



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes - Final

### Planning Commission

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Tuesday, December 19, 2017

6:00 PM

Council Chambers

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#### 1. CALL TO ORDER

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

#### STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller  
Community Development Director Eva Cutro  
Senior Planner Paul Michaud  
Planner George Burton  
Town Engineer Paul Mood

#### 2. ROLL CALL

**Present** 6 - Chairperson Daran Wastchak  
Commissioner James Anton  
Commissioner Thomas G. Campbell  
Commissioner Charles Covington  
Commissioner Dolf Strom  
Commissioner Jonathan Wainwright

#### 3. EXECUTIVE SESSION

None

#### 4. STUDY SESSION ITEMS

- A. [18-004](#) Police Department Enforcement Update
- Lt Freeman Carney gave an update on the Town's enforcement efforts related to persons not following laws related to bicycles.
- No Reportable Action**

#### 5. ACTION ITEMS

- A. [17-437](#) Consideration of a Minor Amendment Request to the Christ Church of the Ascension Special Use Permit to allow 5th Grade located at 4015 E Lincoln Drive
- Mr. Michaud presented the application request.

Commissioner Wainwright asked about the amount of people on the notice. He remarked that the 1,500-foot radius appears to be a burden to the applicant.

The meeting was opened to the public. No persons spoke. The public portion of the meeting was closed.

**A motion was made by Commissioner Campbell, seconded by Commissioner Strom, to deem the requested amendment at Christ Church of the Ascension as a minor amendment to the Special Use Permit zoning per the criteria listed in Section 1102.7.B of the Zoning Ordinance. The motion carried by the following vote:**

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

**A motion was made by Commissioner Covington, seconded by Commissioner Wainwright, to approve the Minor Special Use Permit Amendment for the Christ Church of the Ascension to modify the curriculum taught from preschool to 4th grade to preschool to 5th grade, subject to the following stipulations:**

1. The Property shall be in substantial compliance with the following:
  - a. Project Narrative, dated November 22, 2017, prepared by Berry Riddell, L.L.C.; and
  - b. Proposed School Expansion Statement, prepared by CivTech, dated December 5, 2017.
2. The property owner and Town shall sign and record a Waiver of Rights and Remedies agreement under A.R.S. § 12-1134 (Proposition 207 Waiver) in the form provided by the Town Attorney within 10 calendar days of the approval of this amendment to the Special Use Permit.
3. Stipulation 17 of the Town of Paradise Valley Ordinance 610 that applies to the Property, and was recorded with the Maricopa County Recorder on April 13, 2009 as document 20090326920, shall be modified as follows:

“The maximum enrollment of 1st, 2nd, 3rd, and 4th and 5th grades shall be 14 students per grade and the maximum enrollment shall not exceed 168 students.”
4. All existing Special Use Permit stipulations shall remain in full force and effect, unless changed or modified by this Minor Amendment SUP-17-09.

**The motion carried by the following vote:**

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

**B. [17-438](#)**

Luke Avenue Lot Line Adjustment/Re-orientation (LLA 17-06) - Public Meeting. 6430 E. Luke Avenue and 5602 N. Wilkinson Road (APN: 173-10-001A and 173-10-001B)

George Burton gave an update on the lot line adjustment modification. He noted this was discussed at the last study session. He stated the owner will be required to dedicate right-of-way. He explained both lots will not meet

the lot width, and requires approval of a modification on lot width.

Commissioner Covington asked if the difference in area of each lot is due to the required right-of-way dedication. It was stated that part of the reason for narrower lots is due to this dedication. Commissioner Campbell remarked that the lot width did not conform originally on one of the lots and stated that the owners are not trying to do a lot split, there were always two lots.

Mr. Burton confirmed that the front yard designation and street address on both lots will be on Wilkinson.

Commissioner Wainwright suggested the rear lot lines align in a 4-way intersection with the rear lot lines of the neighboring lots to the west, but he noted that may make the two subject lots more nonconforming.

The meeting was opened to the public. No persons spoke. The public portion of the meeting was closed.

**A motion was made by Commissioner Campbell, seconded by Commissioner Covington, to forward to Town Council the approval of the lot line adjustment modification related to lot width located at 6430 E. Luke Avenue and 5602 N. Wilkinson Road, reorientating two residential R-43-zoned lots, subject to the following stipulations:**

- 1. The lot line adjustment plat must be recorded with the Maricopa County Recorder's Office, in full compliance with the plat prepared by Arizona Surveyors, Inc., Sheets 1 - 2, and dated July 7, 2017.**
- 2. Prior to the issuance of a Certificate of Occupancy for a new single-family residence, the fire sprinkler system shall demonstrate compliance to the National Fire Protection Association standard 13D or the current equivalent code requirement.**
- 3. Prior to the recordation of the lot line adjustment plat, the property owner or designee shall submit the required improvement plans for Town Engineer approval and provide a procedure and other forms of assurances necessary for the Town to be in a guaranteed position to complete: 1) the pavement widening and curbing adjoining the subject site in accordance with the local roadway standard, Option B, of the Town's General Plan and 2) the installation of any applicable water or sewer improvements.**

**The motion carried by the following vote:**

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

## 6. PUBLIC HEARINGS

- A. [18-003](#) Discussion of a Minor Amendment to the Ritz-Carlton Special Use Permit, Area B  
SEC Indian Bend Road and Mockingbird Lane, 7000 E Lincoln Drive -  
Addition of Entrance Feature Walls and Subdivision Sign.

Eva Cutro gave an update on the application request. She stated that the Planning Commission discussed this item at the study session at the last meeting.

Commissioner Strom inquired about the model home location.

Ms. Cutro described the feature wall and subdivision sign request. She identified how the requests meet the Special Use Permit and sign regulations.

Ms. Cutro stated a representative of Five Star called yesterday to let her know that the landscaping along Ritz Carlton Boulevard is not part of this application. Responding to Commissioner Strom, Ms. Cutro stated the landscaping within the wash will be grass.

Ms. Cutro reviewed how the application meets the four Minor Special Use Permit criteria.

Commissioner Strom stated that the wall should be deemed as an accessory structure and be counted toward floor area ratio. Commissioners Campbell and Wainwright agreed.

Jordan Rose, attorney for the property owner, gave a presentation. She explained the correspondence with Five Star, noting that Five Star wanted to make clear that the landscaping will still to be worked out. Commissioner Strom stated there is no guarantee on the type of landscaping. It was explained that the approved Special Use Permit requires Town Manager approval of the landscaping. Ms. Rose showed illustrations explaining nearby structure heights on why the wall/sign height proposed is in scale with what is planned nearby.

There was discussion on the 684-foot setback the sign is from Indian Bend Road.

The applicant's architect showed a sample of the wall material.

Commissioner Covington remarked that the proposed internally illuminated letters of the sign are out-of-character with the Town. The applicant described the sign in more detail.

The public hearing was opened to the public. No persons spoke. The public hearing was closed.

Commissioner Covington expressed that he is not fan of internally lit letters. He prefers backlit letters, as with other resort signs. It was explained that the back side of the letters will be closed. Commissioner Campbell stated that backlit letters would result in a loss of effect by washing the wall below. Commissioners Campbell and Strom support the proposed sign.

**A motion was made by Commissioner Wainwright, seconded by Commissioner Strom, to deem the requested amendment for Ritz-Carlton, Area B, located at 7000 E Lincoln Drive as a minor amendment to the Special Use Permit zoning per the criteria listed in Section 1102.7.B of the Zoning Ordinance. The motion carried by the following vote:**

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

**A motion was made by Commissioner Strom, seconded by Commissioner Campbell, to approve the Minor Special Use Permit Amendment for Ritz-Carlton, Area B, located at 7000 E Lincoln Drive for 11-foot high entry monument accessory structures flanking the approved guardhouse and a subdivision sign attached to one of the walls per the submitted narrative and plans.**

**The motion carried by the following vote:**

**Aye:** 5 - Chairperson Wastchak, Commissioner Anton, Commissioner Campbell, Commissioner Strom and Commissioner Wainwright

**Nay:** 1 - Commissioner Covington

**B. [18-002](#)**

Consideration of Hillside Code Updates (Article XXII of the Town Zoning Ordinance)

George Burton reviewed the discussion from the previous Planning Commission meeting.

The detail for the overall height has been revised to add arrows.

The hillside assurance bond will be based on 35 times the grading permit fee in the fee schedule. The assurance shall be released after Certificate of Occupancy is given. The assurance may be held after the Certificate of Occupancy is issued if the homeowner wishes to delay the landscaping. After landscaping is installed the assurance will be released. Once the hillside revisions are approved, changes may be made to building and engineering applications.

The driveway turning radius was discussed. It is currently 40 feet, but may be reduced in certain instances to 35 feet. Commissioner Strom would like this reduced to 35 feet. Other Commissioners do not wish to reduce the radius.

Lot split standards were discussed. The figure showing slope lines was modified. It was suggested that this figure show a two-plus acre lot, not a one-acre lot. It was noted that we now take an average of the slope lines. Commissioner Strom would prefer greater weight be given to the longer lot lines. Commissioner Strom will provide an equation to be inserted into the code.

Retaining walls, driveway disturbance credits, lighting, solar panels, cantilevers, on-site retention, safety section, and storm water were also explained. It was noted that Figure 6 needs to have an arrow removed.

Mr. Burton next reviewed the Strom/Wastchak revised version. The grammatical/editorial revisions will be incorporated into the Planning Commission version of the revisions. The clarification on satellite dishes will also be incorporated.

On-site retention was addressed in the Strom/Wastchak revision. The Town Engineer prefers to refer to the Town's Storm Drainage Design Manual. Commissioner Strom prefers more descriptive language. The majority of the Commissioners wish to leave the language as is in the Planning Commission version.

Table 1001 shall be called out as being in Article X as it provides the 16-foot height limit for accessory structures.

The discussion of the revisions in the Statement of Direction was concluded.

Chairman Wastchak asked the Planning Commission to now focus on an alternate version of the Hillside Building Regulations that includes items outside of the Statement of Direction. Chairman Wastchak anticipates forwarding the Planning Commission version that follows the Statement of Direction to Council. He also wishes that the Planning Commission consider the alternate version, referred to as the Strom/Wastchak version, to Council as another option.

The alternate version addresses lighting. Entry lighting was more fully described. The alternate version further limits type and quantity of lighting.

On driveway lighting, the concern was that the existing code prohibited lights on the down hill side and had no limit on number of lights. The proposed edits add more detail on number, lumen count, height, and Kelvin. There were no concerns from the other Planning Commissioners.

It was noted to correct the term luminaries throughout the document to match the definition.

It was also noted that bug lights/zappers shall be allowed. Language shall be added that bug lights are not considered prohibited colored bulbs.

Scott Tonn's comments were then discussed. Under safety measures, it was noted that the term "Town" may be too vague. It was suggested this shall be changed to "Town Manager or designee" in both the Planning Commission version and Strom/Wastchak version.

The meeting was opened to the public. There was no public present. The meeting was closed to the public.

**A motion was made by Commissioner Anton, seconded by Commissioner Covington, to forward to the Town Council the recommendation of approval of Ordinance 2016-09, proposed amendments to Article XXII, Hillside Development Regulations, of the Town Zoning Ordinance. The motion carried by the following vote:**

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

**A motion was made by Commissioner Strom, seconded by Commissioner Wainwright, to forward to the Town Council an alternate motion for Section 2208, Outdoor Lighting, to Article XXII, Hillside Development Regulations, of the Town Zoning Ordinance. The motion carried by the following vote:**

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

## 7. STUDY SESSION ITEMS

- A. [17-439](#) Discussion of Paradise Valley Bicycle + Pedestrian Master Plan (the "Master Plan")

Paul Michaud reviewed the bike/ped maps. Edits were done to show sidewalks and other minor corrections.

The Planning Commission removed the proposed sidewalk on the south side of Doubletree Ranch Road near 52nd Street and near Via Los Caballos. The Planning Commission was in support of the proposed sidewalk on the south side of Doubletree Ranch Road from Invergordon Road to 67th Street since this area has more traffic.

Mr. Michaud discussed the facility maps, three new enhanced intersections, the probable costs, and the next steps.

**No Reportable Action**

## 8. CONSENT AGENDA



**A. 18-001 Approval of December 5, 2017 Planning Commission Minutes**

**A motion was made by Commissioner Anton, seconded by Commissioner Covington, to approve the December 5, 2017 minutes. The motion carried by the following vote:**

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

**9. STAFF REPORTS**

None

**10. PUBLIC BODY REPORTS**

None

**11. FUTURE AGENDA ITEMS**

Mr. Michaud stated there were no items for the upcoming January 2, 2018 meeting. He reviewed the items for the January 16, 2018 meeting. The Planning Commission cancelled the January 2, 2018 meeting.

**12. ADJOURNMENT**

**A motion was made by Commissioner Strom at 9:15 p.m., seconded by Commissioner Wainwright, to adjourn the meeting. The motion carried by the following vote:**

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

**Paradise Valley Planning Commission**

By:   
Eva Cutro, Secretary