



## Legislation Text

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**File #:** 15-287, **Version:** 1

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**TO:** Mayor Collins and Town Council

**FROM:** Eva Cutro, Community Development Director  
Paul Michaud, Senior Planner

**DATE:** December 3, 2015

**CONTACT:**

Paul Michaud, 480-348-3574

**AGENDA TITLE:**

Discussion 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)

**BACKGROUND**

Request:

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.

Planning Commission Preliminary Map Recommendation:

In a 6 to 0 vote, the Planning Commission recommended approval of the Preliminary Map with the five stipulations attached to this report. 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.

Map Conformance:

SUP Stipulation III.E.43 allows for horizontal property regimes (i.e. condominium development) in this portion of the SUP. The condominium map is a graphic description that identifies the boundaries of the units; some or all of the exclusive use common areas such as balconies, patios, parking spaces, and other areas that are outside the boundaries of the unit and intended for the use of the property owner of one unit; and common areas such as a pool or outdoor landscaped sections for the use by all unit owners. The exclusive use common areas and common areas may be fully described on the condominium map and/or may be detailed in the declaration document(s) that accompany the final map. Similar to a preliminary plat, a preliminary condominium map does not need to depict all the final dimensions, exclusive use common areas, or common areas. The preliminary map should provide an understanding of the general unit layout and access. The condominium units are within one building, with one level of underground parking. The Preliminary Map depicts the unit layout, access, and common elements. These components are further described under Discussion/Facts below.

Enforcement:

As of the date of this report, there are no outstanding code violations on this SUP property.

**DISCUSSION/FACTS**

General Plan:

The subject property has a General Plan designation of “Resort/Country Club” according to the Town’s General Plan Land Use Map. The proposed map for resort unit hotel key development is in conformance with this designation.

Zoning:

The zoning on the subject property is “Special Use Permit - Resort.” This zoning was approved in April 2013 by Ordinance Number 653. This is the appropriate zoning for resort-related uses. Each Special Use Permit has its own unique set of development standards. For this subject property, the provisions of both Ordinance Number 653 and its associated Development Agreement apply regarding platting/mapping within the SUP area. The following standards apply to this SUP.

- The subject area of this plat is in Area ‘B’ of the SUP.
- SUP Stipulation III.E.43 allows for subdivision of land by one or more plats and/or maps in various forms such as on individual lots and/or horizontal property regimes (i.e. condominium development).
- SUP Stipulation III.E.47 allows for 3-story/36-foot high buildings when such building includes hotel keys.
- Article 3.C.3(d) of the Development Agreement states that plats/maps within the SUP will follow the standards and requirements of Article 6, Subdivisions, of the Town Code, except as modified by the SUP and Development Agreement. The typical requirements for ingress/egress, right-of-way width, roadway pavement width, size/location of public utility easements, minimum lot size, lot configuration and lot shape do not apply.

Parking:

The proposed condominium map will comply with the required minimum number of parking spaces.

As this application is for units designed to be hotel keys, parking requirements fall under SUP Stipulation III.G. 93 that requires 1.2 parking spaces for each unit without a “lock-out” capability and 1.0 spaces for each “lock-out” portion of a “lock-out” unit. Pursuant to the approved parking study, this condominium hotel requires 66 parking spaces based on 45 condominium units and 59 lock-outs. The property will have a total of 71 parking spaces, including three accessible parking spaces in the garage level and two at-grade parking spaces near the street entrance. The parking design includes 12 tandem parking spaces, accommodating 24 vehicles. The tandem parking complies with the SUP parking requirements and approved parking study as valet service will be available with this condominium hotel site as part of the service for the main resort. The three accessible spaces comply with the Town Building Code requirement of 3 accessible parking spaces when 51 to 75 parking spaces are required.

Roadways/Emergency Access:

The subject property will have access to Lincoln Drive and 56<sup>th</sup> Street via Tract ‘A’ through the resort as approved by the SUP. Tract ‘A’ is Mountain Shadows Drive, being the main access from Lincoln Drive. Emergency drive access is met offsite via Mountain Shadows Drive and Valley Vista Lane.

Building Lines & Setbacks:

The building illustrated on the site plan with the Preliminary Map meet setbacks. There are no required setbacks for this property, Lot 131 of the “Mountain Shadow Resort Unit 2 - Amended VII” map.

Building Permit/Town Manager Approval:

The type and character of building, signage, and landscaping are either approved with the building permit and/or by the Town Manager. As such, these items will not be considered with this map request.

Drainage:

An overall master hydrology and drainage study for the entire west side of the Mountain Shadows SUP has been reviewed by the Town Engineer. The final approval of the hydrology and drainage study by the Town Engineer will occur along with the improvement plans associated with this map and prior to the recordation of said map.

Utilities:

The proposed development has an approved assured water supply. There was a stipulation with prior plats/maps for Mountain Shadows Resort to provide an updated Certificate of Assured Water Supply prior to plat/map recordation. The Town has received this updated Certificate on November 12, 2015. As with the prior Certificate, the subject Certificate covers the residential component of Mountain Shadows Resort west of 56<sup>th</sup> Street. The Arizona Department of Water Resources has determined there is an assured water supply for 280 lots (homes). This portion of the resort is planned for 112 homes, of which the subject application consists of 44 of those 112 homes.

All new utility lines will be located underground and generally underneath the adjoining private streets of Mountain Shadows Drive and Valley Vista Lane, or within the 6-foot utility easement on the subject site adjoining Valley Vista Drive, or within the 8-foot utility easement on the subject site adjoining Mountain Shadows Drive. Will serve correspondence from the applicable utility providers has been

submitted. All typical type of utilities will be provided; such as water, electricity, natural gas and sewer.

Fire Protection:

The proposed lots will meet all standards related to fire protection. Fire hydrants along Mountain Shadows Drive will service this site. The building will have fire sprinklers in accordance with the Town Fire Code. EPCOR has verified the capacity to service the subject site and fire flow pressure of 2,064 gpm to 2,124 gpm at the required residual zone pressure of 20 psi.

**NOTICING & PUBLIC COMMENTS**

No comments have been received as of the writing of this report. Except for posting of the meeting agenda, there is no required public notification for a preliminary or final map. Consistent with the Town's application process, the applicant provided a mailing notification to the property owners within 1,000 feet for scheduled meetings where the Commission or Council will take action.

**NEXT STEPS**

Town Council action for this application is set for the December 17, 2015 meeting.

**ATTACHMENTS**

- 1 Presentation
- 2 Recommended Planning Commission Stipulations
- 3 Vicinity Map/Aerial/General Plan/Zoning
- 4 Application/Narrative
- 5 Prior Minutes
- 6 Utility Correspondence
- 7 Approved Parking Study Excerpts
- 8 Final Map Mtn Shadows Resort Unit 2 - Amended VII
- 9 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)