



PARADISE VALLEY
HILLSIDE BUILDING COMMITTEE MINUTES
September 12, 2018

1. CALL TO ORDER

The Hillside Building Review Committee met on Wednesday, September 12, 2018, at Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253. Committee Members present: Orme Lewis, Tom Campbell, Scott Tonn (Phone), Scott Jarson and Pamela Georgelos. Jim Anton, and Charles Covington were absent. Staff present: Town Engineer Paul Mood, Hillside Development Administrator Hugo Vasquez, Building Official Bob Lee, and Executive Assistant Timothy Gomez. Scott Jarson called the meeting to order at 8:01 a.m.

2. EXECUTIVE SESSION

Chair Scott Jarson stated the Hillside Building Review Committee may convene to an executive session at any time during the meeting as needed to confer with the Town Attorney for legal advice regarding any of the items listed on the agenda, as authorized by A.R.S. §38-431.03.A.3.

2. APPLICATION REVIEW

A. Formal review amendment for a new single-family residence at 5338 E. San Miguel Avenue. (APN 172-47-086).

Jan Mittelstaedt, Architect, Mittelstaedt Cooper and Associates

Scott Jarson, Chair, introduced the project.

Hugo Vasquez, Hillside Development Administrator, stated that proposed project plan has been amended by relocating the upper roof to install three clerestory windows. The project has an original application date of October 30, 2017 and will be reviewed under the previous Hillside regulations.

Chair Jarson stated that the roof change will reorient the solar panels and add clerestory.

Jan Mittelstaedt, Architect with Mittelstaedt Cooper and Associates, indicated that they raised the roof a couple feet to get clerestory windows. Staff felt that this change required getting approval through the committee. Overall this is a minor change to the project.

Chair Jarson stated that the amendment presents a slightly smaller profile to the street when looking up at the mountain.

Mr. Mittelstaedt commented that there would be no material palette change. The same copper panels will be located on the roof's pitch.

Chair Jarson indicated that the only aesthetic change would be from the light emission from the clerestory to the neighbors above. This would be preferable to the solar array they would have been looking at.

Bob Lee, Building Official, stated that there is an electric service line coming into the house from the west that is hanging dangerously low. He asked if there are plans to bury this line.

Mr. Mittelstaedt confirmed that it will be buried.

Chair Jarson opened public comment.

Ryan Woody, resident, stated that he is a neighbor directly across the street and above the project. He asked where were the solar panels originally.

Mr. Mittelstaedt responded that they were on the upper roof and they will be lowered to the lower roof.

Mr. Woody commented that he is concerned about seeing the glare.

Chair Jarson explained the plans and how the panels will change.

Tom Campbell, committee member, indicated that the code states that the panels have to be installed below the parapet elevation.

Chair Jarson asked if Mr. Woody has any other concerns regarding the application.

Mr. Woody commented that he is concerned but wants to be a good neighbor and see the project built.

Mr. Campbell motioned to approve the amendment for a new single-family residence at 5338 E. San Miguel Avenue with the original approved conditions.

Chair Jarson seconded the motion.

The motion passed unanimously: 5-0

B. 18-318 Request for Hillside designation removal for the property located at 8020 N. Mummy Mountain Road (APN 168-77-008).

Mike Chipman, Owner

Scott Pfeiffer, Builder, Sonora West Development

Erik Peterson, Architect, PHX Architecture

Mr. Vasquez introduced the project. He stated that the applicant is requesting the Hillside designation be removed from the five-acre property. The application has a date

of July 23, 2018 and it will be reviewed under the current Hillside regulations. There is a 5,100 square foot residential home on the property and a guest house. The lot falls under figure one of the Hillside Development Regulations. The applicant has submitted a slope analysis for the building pad and the site slope. The applicant is arguing that the site and building pad slopes are less than 10%. The next Town Council work studies are on October 25th & 28th, 2018, and November 1, 2018.

Chair Jarson invited the applicants to speak.

Scott Pfeiffer, Builder with Sonora West Development, Erik Peterson, Architect with PHX Architecture, and Mike Chipman, property owner, introduced themselves.

Mr. Peterson indicated that the property used to contain 10 acres. The portion on the west contains the majority of the slope. The hillside map shows that the property has a partial hillside overlay.

Paul Mood, Town Engineer, indicated that he does not think this map is accurate.

Mr. Peterson responded that he pulled it from the city website.

Chair Jarson asked when the guest house and home were built.

Mr. Chipman guessed it was in 1972.

Mr. Campbell asked if only a portion of a lot be designated with Hillside.

Mr. Mood responded no, and that the full lot would be Hillside.

Mr. Campbell then stated that it would follow the lot line.

Chair Jarson commented that the plans indicate there is an overall slope of 8.63% and building pad slope of about 9.43%. He asked which of these numbers do they use.

Mr. Mood stated that they will use both and in order to be considered they need to be under 10%.

Mr. Pfeiffer commented that he does not believe there is an area on the lot that is buildable that would contain a slope higher than 10%.

Chair Jarson asked if the main interest to removing the lot from Hillside is to expedite future development.

Mr. Peterson responded yes but also to remove the specific rules that are contained in Hillside. They are intending to build or remodel a single level home and may remodel the guest home.

Chair Jarson stated that removal from Hillside needs to be considered carefully because it has long term consequences to the town.

Mr. Campbell commented that the Hillside code deals with more than just slope. It has implications on the town. The entire district is planned with special lighting requirements and architecture to be built into the slopes. He asked when he bought the property.

Mr. Chipman stated that he bought the property this year and was informed due to the slope of the property it would qualify to be removed from the Hillside district.

Mr. Campbell commented that he was informed incorrectly.

Pamela Georgelos, committee member, stated that the 10% rule is one of the conditions for removing property from the Hillside District but they have to look at the totality of the situation.

Chair Jarson commented that there was a lot of thought and planning that went into creating the Hillside District. It had to do a lot with view corridors looking up into the mountain. In his time, they looked at two requests for removal. Both had modest slopes and were on the fringes of the district. He does not feel that this property meets this as it is close to the mountain.

Mr. Campbell asked what the property is zoned.

Mr. Mood commented that it is zoned R-175. This project received four comments from the public.

Scott Tonn (on phone), committee member, indicated that this property is not fit for removal from the Hillside District. This is an impact lot from the view corridor. What they do here, will affect the view for a long time. Lighting and color need to be considered for this site.

Chair Jarson indicated that all four of the citizen comments were not favorable. He then opened public comment.

Patricia Atlee, resident, at 8060 North Mummy Mountain commented that she believes in the Hillside Ordinance and does not want exceptions to be made. She feels that the property needs to remain in the Hillside District.

Phyllis Rector, resident, at 7819 North Mohave Road commented that she believes in the Hillside Ordinance. She mentioned that when she built, she followed the Hillside rules. She commented that there is a developer that purchased a lot and will want to build to the max, so she does not want to set a precedent.

Ms. Georgelos stated that this area should not be taken out of the Hillside District.

Chair Jarson commented that the parcel is too large and will have a large impact if it was taken out of the Hillside District. He stated that the regulations are not overburdensome and hundreds of people in town have been able to develop within it.

Chair Jarson motioned to not recommend removal of this parcel from Hillside Designation.

Orme Lewis, committee member, seconded the motion.

The motion passed unanimously: 5-0

Mr. Mood commented that staff's plan is to take the application to a work study with the Town Council on October 25, 2018 and then for formal action on November 1, 2018. He commented staff will proceed processing the application unless the applicant withdraws the application.

**C. 18-320 Combined Review for an attached garage addition, room expansion, and interior remodel at 7002 N. 40th Street (APN 169-13-044).
Steve Ambre, Builder, Legacy Design Build and Remodeling**

Mr. Vasquez indicated that the proposed project will add a one car garage north of the existing garage and will expand the exterior east walls of two rooms and will remodel three interior rooms. The application date is July 16, 2018 and will be reviewed under the new Hillside Regulations. The property has a variance that was acquired on March of 2011, allowing for a garage addition to encroach on the front yard setback. The nonconforming portion of the house shall not be raised in height. The garage addition shall not exceed 10'-4". The landscaping plan adjoining the garage addition shall be submitted to the Hillside Committee for review. The new garage will be painted to match the existing garage. Existing light fixtures will be used and relocated. Landscaping will remain in place and a damaged Honeysuckle will be replaced.

Mr. Campbell asked for background on the variance.

Mr. Vasquez commented that it allows for a portion of the home to be extended out.

Mr. Mood clarified that the variance runs with the property.

Chair Jarson commented that it looks straight forward. He asked for color samples.

Mr. Vasquez passed the samples out and details of the lighting.

Steve Ambre, Builder with Legacy Design Build and Remodeling, commented that the lighting will be changed to match the proposed lighting detail. He mentioned that the roof, which is now white, will be repainted to comply with regulations.

Mr. Campbell commented that he enjoys the hand drawn elevations.

Mr. Mood commented that they will need to provide a construction and staging plan prior to submitting for a building permit. There are no drainage changes because they are not losing impervious surface.

Mr. Tonn stated that the new garage door has glass and the rendering shows no glass. He asked if there will be glass on all three doors.

Mr. Ambre stated that he does not know. If it is required they will. All three doors will be the same.

Mr. Campbell mentioned that they should have a window in the garage.

Mr. Ambre stated that they will use the same windows when they push the wall out.

Chair Jarson opened public comment. There was none.

Mr. Lewis commented that from a safety stand point, he appreciates ventilation throughout the garage.

Ms. Georgelos moved for approval with stipulations 1-8 from staff.

Chair Jarson seconded the motion.

The motion passed unanimously: 5-0

D. 18-313 Formal review for a new single-family residence at 7026 N 40th Street (APN 169-13-045).

Neil Moran, Owner/Builder

David Dick, Architect, David Dick Architect

Nick Prodanov, Engineering, Land Development Group

Chair Jarson introduced the next item.

Mr. Vasquez stated they are planning to demo an existing home built in 1978 and will build a new 5,700 square foot residence with a pool. This application will be reviewed under the new Hillside Regulations. The application date is November 2, 2017. The lot is 58% disturbed. It exceeds a 9.95% allowable disturbance due to the high 45% building site slope. The biggest changes from the concept plan to now, is the retaining walls have increased and some of the cuts are a little deeper.

Chair Jarson asked if they will need to submit a Hillside staging plan and safety plan.

Mr. Mood indicated that they will not need to provide the safety plan but will need to submit the assurance and construction staging plan.

David Dick, Architect, Nick Prodanov, Engineer, and Neil Moran, the property owner, introduced themselves.

Mr. Dick commented that they took a while to get back to the committee because the series of walls that come down the property were originally installed for erosion. The final wall which is closest to the street is partially located in the right-of-way. They decided to keep the existing erosion control and to extend an umbrella policy to ensure the Town is not held liable on the wall. This allowed them to leave a significant amount of the vegetation. The house is two stories, but the second story is pushed back so it is not obvious from the street. There will be no visual impact. The height of the house will block hillside cuts. They are dealing with the septic system on the property. The original septic system designed for the house no longer meets the County code. They have dealt with questions relating to LRVs and turf.

Mr. Lewis asked if the existence of the retaining wall present any safety issues.

Mr. Dick indicated that it works really well with erosion control. They will go back and repack along the foundation. There are no safety issues.

Mr. Mood stated that they will get a permanent encroachment permit and the Town will be named as additional insured.

Mr. Prodanov discussed the drainage and grading. He indicated that the watershed was large so they split the area into three pieces. He provided details of the three drainage areas and explained their flow rates. Water will be routed to a swale on the back of the driveway and then slowed down. Water entering the city right-of-way will be slower and cleaner. He then overviewed the location of two drywells.

Ms. Georgelos asked him to explain what happens to the water that flows into the ROW.

Mr. Prodanov stated that historically it flows down the street adjacent to the curb. Flooding potential will be lowered after the project is constructed.

Ms. Georgelos asked if there is a maintenance plan in place to make sure it continues to function.

Mr. Prodanov commented that the installers provide a contract for maintenance.

Mr. Mood commented that the Storm Drainage Design Manual requires a Storm Drainage Facilities Agreement which will outline all piping, drywells and trench drains. The owner will have to sign this. This is covered when they come through for a building permit.

Chair Jarson stated the plans show Bermuda Grass but the applicant would like to install a synthetic grass so this will need to be stipulated in the approval. He mentioned that the plans show palm trees and that the committee is not in favor of palm trees on hillsides.

Mr. Dick explained that they will not let the trees get very high because they will be in the owner's view corridor. They will use a smaller palm tree species. They are proposing some Palo Verdes because they want to be consistent with what is on the hillside.

Mr. Campbell asked what the code says about palm trees on the hillside.

Mr. Mood indicated that it does not say one way or another.

Mr. Dick stated that he is okay taking these out if the committee wants. They will have vegetation that does not grow beyond 30 inches tall.

Chair Jarson asked if staff is okay with the lighting.

Mr. Mood asked the applicant if there is lighting in the ROW.

Mr. Dick stated that they dropped the lighting from 19 to four landscape up-lights.

Mr. Mood stated that lighting needs to be at least 10 feet back from the ROW. There is a provision in the code for driveway safety lighting.

Mr. Campbell inquired about lighting on the building.

Mr. Dick explained that they are proposing traditional down scone lights. The lighting in the eaves meets the allowable lumens.

Mr. Campbell explained that he is concerned about lighting vertical surfaces.

Mr. Dick stated that they are trying to control the lighting on either side of the windows. They will try to create balance in order to get better views. The fire place is not going to be lit.

Mr. Campbell commented that there is a lot of architectural lighting.

Mr. Dick commented that by code, they are required to light doorways. He then pointed out the doors on the plans in conjunction with the lighting. He indicated that he can reduce some of the lights, but he needs to have something to meet the code as written.

Mr. Campbell suggested provided one scone light on the wall to satisfy the building code.

Mr. Lee stated that this would comply with code.

Mr. Campbell mentioned that they want the walking surface lit and not the architecture.

Chair Jarson and Mr. Campbell highlighted their comments regarding lighting on the plans.

Mr. Dick asked if he could, instead of scone lighting, install a horizontal ribbon light on the edge of the soffit that would not light the wall surface. This will provide a small glow effect to light the horizontal surface of the roof. There are all kinds of shielding.

Mr. Campbell commented that he is open to this but would like to see it first.

Mr. Orme asked what the distance from the light source to the building surface would be.

Mr. Dick stated that it would be about 30 inches away and would provide a soft glow.

Mr. Campbell indicated that he would like to see a strong fascia so it does not look commercial.

Phyllis Peshkin, resident, commented that she wished a similar process could be used regarding retention for flat lots.

Mr. Campbell moved to approve the formal review of this new single-family residence at 7026 North 40th Street with the stipulation in the report and the following additional stipulations:

- The areas shown as grass be synthetic and not Bermuda Grass
- Omit the Bismarck Palms and to provide an alternate landscape material to be reviewed by the Chair and Staff
- Relocate the three landscape up-lights out of the right-of-way to be placed at least ten feet back of the property line
- On Sheet A2 to eliminate the B-1 lights on the north and south sides living room with an A-1 wall sconce added
- B-1 lights be eliminated from the northeast side of the master bedroom and a wall sconce A-1 be added
- B-1 lights be eliminated from the southeast face of the master bedroom and an A-1 light be added.

Ms. Georgelos seconded the motion.

The motion passed unanimously: 5-0

4. STAFF REPORTS

Town Engineer Paul Mood commented that they are only tracking one item.

5. COMMITTEE REPORTS

There were no committee reports.

6. NEXT HILLSIDE BUILDING COMMITTEE MEETING

The next meetings are scheduled for Wednesday, October 10th at 8:00am and Wednesday, November 14th at 8:00am.

7. ADJOURNMENT

Chair Jarson motioned to adjourn.

Mr. Campbell seconded the motion.

The vote was not included in the video.