



## Legislation Details (With Text)

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**Title:** Consideration of "Mountain Shadows Resort - Condominium Hotel" Preliminary Condominium Map  
**Sponsors:**  
**Indexes:** Mountain Shadows Resort  
**Code sections:**  
**Attachments:** 1. 1 Presentation, 2. 2 Vicinity, Aerial, Gp, Zoning, 3. 3 Application & Narrative, 4. 4 Background Report, 5. 5 Prior Minutes, 6. 6 Noticing, 7. 7 Utility Correspondence, 8. 8 Approved Parking Study Excerpts, 9. 9 Final Map Amended VII Plat, 10. 10 Proposed Preliminary Condo Map (MSR Condo Hotel)

Date	Ver.	Action By	Action	Result
12/17/2015	1	Town Council		

**TO:** Mayor Collins and Town Council Members

**FROM:** Kevin Burke, Town Manager  
Eva Cutro, Community Development Director  
Paul Michaud, Senior Planner

**DATE:** December 17, 2015

**DEPARTMENT:** Community Development Department

### AGENDA TITLE:

Consideration of "Mountain Shadows Resort - Condominium Hotel"  
Preliminary Condominium Map (PP 15-04)  
Southwest Corner Lincoln Drive and 56<sup>th</sup> Street (Assessor No. 169-30-102)

### .Body

#### Agenda Item Relates to Mission/Vision:

- Enhance the community's unique character.

#### Strategic Initiative:

- Diligently preserve the special character of Paradise Valley by enforcing the land use policies identified in the Town's General Plan, Town Code, and SUP agreements.

#### Council Goals or Other Policies / Statutory Requirements:

- *General Plan Goal, DA 2.2.1*, "To support limited, targeted and context-appropriate development and redevelopment within Development Areas through orderly and well-planned development that provides for the needs of existing and future residents, and makes efficient

use of land and infrastructure.”

- *General Plan Goal*, CC&H 3.2.1, “Maintain the Town’s primarily owner-occupied low-density residential character while allowing less than one acre per residence housing only on Special Use Permit resort properties.”

**RECOMMENDATION:**

Approval of the Preliminary Condominium Map for “Mountain Shadows Resort - Condominium Hotel” (PP 15-04), subject to stipulations:

1. The Final Map shall be in substantial compliance with the Preliminary Map, “Mountain Shadows Resort - Condominium Hotel,” Sheets 1-13, prepared by Coe & Van Loo Consultants, Inc. dated November 3, 2015, and print date of November 23, 2015.
2. Prior to recordation of the Final Map, the applicant shall provide to the Town Attorney a copy of the CC&R’s, declaration, bylaws, or other documents for review to insure that all terms required under the SUP or other recorded agreements are part of these documents, including provision for maintenance of any drainage easements dedicated on the map.
3. The final improvements shall be in substantial compliance with improvement plans approved by the Town Engineer and Community Development Department that address items such as sewer, water, grading, drainage, paving, landscaping, and irrigation. Prior to the recordation of the Final Map, the applicant shall provide, subject to Town approval and consistent with the requirements set forth in the SUP and Development Agreement, all assurances necessary to guarantee completion of any improvements in the public right-of-way. The Town Engineer shall approve said final improvement plans prior to the issuance of any building permit for a residential unit in said Final Map.
4. Within 60 days of approval of the Final Map, the applicant shall submit to the Town mylars of the approved plans and an electronic version of these plans in a pdf format for the Town’s permanent record.
5. The Final Map and/or declaration shall include any and all necessary easements, including:
  - a. Easements for drainage that are consistent to the overall grading and drainage plans for the entire Special Use Permit (SUP) site west of 56<sup>th</sup> Street, which shall be depicted on the Final Map prior to recordation of said plat,
  - b. Easements for utilities, with said easements to be in the locations and widths as prescribed by the respective utility provider, with correspondence from said utility providers given to the Town prior to Town Council approval of the Final Map, and
  - c. Easements for access, parking, refuse collection, and other similar easements.

**SUMMARY STATEMENT:**

MS Condo Hotel Owner, L.L.C. is requesting approval of a Preliminary Condominium Map application for the “Mountain Shadows Resort - Condominium Hotel”. This map consists of a total of 44 condominiums located on approximately 1.3 acres. The subject site is Lot 131 of the “Mountain Shadow Resort Unit 2 - Amended VII” map, near the southwest corner of Lincoln Drive and 56<sup>th</sup> Street. Development will be pursuant to the approved Special Use Permit - Resort zoning on the

subject property for resort unit- hotel key development.

These condominiums will be available for transient occupancy with the adjoining resort hotel, operating similarly to the hotel rooms of the resort. The units will be in one 3-story structure and be architecturally compatible with the adjoining resort hotel buildings. Eight units will be two levels (even units of 1002-1016). Several of the units will be equipped as a “lock-out” unit. The “lock-out” unit will allow at least one full bath and bedroom to be locked off from the rest of the unit, with its own entrance into the main corridor. Including “lock-out” units, there will be a maximum potential of 59 hotel keys.

The Town Council discussed this application on December 3, 2015. There were no specific concerns regarding this application.

The Planning Commission made a recommendation regarding this application on November 17, 2015. In a 6 to 0 vote, the Planning Commission recommended approval of the Preliminary Map with the above stipulations. These stipulations relate to substantial compliance of the final map to the preliminary map, Town review of the CC&Rs, processing of final improvement plans, deadline to submit copies of the map, and the inclusion of necessary easements on the final map.

The Preliminary Map complies with the approved Special Use Permit (SUP) and its associated development agreement. This includes the following points: the proposed building is 3-story/36-feet in height which is allowable by the SUP when such building includes hotel keys, there are no minimum or maximum size requirements for the condominium units, the subject site has no required setbacks and is internal to the resort property, the development will provide 71 on-site parking spaces which exceeds the minimum 66 required parking spaces based on the approved parking calculations of the SUP, and the development has access onto a public road via private streets. The above item is further described under the “Background” attachment of this report.

**BUDGETARY IMPACT:** The design of the condominiums for hotel keys will provide the Town bed tax.

**NEXT STEPS:** If approved, the applicant will need to submit the final map for recommendation by the Planning Commission and approval by Town Council.

**ATTACHMENTS:**

- 1 Presentation
- 2 Vicinity Map/Aerial/General Plan/Zoning
- 3 Application/Narrative
- 4 Background Report
- 5 Prior Minutes
- 6 Noticing
- 7 Utility Correspondence
- 8 Approved Parking Study Excerpts
- 9 Final Map Mtn Shadows Resort Unit 2 - Amended VII
- 10 Proposed Preliminary Condominium Map

*Link to full version of the SUP Ordinances and Development Agreements at [www.paradisevalleyaz.gov/126/Planning](http://www.paradisevalleyaz.gov/126/Planning)*

- C:       - Kristopher Harman (Applicant)  
          - Case File: (PP 15-04)