



## Legislation Details (With Text)

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**Type:** Special Use Permit      **Status:** Agenda Ready  
**File created:** 9/4/2020      **In control:** Planning Commission  
**On agenda:** 9/15/2020      **Final action:**  
**Title:** Consideration for a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort [Continuance]

**Sponsors:**

**Indexes:**

**Code sections:**

**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.1 - Public Comments (Revised 09-10-20), 13. G.2 - Notifications (Revised 09-10-20), 14. G.3 - Minutes, 15. H. Revised Statement of Direction (09-10-20), 16. I - Tentative Timeline (Revised 09-11-20), 17. J - Sample Use Parameters, 18. K- Landscape Plan (Revised 08-04-20), 19. L - Right-of-Way, 20. M - Floor Plans (Revised 08-04-20), 21. N - Site Elevation Grades (Revised 08-04-20), 22. O - Site Plan (Revised 08-04-20), 23. P - Elevations (Revised 08-04-20), 24. Q - Draft Ordinance (08-13-20), 25. R - Quail Run Road Illustration (09-01-20), 26. S - Lighting Plans (Revised 09-11-20)

Date	Ver.	Action By	Action	Result
9/15/2020	1	Planning Commission	Continued	Pass

**TO:** Chair and Planning Commission Members

**FROM:** Paul Michaud, Planning Manager

**DATE:** September 15, 2020

**DEPARTMENT:** Community Development

### AGENDA TITLE:

**Consideration for a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort [Continuance]**

### RECOMMENDATION:

It is recommended that the Planning Commission continue the public hearing on the Major Special Use Permit Amendment (SUP-18-05) for the Smoke Tree Resort located at 7101 E Lincoln Drive from the Planning Commission regularly scheduled meeting date of September 15, 2020 to [state a specific date]. This continuance will allow for more time to discuss the proposed amendment.

Alternative actions include to recommend to Town Council the denial of SUP-18-05 or the approval of SUP-18-05, subject to stipulations.

## **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 proposed redevelopment of this property will be a complete demolition of all existing structures and construction of a resort. Refer to Attachment A for the application.

## **MEETING PURPOSE:**

Take public comment, as September 15, 2020 was advertised as a public hearing regarding the Major Special Use Permit amendment (SUP-18-05). The Planning Commission will also need to take action on SUP-18-05 (continuance, recommendation of denial, or recommendation of approval with stipulations).

## **UPDATE FROM PRIOR MEETING:**

The Planning Commission last discussed the amended application at its September 1, 2020 work session. There was no discussion on any particular part of the application request. However, the Planning Commission in a vote of 5 to 0 (with Commissioners Covington and Lewis not in attendance when the vote occurred), requested that the Town Council consider an extension of the September 30, 2020 review deadline in the Statement of Direction (SOD) to December 15, 2020. The Planning Commission also took public comment at the scheduled Citizen Review Session (no persons from the public spoke on this matter).

Regarding the time extension, the Planning Commission sought this extension to allow for more time to review SUP-18-05. Town Council acted on the extension request at their regular meeting on September 10, 2020. The Town Council in a vote of 7 to 0, moved to extend the September 30, 2020 review deadline in the Statement of Direction (SOD) to no later than November 17, 2020.

Furthermore, the Town Council added that all meetings shall occur during regularly scheduled meetings and not more than four additional meetings after September 15, 2020. Some of the reasons for providing only four additional meetings included the length of time the application has already been in the review process since its original submittal in 2018, that the applicant had opportunity over the course of the review process to address points, and there was a concern over the quality of the review in allowing for weekly meetings. The Town Council recognized the hard work done to date by the Planning Commission. The granted extension was for technical reasons covering information (such as review of the Parking Management Study, Acoustical Study, and stipulations). Any differing viewpoints that may exist amongst Planning Commission members over the project should not be a cause for delay.

For more information, the Planning Commission can reference the action reports at <https://paradisevalleyaz.legistar.com/Calendar.aspx>. Planning Commission 2020 discussion dates on SUP-18-05 included July 7<sup>th</sup>, July 21<sup>st</sup>, August 4<sup>th</sup>, August 18<sup>th</sup>, and September 1<sup>st</sup>. Attachment G.2 includes public comments to date. Attachment G.3 includes available Planning Commission minutes. Attachment S includes the lighting points and revised exterior lighting plans set for the September 1<sup>st</sup> discussion that could be discussed on September 15<sup>th</sup>.

## **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:

- Density/3<sup>rd</sup> Story. The Planning Commission continues to review the proposed density and 3<sup>rd</sup> story height elements. Although the traffic study, several parking studies, perimeter landscaping, and other aspects of the application have been discussed; the Planning Commission has not reviewed the Parking Management Plan nor fully reviewed the valet plan. There have been numerous exchanges between the applicant's consultant, Town staff, and the Town's 3<sup>rd</sup> party reviewer on the Parking Management Plan creating delays before Planning Commission review.
- Acoustical study. The applicant first submitted an acoustical study on July 10<sup>th</sup>. After this initial review, Town staff sought a third party reviewer. The applicant then resubmitted an 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). The applicant is working on revisions to the acoustical study. Once the acoustical study is deemed complete by staff, it will be provided to the Planning Commission (goal for October 6<sup>th</sup>).
- 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 (goal for October 6<sup>th</sup>).
- Stipulations. Attachment Q includes the draft ordinance (with preliminary stipulations) provided in the August 18<sup>th</sup> Planning Commission packet. Town staff provided the applicant with the comments on the draft stipulations on August 12<sup>th</sup>. Also, the applicant provided 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 will work to finalize another draft version for Planning Commission review. Once this is completed, the it will be provided to the Planning Commission.
- 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 continues to work with the applicant and neighbor to address and resolve this issue. The plans and stipulations will be updated once an amenable solution is identified.

## **PUBLIC COMMENTS AND NOTICING:**

There have been several residents who provided comment. 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 August 20<sup>th</sup>, addressed the following: 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 third floor amenity (i.e. views into the residential parcels west of the site, use for events), 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:**

The next step is to continue to discuss the application request. The next scheduled Planning Commission work session on SUP-18-05 is set for October 6, 2020. Refer to the updated tentative timeline under Attachment I.

#### **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 (Revised 09-10-20)
- G.2 Notifications (Revised 09-10-20)
- G.3 Minutes
- H Revised Statement of Direction (September 2020)
- I Tentative Timeline (Revised 09-11-20)
- 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)
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- Q Draft Ordinance (Dated 08-13-20)
- R Quail Run Road Illustration (09-01-20)
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