



## **Town of Paradise Valley**

### **Minutes**

#### **Hillside Building Committee**

**Wednesday, June 24, 2020 at 8:00 AM Council Chambers**

#### **1. CALL TO ORDER**

The Hillside Building Review Committee met on Wednesday, June 24, 2020, at Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona 85253. Present: Chair Scott Jarson, Committee Member Scott Tonn, Planning Commission Member Charles Covington, Planning Commission Chairman Johnathan Wainwright. Hillside Development Administrator Hugo Vasquez, Town Engineer Paul Mood. Chair Scott Jarson called the meeting to order at 8:01 a.m.

#### **2. EXECUTIVE SESSION**

None.

#### **3. APPLICATION REVIEW**

##### **20-306 Combined review for modifications to the previously approved plans at 5656 E Indian Bend Road (APN 169-55-006) (continued).**

Hillside Development Administrator Hugo Vasquez detailed the updated plans for the residence at 5656 East Indian Bend Road. The review was continued from the June 10 meeting.

- Revised landscape plans were submitted.
- Concerns addressed regarding the front slope of the property. Excavation of the property resulted in rock and cobble in the front area of the home.
- The existing trees were removed during excavation and the applicant had proposed additional landscaping. They showed new trees planted along the front of the property.
- Changes to property design now including a spa and on the northeast side of the residence a proposed mechanical yard.
- Garage doors height has been changed from 8 to 10 feet.
- A solid screen wall had replaced the open railing for stairs on the East side of the property.
- Additional vegetation added to the area.



- No changes to lighting or height of the structure.
- The grading plan had not changed.
- Additional details needed from the last meeting were shown.
- The landscaping lighting had been corrected.
- Plan now includes notes ensuring any hard soil areas will have 6 inches of topsoil added for vegetation to grow.
- Permanent irrigation would be installed to ensure the vegetation and trees are growing.

He noted that comment was received from neighbors of the residence regarding the plans submitted to the Town stating they were not stamped/sealed or signed by a registered architect and that the spa was not on the original plans but has been added. He noted an architect seal is not required in the State of Arizona and a draftsman or designer could design a home. He noted they would need to verify the spa with the architect or designer as it was not included in the original plans.

An additional comment was submitted regarding Zoning Ordinance XXII, Section 2207. The commenter believed the home blocked mountain views. The previous renderings did not show the mountain top profile and as a result, the commenter felt the structure violated ZO XXII. He noted the Hillside Development regulations have provisions for blocking mountain views when structures are 1500 feet and above in elevation. The property in question sits at the highest 1499 feet in elevation therefore the Zoning Ordinance did not apply.

Doug Jordan, on behalf of Don Neuerman, noted that Don Neuerman, Designer Bob Long, Builder Cliff Weigel, Landscape Designer Craig Crowley were present at the meeting. He noted that landscaping was a concern and the landscaping plan has been enhanced as a result. The color of the home was an LRV of 18 in 2018, two weeks ago it was proposed an LRV of 19, currently, it had an LRV of 16. He drove by the home and the proposed color is painted on the East wall with the roof tile against it. The roof tile presented previously was a mistake. The proposed LRV of the roof tile was 13 and not 21 as previously proposed. He offered to answer any questions.

Chairman Jarson noted that the Committee would discuss the application and open the meeting for public comment later in the meeting. He asked Doug Jordan and Bob Long to detail the material palette presented. A color board was shown.

Designer Bob Long stated the colors were reviewed with the interior designer. The house color was a rich brown tone that matches the stone to be used and ties into the roof tile. He confirmed the roof tile LRV with the manufacturer. He noted it was darker than most roofs expect one in the Southwest area. He felt the color palette worked well together. He noted most homes in the area are tiled roof and brighter in roof tone. He asked if the committee had a chance to see the materials.



Chairman Jarson had visited the site. He noted that in their last meeting there was a darker trim color discussed and asked if that had now been eliminated.

Mr. Long confirmed it was eliminated. He noted the hot tub on a balcony was shown on the building department's permitted set of plans but not on the Hillside plan set. He removed the spa from the balcony and placed it on a cement pad shown on the plans as a spa. He noted no plumbing issues by moving the above ground spa to the back yard. It would be screened and fenced.

Chairman Jarson refereed to the elevation changes. He reiterated the changes listed above. He asked what additional changes were made.

Mr. Long stated that was most of the changes. He noted the chimney cap was defined with new height. He noted it was within the 40-foot requirement.

Charles asked if the top of the chimney cap had been lowered from the original plan.

Mr. Long responded there was no height change just a change in cap detail.

Chairman Jarson asked Hugo if they had the chimney detail.

Mr. Vasquez confirmed, yes. He showed the detail on the screen. And showed the stair wall detail on the rendering.

Mr. Long pointed out the stair wall rendering. Originally three mechanical units were going under the stair landing however they had to extend that area to fit pool mechanical equipment.

Chairman Jarson asked if the equipment area would hold air conditioning compressors and pool equipment.

Mr. Long confirmed, yes.

Chairman Jarson noted there were number of fountain grass plants on the rendering and not on the landscape plan. Fountain grass was not allowed within the landscaping plan.

Mr. Long noted that the rendering was not accurate, and they were aware that is not allowed.

Mr. Tonn noted that the stairwell shown on the rendering was not covered well by the vegetation. He asked why the stairwell was not more concealed.



Landscape Designer Craig Crowley replied they added an ocotillo per the Committee's request. There is a septic tank in that area preventing anything larger. He noted he would add orange jubilee or something similar to block the wall.

Chairman Jarson stated the ocotillo was a general suggestion and that they should discuss multiple ocotillos being added to relieve that wall.

Mr. Tonn stated that the wall was originally intended to have a decorative railing and now that it has been built with a wall it should be softened with landscaping. He felt the mass of the wall that abutted the landscape opportunities needed a thicker cover.

Mr. Jordan commented that they were willing to discuss further landscaping options for that area.

Planning Commissioner Charles Covington noted the wall mass is visible from the 57<sup>th</sup> Place.

Committee Member Scott Tonn noted that the tree that was removed was needed and would have softened the view. He noted that the tree proposed is not nearly as big as the one. The areal drawings clearly show the large tree that was removed. He felt the trees were iconic to the property.

Mr. Jordan referred to the tree that was removed. He noted the builder stated the pad was not compacted correctly and the builder needed to remove two of the four original trees. What was approved in 2018 has been improved with the revised landscaping plan. He noted they were amenable to improve the landscaping around the stairwell wall. He noted the septic tank was susceptible to roots.

Chairman Jarson referred to the front slope of the landscaping plans. He asked the applicant how they will mitigate the slope.

Landscape Designer Craig Crowley stated to revegetate the slope much of the granite would need to be removed to make the sloping natural. He noted they will germinate seed and plant vegetation to appear natural. He noted the top layer of granite would be removed.

Chairman Jarson was concerned that there was not a specific address to the plan other than preparation for seed. He asked how they plan to ensure the requirements are fulfilled regarding the front slope landscaping.

Mr. Crowley offered to add additional notes to the plan describing his previous comment.

Mr. Jordan stated that note one and two of the landscaping plans address the subject.



Mr. Tonn noted that further elaboration would be necessary.

Mr. Crowley asked if a section detail on preparing the slope would be sufficient.

Chairman Jarson stated that it should be included in the plan as they discussed the slope in the last meeting. He noted that the number of changes that took place in the field required more direction on the restoration of the slope. He wanted to address that issue within the meeting. He felt more detail was required. He noted they did not have a sample of the granite and what the colors would be in that area.

Doug Jordan asked if more elaboration of the process in the notes would be called for.

Chairman Jarson responded, yes. He noted that moving forward they need specifics as the site has been torn apart. He noted the slope was an egregious issue. He understood the contractor's need for compaction of the site but noted the appearance is negligent. He wanted to confirm the site was corrected.

Planning Commissioner Charles Covington noted the Landscape Designer offered a section detail.

Chairman Jarson noted that multiple sections were needed given the scale of the slope.

Mr. Crowley confirmed they would provide the requested details.

Mr. Tonn noticed the replacement trees show 36-inch boxes and 24-inch boxes. He stated the removed tree near the driveway could have been preserved. He noted that he has personal experience with pouring a cement pad 6 feet from a large tree and it was saved. He wanted to see a larger tree should replace the tree removed.

Chairman Jarson stated the plant palette was an improvement and naturalized. He asked for the Committee's comments on the change of roof surface. He noted the roof texture would help with reflection but may not appear as refined as the previous material. He noted the relocated equipment being screened however was concerned about the pool pump ambient noise, as the sound travels up the hill like an echo. He did not feel the garage doors differed from the original intent of the plan. He asked if the roof changes were acceptable.

Mr. Tonn felt the change was acceptable.

Mr. Covington stated he visited the site and there was a home southwest that had a similar color of roof and the color did not stick out.

Chairman Jarson felt it changed the look of the application.



Mr. Covington noted that the raked nature of the tile would help it appear natural.

Chairman Jarson felt that a neighbor sitting above this lot he would be concerned about the in-field changes to the plan. He wondered how the community felt about the roof change.

Mr. Covington asked would they have approved the roof originally.

Chairman Jarson noted they may have changed the stone veneer but would have approved the color palette.

Mr. Covington felt they would have also approved the proposed color for the house. He asked if they would have approved the house color with the original submittal.

Chairman Jarson stated he liked the new color as it was richer and deeper. He felt it was an improvement than prior submittals.

Johnathan Wainwright felt concerned about landscaping. He felt it was more in compliance. Felt the paint color was an improvement.

Chairman Jarson asked if there were additional comments.

Planning Commissioner Jim Rose stated the blank wall issue asked if a larger tree would be accepted.

Chairman Jarson he felt choosing the right plant is important for that wall. He noted that there was a concern with any plant that has deep roots in that area. He felt there were alternative options.

Mr. Covington noted there is a triangular area near the driveway and the staircase that could allow landscaping.

Johnathan Wainwright did not feel all landscaping issues could be solved at the meeting. He felt that the plan detail issues will need to be deferred until a future meeting. He felt a review by the two permanent members of the committee should take place once additional detail is provided. He did not want to delay the applicant.

Chairman Jarson agreed and felt there was time to work through landscaping concerns.

Bruce Fieldman 7002 North 57<sup>th</sup> Place, was concerned that the proposed trees will not be as dense as they originally were. He noted the plans appear to show the trees will be 8 feet wide, but boxwood trees are proposed in those locations. Boxwood trees are considered shrubs and will not meet that requirement. He wanted the plans to correctly show boxwood trees. He noted they are comfortable with the colors used for the house.



Chairman Jarson asked if he had any concerns with the materials palette

Mr. Fieldman stated he trusted the Committee with the material palette and had no issues.

Mr. Tonn stated he could not find a boxwood reference on the plan. He referred to a page that there were 14 trees proposed in the plan and none of them were boxwood.

Bruce Fieldman commented that he has a letter sent to the Town by Thomas + Crowley stating they were boxwood trees.

Mr. Covington stated he did not see boxwood trees on the plans.

Chairman Jarson commented he did not see them on the plans either. He noted the plan details will need to be what is landscaped.

Mr. Tonn referred to Mr. Wainwright's comment about donating time to work with the applicant to resolve any lingering issues. He felt that guidance from the rest of the committee would be helpful to ensure they make decisions the full committee would agree with.

Chairman Jarson commented that the color on the plan set regarding the CMU for the barbeque was not the correct color and advised that be corrected. He referred to a page of the plans set and what details would be needed. They wanted to see detail including the stairwell, a few sections detailing the slope, and one larger specimen tree. The smaller trees will grow but a bigger tree should replace the one removed. He wanted to see the naturalization of the slope with larger material like larger rocks. He asked if the comments were finished to approach a motion.

Bruce Fieldman asked if they were discussing all the changes or if they were just discussing the landscaping.

Chairman Jarson noted the applicant has addressed the issues brought forward. He asked if the committee would be considering a motion to approve the material, the screen wall on the stairwell, and the spa changes.

Mr. Fieldman stated he was concerned about the unapproved changes that had been built months ago. The amalgamation of the pool equipment and an additional air conditioner can be seen. A screen wall for the equipment is long and changes the look of the home further. He felt the changes were contrary to what was approved. He stated the purpose of the Committee was to minimize the impact of development from a viewpoint, valley floor, and adjacent slope. He did not feel the pool equipment and air conditioner were minimized and would be loud. He noted the sound reverberates up the mountain. The mountain offers vistas that will be ruined by the noise. He felt economic harm would be done because of the visual and physical exposure of equipment and infringe their





intrinsic value of property and use of their property. He noted some things had been installed four to five months before approval and should have been reported to the staff.

Chairman Jarson did not believe the equipment was visible from the street. He stated the equipment was in the location originally approved. The area has been enlarged to hold all equipment. He noted the fence has been extended to accommodate the coverage of the equipment. He asked why the pool equipment was moved.

Mr. Long noted they could not fit the pool equipment needed under the stairs as originally planned and the added noise could be increased by moving it out from under the stairs. He noted the permitted plan there were three AC units and pool equipment under the stairs. They are asking to just move the pool equipment out.

Mr. Covington stated he did not want the pool equipment pulled out into the landscaping. He noted the homeowner would have to deal with sound also due to its location.

Tony Corey noted he could see the equipment from his home, and they moved the equipment closer to his pool and deck. He felt the noise would be loud and that it was visible from many angles due to it being on the East side of the house. He noted the concrete wall on the stairs was harsh compared to the railing previously proposed. The large trees that could have been saved were removed but could have helped block the view. He felt the home was too large. He appreciated the Committee's time but felt precedence was being set that plans did not need to be followed. He mentioned the elevation of the home should have been seven feet below his deck but was much taller once built. He did not feel the change of the roof should be approved. He felt the roof would make the home look larger than a Wal-Mart.

Chairman Jarson noted changes in the field happen often. He noted there was not a way to patrol the changes that were made. He could not speak to the intent of the changes. He did see the effort to make a situation better. He stated that the changes were made, and the committee had to work with the applicants to improve the changes the best they could.

Johnathan Wainwright addressed mitigating the pool equipment. If an opportunity were available to enclose the equipment, he felt that would help mitigate noise and was open to other options.

Bob Long asked Mr. Vasquez if there was a limitation of decibel requirements.

Mr. Covington stated the limitation did not apply to pool equipment.

Mr. Vasquez stated he would need to research the Municipal Code.

Chairman Jarson stated it was not a common Hillside issue.





Community Development Director Jeremy Knapp stated that fixed noise sources must remain below 56 decibels during daytime hours.

Mr. Covington asked if that included pool equipment and compressors.

Scott Tonn asked where the pool equipment was located on the 2018 plan.

A conversation followed concluding the pool equipment was not called out on the plan. It was verbally confirmed under the stairwell.

Mr. Tonn stated that the pool equipment was shown under the stairwell. He asked how high the landing was in the stairwell to not allow the equipment to fit. He stated the pool equipment should fit but it was convenient to move it. He did not know if the noise would be mitigated even under the stairwell. He felt the equipment could be moved back under the stairwell.

Mr. Wainwright asked if the pool equipment could be enclosed in its current location.

Mr. Covington stated it would be a structural piece and would add building mass.

Chairman Jarson stated that both air conditioners would be heard, and screening was improved. He felt the pool equipment could be dropped one-foot subterranean to help with sound and visual impediments. If the stairwell was opened, he felt that equipment could be compressed or mitigated.

Bob Long noted there was no room to the west for all equipment but asked if there was room for just the pool equipment.

Chairman Jarson asked if the pool has been built or plumbed.

Cliff stated it had not been built.

Chairman Jarson stated there was an opportunity to pipe the equipment wherever it is installed.

Mr. Long noted there was a steep slope on the west side.

Chairman Jarson noted it would also need to be serviced.

Bruce Fieldman asked why the equipment was moved from the pool vault on the west side of the original plans.

Mr. Long stated it was approved in the building permitted plans.



Bruce Fieldman noted it should be installed where it was approved on the plans.

Mr. Vasquez stated there needed to be a method of backwash for the pool. He felt it made better sense to be on the East side where water can flow into detention basins already there.

Bruce Fieldman noted the space looked as big as underneath the stairwell. He stated the pool vault should remain where it was originally planned, and the applicant would need to work out the details.

Scott Tonn asked what was in the square footage that was originally the pool vault.

Mr. Long stated it is a retaining wall to hold up the yard.

Mr. Tonn asked if it was part of what originally was the house.

Mr. Long noted the hot tub would be installed above it.

Mr. Tonn asked for the elevation of the original plan.

An elevation page was shown.

Mr. Long noted the area in the discussion below the deck, where the pool vault was shown gates. The building plans resubmitted had that removed.

Mr. Tonn noted they do not look at building permits.

A motion was proposed:

Subject to Staff, Chairman Jarson, and Committee Member Tonn approval the revised application 20-306 is approved subject to a follow up on items

1. A follow up that the Barbeque color matches,
2. South slope redesigned to include the 2018, 8 boulder groupings, and to naturalize South slope including a minimum of two section drawings,
3. Landscaping around East stair to soften elevation,
4. Landscaping North of the mechanical area to be added to block the view from neighbors,
5. Trees removed from the 2018 plan will be replaced by two 48 Inch box palo verde variety called out on the 2018 plans,



6. Relocate pool equipment to the original 2018 plan proposed area or be enclosed in the current proposed area.

Mr. Tonn noted that the purpose of the motion is to provide leadership as a committee to the people looking at subsequent plans and provide optionality where possible.

Mr. Wainwright noted he had not considered the effect on neighbors down the hill if the pool equipment was moved to the 2018 plan location.

Chairman Jarson stated that he felt the equipment moved to the west side was a good option as it was approved originally.

Mr. Covington commented that the effort is to allow the contractor to move forward given the exceptions.

Chairman Jarson felt the impact of the changes were addressed. He felt the rest of the construction could move forward.

Mr. Wainwright stated that the final approval could be reviewed by the two permanent members. He did not want to delay the overall construction.

Mr. Tonn stated his motion was to approve the changes subject to Staff, Chairman Jarson, and Committee Member Tonn approval. He reiterated the items pending in the motion and stated in his motion the pool equipment would be enclosed.

Mr. Long noted the stipulation for the equipment was for the pool only.

Mr. Tonn repeated the motion stipulations.

1. A follow up that the Barbeque color matches,
2. South slope redesigned to include a minimum of two section drawings, 2018, 8 boulder groupings, and to naturalize the South slope,
3. Landscaping around East stair to soften elevation,
4. Landscaping North of the mechanical area to be added to block the view from neighbors,
5. Trees removed from the 2018 plan will be replaced by two 48 Inch box palo verde variety called out on the 2018 plans,
6. Relocate pool equipment to the original 2018 plan on the West side, or to be enclosed in the 2020 plan area, or the current proposed area or be enclosed.



**Motion:**

Subject to Staff, Chairman Jarson, and Committee Member Tunn approval the revised application 20-306 is approved subject to a follow up on items

1. A follow up that the Barbeque color matches,
2. South slope redesigned to include a minimum of two section drawings, the 2018, 8 boulder groupings, and to naturalize South slope,
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4. Landscaping North of mechanical area to be added to block view from neighbors,
5. Trees removed from the 2018 plan will be replaced by two 48 Inch box palo verde variety called out on the 2018 plans,
6. Relocate pool equipment to the original 2018 plan on the West side, or to be enclosed in the 2020 plan area, or the current proposed area or be enclosed.

**Motioned By:** Committee Member Scott Tonn

**Second:** Commissioner Johnathan Wainwright

**Vote:** Scott Jarson, aye, Charles Covington, aye, Johnathan Wainwright, aye

**Nay:** None

**The motion was approved.**

Bruce Fieldman noted the landscape lighting was not discussed and increased from 17 path lights to 27.

Chairman Jarson stated that the lighting was on the landscaping application. There will be an oversight in the motion that will allow the lighting to be approved by one of the appropriate parties.

Bruce Fieldman provided quotes from town emails dated April 22, 2020 regarding the finished floor certification regarding the height change. He noted the neighbors were concerned and wanted to verify the height difference was substantially compliant.

Mr. Vasquez detailed that substantially compliant meant they did not exceed the height limits and the intent was the same. He noted construction is not exact.



Town Engineer Paul Mood noted this related to the location where the lowest point was taken. He noted it did not affect the overall height but the low point.

Mr. Vasquez noted the original low point was 1467.4, the as-built received showed the South West retaining wall was at a lower elevation than originally submitted. The overall height is called out as 34 feet 7 inches.

Commissioner Wainwright stated that the applicant should have an opportunity to address changes in the motion.

Doug Jordan commented he was not concerned about the landscaping. He asked Mr. Long if he had comments on the pool equipment.

Mr. Long stated he will come back with solutions to make sure the equipment was screened and enclosed.

Mr. Tonn stated that the applicant has identified two plausible locations, now including a third. He wanted to see what the equipment would look like enclosed.

Chairman Jarson called for the vote. See the motion above. He thanked the community, and all involved. He asked if any staff reports were a concern.

Hugo Vasquez did not have any items.

Mr. Mood had no items.

Chairman Jarson stated Wed July 8, at 8:00 AM would be the next meeting followed by Aug 12. He asked if that worked for the Committee.

Hugo Vasquez stated the meeting is remote and, on that date, there will be two applications addressed.

Chairman Jarson thanked Scott Tonn for joining in on the landscape and equipment review.

Scott Tonn Stated that they would coordinate a time with the applicant.

**Motion to adjourn.**

**Motion:** Chairman Scott Jarson

**Second:** Scott Tonn

**Vote:**



**Unanimous “Aye”**

The meeting was adjourned at 9:36 AM.