



## Legislation Details (With Text)

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

**Sponsors:**

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**Attachments:** 1. A - Application, 2. B - Vicinity Map Related Maps, 3. C.1 - Narrative and Plans (July 7, 2020 Submittal), 4. C.2 Parking Studies and Associated Documents (Revised 08-04-20), 5. C.3 - Traffic Impact Analysis, 6. C.4 - Preliminary Drainage Report, 7. C.5 - Wastewater Capacity Study, 8. C.6 - Water Service Impact Study, 9. D - SUP Guidelines, 10. E - General Plan Policies, 11. F - General & SUP History, 12. G - Public Comments (Revised 08-18-20) V.2, 13. H - Revised Statement of Direction, 14. I - Tentative Timeline (Revised 08-04-20), 15. J - Sample Use Parameters, 16. K - Landscape Plan (Revised 08-04-20), 17. L - Right-of-Way, 18. M - Floor Plans (Revised 08-04-20), 19. N - Site Elevation Grades (Revised 08-04-20), 20. O - Site Plan (Revised 08-04-20), 21. P - Elevations (Revised 08-04-20), 22. Q - Draft Ordinance (08-13-20)

| Date      | Ver. | Action By           | Action               | Result |
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**TO:** Chair and Planning Commission Members

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

**DATE:** August 18, 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:

Focus the review on the proposed lot coverage/floor area ratio and draft stipulations.

**UPDATE FROM PRIOR MEEETING:**

The Planning Commission last discussed the amended application at its August 4, 2020 work session. In summary, this discussion focused on the following:

- Parking. The Commission heard from representatives from CivTech and Walker Consultants regarding the assumptions and findings of their parking studies. The overall summary is that the resort can be parked fully on-site based on the highest peak demand of 199 vehicles via its valet plan. The applicant stated the overflow parking agreement for 25 spaces with the medical center remains in effect for added parking and additional parking can be made available through alternative arrangements to park employees offsite (in an off-site lot or using vouchers via a rideshare program). This added parking increases the parking spaces per key in Table 4 of the CivTech parking study more like other resorts in town. A couple Commissioners remained concerned that the site may be under parked. However, the applicant stated their Parking Management Plan will provide more detail. This plan is under 3<sup>rd</sup> party and staff review presently.
- Utilities. The various utility improvements were discussed. The primary discussion was on the existing APS electric cabinet along Lincoln Drive adjoining the subject site. The applicant proposed to screen this cabinet per the Visually Significant Corridors Plan as shown on Sheet A27. Three items noted were having adequate space to maintain the existing cabinet with a screen as there needs to be 4' of clearance, safety concerns should a vehicle hit the cabinet, and visual impact. Some of these conditions already exist in some form since the cabinet has been in the location along Lincoln Drive for decades. The applicant stated that their site is not serviced by this cabinet. The Planning Commission requested an illustration showing space to relocate the cabinet should it be required. Upon further contact with APS and the applicant, the cabinet services the resort. The electric lines did not show on the applicant's survey, but three transformers on the site are fed by the cabinet. Because of this, the applicant understands the need to calculate loads which will help determine if the cabinet can be relocated or screened in its current location. However, the Smoke Tree project plans will need to be closer to the construction plan stage to provide reliable load calculations to APS. APS will be a major determinant in cabinet relocation due to their system requirements. 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. More to come on this matter as it is known.
- Landscaping. The Planning Commission reviewed the proposed landscape plan having no specific concerns. Town staff noted that the landscaping palette meets the Visually Significant Corridors Plan, the number of trees along Quail Run Road is slightly under the Special Use Permit Guideline by two trees, and there are no Ironwood trees along the right-of-way (only internal to the site). The landscape setbacks along both streets are 3' and 5', which is less than the 30' setback suggested for Quail Run Road and 50' suggested for Lincoln Drive typically required with an Intermediate or Major Special Use Permit amendment. These reduced landscape setbacks are similar to the existing condition and partly a function of the parking demand based upon the proposed density and uses requested for the site.
- Lighting. The Planning Commission reviewed the proposed light fixtures and photometric plan.

The light fixtures categorize into pole, building, accent, path, landscape, and water feature fixtures. There are several pole lights along Lincoln Drive which does not meet the recommended 16' setback. However, the Commission generally found the location of these lights acceptable since the proposed parking lot trees will screen the pole height. These poles would not impact the travel lanes along Lincoln Drive if they fell, but are within the fall zone of the public sidewalk. The Planning Commission was generally supportive of the landscape and bollard lights within the Lincoln Drive right-of-way along the proposed sidewalk since this area may be heavily-travelled by pedestrians. Also, the Visually-Significant Corridors Plan for the Resort Living Character Zone suggests "Low level lighting as wayfinding along sidewalks and multi-use paths at an average paths at an average distance of 75 feet may be incorporated into the landscape" and "An upgrade of lighting from the "Better" to the "Best" option should include covers that function as luminaires while providing wayfinding light-levels, supporting the upscale appeal of the resort areas at night."

Town staff noted that the light levels along the other nearby parts of the Lincoln Drive corridor have lower proposed light levels, including the Five Star development which is located north of the site. Some Commissioners also expressed general acceptance of the palm tree ring lights since these are mostly internal to the site, the illumination is directed downwards, and there will be a stipulation that such lights have a maximum mounting height of 16' tall. Stipulation 57 addresses these palm tree ring lights. There were no other specific concerns on lighting noted. Owner liability regarding potential damage of a pole light falling onto the public sidewalk and allowing light fixtures in the right-of-way may be warranted in the development agreement. A required item for the applicant is to update the photometric plan with a table of the minimum, maximum, and average foot-candles for uses per the Special Use Permit Guidelines.

- Signage. The proposed resort identification signs are not within the right-of-way and comply with the Special Use Permit Guidelines on sign area, height, and illumination. These identification signs technically exceed the one sign per driveway guideline, but the Planning Commission input was supportive of the signs as shown since the applicant and the adjoining medical center worked with the Town to reduce the number of existing driveway points along Lincoln Drive. The applicant material includes illustration of accessory use and hotel signs. The applicant clarified that there will be no outward-facing signs for these uses visible toward the street or adjoining properties. This is addressed in Stipulation 50. A required item for the applicant is to provide information that the light source on the signs are shielded, identify the proposed color temperature, and identify the foot-candle output.
- Lincoln Drive Right-of-Way Dedication. The majority of the Planning Commission expressed that the proposed 45'6" right-of-way dedication along Lincoln Drive may be acceptable because a third travel lane is not expected in the future according to information from the Town staff and applicant. In addition, widening Lincoln Drive in the future was noted as challenging since adjacent lot owners provided similar dedications less than the typical 65' half-width and many lots that adjoin Lincoln Drive have structures that would become nonconforming should there be future condemnation for street widening.

#### **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 study will be provided to the Planning Commission after completion of the third party review and Town staff review.
- Parking Management Plan. The applicant submitted the Parking Management Plan on August 10<sup>th</sup>. Town staff is in the process of reviewing this plan.

## DISCUSSION:

### Lot Coverage/Floor Area Ratio

The Statement of Direction identifies that the Planning Commission shall consider lot coverage and floor area ratio while acknowledging the unique characteristics considered in the Development Area and the amendments made to the proposed site development since the Planning Commission last heard this request on March 5, 2019. The review shall address reasonable separation between incompatible uses and effective buffering of unwanted noise, light, traffic, views of the buildings offsite, and other adverse impacts. The lot coverage and floor area ratio shall both be calculated based on net lot area, excluding all dedicated area. There may be consideration of lowering the proposed lot coverage and floor area ratio and/or requiring specific mitigation measures.

The Special Use Permit Guidelines suggest a lot coverage calculating all structures of 25%, a total of all impervious surfaces including building footprints of 60%, and open space of 40%. There are no specific Town code or guideline provisions on floor area ratio. The proposed lot coverage is 29.3% with a floor area ratio of 64.0%, based on the post dedication parcel boundaries. The proposed impervious areas are 78% gross site area and 85% net site area. Refer to Sheets A29, A30, and A31 for more details. The table below compares lot coverage and floor area ratio to other Paradise Valley resorts.

| SUP PROPERTY                 | TOTAL SITE ACREAGE | DENSITY (UNITS/ACRE) | TOTAL ESTIMATED DRIP LINE (SF) | LOT COVERAGE (%) | TOTAL ESTIMATED FLOOR AREA (SF) | ESTIMATED FAR (%) |
|------------------------------|--------------------|----------------------|--------------------------------|------------------|---------------------------------|-------------------|
| Ritz Carlton                 | 99.0               | 4.6                  | 746,168                        | 24.6             | 1,129,168                       | 26.2              |
| Mtn Shadows                  | 68.5               | 4.8                  | 767,524                        | 25.7             | Not available                   | Not available     |
| Montelucia                   | 28.0               | 11.7                 | 400,126                        | 32.9             | 555,116                         | 45.5              |
| Scottsdale Plaza             | 36.5               | 11.1                 | 351,107                        | 22.0             | Not available                   | Not available     |
| Hermosa Inn                  | 6.4                | 7.7                  | 67,778                         | 24.3             | 67,778                          | 7.7               |
| Sanctuary                    | 17.0               | 10.2                 | 149,986                        | 16.8             | Not available                   | Not available     |
| Andaz                        | 27.5               | 7.3                  | 141,000                        | 11.8             | 141,000                         | 11.8              |
| Camelback Inn                | 117.0              | 3.9                  | 400,000                        | 7.8              | Not available                   | Not available     |
| Doubletree PV                | 18.8               | 20.1                 | 173,970                        | 21.2             | 257,251                         | 31.4              |
| <b>Smoke Tree (Proposed)</b> | <b>4.6</b>         | <b>26.5</b>          | <b>58,832</b>                  | <b>29.3</b>      | <b>128,150</b>                  | <b>64.0</b>       |

The lot coverage and floor area ratio impacts density. The Planning Commission left the density discussion open for later Commission review since it is also affected by the parking data and impacts to safety and quality of life of the surrounding properties. The proposed density at 26.5 units per acre is 2.4 times greater than the Town guideline of 11 units per acre. It was noted that the Smoke Tree site is unique due to its small size, location near the City of Scottsdale, and its location bordering non-residential uses on three sides.

#### Draft Stipulations

Attachment Q includes the draft ordinance with a preliminary list of stipulations for review and edit. Town staff expects edits to this draft ordinance as Town staff continues its review, the applicant has opportunity to respond, and the Planning Commission continues their review. The Planning Commission has opportunity to continue working on the stipulations at the September 1<sup>st</sup> work session. The ordinance and exhibit format is similar to other resort Special Use Permits. The format for the exhibit with the stipulations breaks into the categories of 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. The ordinance ends with a list of the approved plans. Text in **bold** brackets indicates known areas requiring further information and/or input.

The approval will also include a development agreement for review and approval by the Town Council. The applicant and Town Attorney are working on this agreement and can share information on its progress at a future meeting. This development agreement will address financial assurance/bond for the improvements in the right-of-way, other matters pertaining to the right-of-way, among other items.

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

There are four residents that provided comment to date.

- Two residents expressed concern about density at the July 7<sup>th</sup> work session.
- A resident concern over the property tax model of the Town was read into the record at the August 4<sup>th</sup> work session.
- 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.
- The owner of Andaz resort has concerns with density, setback, and the landscape barrier

along south property line.

For public comments on this amended application refer to Attachment G.

The applicant has an upcoming neighborhood meeting at 7:00 p.m. at the resort on August 20<sup>th</sup>. There is both in-person and remote participation. There will be at least two formal opportunities to receive public comment. There will be a Citizen Review Session at the September 1<sup>st</sup> Planning Commission meeting and the September 15<sup>th</sup> Planning Commission public hearing. Notices of these public input opportunities were mailed July 31<sup>st</sup> in full compliance with Town noticing provisions to property owners within 1,500' of the site. There also is limited opportunity for public comment at select work sessions.

#### **NEXT STEPS:**

Review individual elements of the revised development proposal and a proposed ordinance over the next two months, with a recommendation to Town Council by September 30, 2020. The September 1<sup>st</sup> work study session will include the formal citizen review session, continued discussion on the stipulations, along with revisiting any topics from the previous meetings. Please keep in mind that should additional review time be necessary, that the Planning Commission must provide this direction by action and allow for enough time for Town Council to hear and take action to extend the September 30<sup>th</sup> date that is identified in the Statement of Direction. Town staff asks that the Planning Commission provide direction on timing (including the need for any special meetings) no later than the September 1<sup>st</sup> work session since the only scheduled meeting after September 1<sup>st</sup> is the public hearing on September 15, 2020. The Planning Commission has several options at the public hearing including recommendation to the Town Council of approval with stipulations, recommendation of denial, request the Town Council extend the September 30<sup>th</sup> review deadline, or continue the hearing to a special meeting date on or before September 30, 2020.

#### **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 Public Comments (June 28, 2020 and later)
- H Revised Statement of Direction
- I Tentative Timeline
- 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)