



PARADISE VALLEY
HILLSIDE BUILDING COMMITTEE MINUTES
November 14, 2018

1. CALL TO ORDER

The Hillside Building Review Committee met on Wednesday, November 14, 2018, at Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253. Committee Members present: Chair Scott Jarson, Scott Tonn, Orme Lewis, Tom Campbell and James Anton. Staff present: Town Engineer Paul Mood, Hillside Development Administrator Hugo Vasquez, Town Attorney, Andrew Miller, and Building Official Bob Lee. Scott Jarson called the meeting to order at 8:01 a.m.

2. EXECUTIVE SESSION

There was no Executive Session.

3. APPLICATION REVIEW

There was no Application Review.

4. STAFF REPORTS

A. Combined Review for remodel/addition to the existing residence, a new detached garage, and a new covered pavilion at 4342 E. Highlands Drive (APN 169-53-026).

Jim Blochberger, Architect, Blochberger Design

Nick Prodanov, Civil Engineer, Land Development Group

Tania Ibañez, Landscape Architect, Greere Pickett

Chair Jarson introduced the agenda item.

Hugo Vasquez, Hillside Development Administrator, stated that the proposal will expand the footprint of the home by expanding the garage, great room, master bedroom, new detached garage and a new pavilion. There will be some changes to the hardscape on the property. The application is dated October 4, 2018. They will decrease the net disturbed area from 70% to 62%.

Jim Blochberger, Architect with Blockberger Design, overviewed the project. There is an existing home and they will save 90% of the footprint and will add some additions. A detached garage and pool pavilion will be added. The site was shown in an aerial view. There will also be some landscape changes. They are utilizing a Southwest Style Architecture for the building with a two-piece clay tile roof. They are trying to keep the ranch style for the existing house. He showed the location of the pavilion and noted that



the pool is existing and they will redo the hardscape surrounding it. The walls adjacent to the pool are existing. He noted the location of the detached garage and stated that the driveway will get new pavers. It will fit the character of the neighborhood.

Member Lewis asked for clarification on where the existing and proposed garage are located. He also asked for their heights.

Mr. Blochberger showed the location of the existing garage and indicated that the addition will be around 15 feet in height.

Chair Jarson asked how they would handle water runoff on the site.

Nick Prodanov, Civil Engineer, commented that it was difficult to calculate where the drainage would go. He directed the Committee to an exhibit which showed the runoff route and commented they estimate 40 CFS flowing through the wash. Water will be directed to the retention basin on the east and west sides of the property.

Member Anton asked regarding the material around the pool.

Mr. Blockbird responded that they are using pavers.

Mr. Prodanov stated that they feel the retention basin will be the best way to handle storm water.

Chair Jarson asked if the check dams will direct and slow flows.

Mr. Prodanov confirmed that they would slow runoff velocity.

Member Tonn noted that the retention basin that is 1,330 cubic feet will satisfy the total water generated on the site. The calculation shows that more retention is provided than needed.

Member Campbell asked if they are going to remove the tree on the neighboring property.

Mr. Blochberger indicated that they are not going to remove trees on the neighbor's property.

Member Campbell appreciated the fact that they are not over-lighting the site but it may be excessive in the rear of the yard. The Town requires a 45-degree cutoff for the building light. The plans indicated the light source is below the shielding and the fixture.

Mr. Blochberger clarified that the fixture is custom designed to meet the dark sky requirements.

Chair Jarson indicated that he is surprised that a CFL lamp is specified. He mentioned that he might stipulate that it be removed.



Mr. Blochberger mentioned that small bullet lights with a mono-point will be used around the pavilion. The light source will not be visible. These are directional lights.

Chair Jarson stated that he does not want these lights to glow at night.

Mr. Blochberger stated that it will direct light onto the surface as opposed to glowing. They will be mounted on the side of the beam and not visible from the street.

Chair Jarson asked what would be done for revegetation in the retention basins.

Mr. Blochberger stated that they will meet the Town requirements for revegetation.

Member Tonn indicated that the entire area of the retention basin will be disturbed because of the swale and grading.

Member Tonn asked what the purpose of the screen wall is for the nonconforming fountain.

Mr. Blochberger pointed out the wall on the plans south of the water feature. He stated that the fountain is low and will not be visible from the street. They wanted the wall to be set at a different height because it consists of a different material.

Chair Jarson commented that Staff would like the wall to be relocated.

Mr. Vasquez stated that code requires the retaining wall to be a maximum of six inches above the fill.

Mr. Blochberger stated that they will meet the six-inch rule. He commented that they could do four inches and then a two-inch change.

Chair Jarson asked the landscape architect to come to the table and asked her to explain the vegetation plan for the retention basin.

Tania Ibañez, landscape architect, indicated that they want to use desert vegetation due to its low water needs.

Member Anton inquired regarding condition three requiring construction parking to be located on the property and off-site parking being confined to the adjacent streets along the property frontage. He asked if they have any way of specifying one side of the street or the other.

Mr. Vasquez commented that they can look at this in the construction plan.

Chair Jarson invited the public to speak. There were no comments.

Member Campbell motioned to approve the combined review for the remodel/addition of the existing residence, a new detached garage, and a new covered pavilion at 4342 E.



Highlands Drive per the stipulations in the action report with the following revisions and additions:

- Construction parking will be on one side of the street only
- Adjust stipulation eight in the action report to read “the nonconforming decorative wall behind the proposed water feature shall be adjusted to be a maximum of six inches high, prior to submitting a building permit application”
- The applicant will not remove or add plant materials on the adjacent properties
- That they will demonstrate to Staff, a 45-degree cut off on the sconce lighting and the bulb will be non-CFL and have a maximum 3,000 K prior to building permit application
- Material will be stock piled and scattered on the new swales and retention basins and revegetated

The motion was seconded by Chair Jarson.

The motion passed unanimously.

B. Combined Review for driveway material, drive gate, fire pit, water feature, landscape, lighting, and pool fence additions/modifications at 5659 N. Superstition Land (APN 172-02-091).

Marisa Nielsen, Project Manager, Nance Construction

Brock Brunkhorst, Builder, Nance Construction

Nick Prodanov, Civil Engineer, Land Development Group

Jeremy McVicars, Landscape Architect, Greere Pickett

Chair Jarson introduced the agenda item.

Mr. Vasquez indicated that this project was previously approved in 2016. Now the new owner and contractor are proposing to change the driveway material, extending the entrance, installing a water feature, new landscaping, and lighting. The application is dated September 7, 2018 and will be reviewed under the current Hillside Regulations. He overviewed the site plan and showed areas that were amended to include an additional pad and rock landscape area. Onsite drainage was installed which will need to meet the drainage requirements prior to 2018.

Marisa Nielson with Nance Construction commented that they took this project over half way through construction. The plans show what was existing when they took over the project. Their purpose is to bring the site back up to code and to make changes to landscaping, drive gate, fire pit and water feature.

Chair Jarson commented that there have been some deviations from the original approval. He asked that she present the material palette.



Ms. Nielson presented the materials board and indicated that pavers will be located on all patios and surrounding the pool. The upper deck will have a different material. She indicated that the board contains material used for the metal gates.

Member Campbell stated that he is confused regarding the logistics on the gate. The call box location would require someone to have to back up if they had a trailer. He likes that the gates are further into the site so it not visible.

Jeremy McVicars with Refined Gardens responded that the reason their client wants this is to keep their dogs from getting out.

Brock Brunkhorst with Nance Construction stated that there is a visual from the call box to the gate.

Chair Jarson commented that he likes that the gate is located further back. He asked how the water will be handled.

Mr. Prodanov stated that this project was approved in 2016 and is subject to the old storm water requirements. He then overviewed the proposed storm water plan. This site is downstream of the north corner. They knew they needed to bring the historic flows back to where they were and slow the flows. The flows will be spilt and routed through the storm drain system. The east side will then be able to return to historic flows.

Chair Jarson asked how high the retaining wall is. The retaining wall is three feet tall.

Member Lewis asked if it is necessary for them to have onsite retention.

Mr. Prodanov commented that the old code does not require onsite retention. They are utilizing a bubbler box upstream from the site. The top of the grate of the bubbler box will retain water.

Chair Jarson asked what type of maintenance is required for the bubbler box and when do they know when maintenance is required.

Mr. Prodanov responded that the Town requires the owner to sign a maintenance agreement. They can use a power washer to clean out the silt. There are companies that maintain these boxes.

Chair Jarson asked if the wall on the south side of the property is currently in place.

Mr. Prodanov stated that it is. They are using native rock. They showed photos of the site.

Mr. McVicars indicated that the wall will be around 6-8 feet in height.

Member Campbell asked what the history is on the bump out.

Mr. McVicars stated that it is sewer.



Ms. Nielson stated that Mr. Prodanov ran the calculation and that area fits in with the disturbance area calculations.

Member Campbell then identified the area on the aerial map.

Mr. McVicars noted that a lawn would be incorporated on the right side of the home (shown in the graphic) and synthetic material would be utilized on the left side.

Member Campbell noted that they should try to contain the Bermuda Grass so it does not creep up the hillside.

Mr. McVicars indicated that they have a six-foot buffer of shrubs and decomposed granite around all lawn areas. A ¼ inch thick steel border is being used.

Chair Jarson stated that he is concerned that the grass will get beyond this border.

Member Campbell asked if anyone had an opinion on what will contain Bermuda Grass.

Mr. McVicars stated that the owner will have someone there to maintain it every week.

Member Tonn stated that he is concerned with how future owners will maintain the site.

Member Campbell suggested that they use a ribbon barrier.

Mr. McVicars stated that they could use a limestone paving material with some depth to prohibit the roots from growing under it.

Chair Jarson indicated that grass is inherently invasive and they do not want to introduce a suburban lawn into the hillside.

Member Lewis suggested that they cut the area back.

Member Campbell stated that he wants a more substantial barrier and remove the steel plate. He then noted the location of the fence and stated that it would rust and fit in.

Member Tonn pointed out the rock out cropping and identified the fence lines. He stated that they have never allowed a double fence area. He asked if the second fence area was approved in the past. He indicated that the fence is for security around the pool and the question is how big it needs to be. Someone built the second fence area without approval. He indicated that his issue is that the metal fence is higher than the rock wall.

Ms. Nielson commented that when the property sold, they were retained to complete the home.

Member Campbell commented that the fence portion that meets the code should stay in place.

Mr. McVicars clarified that the client is concerned about the dogs getting out so they are proposing the second fence.



Chair Jarson indicated that some time between September 14, 2018 and today, the fence was installed.

Member Campbell indicated that this fence was not there when they visited the site.

Ms. Nielson commented that the fence was being installed as approved except for the bump out.

Member Tonn stated that the bump out fence was installed not in conformance to the plans and he is not okay with this. The original approval had a smaller turf area.

Mr. McVicars stated that they were not privy to the original turf area.

The Committee determined that there is a 500 square foot difference between the turf area approved and the one being proposed.

Member Campbell proposed keeping the area the same size with a two foot barrier.

Member Lewis asked how deep is the proposed curb.

Mr. McVicars stated that the metal is six inches deep with five inches below ground. They can find a different material with the same application. The grass will spread if there is over-seeding.

Member Campbell stated that he has seen it growing on roofs.

Mr. McVicars indicated that they could install synthetic grass instead.

Member Campbell responded that they want to see the same square footage of grass stay the same regardless of the type.

Member Lewis mentioned that the pertinent issue is based on how deep the barrier is placed.

Mr. McVicars asked if there is standard that the Town has for grass on hills.

Chair Jarson read a passage from the internet regarding providing a vertical barrier to hold back Bermuda Grass.

Member Campbell stated that he believes that they can defer to Staff.

Chair Jarson stated that it needs to be at least 10" deep and pushed back a reasonable distance as determined by Staff.

Member Lewis asked what the function is for the lawn area.

Ms. Nielson stated that it is for the dogs and entertaining. The synthetic grass can get hot.



Member Tonn stated that the fencing not originally approved needs to be removed. This is on the northeast perimeter.

Mr. McVicars asked if this includes removing the conventional fence.

Member Tonn responded that it does not because that was a part of the original approvals. The east grass area should be reduced to the square footage of the original application with the addition of a curb and depth barrier to retain in height the width and minimum of a ten inch depth as approved by Staff or the grass may be substituted with synthetic lawn with the original curbing detail per the applicant.

Chair Jarson stated that they have no reason to make an exception for 32 up-lights.

Mr. McVicars commented that he calculated they could have 35 up-lights.

Mr. Vasquez stated that they technically can have only 26 lights.

Mr. McVicars indicated that they have two lights per tree and could cut back.

Member Campbell stated that the last applicant had one per tree. If they did one per tree they could take at least six off the downhill side. The entrance should not be lit. He marked up the plans with his suggested light to remove.

Mr. McVicars asked if there were any more concerns from the Committee.

Member Campbell asked why they are placing glass on the bottom of the garage door.

Ms. Nielson commented that they inherited the plans.

Chair Jarson invited public comment. There was none.

Chair Jarson motioned to approve the application with the incorporation of the stipulations from Staff and will modifications to stipulation eight that the updated plans submitted to Staff and the Chair form the review Committee and two additional stipulations: 9. Additional fencing on the northeast perimeter is not approved and to be removed and the area shall be restored to native conditions. 10. East area lawn would be approved as per application if the natural grass material is substituted with synthetic as submitted with application for the additional lawn area. If natural grass is retained by applicant, the east area natural grass to be reduced to match square footage of the original application. With the addition of a curb and depth barrier to retain in height and width, with a minimum of 10" depth as approved by Staff.

Member Campbell seconded the motion.

Member Tonn stated that he wants to provide an incentive to the owner to go with synthetic grass. He feels they should be allowed to have the proposed larger area if they go with the synthetic grass.



Member Lewis asked if there is anything to preclude them from having a sprinkler system.

Member Campbell stated that they can have sprinklers.

The motion passed unanimously.

C. Formal review for a new single-family residence at 7550 N. Hummingbird Lane (APN 169-04-007).

Ethan Wessel, Architect, Tennen Studio

Sarah Wessel, Architect, Tennen Studio

Nick Prodanov, Civil Engineer, Land Development Group

Chair Jarson introduced the agenda item.

Hugo Vasquez overviewed the project and presented the site on an aerial view. There is an existing home on the property and the applicant is proposing a new single-family residence. The application is dated January 9, 2018 and will be reviewed under the previous Hillside Regulations. The gross disturbance of the lot is reduced from 45,000 to 44,000 square feet. The driveway will be reduced in size and they are restoring the originally disturbed areas. A sanitary sewer connection is proposed for the property. Staff is asking that all of the conditions in the safety permit be followed by the applicant.

Sarah and Ethan Wessel introduced themselves.

Ms. Wessel stated that they have a section of cast-in-place concrete but it is smoother than what they are planning on doing on this project. They are proposing aluminum forms for cast-in-place walls. They are using a cream that will allow the agent to not stay, so when they hose it off, they will end up with exposed aggregate. They won't have to sand blast and the material will look more organic. The tiles are zinc and will be rather large. Integral color plaster will be used on the walls that are not concrete and metal facia will be painted in black bean because they have a steel structure. The driveway will be exposed aggregate.

Member Lewis asked what the metal paint will look like in three years.

Mr. Wessel indicated that they will have to paint it every 5-7 years.

Mr. Prodanov stated that the site would generate 42 CFS. Onsite retention and two drywells are provided. He overviewed the storm water plan for the property. The Committee discussed how water would runoff from the property.

Member Tonn asked where the water running down the driveway would end up.

Mr. Prodanov noted the location to the side of the driveway where the flow would route.



Member Campbell directed the Committee to a plan showing site lighting. He mentioned that they are proposing sconces and soffit lights along the same area. They allow safety lighting and not architecture lighting.

Mr. Wessel stated that they conforming to the code in regards to landscape lighting. Lighting on the building has architectural lights. He mentioned that the LR lights he is referring to are not architectural. These are recessed lights with deep throats so the light source is not visible. These are for safety along the pathway to the house. The lights are frequent but are very low. Every light inside and out has a honeycomb filter. The recessed cans are up inside the ceiling which provides additional shielding.

Member Tonn asked how deep are the cans.

Mr. Wessel sketched a detail of the lamp inside of the can. This is the deepest light they have been able to find on the market.

Mrs. Wessel stated that the lighting is dimmed low.

Mr. Wessel commented that they would rather have more lights on low dim instead of one bright light.

Member Campbell asked why they need both of the sconces.

Mr. Wessel stated that they have enough light with the sconces. They meet the Hillside Code.

Member Tonn stated that it is nice that they will be dimmed.

Member Lewis indicated that they would be net ahead with this proposal compared to other sites with a higher lumen.

Mr. Wessel stated that they are proposing fewer lights than the home on Camelback. He then explained the lighting being proposed at entrances.

Chair Jarson indicated that the lighting schedule is very defined and future owners would have to abide by it as well.

Mr. Wessel stated that the up-lighting of the fixture would be disabled.

Member Lewis asked if there are steps.

Mr. Wessel stated that they have steps to the front door and steps out the back. Landscape lights are proposed for the steps.

Member Lewis asked if there is a minimum wattage for the step lights.



Mr. Wessel stated that this is discretionary. He indicated that they do not like to have lights shine on the plants but rather create a moon light effect on the ground. It makes the lights less visible.

Member Campbell asked regarding up lighting near a tree.

Mr. Wessel commented that it is lighting a tree in the courtyard. The light will be shielded on three sides by the courtyard.

Member Campbell asked what the grade is at the end of the driveway and beginning of the court.

Mr. Wessel stated that the driveway is 65 and the court is 72.

Member Campbell indicated that it would be a little less than seven feet. He asked if there were others concerned about lighting.

The Committee indicated that they were not concerned.

Mrs. Wessel commented that they do not want people to see the light source.

Member Campbell stated that he would like to see the lights within a project already completed.

Member Lewis commented that he hopes to leave the driveway alone until the project is completed so it can be used for construction parking.

Mr. Wessel indicated that the street and driveway are narrow. They would like to get parking on one side of the driveway without having an impact on the adjacent vegetation. They want to stay out of the street to not conflict with pedestrians and bikes.

Member Tonn indicated that they will provide a parking plan as part of the construction statement plan.

Citizen Anne Andeen at 7530 North Hummingbird Lane commented that she is concerned regarding the parking. There are a lot of buildings under construction right now.

Mr. Wessel stated that they design and build their own projects and work to keep neighbors happy. They will try to create places to park on the property. The sewer is the first element that will happen so they will try to work with Staff to ensure things go well.

Mrs. Wessel indicated that they could use the existing driveway for parking while they construct the site, but this would create more track out. They are happy to take phone calls from neighbors.

Citizen Phyllis Peshkin stated that she is a resident of 25 years. She thanked Staff and the Committee for their dedication. She has learned a lot from the Committee meetings. Grading and drainage need to be a focus and should avoid adverse impacts on existing



adjacent occupied homes. This is a situation they have been dealing with for the last five years. She suggested that the flat land areas of the Town need to have a Committee like the Hillside Committee.

Member Tonn excused himself and exited the meeting.

Chair Jarson motioned to approve the application while incorporating the stipulations recommended by Staff 1-9 with the modification of stipulation nine that the driveway material be reviewed by the Chair and Staff prior to submitting the building application and adding stipulation #10 that the light sources will not be visible from the street, except for allowable decorative lamps per the Hillside Ordinance and Y-1 fixtures to have their up-lamp holders disabled.

Member Lewis suggested that stipulation three regarding construction parking to and replaced with a plan approved by Staff.

Chair Jarson suggested the following amendments to stipulation three state: That all construction parking shall be by agreement per Staff prior to permitting. Any offsite parking shall be confined to the adjacent street along the immediate property frontage. No construction materials will be allowed to be stored in the Town's right-of-way.

He further amended stipulation nine as follows: The concrete driveway material shall have a photo or sample provided to Chair and Staff prior to having a building permit submitted.

Member Anton seconded the motion.

The motion passed 3-1: Members Jarson, Lewis and Anton voted "Aye." Member Campbell voted "Nay".

D. Discussion with Town Attorney: Adopting Rules of Procedure for the Hillside Building Committee.

Andrew Miller, Town Attorney indicated that about two years ago there were a lot of questions brought up about meeting rules. They felt it was important to have consistency between the Council, Boards and the Committee. The Planning Commission revised its rules in 2008 and the Board of Adjustment adopted their rules in 1998. The Hillside Committee never had rules. They are planning to have a process by which the Planning Commission will come up with rules and the Town Council authorizes them. They formed a working group with the Town Manager, Vice Mayor, and Council Member Scott Moore. That group met three times. The Council wanted to provide the Boards sufficient time to provide their feedback. He indicated that the Chair of the Planning Commission wanted to have the same rules for each of the Boards, but there are specific things that each Board deals with that are different than the others. However, they can make the procedures the same where applicable. They felt that the Board of Adjustment rules seemed applicable to the Committee. Like the Board of Adjustment, the Hillside



Committee is more of a code-based Committee and ensures that applicants meet requirements. The changes were done to provide greater openness and transparency and will allow for more thorough and rigorous Staff reviews. They want to make sure there is enough time for the Boards and the residents to review proposals. The working group suggested that the applicant submit all materials, including presentations on the first date of the advertisement. The Planning Commission will require the materials to be provided five days prior to the packet going out. This will provide them 15 to 16 days of review. The Hillside Committee has a notice that goes out to residents within 1,500 feet of the property. All of the materials will be needed prior to the materials going out. There will be cut off dates for new material to ensure that the Board is not sandbagged. He indicated that there may be times when Staff will need to get items to the Board and will have to update the presentation. Written statements by the general public should be submitted at least 24 hours prior to the meeting time. This will allow Staff time to assemble these and disseminate them to the Board.

Member Lewis asked what they do when someone provides a significant amount of material. He mentioned that they should be careful not to write the rules in a way that makes them confusing to understand. He stated that when he was on the Governor's Regulatory Review Committee, they ensured that laws were understandable and clear.

Mr. Miller stated that someone might provide a significant report or lots of information to the Board for controversial issues.

Member Campbell stated that they should not be concerned about the amount of material being submitted but should decide if 24 hours is sufficient time to review the material. When there is a very active case, it takes more time to review public comments. He would rather change it to 48 hours.

Member Lewis asked if it would be appropriate for the third party to submit a summary of their comments. A summary page will give all of the substance of their position.

Mr. Miller stated that the Council wants to be lenient in accepting public comments. If someone misses the 24-hour rule, they can show up and provide copies to the Council and voice their comments during their speaking time. They will be required to submit 10 copies to the Board. The working group suggested that PowerPoint presentations not be allowed. Spokespersons will have to be identified by a group and they will need to be in attendance. They will change their time to speak to 15 minutes and the Chair can provide more time if it is deemed necessary. Motions to reconsider have come up with the Council and the Board of Adjustment in the past. A member of the body would have to notify Staff within a specific number of days after the item was originally decided, then it would be put back on the agenda. They would have to notify the applicant and those that are in opposition to the item.



Member Anton mentioned that on page 3 #C it indicates that all property owners located in a specified mailing radius of the subject property shall receive notice. He commented that this requires applicants to spend a lot of money and time to notify people, many of which do not have anything to do with the proposal. He suggested that they have one radius requirement for properties within Paradise Valley and a smaller radius for property located outside of the municipal boundary. This is unfair to the applicant.

Mr. Miller indicated that the Council would like the radius increased.

Member Campbell stated that they could increase it for property within the Town. They could notify only those that are adjacent to the property if located outside of the Town.

Chair Jarson commented that it is very helpful to have the rules in place.

5. COMMITTEE REPORTS

There were no Committee reports.

6. NEXT MEETING DATE

Chair Jarson stated that the next meeting is on December 12, 2018 at 8:00 AM and then on January 9, 2019 at 8:00 AM.

Member Campbell stated that he cannot make the December meeting.

7. ADJOURNMENT

Chair Jarson motioned to adjourn.

Member Campbell seconded the motion.

The Committee approved the motion unanimously.