



## Legislation Text

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**File #:** 17-178, **Version:** 1

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**TO:** Mayor Collins and Town Council

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

**DATE:** May 25, 2017

**CONTACT:**  
George Burton, 480-348-3525

**AGENDA TITLE:**  
Discussion of Intermediate Special Use Permit Amendment  
Sanctuary Resort (SUP 16-08). 5700 E. McDonald Drive.

**BACKGROUND:**  
History and Lot Conditions

The Town annexed the subject property in 1961. The original Special Use Permit (SUP) was issued on September 14, 1967 and has been amended several times. The most recent amendment was approved in 2014 to include spa related uses at Casa 2. The property is approximately 17 acres in size and located at the southwest corner of McDonald Drive and Superstition Lane.

**REQUEST:**  
Sanctuary Resort and Spa is requesting an amendment to their Special Use Permit (SUP) to allow for additions to the existing casitas, two new casita buildings, a new pool, a new snack bar, modified parking near the central part of the property, additions to the existing ballroom building, and the addition of storage containers.

- New Casitas  
A total of 45 keys will be added to the property with the addition of new casitas or bungalows. 13 of the new keys will be created by infilling areas underneath the existing casitas. The other 32 keys will be created by placing one and two story additions at the ends of eleven casitas and constructing two new casita buildings. One of the new casita buildings will be two stories and the other new casita building will be one story. The 13 infill keys vary in size from 550 square feet to 850 square feet. The other 32 new keys are approximately 410 square feet in size.

The proposal is substantially compliant with the SUP Guidelines with a setback of approximately 110' from the west residential property, approximately 560' from the north property line adjoining McDonald Drive, and approximately 25' from the east property line adjoining Starlight Way. The SUP Guidelines recommend a minimum setback of 60' from

residential uses and 40' from a public street. The setbacks of the casita additions were identified as an area of Commission review in the Statement of Direction since the one addition deviates from the recommended setback (which was incorrectly illustrated at 7' away from Starlight Way in the original submittal and has since been updated to reflect the correct setback of 25' from Starlight Way).

Also, the two story additions are approximately 22' tall and the one story additions are approximately 11' tall, measured from current grade. The new additions and new casita buildings will be designed to match the architectural style of the existing casitas. The improvements will be painted Thatch Brown, which has a light reflective value (LRV) of 17%. The maximum allowable LRV per the Hillside Ordinance is 38%. It is recommended that the new roof be colored or painted to match the color of the additions and new casita buildings. Also, all new mechanical equipment will be ground mounted and screened with walls.

- Pool & Snack Bar

A new pool and snack bar will be located at the northern end of the project area. The pool is setback 183' from the west adjoining property line. Since this is a hillside designated property, pool barriers should be limited to a view fence. However, a portion of the pool barrier deviates from this standard. The west side of the barrier is a 5' tall solid fence (comprised of wood and masonry) to help mitigate noise from this area. A 5' tall iron view fence will be placed around the remaining pool area to provide barrier protection.

The snack bar is 15' tall and will be added to accommodate guests. The snack bar is 190 square feet in size and will operate during daylight hours. The snack bar will have a painted stucco finish (Thatch Brown with an LRV of 17%) and a Terra Cotta metal roof (with an LRV of 10%). The snack bar originally had a wall mounted AC unit; however, the applicant removed the wall unit and replaced it with a mini-split unit. It is also recommended that a stipulation be added to prohibit amplified sound in this new pool area in order to mitigate noise disturbance to the neighboring properties.

- Parking & Circulation

The parking in the casita area will be modified to accommodate the improvements, with 17 new spaces added to the site. Per the parking analysis, there are a sufficient number of parking spaces to accommodate the improvements and the resort's parking needs. The resort has the required 8 ADA parking spaces on site and the improvements will require 3 to 5 additional employees per shift.

Per the April 13, 2017 traffic analysis, the peak shared parking usage is 371 spaces and the resort will provide 391 spaces and does not anticipate any on-site circulation issues created by the proposed improvements.

- Ballroom Expansion

The existing ballroom will be expanded along the north side of the building. There is an existing deck in this area that will be expanded and enclosed to create an additional 2,200 square feet of ballroom. Below this enclosed deck the applicant proposes an additional 1000 square feet of office and storage space. A stairwell will also be added to the northeast corner of the ballroom to meet exiting requirements and all new mechanical equipment will be ground mounted and screened with walls.

The addition is approximately 28' tall, setback approximately 60' from the east property line, and will be finished to match the existing structure.

The exterior of the ballroom addition will have a stucco finish with metal skin accents. The stucco will be painted Brown Owl, Thatch Brown, Tomahawk Red Dark Blue Slate, and Cockatoo Gold. The LRVs are 33%, 17%, 14%, 8% and 22% respectively. The maximum allowable LRV per the Hillside Ordinance is 38%. Also, it is recommended that the new roof be colored or painted to match the building.

A patio expansion is also proposed on the west side of the ballroom, across from the Jade bar. This patio would be uncovered and approximately 1000 square feet in size (because it is uncovered it would not be included in any lot coverage or Floor Area Ratio calculations).

- Storage Containers/Units

There are six existing storage containers/units located at the northwest part of the campus that did not receive SUP approval. The units are 8' tall and approximately 160 square feet in size. The applicant will relocate the units further east, paint them a dark green to help them blend in with the surrounding oleanders, and will limit the use to daylight hours. However, staff has concerns regarding the location of the storage units since they deviate from the recommended setbacks. The units are setback 14' from the north property line (adjoining McDonald Drive) and approximately 145' from the neighboring property to the west. The SUP Guidelines recommend that service structures maintain a minimum setback of 65' from a street, a 100' setback from a residential property, and a maximum height of 18' tall. Due to the proximity to McDonald Drive, the Commission added a stipulation requiring the adjoining oleanders to be maintained in order to help screen the storage units.

- Lighting

91 new wall sconces will be added to the casita additions, new casita buildings, snack bar, and ballroom building. The new sconces will be placed at the entry of each new casita key/bungalow, next to the service window and door of the snack bar, and next to the doorways of the ballroom building. The sconces have an output of 340 lumens, and are hooded and shielded to direct light downward in accordance with the hillside code (maximum allowable output is 750 lumens for building light fixtures).

30 new step lights will be placed around the ballroom and patio expansion. The light source is hooded and shielded and has an output of 200 lumens (the maximum allowable output is 250 lumens for path lights).

- Lot Coverage and Site Data

The existing lot coverage is 141,438 square feet or 19.1% lot coverage. The improvements will add approximately 11,781 square feet of footprint to the resort; which results in the lot coverage of 20.6%. The improvements also result in an increase from 41 existing Casitas to 86 Casitas. The number of keys will also increase from 125 currently approved keys (consisting of 105 existing keys and 20 undeveloped guest room keys for SUP 12-02) to 170 keys.

- On-Site Retention

The applicant has identified the general location of the retention areas and provided

preliminary retention data. However, a stipulation has been added requiring a civil engineer to provide on-site retention plans and documents for review and approval by the Town Engineering Department prior to issuance of a building permit.

## **DISCUSSION/FACTS:**

### Planning Commission Discussion

The Planning Commission reviewed this amendment at the April 4th and April 18<sup>th</sup> work sessions and the May 2<sup>nd</sup> public hearing. During the public hearing, the Commission amended and added stipulations related to the hours of operation of the new pool area to start at 7:00 a.m., to dedicate one of the existing ADA parking spaces near the valet stand for cart use, to require all new parking spaces to have a dimension of 9' by 20', to add a stipulation that the oleanders along McDonald Drive must be maintained to screen the storage containers, and amend the retention stipulation to require the retention basins to match the landscaping and architecture of the site. On May 2<sup>nd</sup>, the Commission voted 6 to 0 with a recommendation of approval of Ordinance 2017-02, subject to amended stipulations. The plans and documents have been updated to address the Commission's comments and a copy of the May 2<sup>nd</sup> Planning Commission meeting minutes is enclosed for reference.

### Statement of Direction

Per the Town's ordinance, the Town Council shall issue a Statement of Direction for Intermediate SUP Amendments. A Statement of Direction is intended to provide general guidelines or project parameters as the application progresses through the Planning Commission and Town Council review. A Statement of Direction is not a final decision and shall create no vested rights to the approval of a Special Use Permit. Nor shall the applicant rely on the matters addressed in the Statement of Direction as those that may become part of an approved Special Use Permit. The Town Council approved the Sanctuary Resort's Statement of Direction on February 23, 2017.

### General Plan:

The proposed improvements are consistent with Section 1.3 of the Town's General Plan which encourages the continued revitalization and improvement of the Town's resorts while protecting the adjacent residential neighborhoods.

### Zoning Ordinance Compliance:

The proposed improvements are consistent with the existing resort use. The casita additions, ballroom expansion, and pool/snack bar area will be designed in accordance with the existing architectural style of the SUP. The setbacks, heights, and lot coverage are substantially compliant with the SUP Guidelines. The improvements meet the recommended height, lot coverage limits, and parking requirements. The only deviation is regarding the setbacks. One casita addition is setback 25' away from Starlight Way (instead of the recommended setback of 40') and the storage units are setback 14' away from McDonald Drive (instead of the recommended setback of 65').

## **INTERMEDIATE AMENDMENT CRITERIA:**

Per the new SUP Ordinance effective November 22, 2009, an Intermediate Amendment to a Special Use Permit shall include any proposal which does not:

1. Change or add any uses; or
2. Increase the floor area of the project by more than 40% upon the existing or, if still under

construction, approved floor area square footage of the affected SUP property, with any such increase to be measured cumulatively over a sixty month period; or

3. Have any significant material effect on the adjoining property owners that is visible, audible, or otherwise perceptible from adjacent properties that cannot be sufficiently mitigated.

The proposed improvements do not change the use of the SUP and will have limited impact on neighboring properties. The proposed improvements will match the architectural style of the resort, are substantially compliant with the SUP Guidelines, and meet the parking and circulation requirements.

**PUBLIC COMMENT:**

Public notification was performed in accordance with the public hearing process. Staff received an inquiry from a neighboring resident about the storage containers located near the northern part of the property. Also, the applicant held a Citizen Review meeting on April 14<sup>th</sup>. A copy of the Citizen Review meeting minutes is enclosed for reference.

**ORDINANCE 2017-02**

Ordinance 2017-02 identifies the existing and proposed SUP stipulations for the Sanctuary Resort. The modified stipulations and references associated with SUP 16-08 are illustrated in red bold text.

**NEXT STEPS**

The application is scheduled for public hearing on June 8<sup>th</sup>.

**ATTACHMENTS:**

Vicinity Map & Aerial Photo  
Application  
Narrative with Responses & Project Data  
Plans  
Parking/Traffic Report  
Material Sample Boards  
Draft Ordinance #2017-02  
Statement of Direction  
Citizen Review Meeting Minutes & Noticing Materials  
May 5<sup>th</sup> Planning Commission Meeting Minutes

CC: Don Larry, Applicant