have a recommendation.

Commissioner Wastchak agreed with Commissioner Campbell. He felt staggering the trees to create more screening was a minor request that he hoped the applicant would consider. He was pleased with the setback on the south side.

Commissioner Campbell reiterated he would like a different species of tree. He noted that if larger trees were a challenge next to buildings that the south line of trees could be diversified.

Mr. Peterson stated he would relay the request to the landscape architect and did not see that being a problem.

Chairman Wainwright agreed with Commissioner Campbell regarding the staggering of trees and also diversifying the tree species.

Commissioner Georgelos agreed with comments made regarding the trees and landscaping buffer. She felt that creating a buffer should be a priority and did not feel that the current plan was enough.

Commissioner Wastchak commented the south elevation greater setback was good. He asked if the Andaz owner has provided a letter or any information regarding their support of the development.

Mr. Robinson noted he was the last person to speak with the representative for Andaz. His last meeting was in September 2019. Since that time, the applicant has worked with staff to improve the plan. The current plan was taken to the Andaz. He felt their response acknowledged the site and the necessary parking. He noted that the owner of Andaz has not fully endorsed the project, but is what they expected to see. He will ask the owner of Andaz to submit comments to the Planning Commission.

Chairman Wastchak stated he would not consider a vote until he has received comments from the Andaz.

Chairman Wainwright would consider the neighbors regarding their project and thanked the applicant for reaching out to the Andaz management.

Commissioner Covington stated that screening of the southeast corner from the third story element would be an item of interest. He asked if the lounge on the third floor will be enclosed.

Mr. Michaud stated that there was an enclosed element shown on the plans.

Mr. Peterson noted that the intent was an amenity room used by hotel guests. There is glass that surrounds the area and leads to a roof deck. He noted that all sound ordinances and times of operations will be followed. Anything extending outside of that will be indoors. The lounge will not be open to the public, but an open room for guests to book for parties. He noted there was a glass element that could be closed to bring use inside.

Mr. Robinson referred to Sheet A21 to clarify the uses. He clarified that areas labeled B were enclosed in glass. The doors shown could all be closed at any time, whether that is the Town noise ordinance or the SUP

schedule. The areas labeled as C were outdoor and would not be used after set time parameters.

Chairman Wainwright asked how many people the rooftop deck could accommodate.

Commissioner Covington asked staff for the final landscaping plan for the medical center for a better idea of what the southeast exposure will be.

Mr. Michaud stated this landscape plan will be provided for the next meeting.

Commissioner Covington was primarily concerned about the south and west property lines.

Mr. Peterson noted he would verify the occupancy of the 3rd floor amenity and let the Commission know once he had the information.

Chairman Wainwright asked for an estimated occupancy for the lounge area.

Mr. Peterson stated that most likely, no more than 100 people would be allowed.

Commissioner Rose asked if a guest could rent the space and invite people from the outside to an event.

Mr. Peterson stated that they would not. The use of the area was only for guests. Access control would be used to verify guests.

Commissioner Georgelos asked how the 3rd floor amenity will look. She asked if the area labeled A is supposed to be an event space flowing out to areas B and C.

Mr. Peterson referred to Sheet A21. He circled the area labeled B, which would be enclosed with a glass roof. The area labeled C would be completely uncovered. Area A was the air-conditioned closed space. He noted this was only for guest use. Area A could be used as a meeting area or a space rented by guests to use for their purpose.

Mr. Robinson noted the amenity was not to be active year long. It would only be active during peak levels or high season.

Commissioner Georgelos wanted to understand the use of the area. She understood the active time periods. She asked if it was for guests of the resort or parties of guests of the resort. She asked if music or

entertainment would be optional.

Mr. Robinson noted that if a guest wanted to use the space other than for themselves, it would need to be discussed with unified management of the resort. The intent would not allow the guests entertainment or any food preparation. For the area to be used, it would most likely be during maximum occupancy. It was just an amenity space for resort guests.

Commissioner Georgelos asked if it would be a luncheon or meeting/presentation conference space.

Mr. Robinson noted the intent was not a conference area. It would be an area that guests could order food from downstairs, order drinks, or reserve tables.

Commissioner Georgelos asked if those types of uses would include area labeled A. She noted the area did not show any seating. She asked if this area was for friends to gather and relax.

Mr. Robinson commented he would add more furniture on the diagram. He noted she was correct about the use of area A being the same as area B and C.

Commissioner Campbell felt that persons other than guests of the resort will use this space. He felt the area labeled A would be used as a party space. He wanted to stipulate the uses, including no amplified music or sound, and within the hours of operation set. He noted that changes in management could cause this area to be used differently.

Chairman Wainwright felt this area would have the best views and was concerned about the overflow. He felt the comments regarding music were validated.

Commissioner Wastchak agreed with previous comments. He felt non-amplified music should be added as a stipulation. The elevation would be problematic with any increased noise. He lives close to the Andaz resort and can hear the pool used on the ground level.

Commissioner Georgelos wanted the area to be a positive amenity for the resort. She felt this area could easily be misused. She felt it would be enticing for the management to use more intensely. She was concerned about area A used as a reception space and that over time the uses could change. She wanted to continue the discussion regarding that use.

Mr. Gilbert commented he would return to the Commission with precise

details on how the space would be used.

Chairman Wainwright thanked Mr. Gilbert. He confirmed that they would bring any concerns to the applicant promptly.

Commissioner Rose felt the lounge area would be rented out for parties by non-resort guests. He was concerned that the parking would be affected. He mentioned the architect was discussing round tables in the area and up to 100 people using the space. He felt that could add up to 50 cars. He wanted a stipulation that this would not be rented to non-resort guests.

Commissioner Georgelos thanked the applicant and others doing work on the project. She wanted to move forward and discuss the issues. She looked forward to working with the applicant in a positive direction. She asked if Mr. Michaud could walk through the heights and viewsheds.

Mr. Michaud discussed building heights.

Commissioner Georgelos asked if that area was included on the front Lincoln Drive perimeter.

Mr. Michaud confirmed it was. The accessory structures could not exceed 24 feet, and all buildings except the pavilion roof meet the height standards. He added that none of the primary use structures exceed the 36 feet in height from natural grade.

Commissioner Georgelos asked if the building had been lowered 2 feet from the original grade.

Mr. Michaud stated that from natural grade, the building was 36 feet; however, the total building height was 38 feet. They excavated the building and set it 2 feet lower than the natural grade. Only the interior portions of the building near the pool were lower than the natural grade.

Mr. Peterson referred to Sheet A23 and detailed that from the inner courtyard, the 2-foot drop was only visible from the courtyard and interior.

Mr. Robinson commented the natural grade guidelines were designed for a resort that is a minimum of 20 acres. This was a pre-existing resort, and the site is under five acres. The original grade had a natural five-foot fall from the southwest to northeast corners.

Commissioner Campbell referred to Sheets A18 and A19. He was not able to see the dimensions of the viewsheds on the plan.

Mr. Robinson explained the open space criteria determined the viewshed dimensions. The method for calculating the lines was outlined in the SUP guideline. They took a distance from net property lines, up 16 feet, then proceed at an angle to establish the lines. The south and west sides meet the criteria. The east side had an encroachment against the Lincoln Plaza Medical Center. There was a tower element that encroached when the formula was followed.

Chairman Wainwright noted the tower was an architectural feature. He felt it made the project more interesting but did violate the open space criteria.

Commissioner Lewis felt the project had vitality. He wanted to be sure that the Commission was looking at the project conventionally and not eliminating every feature.

Commissioner Wainwright agreed.

Commissioner Campbell felt they should consider that the two towers on the pedestrian archway had a hip roof. It gradually slopes and felt the impact was minor. He supported the towers as drawn.

Commissioner Covington stated he agreed, but would like a rendering showing the towers from the other side.

Commissioner Georgelos referred to Sheet A18 and asked if the numbers equaled 38 feet. She asked that this sheet be clarified because of the two feet that will be excavated.

Mr. Robinson answered, yes. The 36 feet is from the natural grade line, and the other number goes down to the courtyard and equals 38 feet. From the inside, the natural grade is 38 feet. He said that the sheet will be revised.

Commissioner Campbell asked if there was a grading plan or if one could be provided at a later date.

Mr. Robinson confirmed the grading plan was in the civil plan set. He would clarify the spot elevations. It was not outlined in the plan the Commission had.

Commissioner Georgelos asked about the right-of-way dedication reflected in the application. She wondered if there is a greater dedication possible.

Mr. Robinson noted that if a greater dedication were made on Lincoln

Drive, the impact would be substantial. The Town Engineer required a 65-foot dedication pulling into the parking on Lincoln Drive. Lincoln Plaza Medical Center was revising landscaping and installing sidewalks. The Town was also installing a sidewalk. The proposal of the right-of-way dedication had been arrived at with the Town Council.

Commissioner Georgelos was concerned that Lincoln Drive would continue to get busier. In case a change was needed in the future, the worst case would be no possibility for expansion. She wanted to continue the discussion on the dedication.

Commissioner Campbell asked the staff to address the final dedication on the Lincoln Plaza Medical Center.

Mr. Michaud stated his understanding was this owner granted 40 feet of dedication and a 16 ½ foot easement for utilities.

Mr. Miller stated there was a development agreement with Lincoln Plaza Medical Center that dedicated 40 feet from the center line and a sidewalk and utility easement that varies between 15 and 22 feet. It tracks the front of the north side wall on their property. The concept is to create a business corridor improvement-a shared access agreement between Lincoln Medical to provide access.

Commissioner Campbell felt the Commission should have the information on how the two projects will work together. They wanted to see any type of agreements that have been made.

Commissioner Georgelos agreed with Commissioner Campbell that they should see how the two projects would work together. She asked the applicant to explain the project density.

Mr. Robinson stated originally the proposed density was higher, which included a residential component. Through the prior Planning Commission and Town Council meetings they realized that use was not supported. They tried to find use for the property without a residential component. There is a critical mass to the resort operations. They had tried to find a balance for the critical mass, and the support for a unit count resulting in 122 room keys. The parking was also included in finding this balance. Other resorts were an average of 20 acres. The calculation was skewed due to the resort size being much less. The resort would ensure the accessory uses be followed. The Hermosa Inn has significantly fewer rooms, but the accessory uses are primary. Most of the traffic at Hermosa Inn is due to outside sources. The proposed project is meant to accomplish the primary use as a resort with limited accessory uses.

Commissioner Georgelos stated there was a substantial reduction in density for the site. Her issue was that the density was still greater than what would be on the site per unit. She agreed it was a smaller site, but with 122 keys she was concerned with parking. She felt the totality of the resort should be discussed.

Mr. Robinson looked forward to discussing the parking at another meeting. He noted that three analyses had been done for the parking. The calculation addressed a peak parking demand of 199 spaces. They would be able to accommodate that using a valet plan. A more up to date Urban Land Institute (ULI) parking plan stated peak parking demand would be under 150 spaces required. They are waiting for the third study and would then compile the three reports to bring a complete study to the Commission.

Commissioner Georgelos stated there are multiple resorts that are under parked. That included valet plans. She felt it would be a large issue for the resort.

Commissioner Wastchak commented that Mr. Gilbert alluded that the Commission is looking for cooperation from the Town Engineer that has not been provided. He asked Mr. Mood to address that point.

Mr. Mood confirmed they had information from Kimley Horn. Town staff and the Kimley Horn staff are currently reviewing the information and would then pass that to Smoke Tree representatives. Kimley Horn cannot release the full model for proprietary reasons.

Mr. Gilbert stated he has never had a model not shared due to proprietary reasons. He felt it was unusual and inhibited them from putting together a parking plan.

Chairman Wainwright asked why the information was proprietary.

Mr. Mood stated he did not have that information but was told that from Kimley Horn.

Mr. Mood stated the staff received the model last Thursday of the previous week and have just started looking through the model.

Mr. Gilbert noted they would like to see it once it was reviewed and studied.

Chairman Wainwright asked if that was a reasonable request.

Mr. Knapp noted he would provide the input and output of the model, but would not provide the software to run the model as that would be proprietary.

Commissioner Rose asked if a traffic study had been completed.

Mr. Michaud stated that there was a traffic study in the packet provided to the Commission.

Commissioner Wastchak noted they should push back the parking study from the next meeting to a future date. He wanted the Commission to have all of the information needed before adding items to future agendas.

Mr. Gilbert felt that discussing the parking study should be pushed back to allow all parties to review the information.

Mr. Michaud detailed the next meeting agenda. He stated the parking discussion will be set for the August 4 meeting. He asked if there was particular direction or comments needed on density, height, or viewsheds to give to the applicant or staff.

Commissioner Lewis noted the density is anchored to the parking. He asked what the protocol of the Town for parking spaces for mini cars or if all spaces should be the same dimensions.

Mr. Michaud stated the code specifies 180 square feet for parking stalls. If something different were needed, it would need to be addressed through the Special Use Permit.

Commissioner Wastchak stated the Commission should provide the applicant with the list of what is needed. He felt the density would be tied to the parking and wanted to provide thoughts on height and viewsheds. He had no requests to adjust the height. The north elevation is needed to show and identify how far south the east area encroachment will extend.

Chairman Wainwright wanted other Commissioners' thoughts, so the applicant is aware of what the Commission needs to see.

A Commissioner wanted to see elevations for the encroachments on the north and south sides.

Commissioner Campbell wanted to discuss Sheet A18 and the lowest elevation. He asked if the 20-foot height from the viewshed is from the existing natural grade. He noted that the third story element viewshed had been setback enough from the Andaz property, and the Commission had

done their due diligence. He felt comfortable that the third story element is within the traditional viewshed diagram relating to the south side.

A Commissioner reiterated the viewshed of the open space criteria was calculated from the net property line and natural grade. Along the southern boundary, the building has been designed not to encroach into that boundary.

Commissioner Georgelos wanted to know what net numbers were being used and what would happen in case the dedication changed.

Commissioner Wastchak stated he was not sure what Commissioner Georgelos was requesting. He noted the dedication is on the west and north side, not the south and east side.

Commissioner Georgelos stated that the dedication change would shrink the net property size and would change the viewpoints. She wanted to know what would happen to the viewsheds with changes to the dedications. She also wanted to see changes from different perspectives.

Commissioner Campbell responded that the east and south property lines are not subject to change, what would be seen from the south was his concern.

Commissioner Georgelos wanted to verify that they are looking at the viewpoints from a standard area.

Commissioner Campbell commented the viewpoints are based on the calculation, not where someone would be standing.

Chairman Wainwright asked if Commissioner Georgelos was concerned that dedications on the north side would affect those on the south side.

Commissioner Georgelos clarified she was concerned about the net square footage and wasn't clear on how that would affect viewsheds. The Statement of Direction asked the Commission to look at the size of properties. She is primarily concerned about the east and west side. She referred to the Statement of Direction and felt the Commission needed to be concerned about the mapping and scale of the property. There should be consideration given to the views on the south side. She felt those were the main viewshed issues.

A Commissioner stated they felt the impact to surrounding properties should be considered and felt that input from Andaz was needed.

Chairman Wainwright stated that the Commission would be more comfortable with the south side if the Andaz property owner felt the same.

Commissioner Georgelos asked how the density affects the safety and quality of life for neighboring properties. She noted the density is double the guideline.

Chairman Wainwright noted this property is different in size and location. The impact on the neighbors needed to be considered.

Commissioner Lewis felt the resort fit the environment and worked best for the architectural legacy and practicality to make a resort succeed. He wanted to be careful of removing aspects of the resort because they didn't fit the guideline.

Commissioner Covington noted the density needs to work for the developer, so the resort may be successful. The density would have a direct impact on the developer. He wanted to take more time to consider the density.

Commissioner Rose wanted to know more about the traffic in the area. He felt the pavilion and restaurant would be utilized and did not want Lincoln Drive to be more congested than it already was today.

Chairman Wainwright stated they would discuss that at a future meeting.

Chairman Wainwright closed the discussion.

No Reportable Action

5. PUBLIC HEARINGS

None

6. ACTION ITEMS

None

7. CONSENT AGENDA

- A. [20-227](#) Approval of May 5, 2020 Planning Commission Minutes

A motion was made by Commissioner Georgelos, seconded by Commissioner Covington, to approve the minutes. The motion carried by the following vote: