



Legislation Details (With Text)

**File #:** 19-137      **Version:** 1      **Name:**

**Type:** Special Use Permit      **Status:** Agenda Ready

**File created:** 3/21/2019      **In control:** Town Council

**On agenda:** 3/28/2019      **Final action:** 3/28/2019

**Title:** Discussion of Smoke Tree Resort Major Special Use Permit Amendment  
7101 E Lincoln Drive - Work Study Session #1  
60 Minutes

**Sponsors:**

**Indexes:** Smoketree Resort

**Code sections:** Article XI - Special Uses and Additional Use Regs

**Attachments:** 1. Attachment A - Application, 2. Attachment B - Vicinity Map & Related Maps, 3. Attachment C.1 - Narrative and Plans Dated 3/12/2019, 4. Attachment C.2 - Conceptual South Patio Plans, 5. Attachment C.3 - Mechanical Equipment, 6. Attachment C.4 - Water Service Impact Study, 7. Attachment C.5 - Preliminary Drainage Report, 8. Attachment C.6 - Parking Analysis, 9. Attachment C.7 - Traffic Impact Analysis, 10. Attachment D - SUP Guidelines, 11. Attachment E - General Plan Policies, 12. Attachment F - SUP History, 13. Attachment G - Statement of Direction, 14. Attachment H - Public Notification Materials, 15. Attachment I - Draft Ordinance 2019-02, 16. Attachment J - Public Comments as of 3/21/2019, 17. Attachment K - Planning Commission Meeting Minutes, 18. Attachment L - PowerPoint Presentation

Date	Ver.	Action By	Action	Result
3/28/2019	1	Town Council	No Reportable Action	

**TO:** Mayor Bien-Willner and Town Council Members

**FROM:** Brian Dalke, Interim Town Manager  
Dawn-Marie Buckland, Deputy Town Manager  
Jeremy Knapp, Community Development Director

**DATE:** March 28, 2019

**DEPARTMENT:** Community Development

**AGENDA TITLE:**  
Major Special Use Permit Amendment (SUP-18-05)  
Smoke Tree Resort 7101 E Lincoln Drive - Work Study Session #1  
(60 Minutes)

**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. The application is attached as Attachment A, below. The proposed redevelopment of this property will be a complete demolition of all existing structures and construction of a resort.

## **MEETING PURPOSE:**

Receive current information on the status of the application and provide feedback to the applicant and town staff for future work study session discussion and eventual Public Hearing.

## **BACKGROUND:**

### Planning Commission Recommendation

On March 5<sup>th</sup>, 2019 the Planning Commission recommended denial of this application by a vote of 4 - 3. Generally, the reasons for denial included density, intensity of use, height, and incomplete information. The minutes from the Planning Commission meetings are included as Attachment K.

### Updates from March 5<sup>th</sup>, Planning Commission Recommendation

Below is a summary of changes since the March 5<sup>th</sup>, 2019 Planning Commission recommendation:

- Renderings and photo simulations were updated to reflect all changes and for consistency
- Patios and balconies removed from the west side of the site
- Several signs were removed from the sign plan
- Sign #8 was revised to 15 square feet and 5' in height, limited to 3 signs
- The top of the mechanical screen height was lowered from 44' to 42'
- Updated site setback exhibit to match revised building heights

### Council Statement of Direction

The Town Council issued a Statement of Direction (SOD) on October 25<sup>th</sup>, 2018. Height, use, landscaping, traffic, parking, and circulation were areas identified for review. On January 24<sup>th</sup> the Town Council approved an amended SOD to extend the Planning Commission's action date to March 6<sup>th</sup>. The Statement of Direction is included as Attachment G.

### History and Conditions

Use of the property for guest services began prior to its annexation into the Town in 1961. At annexation, the property operated as a resort and restaurant in much the same configuration as it presently exists. The original Special Use Permit (SUP) was issued on March 13, 1969. There is limited information on past approvals and stipulations for this property. Historically, the property has not had many building permits issued or amendments to its Special Use Permit zoning. The latest activity included renovations to the restaurant in 2007 that never opened. The SUP History is included as Attachment F.

### General Plan/ Zoning

The subject property has a General Plan designation of "Resort/Country Club" pursuant to the Town's General Plan Land Use Map (Attachment B). The zoning on the property is "Special Use Permit - Resort". The proposed resort use is in conformance with this designation and zoning.

Several General Plan policies apply related to the request for redevelopment of the Smoke Tree property. Primary policies that apply are the policies of Goal LU 2.1.2, Special Use Permit Property Revitalization, and several of the policies of Goal DA 2.2.1, Development Area Policy. The site is located in the East Lincoln Development Area that encourages moderate intensity, mixed-use, and context appropriate resort development that includes reasonable separation between incompatible uses and adjacent residential areas and effective buffering of unwanted noise, light, traffic and other adverse impacts. Also, the General Plan encourages upgrading existing structures and properties to improve their physical condition to acceptable Town standards.

### Enforcement

As of the date of this report, there are no known active code violations on the subject site.

### **DISCUSSION:**

The applicant's proposed redevelopment of this resort property will be a complete demolition of all existing structures. The proposed resort site includes the following uses:

- 120 traditional hotel guest room keys for transient occupancy owned by the resort owner.
- 30 resort residential units at approximately 1,250 square feet, 15 with a lock-off feature and available for transient occupancy through the resort.
- Restaurant and bar/lounge in a similar location to the prior on-site restaurant.
- Accessory uses such as a fresh food market, café/eatery, micro-brewery, speakeasy, pop-up retail, coffee shop, florist, sandwicheria, bakery, and epicurean retail and sundries.
- Indoor and outdoor space for events, including a resort pavilion for banquets/meetings and pool areas.

### Use

Proposed uses include 120 hotel rooms, 30 resort dwelling units with 15 lock offs, restaurant, market/retail, and meeting space described on Sheet 9 (narrative) that appear to align with the Special Use Permit zoning for SUP-Resort. The property is within a designated Development Area per the General Plan that encourages moderate intensity, mixed-use, and context appropriate resort development. Accessory uses such as the market, retail, florist and related uses must be accessory to the resort for the support and service of guests or visitors to functions at the site. Additionally, a spa and/or fitness center are proposed as well as an event space and two outdoor use areas.

### Density

The applicant requests consideration for a density and lot coverage above the SUP Guidelines due to the site being  $\frac{1}{4}$  the size of the 20-acre minimum for resorts, located in a Development Area, and adjoining non-residential uses on three sides. The proposed 165 units (resort and residential) creates a density of approximately 31 units per acre while the town's SUP guidelines suggest 11 units per acre.

### Height

As presented, the majority of the hotel buildings are 3-story at 36' in height, with mechanical screening up to 42' in height, and some architectural elements at 45'0". The 42' height is approximately 60' from the south and 20' from the east property line. The remaining buildings are proposed at 36' or less.

Some elements of the buildings have been relocated or altered in order to comply with the Open Space Criteria as measured from the existing property lines particularly to the west side of the site (adjacent to residentially zoned property) and the north side of the site, adjacent to Lincoln Drive, although if this measurement were taken from the newly proposed property lines these may not comply. Also, the third story as originally proposed along the south side of the site (adjacent to Andaz resort) has been removed, although the revision doesn't comply with the OSC, it is substantially less intrusive.

### Setbacks

Building C/M/E, J/K, and G are principal structures. The proposed setbacks for principal structures

are 75' from Lincoln Dr (43' with full ROW dedication), 90' from Quail Run Rd (65' with full ROW dedication) , and 20' rear and east side.

Remaining proposed buildings have larger setbacks than the SUP Guideline of 40' such as 133' from Lincoln Dr (100' with full dedication), 120' from Quail Run Rd (95' with full dedication), 180' rear and 215' east side.

#### Impact to Adjacent Uses

To address impacts to adjacent uses, the proposed ordinance and updated plans remove all patios and balconies from the western side of the development. In addition, the balconies on the third story of the southern face of the building have been reoriented and restricted in size to minimize visual impact to the southern property owner. Restrictions in the ordinance also identify a visual study to be completed by the applicant as well as noise restrictions.

A three-foot wall has been proposed along the western property line to screen the parking lot vehicles from view. Restrictions have been placed on the hours of deliveries and delivery routes as well as outdoor usage as well.

#### Landscaping

Proposed landscaping buffers of 16' to 32' along Lincoln Dr (includes portion in the right-of-way) and 12' along Quail Run within the right-of-way). The landscape plan is substantially compliant with the Visually Significant Corridors Master Plan and the applicant has indicated they intend to fully comply.

The submitted narrative explains that the existing vegetation condition is not recommended for salvage due to age, size, and diseased quality. Evaluation of the existing mature trees shall be reviewed.

Additional landscaping is necessary along the south property line to ensure the landscape plan screening is consistent with the proposed southern elevation plan.

#### Infrastructure Improvements

Will serve letters have been provided by EPCOR, CenturyLink, Cox, APS, and Southwest Gas. In addition, the Town is the sewer service provider and the site and will be extending the sewer line in the area with its own Capital Improvement Project. The Town will serve the site with sewer and a sewer buy back will be required for the property.

The Water Service Impact Study indicates that sufficient flow is available in the area but a waterline extension is required in Quail Run Road to service the property.

The Preliminary Drainage Report has been submitted as well. The report indicates the applicant will provide the required on site retention but more clarity is necessary on the existing drywell, how the stormwater in the garage will be handled, and how the off site flows are addressed across the site.

There are outstanding comments from the Town Engineer that need to be addressed by the applicant regarding both the Water Service Impact Study and the Drainage Report.

#### Traffic, Parking, Access, and Circulation

The proposed density and location within a heavily-traveled and mixed-use density area near the City of Scottsdale creates a heightened need for ensuring the proposed redevelopment does not have a

negative impact on traffic safety, parking, and circulation. The Commission considered staffs review and recommendations regarding:

- Number of access points in/out of the site
- Emergency access to the site
- Location and screening of loading zones and dumpsters
- Coordination with Town improvements along Lincoln, i.e. the entry/exit and roadway medians
- Deceleration turn lane for eastbound traffic entering the site
- Cross-access easement(s) with Lincoln Medical Plaza and Andaz Resort.
- Sidewalk and other pedestrian circulation
- Necessary roadway dedication for Lincoln Drive and Quail Run Road
- Number of parking spaces, use of shared parking, and ride-share
- Full build-out of The Ritz-Carlton Resort Special Use Permit
- Coordination of improvements/impacts with neighboring non-residential properties
- Uses that generate quick turn-around trips such as a coffee shop or take-out food

The applicant is proposing the following for right-of-way:

65' ROW shown on Lincoln Drive. The mix of dedication and easement for this 65' ROW is dependent on the proposed uses of the areas. A 49' Dedication of ROW would be an acceptable option provided that the remaining 16' can be used for parking and circulation and that setbacks and other measurements are not re-indexed from the post-dedication ROW line. Several alternatives would also be acceptable, and the details of such dedications or easements are being discussed as part of a potential Development Agreement. A deceleration lane has been added to the Lincoln Drive frontage and the western most driveway, nearest Quail Run Road, has been removed.

25' ROW shown on Quail Run Road with improvements (street and gutter) shown on both sides, including in Town owned ROW. The 25' Dedication would be an acceptable option provided that setbacks and other measurements are not re-indexed from the post-dedication ROW line. The applicant is proposing to construction both sides of Quail Run Road to their southern driveway with two 11' lanes and two 2' curbs centered within the 50' right-of-way.

To clarify parking, four additional parking spaces have been added to the site for a total of 256 total parking spaces, 76 surface parking and 180 underground. The applicant has provided 2 parking spaces per residential unit in the garage.

The applicant has clarified that deliveries to the site will enter off the northernmost driveway on Quail Run Road and off-load near area Q labeled on the site plan, then continue through internal drives and exit out onto Lincoln Drive.

#### Signage

The proposed signage plan shows 3 entry signs, interior directional signage, and building signage.

The plans show one Street Corner Sign located at the southeast corner of Lincoln Drive and Quail Run Road. This sign has a total square footage of 81 square feet with a maximum height of 8'. The towns SUP guidelines permit this sign to a height of 8' but does restrict the maximum sign area to 40 square feet. As such, this particular sign does not meet the guidelines.

Two secondary street signs are proposed as well, one at the driveway entrance on Lincoln Drive and

the other at the northernmost entrance on Quail Run Road. These signs are proposed at 38 square feet each with a height of 4'. The towns SUP guidelines permit one of these signs on Quail Run Road with a maximum height of 4' and a maximum sign area to 32 square feet. As such, these signs do not meet the guidelines either.

All signs have been relocated to be outside of town right-of-way but some are within the proposed 16' roadway easement.

Several interior signs have been proposed for wayfinding and do comply with the SUP guidelines, no building signage for the market or restaurant are being proposed and this time and their future consideration would require an amendment to this SUP.

#### Context Appropriate Design

The applicant has provided east, west, and south facing elevations as requested by the commission as well as photo simulations.

#### **PUBLIC COMMENT AND NOTICING:**

Mailing notification was completed prior to the Planning Commission's March 5<sup>th</sup> hearing along with newspaper advertisement and property posting. The applicant held their Citizen Review Meeting on the property at 7101 East Lincoln Drive on Monday February 18, 2019 at 6PM, which met the required minimum of 10 days prior to the Planning Commission hearing. Public Notification materials and a summary of the Citizen Review Meeting can be found in Attachment H.

All received public comments as of noon on Thursday March 21<sup>st</sup>, 2019 can be found in Attachment J.

#### **NEXT STEPS:**

The item will be discussed at future Council Work Study Sessions prior to Council action.

#### **ATTACHMENTS:**

Attachment A - Application  
Attachment B - Vicinity Map & Related Maps  
Attachment C.1 - Narrative and Plans dated 3/12/2019  
Attachment C.2 - Conceptual South Patio Plans  
Attachment C.3 - Mechanical Equipment  
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C: Applicant  
Case File