



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Final

Hillside Building Committee

Wednesday, December 8, 2021

8:00 AM

Town Hall Boardroom

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

Committee Members

1. Call to Order

Present: 5 - Scott Jarson, Scott Tonn, William Nassikas, Karen Liepmann and Pamela Georgelos

2. Executive Session

None.

3. Application Review

None.

4. Staff Reports

[21-387](#)

Combined review for a hillside designation removal at 6010 N 41st Street (APN 169-22-068).

Property 6010 N 41st St: Applicant did not believe he was well represented in June. Property near Phoenix, average lot slope 3%. Other factors less than 10% slope. Hillside designation would allow property to not conform to hillside requirements. Final approval or denial of approval. Proposed building pad is 3.3%. They comply with the less than ten percent designated for hillside.

Applicant: Peter Grosso: Reason to remove from hillside is to utilize back yard. Grosso lives with 90 year old mother-in-law and if she were to leave the premises they are concerned she wouldn't get back home. They want to build a mother-in-law suite and a track in the back yard for exercise. Hillside stipulations cannot put track in back yard. Chair Jarson- has design been done for new home? Peter, yes. Last meeting was to determine if hillside or not hillside. Keeping lot hillside why have statute if it not going to

be used?

Jarson: 10% was not a prerequisite. The home has a slight slope. Benefit to saying no longer hillside, but a concern once we remove hillside regulations we remove landscape and lighting requirements. Neighbors are compliant and follow regulations. Lighting and landscaping are a concern for Jarson.

Grosso: Neighboring homes are a lot higher than his home. Two lots east is excavating to make a flat lot. Why are they not held to the same standards?

Jarson: In general prior actions do not set a precedent, he does not know about the aforesaid lot.

Tonn: Interesting reference to precedent- is there anything that staff can offer to the other lot that is two lots over? Was it ever in Hillside? Hugo: Looked at a 1984 map to see if it was hillside. General statement, sympathetic to the applicants need. But as far as having a non-continuous view of the lighting and landscape is important for hillside. Not to make decisions whether it is Hillside or not Hillside, it should stay as hillside. Town Council has authority to remove Hillside designation.

Jarson: With current design, out side the fencing were there any other issues regarding hillside. Grosso would like to add solar panels, hillside can restrict the solar panels on a pitched roof.

1984 Map: it was not hillside in '84 but in 2003 the applicants property was added to Hillside. Hillside ordinance was established in 1984. Grosso, was 10% implemented in 1984? Hugo- yes it was, that slope was instituted in 1984.

Why is Grosso property held to a different standard? The fact it was put in for an unknown reason, why have the opportunity to have it removed? Hillside should be Hillside. Engineer he brought up said that his property doesn't meet code.

Tonn: Every resident has the right to go to Council, Tonn has never voted to remove a property. All references made are important to the Committee. Law based and precedent based you think is correct, applicant can go to council and they have the power to implement changes. It's Council's prerogative to make final decision.

Jarson: Not a large number to come out of Hillside, two parcels in his time that changed from Hillside designation. Also, there was noise abatement

that had to be considered. Others came in with similar conditions that never went to Council. In 2003, there was someone that thought the lot in question should be designated as hillside. There is a reason it should be hillside. To make sure family is safe and design issues for solar panels. Jarson would be in favor of family safety.

Grosso: Why is he being held to a different standard? Jarson- Town can find themselves with a traffic issue on McDonald. Grosso: Why were walls not recommended for other applicants and held to different standards? He is curious as to why certain properties given recommended to be removed and everything recommended to be removed has a ten percent grade, building pad as 10% grade as well. Hugo: Average slope has to be 10% or less. Applicant can have a flatter lot with some steep areas. Grosso, does not have any steep slopes.

Jarson- any comments from Committee? Bill Nassikas- take care of adding a guest house for added security to keep mother-in-law safe. If a plan was in place for a guest house, the Committee could come to an agreement. The hillside deal is a big picture thing that is better suited for Council. Work with applicant on guest house.

Georgelos: each property is considered case by case basis, as opposed to ABC lot and decisions can't be made on conjecture. secondly, there are specific concerns can be addressed through the hillside process, it seems like for us to take in the information to take in today but they are not the decision makers whether it's Hillside or not, they only make a recommendation. Council can make the recommendation for hillside designation. One, construction continues to go through Hillside. Other approach is Town Council and if they decide to remove it, there could be stipulations made on a view corridor.

Liepmann: The ordinance is decisions to protect the land, there must be a way the applicant to work within the hillside ordinance to ensure his mother-in-laws safety.

Grosso: All stated committee did not want to do stipulations, are they going to allow stipulations this time around?

Hugo: As long as it meets code, the site design must need a larger fence area for the Committee to consider. He has a retaining wall, he could get a planter to comply with Hillside. Does not have freedom of wall placement and vegetation.

Grosso: No retaining walls on his property. Hugo, planter wall and vegetation to meet code. Applicant can get close to desired effect, but not

100% how he would like it.

Lauren Baily: Lives up the street, one question: Is the hillside designation is removed, does it stay with the property forever? If removed, will there be a height requirement difference. One property referenced and there is a lot of dirt and they want to build up. The future of this lot can change the dynamic of the Town. If the property changes hand, this is a special area and concerned about what can happen in the future.

Grosso: The way lot is situated, the north and NW is a peak, and SE of lot is Camelback Mountain. If he would put tall trees, it would restrict views of other hillside homes and his own view from his home.

Grosso: What is the difference in height versus hillside and non-hillside? Height of 24' on non-hillside, depends on topography but they can be allowed to go to 40.' General parameters for that question.

Steve: Clarification was height limitation would be if it was not hillside? Hugo, 24 feet. Maximum height of 40.' Non-hillside is 24.' Depends on how they build it and many lots are shallow. Steve would like to see this project move forward. His concern regarding the limitation on height, if it was removed from hillside it could be an advantage but height limitation is main concern.

A motion was made by Chair Jarson, seconded by Committee member Nassikas that the Committee does not recommend that this parcel be removed from Hillside ordinances. The motion carried by the following vote:

Aye: 5 - Jarson, Tonn, Nassikas, Liepmann and Georgelos

[21-398](#)

Formal Review for a new single family residence at 4117 E. Keim Drive (APN 169-22-035).

Mr. Vasquez introduced the item for a new single-family residence that was approximately 5,000 square feet of livable space and a pool on an undisturbed site. He clarified that there was approximately 11,000 square feet of disturbed area proposed and that they planned to put a septic tank on the north end of the property. He shared some site photos and renderings of the project and site plan. He noted that the project was within the height limits and there were improvements being made to the site for drainage as well as improvements to the cul-de-sac. He shared that the lighting was very minimal with only four light sconces and some up lighting in the landscaping and that vegetation was all native.

Andrew Walker, Project Architect with Tomecak Design, remarked that the subject site was unique as it offered wonderful views of the valley but was also quite steep.

Chairperson Jarson asked if staff felt good about the grading and drainage plan.

Mr. Vasquez replied that they did not have any concerns at this time and noted that there would be additional reviews of those plans.

Chairperson Jarson appreciated the plans for a foam roof with a lightweight ballast on top.

Member Nassikas indicated he liked the design and materials. He inquired if there was enough lighting on the site.

Chairperson Jarson commented that it was nice to see less light and that it would probably be sufficient if entries and pathways were lit. He remarked that the glass railing along the pool would give off some reflection but did not believe its position would impact neighbors or views for any duration.

Member Georgelos asked if there were anti-reflective coatings that would help make the glass less reflective.

Mr. Walker replied that he did not believe there were coatings but could investigate frosting or etching the glass. He pointed out that would defeat the purpose of the glass which was to not interfere with the view off the patio from the house. He indicated he would do further research on a coating that could reduce reflectivity.

Member Scott Tonn remarked that his experience with coatings were that they looked great the day they are put on, but they did not hold up over time. He noted that cable railing would be another alternative that would go well with the architect.

Member Georgelos inquired if there were plans for solar on the property.

Mr. Walker indicated they had not discussed solar yet but in the past, they have done solar ready zones, so if the homeowner chooses to add it in the future there is a spot prepared for it.

Chairperson Jarson called for any public comments on the item. No public comments were offered.

Member Tonn indicated his preference would be for the applicant to eliminate the glass pool barrier be eliminated and use rail. He indicated that he believed that would make for a better outcome.

Mr. Walker indicated he would take that into consideration

A motion was made by Committee member Tonn, seconded by Chair Jarson to approve subject to stipulations 1-15. The motion carried by the following vote:

Aye: 5 - Jarson, Tonn, Nassikas, Liepmann and Georgelos

5. Committee Reports

Chairperson Jarson thanked staff and committee members for all their hard work throughout the year.

6. Next Meeting Date

Chairperson Jarson announced that their next meetings would take place on January 12, 2022, and February 9, 2022.

7. Adjournment

Motion to adjourn the meeting at 9:28 a.m.

A motion was made at 9:28 am by Chairman Jarson, seconded by Committee Member Tonn to adjourn the meeting. The motion carried by the following vote:

Aye: 5 - Jarson, Tonn, Nassikas, Liepmann and Georgelos