



## Legislation Text

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**File #:** 15-244, **Version:** 1

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**TO:** Chair and Planning Commission

**FROM:** Eva Cutro, Community Development Director

**DATE:** October 20, 2015

**CONTACT:**

Eva Cutro, 480-348-3522

**AGENDA TITLE:**

Hearing - Special Use Permit Major Amendment (Continued from 10-06-15)  
Five Star Ritz-Carlton Paradise Valley  
7000 E Lincoln Drive (SUP-15-01)

**RECOMMENDATION:**

*Recommendation for Approval*

It is recommended that the Planning Commission forward to the Town Council approval of the Five Star Ritz-Carlton SUP major amendment request, subject to the stipulations and recommended changes outlined in this action report.

*Recommendation for Denial*

It is recommended that the Planning Commission recommend denial of the Five Star Ritz-Carlton SUP major amendment as it varies substantially from the Statement of Direction.

*Recommendation for Continuance*

It is recommended that the Planning Commission continue to a date certain the Five Star Ritz-Carlton SUP major amendment request. This will allow additional time to review the submittals and draft stipulations.

**BACKGROUND**

**Request**

On May 4, 2015, Five Star Development Resort Communities applied for a major amendment to the Ritz-Carlton SUP. The amendment to the SUP includes a mix of resort, residential, and retail uses on the approximately 105 acre site.

**History**

The property located at 7000 E. Lincoln Drive was annexed into the Town in 1964. In 1987 the Town

Council granted a Special Use Permit and re-zoning for Sun Valley Resort a mix of resort units, residential lots, and a golf course. The SUP allowed for up to 500 resort keys, 39 R-43 cluster plan lots, and a golf course. Although an entrance circle on Indian Bend Road was constructed, no further development occurred.

In 2008 the Town Council granted an amendment to the existing Special Use Permit to allow for a resort community, including: a resort hotel with 225 rooms, spa, restaurants, and meeting space; 100 resort patio homes; 46 luxury detached residential homes, 15 one-acre home lots; and, site improvements including parking, landscaping, and lighting and, improvements to site infrastructure. This approval is current, however; no development has occurred.

In 2012 the Town adopted a new General Plan. The General Plan categorizes this property as one of the new Development Areas, intended to focus resort development into targeted areas that are most appropriate for accommodating the variety of land uses associated with such use. The General Plan further states, Development Areas are meant to encourage new resort development that reflects the Town's needs for fiscal health, economic diversification, and quality of life.

### **Statement of Direction**

Council discussed the Statement of Direction at the May 28, 2015 and June 4, 2015, Study Sessions. Density, residential lot size, type of residential product, heights, retail use, perimeter setbacks, and Rights of Way, traffic, and parking were discussed. The SOD shall guide the Commission in their review of this proposal. The Statement of Direction is not a final decision of the Town Council nor does it create any vested rights for the applicant.

### **Details**

On May 4, 2015, Five Star Development Resort Communities applied for a major amendment to the Ritz-Carlton SUP for a resort community. The site is on approximately 105 acres, bordered by Lincoln Drive to the south, Mockingbird Lane to the east, Indian Bend Road to the north, and the City of Scottsdale to the east. The development is broken up into five distinct Areas with a mix of resort, residential, and retail uses proposed. The total square footage of structure on site equals 1,666,013, with a lot coverage from the dripline of the structures at 26.3%.

### **Area A - Resort**

The Statement of Direction states:

*Resort lot coverage (Areas "A" and "A1" combined) shall not exceed 30% and 700,000 square feet. As compared to the SOD, the proposed area coverage is 30.1% and the floor area is 721,000 square feet.*

*Recommend that Commission allow lobby heights to capture the unique mountain views but fully explore the impacts of the proposed height including what is visible off-site and if current views of the Mc Dowell Mountains will be obstructed (as viewed from the adjoining public RsOW). The overall mass of the building shall be reviewed to make sure it is of appropriate scale. A 3-D graphic shall be required. An elevation shall be shown from a benchmark near the intersection of Lincoln Dr. and Mockingbird Lane.*

The center 18 acres of the site is proposed as the Ritz-Carlton Resort with 200 resort units planned. The resort will also contain a lobby, ballroom, spa, and other resort amenities. The highest elevation of the resort is proposed at 56' and contains a rooftop deck. The hotel rooms are proposed in one

and two-story configurations with a maximum height of 24'. The total floor area is proposed at 352,000 square feet. The lot coverage is proposed at 234,000 square feet using a drip line measurement. Based on this drip line measurement, the area coverage is at 29.7%.

Staff and Commission have concerns regarding light and noise from the rooftop deck. The applicant has provided a sound study letter. The acoustical consultant does find that the potential noise impact to the nearest residential and hillside properties will be within the allowable Town noise standards of 45 decibels and 56 decibels.

### **Area A1 - Resort Villas**

The Statement of Direction states:

*Resort lot coverage (Areas "A" and "A1" combined) shall not exceed 30% and 700,000 square feet.*

*With the exception of the resort lobby, it is recommended that all four-story/48' tall elements be eliminated and three-story/36' maximum height be considered for principal structures only, and as a buffer along the eastern border.*

The Resort Villa area borders the resort and contains approximately 11 acres. 120 resort villas are proposed. These will be available for private ownership and may be placed in the hotel rental pool. The total floor area is proposed at 348,000 square feet (plus an additional 21,000 of food & beverage). The lot coverage is proposed at 149,000 square feet using a drip line measurement. Based on this drip line measurement, the area coverage is at 30.8%. The maximum height of the villas is proposed at 3-story and 36'. The applicant did remove the 4-story element in this latest revision, but increased the 3-story element in three areas. Staff suggests that the building heights step down closer to the main resort private drive as previously shown.

It is anticipated that the villas will be used as resort units and not the stacked flat product that was originally proposed in Area D, and discouraged in the SOD. In an effort to ensure the primary use of the villas are used as resort units, staff included language to Stipulation 38 regarding villa standards and shared elements with the resort in Area A.

### **Area B & C - Detached Residences**

The Statement of Direction states:

#### Residential lot size

*Recommend that all detached residential product in Areas B and C:*

- 1. Have an average of two dwelling units per acre,*
- 2. Progress from larger lots on the north, south, and west perimeters to more dense lots in the center and eastern perimeter, and*
- 3. Detached residential product shall be a mix of 1 and 2-story.*

### **Area B**

Area B is 31.3 acres in size and contains 80 single family detached residences in a gated community. The site plan has lots that progress from larger properties along the perimeter to smaller or denser lots in the center. The lot sizes range from 9,000 to 28,503 square feet with a minimum width of 65 feet. The proposed residences will be approximately 3,200 square feet for a total floor area of 440,000 square feet. The area coverage is at 24.7% and 2.55 dwelling units per acre (DUA) are proposed.

The homes are a mix of one and two story with a maximum height proposed at 24'. Setbacks shall be:

Front yard - 20' ground floor, 25' second story, 35' front facing garage

Rear yard - 20' ground floor, 35' second story

Side yard - 10' each side on perimeter lots, 10' total on interior lots (zero lot line allowed)

It is recommended that the applicant reduce the DUA and the area coverage to match the SOD. It is also recommended that the side yard setbacks be increased to 10' per side, not total, on interior lots.

### Area C

Area C is 22.5 acres in size and contains 45 single family detached residences in a gated community. The site plan has lots that progress from larger properties along the perimeter to smaller or denser lots in the center. The lot sizes range from 12,000 to 24,326 square feet with a minimum width of 70 feet. The proposed residences will be approximately 4,000 square feet for a total floor area of 295,313 square feet. The area coverage is at 24.1% and 2 dwelling units per acre (DUA) are proposed.

The homes are a mix of one and two story with a maximum height proposed at 24'. Setbacks shall be:

Front yard - 20' ground floor, 25' second story, 35' front facing garage

Rear yard - 20' ground floor, 35' second story

Side yard - 10' each side on perimeter lots, 10' total on interior lots (zero lot line allowed)

Area C is in alignment with the SOD. However, it is recommended that the side yard setbacks be increased to 10' per side, not total.

### **Area D - Attached Residences**

The Statement of Direction states:

#### *Residential lot size*

*Attached residential housing is proposed for Area D. Attached residential housing as approved and built in other Paradise Valley resorts, are almost exclusively used as resort rental units that are rented through the resort itself.*

*Attached residential product as proposed is disfavored and alternate uses for Area D shall be explored.*

The applicant eliminated the original condominium type stacked residential and is now proposing a gated, townhouse development. Area D has also been relocated to border Lincoln Drive and Area C (another residential product). Area D is proposed as a mix of two and three story buildings, with the three story elements bordering the apartment complex in the City of Scottsdale. 74 town homes are proposed with an average size of 2000 square feet. The total floor area is 209,700 and the area coverage is at 25.3%. Heights range from 24' - 36'. However, the 36' three-story height only occurs along the eastern border. The third story is also limited as follows:

- Interior area not to exceed 50% (of the area of the second story)
- Exterior covered area not to exceed 10% (of the area of the second story)
- Exterior uncovered not to exceed 10% (of the area of the second story)

The units will also have front and rear setbacks of 10 feet and all parking requirements shall be met in individual private garages and driveways.

### **Area E - Resort Related Mixed Use**

The Statement of Direction states:

*Recommend the Paradise Valley Planning Commission evaluate the mixed use submittal with the following conditions:*

1. *No 4-story/48' height permitted,*
2. *Retail must be viable. Staff and commission may request applicant provide a market study addressing the feasibility of the type and amount of retail proposed including the viability of retail located on an interior site. Planning Commission may use a third-party expert to assist in the evaluation of said viability,*
3. *Retail must be resort related, and*
4. *Residential must be resort related.*

*Recommend the Planning Commission also evaluate the possibility of an all detached residential use of Parcel E if applicant chooses to submit such an alternate.*

Town review of Area E is deferred. Coordination with all parties is ongoing regarding the City of Scottsdale Parcel of Area E. Detailed review and approval of Area E by the Town will be required at a later date. The applicant has provided a list of allowable uses as part of this approval. The applicant proposes hotel, residential, resort-related retail, and resort-related health services for Area E. The uses for Area E in the SOD are for resort-related retail and resort-related residential. The applicant's submittal with the SOD included a grocery-store type use up to 36,400 square feet. The SOD included an option for or all detached residential use.

### **Perimeter Setbacks / Landscape /Signage**

The Statement of Direction states:

*Recommend that the SUP Guideline landscape area and buffer be provided. A minimum 50' wide landscaped area shall be provided along Lincoln Drive and Mockingbird Roads and a minimum of 30' wide landscape area shall be provided along Indian Bend Road. An additional*

*landscape buffer shall be provided at the corner of Lincoln Drive and Mockingbird Lane, as well as at the main entrance to the Resort and at the gateway to the Town.*

*Recommend that 25' of Right of Way (ROW) dedication be required along Lincoln Drive. This differs from the 2008 SUP that allowed for a roadway easement. The 2012 General Plan has now categorized Lincoln Drive as a Visually Significant Corridor and dedication is requested to allow for development of Lincoln Drive as a Visually Significant Corridor and as a Gateway to the Town. The applicant shall identify setbacks from the post-dedication property line.*

The site plan meets the SOD with setbacks along Indian Bend Road at a minimum of 30'; along Mockingbird Lane at a minimum of 50'; and, along Lincoln Drive at a minimum of 50' (taken from the post-dedication line). A separation of 10' has been added north of the St. Barnabas border and a 120' setback is proposed at the corner of Lincoln Drive and Mockingbird Lane.

A landscaping plan is provided that divides the property into different landscape zones, with the interior lush than the perimeter. Detailed landscape plans are provided for Lincoln Drive with landscaping in excess of the Landscape Guidelines with trees planted 25' on center. A meandering wall and sidewalk are also proposed in accordance with the Town Zoning ordinance. The applicant provided additional information regarding the Visually Significant Corridor treatment on Lincoln Drive. This treatment includes architectural screens around utility structures, seating areas, themed wayfinding signage, and enhanced landscaping. However, since the details of this treatment are not part of this application, Stipulation 34 is added that will require the final design be approved by the Town Manager or designee.

Enlarged Paradise Valley Entry monuments are proposed at the Gateway to the Town. A primary Ritz-Carlton monument sign is proposed at the main entry to the resort on Lincoln Drive. The sign is 6' high, 25 square feet in size and has a 25' setback. A fountain sign wall is proposed at the corner of Lincoln Drive and Mockingbird Lane. This sign wall has a minimum setback of 25' from the corner, is 48" high (with a water depth of less than 18"), and is surrounded by vegetation.

### **Traffic and Parking**

A complete traffic impact analysis (TIA) and separate parking analysis were completed by CivTech Engineering. The Traffic Impact Analysis has been through multiple rounds of comments. There are still outstanding comments from the Town of Paradise Valley and the City of Scottsdale that need to be addressed and incorporated into the TIA. Additionally minor comments have been provided on the revised parking analysis which should not hold up the Planning Commission approval.

### **Grading and Drainage**

A detailed grading and drainage plan for the site will need to be provided that is consistent with the stormwater master plan for the project. The Town has received an onsite and offsite drainage memo which included sufficient detail for the SUP approval process. As the memo states, at the time of permit CVL will prepare a full onsite set of grading and drainage plans and a complete drainage report.

### **Attachments**

Proposed Stipulations  
Applicant Response Letter - Stipulations  
SOD

Judson Association Letter  
Updated Parking Documents  
Updated Traffic Documents  
SUP Booklet (Modified Sheets Only)

C: Jason Morris (Applicant)