



## Legislation Text

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**TO:** Chair and Planning Commission Members

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

**DATE:** September 1, 2020

**DEPARTMENT:** Community Development

**AGENDA TITLE:**

**Continued Discussion of a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort**

**SUMMARY STATEMENT:**

**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. The proposed redevelopment of this property will be a complete demolition of all existing structures and construction of a resort.

**MEETING PURPOSE:**

Hold the Citizen Review Session pursuant to the Statement of Direction (SOD) and focus the review on the updated lighting and other items.

**UPDATE FROM PRIOR MEETING:**

The Planning Commission last discussed the amended application at its August 18, 2020 work session. In summary, this discussion focused on the following:

- Lot Coverage/Floor Area Ratio. Town staff noted that the proposed lot coverage exceeds the Special Use Permit Guideline calculating all structures at not more than 25%. There are no specific Town Code or guideline provisions on floor area ratio. The proposed lot coverage is 29.3% (net) and 27.0% (gross), with a floor area ratio of 64.0% (net) and 59.0% (gross).

The proposed project also does not meet the guideline that all impervious surfaces, including building footprints are not more than 60% and open space is at least 40%. The proposed impervious areas are 85% (net) and 78% (gross). The open space is 15% (net) and 12% (gross).

It was noted that the Special Use Permit Guidelines state that "the nature of the request, the

architecture of the development, the unique characteristics of the site, among other factors; may merit less or more restrictive standards as determined during a complete review of each individual request.” Also, the Statement of Direction allows the Commission to factor in the unique characteristics of the site. These characteristics include the property size at a quarter of the size suggested in the guidelines, the non-residential uses that border three sides of the site, the proximity to the City of Scottsdale, among others.

- Density. The lot coverage/floor area ratio discussion lead to a discussion on density, including concerns noted in a letter from the owner of the Andaz resort. Several Commissioners expressed concern over the hotel feel of the project, some desire to reconsider the third story or add more suite structures instead of the larger guest room building, reduce some accessory use areas, the size of the pool, the quality of the rooms (i.e. views of loading areas, views into the medical center), and the general impact the density has in driving the various aspects of the project. The applicant, along with their hotel expert, spoke regarding the niche market for this project being a modern reinterpretation of the resort experience. This included entering into a referral program to nearby resorts (e.g. spa at Andaz resort), the grouping of rooms with an ability to close off hallway areas for small groups (6 to 12 rooms), catering to guests that want to be in a higher energy area (e.g., walking to Scottsdale dining/shopping/events), and explained how the price point complements the other resort uses instead of competes with these other resorts.
- Stipulations. The draft stipulations were not discussed at the August 18<sup>th</sup> work session. The applicant was directed to work with staff on the stipulations in order to provide a vetted document for Planning Commission review.
- APS Utility Boxes. The Planning Commission requested an illustration showing space to relocate the cabinet should it be required. This illustration was shown during the August 18<sup>th</sup> work session presentation. APS will be a major determinant in cabinet relocation due to their system requirements once electric loads are provided closer to the construction drawing phase. Some potential locations include along the east side of the Quail Run Road right-of-way and at the southwest corner of Lincoln Drive and Quail Run Road, with a Town staff preference not at the southwest corner noted above. Attachment R includes the two possible utility box relocations.
- Lighting. The original submittal had bollard and landscape lighting located in the right-of-way. Based upon staff and Commission concerns, the applicant removed these fixtures from the right-of-way and submitted an updated lighting plan. The applicant also provided illumination information regarding the resort identification signs.

#### **INFORMATION UNDER REVIEW OR STILL NEEDED FROM THE APPLICANT:**

There are some items the applicant and Town staff are still working on, along with items not yet revised. These include, and may not be limited to, the following:

- Acoustical study. The applicant submitted their updated acoustical study on August 5<sup>th</sup>. The Town secured a third party reviewer of this study on August 11<sup>th</sup>. As noted at the July 21<sup>st</sup> work session, Town staff requested that the applicant provide clarification on aspects of this study, including the assumptions and locations of the measurements. This study as originally

submitted showed compliance to the Town Code decibel levels, noting the ambient noise from Lincoln Drive being higher than the fixed noise measurements of 45 dBA and 56 dBA. The Town's third-party reviewer, Acoustical Consulting Services, provided staff with additional review comments (which include questions regarding methods and assumptions used in the report). A copy of the comments will be forwarded to the applicant. Once the acoustical study is deemed complete by staff, it will be provided to the Planning Commission.

- Parking Management Plan. The applicant submitted the Parking Management Plan on August 10<sup>th</sup>. Town staff completed the review and provided the applicant with comments on August 20<sup>th</sup>. Once the updated plan is deemed complete by staff, it will be provided to the Planning Commission for review.
- Stipulations. Town staff provided the applicant with the comments on the draft stipulations on August 12<sup>th</sup>. However, the applicant did provide an earlier version several weeks before August 12<sup>th</sup> that was reviewed between the applicant and Town Attorney. The draft stipulations are still under review with the applicant. Staff and the applicant are working to finalize a draft version for Planning Commission review. The draft version should be ready for Commission review at the September 15<sup>th</sup> public hearing. For reference, the format of the stipulations is similar to other resort Special Use Permits and will be broken down into the following fourteen categories: definitions, general stipulations, construction and development standards, allowed uses, control of excessive noise, height and measurement, right-of-way, parking & circulation, signage, lighting, landscaping, temporary uses, cellular antennas, management-maintenance, and condition approval.
- Quail Run Road and Neighbor's Traffic Concerns. A resident west of the site had concerns regarding the possible stacking of vehicles leaving the resort on Quail Run Road; in which vehicles may pass the resort entrance and turnaround on their property. Town staff is working with the applicant and neighbor to address and resolve this issue. The plans and stipulations will be updated once an amenable solution is identified.

## **DISCUSSION:**

Due to the pending items noted above, the purpose of this meeting is to take public comment on the proposed application, discuss any issues pertaining to the proposed Special Use Permit, evaluate the updated lighting plans provided by the applicant, and provide input and direction to the applicant in preparation for the September 15<sup>th</sup> public hearing. Please reference Attachment R regarding the updated lighting plans and documents.

### Lighting

The SOD identifies that the Planning Commission focus on exterior lighting along the perimeter of the site. Parking lot, landscape, pathway, water feature, and building lighting will be placed around the site for on-site visibility, wayfinding, aesthetics, and life safety requirements. The SUP Guidelines recommend that the light source of each fixture be hooded and shielded so that it is not visible from adjacent properties, identifies recommended height and setbacks for certain fixtures, and recommends a maximum output at the property line based upon the use (such as parking lot, entrance roadways, etc.). Article XXV of the Zoning Ordinance also recommends a maximum color temperature of 3000 Kelvins (K). Below is a summary of the resort light fixtures:

- Pole Lights.** 23 pole lights will be placed in the parking lot and around the auto court/entrance (Fixture Type SA). This is a reduction of 3 lights since the original plan showed a total of 26 pole lights. These pole lights are 16’ tall above the adjoining finished grade (height includes a 28” decorative base), have a color temperature of 2700 K, and vary in setback from 2’ to 16’ from the adjoining and post-dedicated property lines. The SUP Guidelines recommend that pole lights be limited to a maximum height of 16’ tall, setback a distance equal to or greater than the height of the pole measured from the adjoining property line, and a maximum output of 1.6 foot candles for parking lot lights. The table below summarizes the setbacks of the parking lot light poles from each adjoining property lines:

Property Line	Minimum Setbacks
Lincoln Dr (North - Net/Post Dedication)	2’
Quail Run Rd (West - Net/Post Dedication)	16’
Andaz (South Property Line)	16’
Lincoln Plaza Medical Center (East Property Line)	2’
SUP Guidelines	16’ Minimum (Height of the fixture determines the setback)

The pole lights have a ML660 Millenia Series hood (with the light source recessed into the hood of the fixture), will have shields on all the perimeter fixtures to help reduce the amount of light trespass onto the neighboring properties, and are proposed to be on from dusk until dawn. However, several pole lights deviate from the SUP Guidelines since approximately 12 pole lights encroach into the 16’ recommended setback. The number of pole lights which encroach into the recommended setback has been reduced from 18 to 12 poles. Encroachment into the recommended setback is typically discouraged or limited.

- Building Lights.** Five different fixtures will be placed on or around the exterior of the resort buildings. All building lights will turn on at dusk, be reduced to 50% intensity at 1:00 a.m., and turned off at dawn. A stipulation will be added to identify the duration and reduced intensity of the building lights. Below is a summary of the various building light fixtures:
  - 57 wall sconces (Fixture Type WP) will be placed on the buildings. The light source is shielded by an opaque cover, directed downward, and has a color temperature of 2700K. This is the same as the prior lighting plan.
  - 30 sconces (Fixture Type WS) will be placed in the building patios. The light source is recessed in the hood of the fixture, directed downward, and has a color temperature of 3000K. This is the same as the prior lighting plan.
  - 62 accent lights (Fixture Type LT) will be placed on the building trellises and on two free standing trellises located in the event lawn. The light source is recessed into the fixture, directed downward, and has a color temperature of 2700K. This is an increase of 6 fixtures from the prior lighting plan.
  - An estimated 90 accent up-lights (Fixture Type LU) will be placed around five of buildings and will highlight the façade of the buildings. The light source is recessed within the fixture, will have a maximum of 250 lumens, and have a color temperature of 2700 K. Building accent lighting is typically discouraged or limited. This is an increase

of 2 fixtures from the prior lighting plan.

- 17 carriage style lights will be placed on four of the buildings, predominately on the restaurant and event pavilion buildings. These are a new fixture type since the prior lighting plan. Some of these carriage lights replace proposed sconce fixtures. These fixtures have a color temperature of 3000K, will face Lincoln Drive and Quail Run Road, and do not meet all of the Town Code requirements. The Code requires the light source of each fixture to be screened or shielded so they are not visible from off the property. However, the light source on these fixtures are located behind semi-opaque or frosted glass panels, which does not properly shield the light bulb.

With the exception of the carriage style lights, the building fixtures are compliant with the SUP Guidelines.

- **Landscape and Path Lights.** One type of bollard, three types of landscape fixtures, and one type of handrail fixture will be used to illuminate the landscaping and pathways. All landscape lights will turn on at dusk, be reduced to 50% intensity at 1:00 a.m., and turned off at dawn:
  - 12 bollard lights (Fixture Type BL) will be placed next to the various walkways within the campus. The original plan had 8 bollards in the right-of-way. However, the applicant removed all lighting from the right-of-way in response to Commission and staff concerns. The bollards are approximately 4' tall, have the light source recessed in the top of the fixture, and have a color temperature of 3000K.
  - 24 ring lights (Fixture Type TR) will be placed on the palm trees. Each ring can hold up to four lights. The lights are directed downward and will illuminate from the bottom half of the trees, have a color temperature of 2700 K, and the light source is recessed in the hood of the fixture. These lights will be limited to a maximum mounted height of 16' tall. The majority of the tree lights are located in the event lawn; however, four of these tree lights are located at the main entrance off of Quail Run Road. Palm tree light rings are typically discouraged or limited.
  - 32 landscape up lights (Fixture Type GU) will be placed around the campus. 18 of these lights were originally going to be placed in the right-of-way. However, all light fixtures have been removed from the right-of-way in accordance with Planning Commission's direction. The color temperature is 2700 K.
  - An estimated 11 handrail fixtures (Fixture Type HR) will be placed under all the exterior handrails on campus. The light source is recessed inside the fixture, has a color temperature of 2700 K, and the light is directed downward on the walking surface.
  - 5 flush mounted up-lights (Fixtures LU) will be placed in the parking lot landscape islands adjoining Lincoln Drive in lieu of the bollard lights in the right-of-way. These lights will highlight the trees in the parking lot planters. The light source is recessed within the fixture, will have a maximum of 250 lumens, and have a color temperature of 2700 K. Building accent lighting is typically discouraged or limited.
- **Resort Identification Sign Illumination.** As noted in the previous meetings, a total of three sign types will be used at the resort: resort identification, retail signage, and directional signage. Resort identification includes three signs that will face Lincoln Drive and one sign that will face Quail Run Road (see Sheets A25 and A26). However, the sign illumination information and details were not included in original submittal. The applicant provided updated plans and a

detail illustrating the illumination of resort identification signs. These are backlit signs, with the light source located behind opaque aluminum lettering, and a color temperature of 2700K.

- *Water Feature Lights.* 19 water feature lights will be used in the seven water features shown on Sheet A12. Each fixture is 250 lumens.
- *Output.* The applicant provided an updated photometric plan (Sheet AL5) which illustrates the combined output of the proposed exterior lighting. The updated plan accounts for the changes noted above and identifies the minimum, average, and maximum output levels which are summarized in the Calculation Summary Table. The SUP Guidelines recommend maximum output levels at the property line per use. Parking lots have a recommended output of 1.6 foot candles at the property line and roadway entrances, drop off areas, and driveways have a recommended output of 5.0 foot candles measured at the property line. Please reference Section 2 in the SUP Guidelines (Attachment D) for all the recommended outputs by use. It is also recommended that all other areas not outlined in the SUP Guidelines comply with the residential output of 0.75 foot candles at the property line.

Per the updated photometric plan, the output varies from 0.0 foot-candles to 0.5 foot-candles at the property lines. The Calculation Summary Table is broken down into three categories of the light trespass, interior drives, and pool deck area. The light trespass areas have an average output of 0.18 foot-candles and maximum output of 0.5 foot-candles (which is compliant with the recommended output of 0.75 foot-candles at the property line). The interior drives have an average output of 1.08 foot-candles and a maximum output of 4.4 (which is compliant with the recommended output of 5 foot-candles for driveways and entrances). The pool deck area has an average output of 1.62 foot-candles and a maximum output of 4.9 (which is compliant with the recommended output of 5 foot-candles for pool decks and function areas).

Staff is seeking the Commission's input regarding the reduced setbacks for the parking lot light poles, use of palm tree lighting, and if there are any concerns regarding the timing of certain light fixtures. Refer to Attachment S for the updated lighting plans.

#### **PUBLIC COMMENTS AND NOTICING:**

There are six residents that provided comment to date.

- Three residents expressed concern about density.
- Another resident expressed concern over the Town's property tax model.
- A resident west of the site, who is generally supportive of the amendment, had concerns for the possible stacking of vehicles leaving the resort on Quail Run Road and concerns with vehicles that may pass the resort entrance that would likely turnaround on private land and private driveways.
  - Regarding vehicle stacking, the Town Engineer explained that under normal operation the Quail Run Road signal operates at a Level of Service A. If there were a large event and everyone left at the same time, then there could be some stacking between the Smoke Tree Resort entrance and Quail Run Road while waiting for the traffic signal to cycle. This would mostly affect the property at the southwest corner of Lincoln Drive and Quail Run Road as they have the only driveway between Lincoln Drive and the Smoke Tree Resort entrance. However, an event would require the valet plan to be in

place so only a certain of number of vehicles could be leaving the valet at one time with stacking due to the valet occurring on the resort property.

- Regarding a driver passing the Quail Run Road resort entrance, the applicant and Town Engineer already reached out to this resident. As more is known, the Planning Commission will be provided an illustration on possible design and/or signage options. However, Attachment R shows a preliminary design.
- The owner of Andaz resort has concerns with density, setback, and the landscape barrier along south property line.

The applicant also held a neighborhood meeting on August 20<sup>th</sup>. There was both in-person and remote participation. The applicant will provide summary minutes of the neighborhood meeting, which will be included in the September 15<sup>th</sup> meeting packet.

Please reference Attachment G.1 for public comments on this amended application.

**NEXT STEPS:**

The Statement of Direction identifies that the Planning Commission shall complete their review and make a recommendation to Town Council by September 30<sup>th</sup>. However, since the applicant and staff are still working on the acoustical study, the draft stipulations, the Parking Management Plan, and the neighbor concern regarding traffic on Quail Run Road, staff recommends referring the Statement of Direction back to the Council to request additional time to complete the review on this application. Per Section 1102.3.C.3.c of the Town Zoning Ordinance, "At any time during the review process the Planning Commission may request clarification and/or expansion of the Statement of Direction based on additional information that has evolved." A separate action item is agendized on this matter for September 1<sup>st</sup>.

**ATTACHMENT(S):**

- A Application
- B Vicinity Map & Related Maps
- C.1 Narrative and Plans (July 7, 2020)
- C.2 Parking Studies and Associated Documents (Revised 08-04-20)
- C.3 Traffic Impact Analysis
- C.4 Preliminary Drainage Report
- C.5 Wastewater Capacity Study
- C.6 Water Service Impact Study
- D SUP Guidelines
- E General Plan Policies
- F General & SUP History
- G.1 Public Comments (June 28, 2020 and later)
- G.2 Notifications
- H Statement of Direction (June 2020)
- I Tentative Timeline (Revised 09-01-20)
- J Sample Use Parameters
- K Landscape Plan (Revised 08-04-20)
- L Right-of-Way
- M Floor Plans (Revised 08-04-20)
- N Site Elevation Grades (Revised 08-04-20)

- O Site Plan (Revised 08-04-20)
- P Elevations (Revised 08-04-20)
- Q Draft Ordinance (Dated 08-13-20)
- R Quail Run Road Illustration (09-01-20)
- S Lighting Plans (Revised 09-01-20)