



Legislation Details (With Text)

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Title: Public Hearing of a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Application, 2. B - Vicinity Map Related Maps, 3. C.1 - Narrative & Plans (Revised 10-01-20 & 10-27-20 & 11-01-20), 4. C.2 - Parking Study and Associated Documents (Revised 10-21-20), 5. C.3 - Traffic Impact Analysis (Dated October 2020), 6. C.4 - Preliminary Drainage Report (Revised 10-15-20), 7. C.5 - Wastewater Capacity Study (Revised 10-16-20), 8. C.6 - Water Service Impact Study (Revised 10-16-20), 9. C.7 - Acoustical Study (Revised 10-22-20), 10. D - SUP Guidelines, 11. E - General Plan Policies, 12. F - General & SUP History, 13. G.1 - Public Comments (Updated 11-10-20)_V.2, 14. G.2 - Notifications (Updated 11-10-20), 15. G.3 - Minutes (Updated 11-10-20), 16. H - Statement of Direction (09-10-20), 17. I - Tentative Timeline (Revised 11-10-20), 18. J - Compliance Detail (Dated 11-10-20), 19. K - Smoke Tree SOD Comparative Analysis (Revised 11-10-20), 20. L - Draft Ordinance (Revised 11-10-20)

Date	Ver.	Action By	Action	Result
11/17/2020	1	Planning Commission	Recommended for Approval	Fail
11/17/2020	1	Planning Commission	Recommended for Denial	Pass

TO: Chair and Planning Commission Members

FROM: Paul Michaud, Planning Manager
George Burton, Senior Planner

DATE: November 17, 2020

DEPARTMENT: Community Development

AGENDA TITLE:
Public Hearing of a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort

RECOMMENDATION:
The revised Statement of Direction (SOD) from the Town Council gave the Planning Commission until November 17, 2020 to make its recommendation to the Council whether to approve or deny the Major Special Use Permit (SUP) amendment application by Gentree LLC, the property owner of the Smoke Tree Resort located at 7101 East Lincoln Drive (APN 174-64-003A), for a complete demolition of all existing structures and construction of a resort. There is no option for continuance as the Council Statement of Direction gives the Planning Commission until November 17, 2020 to

render their recommendation.

There are several resources to aid the Planning Commission in rendering their recommendation in addition to the proposed plans and related studies for this request. These include, and are not limited to, the Compliance Detail (Attachment J) that describes how the requested application meets various Special Use Permit Guidelines and other requirements, an SOD Comparative Analysis Table (Attachment K) that provides a summary of how the proposed application meets or does not meet the SOD, the minutes (Attachment G.3) from prior Planning Commission discussion since July 7, 2020, the public comments received on the application (Attachment G.1), and the draft ordinance (Attachment L) with the stipulations.

Option 1 Recommendation of Approval

I move that the Planning Commission recommends forwarding to the Town Council approval of Ordinance No. 2020-09 (with the noted track changes), being a major amendment to the Special Use Permit (SUP-18-05) for property zoned SUP-Resort known as the Smoke Tree Resort located at 7101 East Lincoln Drive, providing for redevelopment with demolition of all existing structures and construction of a new resort hotel with 122 hotel keys and resort related restaurant, retail, meeting space, and related site improvements, with the conditions and effective date as described in said ordinance. I recommend approval for the following reasons [*specify reasons, such as application SUP-18-05 promotes the goals and policies of the General Plan in encouraging renovation of an existing resort, protects the surrounding neighborhoods as supported by various studies (traffic, parking, acoustical), and/or facilitates a high quality development by the proposed plans and stipulations.*]

Option 2 Recommendation of Denial

I move that the Planning Commission recommends forwarding to the Town Council denial of Ordinance No. 2020-09, being a major amendment to the Special Use Permit (SUP-18-05) for property zoned SUP-Resort known as the Smoke Tree Resort located at 7101 East Lincoln Drive, providing for redevelopment with demolition of all existing structures and construction of a new resort hotel with 122 hotel keys and resort related restaurant, retail, meeting space, and related site improvements, with the conditions and effective date as described in said ordinance. I recommend denial for the following reasons [*specify reasons, such as application SUP-18-05 fails to promote the goals and policies of the General Plan - including having a density greater than the moderate intensity within a development area and/or the design of the project does not facilitate a high quality development.*]

REQUEST

Gentree LLC, the property owner of the Smoke Tree Resort, is seeking redevelopment of the property located at 7101 East Lincoln Drive (APN 174-64-003A) via a major amendment to the site's existing Special Use Permit - Resort zoning (SUP-18-05). The application is attached as Attachment A. The proposed redevelopment of this property will be a complete demolition of all existing structures and construction of a resort.

MEETING PURPOSE:

Hold a public hearing on SUP-18-05 that was continued date specific from September 15, 2020 to November 17, 2020. This hearing allows for public input and for the Planning Commission to forward a recommendation to the Town Council.

UPDATE FROM PRIOR MEEETING:

The Planning Commission reviewed new visuals (Attachments A24, A25, and A26) provided in the November 2nd packet on the interior space of the Pavilion and the street view with mature trees along Lincoln Drive. The applicant clarified questions such as on the on the type of landscaping and the operation of the Pavilion (darkening blinds, air-conditioned, etc.).

It was confirmed again that the development will be built and opened in one phase. To that effect, Town staff edited the ordinance to delete the one or more phasing text in Stipulations 13, 14, 16, 17, 19, and 23. As a Certificate of Occupancy is granted for each building, the development agreement will need to include a clause related to issuance of Certificate of Occupancies until the resort is completed. To clarify, Stipulation 17 generally addresses the order buildings will be constructed to assure the construction site meets all safety, access, and related requirements during construction.

A concern was noted whether the submitted plans adequately show the architectural style to grant a minor architectural modification as described in Stipulation 24. The general architectural style, color, and material is expressed in the proposed Approved Plans. Specifically, Sheets A23, A27, A33, and A38 of the Major Amendment Application and Sheets A3 through A10 of the Supplemental Exhibits illustrate this information.

The Planning Commission discussed the possibility of requiring valet mode everyday for 24 hours. This discussion lead to a comparison of the Royal Palms Resort located at 5200 E Camelback Road in Phoenix and consideration in revising Stipulation 53 requiring use of the valet during the prime season. General direction resulted in no edits to Stipulation 53 based on the variations between resorts on prime season dates and that the stipulation as drafted provides sufficient performance measures on when the resort goes into valet mode.

There was a resident comment requesting an understanding about support of the proposed density (referring to the project density being the highest of any existing resort in Paradise Valley). The Chairman noted that no decisions have yet been made favorably or unfavorably on SUP-18-05. There was a suggestion to combine several guest units into larger units. Commissioners Covington, Lewis, Georgelos, and Rose expressed concerns over the proposed density.

Direction was given to staff to cross check the ordinance and plans for any discrepancies. Town staff cross checked the plans and ordinance. The attached documents reflect any noted corrections (with a summary of these edits noted under Discussion below).

DISCUSSION:

Draft Ordinance - Stipulations.

Attachment L includes the latest revised draft ordinance (with stipulations) from the version provided in the November 2nd Planning Commission packet. The track changes made in this draft ordinance only reflect known proposed edits after the November 2nd Planning Commission work session. There may be other edits, including edits to already discussed items, as the draft ordinance moves forward. The edited or noted areas of the draft ordinance are outlined below:

- Noted the applicant to provide the gross and net legal descriptions for the ordinance exhibits, which the applicant will need to provide with the Council packet.
- Acknowledged that the applicant requests the removal of the 1969 SUP summary in Exhibit C, which is not supported by staff and a matter best discussed with Council.
- Made several formatting edits (specifically, edits to match the sheet numbers to the correct sheet number in the plan set, to add the name of the sheet for any referenced sheet in a

stipulation, and to have all numbers in the same format (written out, with numeric in parentheses)).

- Added the definition of “Town Code,” as this term is used and was not defined.
- Clarified in the definition of Resort Retail the total combined 2,750 square feet, as this definition allows for 250 square feet of Resort Retail in the building where guests check in and out of the resort and 2,500 square feet in the market/coffee shop building.
- Deleted references to phasing as described above under “Update from Prior Meeting” since the development will be built and opened in one phase.
- Modified Stipulation 24 to recommend approval by the Town Manager since the Town Manager is a defined term and can appoint the Community Development Director as the designee on this stipulation.
- Added to Stipulation 33.d regarding closing of the exterior doors at the Third Floor Communal Area that these doors shall be electronically controlled, including a sensor to allow people back inside after the doors are locked but not allow people back out (which the applicant stated at the October 20, 2020 meeting).

Complete Updated Plan Set. There are some minor revisions to the plan set in Attachment C.1 from the November 2nd packet. These revisions included the following:

- Clarified the 12’ tall SA pole light fixture setback on Sheet A14, Proposed Site Lighting Plan, as the applicant intends to have a greater setback than 12’ on many pole light fixtures (but a 12’ setback will be the minimum for those noted light fixtures). As a reminder, the six pole light fixtures along Lincoln Drive have a 2’ setback and one fixture at the garbage bin location has a 2’ setback. The other pole light fixture setbacks are 12’ minimum.
- Included the two LU fixture up light renderings to the plan set (Sheets A20 and A21).
- Included the new renderings presented on November 2nd with the plan set (Sheets A24, A25, and A26; with Sheet A25 being a new rendering of the project viewed looking southeast at the northwest corner of Lincoln Drive and Quail Run Road).
- Updated Sheet A10, changing area ‘X’ to read “Third Floor Communal Area.”
- Updated the date on Sheet A11, Proposed Landscaping Plan.

Compliance. Compliance for a Major Special Use Permit amendment looks at many different aspects of the proposed project (such as density, use, height, parking, architecture, and related items), impact to the Town as a whole (such as revenue/cost and fitting in with the Town’s vision), and impact to the immediate neighborhood (such as traffic, noise, and similar items). The Planning Commission reviewed aspects of the revised proposed project over ten meetings since July 7, 2020. For a detailed review of how the requested application (SUP-18-05) complies refer to the Compliance Detail (Attachment J) and the SOD Comparative Analysis Table (Attachment K, being a summarized version of the Compliance Detail).

PUBLIC COMMENTS AND NOTICING:

Emails from six residents in support were provided to the Planning Commission at the prior work session of November 2, 2020. There have been two new emails (in support) provided since the November 2, 2020 work session.

There have been several residents who provided comment throughout the application process. This includes two adjacent residential owners requesting a stipulation to install a private gate on the private portion of the Quail Run Road alignment and to provide these owners resort access that

would run with their land. The owners of the adjoining Andaz Resort and nearby Applewood Pet Resort provided comment. The owner of the Applewood Pet Resort is supportive of the project. The owner of the Andaz Resort expressed a desire to retain the 12' to 15' tall oleander hedge along the south property line (which is predominantly on the Andaz property and the applicant agreed to maintain in addition to planting a sour orange hedge and staggered parking lot trees) and earlier expressed concerns on height and density. The adjoining owner of the Lincoln Plaza Medical Center did not provide comment directly, but has worked with the applicant on the shared access driveway and has knowledge of the proposed application. The comments since June 2020, including from the applicant's neighborhood meeting on October 21st and August 20th, relate to concerns about density and traffic, a question on the Town's property tax model, request for Quail Run Road improvements to mitigate vehicle stacking and traffic south of the resort entry, questions on the operation at the resort, comments on the hotel versus resort feel of the project, questions regarding the operation at the Third Floor Communal Area (i.e. views into the residential parcels west of the site, use for events), recommendation in combining the coffee shop and restaurant, and operation of the pool (i.e. food/drink service, pool size). Please reference Attachments G.1, G.2, and G.3 for more information.

NEXT STEPS:

Council review of this application is tentatively set for a study session at their meeting on December 3, 2020. The Council action date has not been set and will require mailing, newspaper, and property mailing notice to land owners within 1,500 feet of the site. Council action is not expected to occur until at least the second Council meeting in January 2021.

ATTACHMENT(S):

- A Application
- B Vicinity Map & Related Maps
- C.1 Narrative & Plans (Revised 10-01-20 & 10-27-20 & 11-01-20)
- C.2 Parking Studies and Associated Documents (Revised 09-28-20)
- C.3 Traffic Impact Analysis (Dated October 2020)
- C.4 Preliminary Drainage Report (Revised 10-15-20)
- C.5 Wastewater Capacity Study (Revised 10-16-20)
- C.6 Water Service Impact Study (Revised 10-16-20)
- C.7 Acoustical Study (Revised 10-22-20)
- D SUP Guidelines
- E General Plan Policies
- F General & SUP History
- G.1 Public Comments (Updated 10-28-20)
- G.2 Notifications (Updated 10-28-20)
- G.3 Minutes (Updated 11-10-20)
- H Statement of Direction (Revised 09-10-20)
- I Tentative Timeline (Revised 11-10-20)
- J Compliance Detail (Dated 11-10-20)
- K SOD Comparative Analysis Table (Revised 11-10-20)
- L Draft Ordinance (Revised 11-10-20)