



Legislation Text

File #: 18-472, **Version:** 1

TO: Chair and Planning Commission

FROM: Jeremy Knapp, Community Development Director
Paul Michaud, Senior Planner
George Burton, Planner

DATE: December 4, 2018

CONTACT:

George Burton, 480-348-3525

AGENDA TITLE:

**Discussion of a Minor Special Use Permit Amendment (SUP 18-13)
Ritz-Carlton Area A - North East Corner of Mockingbird Lane and Lincoln Drive
7000 E Lincoln Drive**

REQUEST

Five Star Resort Owner LLC is requesting a Minor Special Use Permit (SUP) amendment for Area A to: 1) modify the hotel building and, 2) add a new market building.

RECOMMENDATION

RECOMMENDATION A:

It is recommended the Planning Commission deem the requested amendment to the Ritz-Carlton Special Use Permit a Minor Amendment per the criteria listed in Section 1102.7.B of the Zoning Ordinance.

RECOMMENDATION B:

It is recommended that the Planning Commission approve the Ritz-Carlton Minor Special Use Permit Amendment for Area A to allow for modifications to the hotel building footprint, changes in the hotel building heights, modified grades around the hotel building, and the addition of a new market building, subject to the following stipulations:

1. All improvements to the property shall be in substantial compliance with the Narrative, prepared by Nelsen Partners and dated November 16, 2018.
2. All improvements to the property shall be in substantial compliance with the Plans, prepared by Nelsen Partners and dated November 21, 2018.
3. The elevator overruns/enclosures on the hotel building are allowed to exceed the maximum height by three (3) feet.
4. The property owner and Town shall sign and record a Waiver of Rights and Remedies

agreement under A.R.S. § 12 1134 (Proposition 207 Waiver) in the form provided by the Town Attorney within 10 calendar days of the approval of this amendment to the Special Use Permit.

5. All existing Special Use Permit stipulations shall remain in full force and effect, unless changed or modified by the Minor Amendment SUP-18-13.

BACKGROUND

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. In 2008, the Town Council granted an amendment to the existing SUP 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. No development occurred.

In 2012, the Town adopted a new General Plan. The General Plan categorized 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 identifies that Development Areas are meant to encourage new resort development that reflects the Town's needs for fiscal health, economic diversification, and quality of life.

In December 2015, the SUP was amended to approve a development with five distinct Areas with a mix of resort, residential, and retail uses.

In May 2017 and August 2018, the Town Manager approved two Managerial SUP Amendments that modified the hotel building. The 2017 amendment modified the footprint of the hotel buildings, reduced the amount of square footage, and resulted in a reduction in building heights. The 2018 amendment modified the grades around the hotel building and the hotel unit count. The applicant is now requesting additional changes to the hotel building that will modify the footprint, heights and grades around the hotel building and add more square footage to the project.

Planning Commission Discussion

The Planning Commission discussed this request at the November 7th work study session. During the work study review, the Commission asked the applicant to provide a letter from the St. Barnabas Church identifying if they support the request or have any concerns regarding the proposed changes to the hotel building.

The applicant provided an email identifying that the church has a full copy of the Minor Amendment package and they expect the church to send a letter of support to the Town and/or appear at the Planning Commission hearing on December 4th to express their support of the request. A copy of the email is enclosed for reference.

Also, there were several discrepancies between the noted and calculated heights in the November 7th plan submittal. As a result, the applicant updated plan sheets 4, 6, and 8 so all of the noted and calculated heights match. The applicant also provided cross sections of the modified hotel building (on plan sheet 5) to illustrate the changes in height and the changes to the number of stories.

Modification to the Hotel Buildings

The applicant is proposing to modify the hotel building. The modifications will result in an updated footprint, changes in heights, modified grades, and an increase in the square footage. In summary, the modifications to the hotel buildings include the following:

Footprint. The footprint of the hotel building will be modified and reconfigured. The northwest wing will be removed, the spa and lobby will be reconfigured and reduced in size, and the north and south ends of the building will be adjusted. The elimination of the northwestern wing will result in an increased setback from the resort residential that is located in Area B (with a change in setback from 140' to 197'). Modifications to the hotel building will also result in a 10' reduced setback from St. Barnabas Church (with a change in setback from 200' to 190').

Heights. Although the modifications to the hotel building and adjoining grades result in different heights and massing; the architectural style of the building will remain the same. The changes in height result in a change in the amount of 1 story, 2 story, 3 story, and hotel lobby roof product:

- Northern Wing. Most of the northern wing will change from 2 story to 3 story.
- Eastern Wing. Portions of the eastern wing will change from 1 story to 2 story.
- Middle Wing. The middle part of the building changes from 3 story to hotel lobby roof.
- Southern Wing. Portions of the southern wing will change from 2 story to 1 story and from 2 to 3 story.

Due to these changes, the height of the hotel building varies from 14' tall to 48' tall (please compare plan sheets 3 and 4 for changes in stories and heights).

The Ritz-Carton SUP also limits the height of the hotel building to a maximum height of 48' tall (measured from adjoining finished grade). All mechanical equipment, equipment screens, and elevator overruns are included in the 48' height limit. The roof mounted mechanical equipment and equipment screens will comply with the maximum height limit; however, the elevator overruns exceeds the allowable height limit by 3' (with a height of approximately 51' tall). As a result, the applicant is requesting that additional height be given to accommodate the elevator overrun (with a maximum height of 51' tall - which equals an elevation of 1362' at the top of the elevator shafts).

Square Footage. The overall floor area of the project will increase by 5,000 square feet (in order to accommodate the addition of 15 hotel guest rooms and the new market building). The floor area for Area A will increase from 352,000 square feet to 357,000 square feet. Also, the total floor area for the SUP will increase from 808,400 square feet to 813,400 square feet (please reference plan sheet D-3).

Market Place.

A new market building will be added on the south side of the pool area (just west of the hotel building) to accommodate pool and casita guests. This is a two-story building that is setback approximately 1,500' away from the west property line (adjoining Mockingbird Lane) and is approximately 28' tall. The market will serve as a place where resort guest may purchase coffee, food, and merchandise.

DISCUSSION/FACTS:

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.

Minor Amendment Criteria

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

1. Change or add any uses; or
2. Increase the floor area of the project by more than 5,000 square feet or constitute an increase of more than 15% upon the existing or, if still under construction, approved floor area square footage of the affected SUP property, whichever is less, with any such increase to be measured cumulatively over a sixty-month period; or
3. Have any material effect on the adjoining property owners that is visible, audible, or otherwise perceptible from adjacent properties that cannot be sufficiently mitigated; or
4. Change the architectural style of the existing Special Use Permit.

Zoning Ordinance Compliance:

The proposed improvements are consistent with the existing resort use. The modified hotel building will retain the previously approved architectural style. Due to the location of the hotel building and the development around the building, there should be no material effect on the adjoining properties. Also, the increase in square footage is limited to 5,000 square feet.

Public Comment

Public notification was performed in accordance with the public hearing process. Staff received two inquires and no comment about this request.

Next Steps

The Planning Commission may take two actions on this request. The Planning Commission must first determine if the request constitutes a Minor SUP Amendment. If deemed a Minor SUP Amendment, then the Planning Commission may approve the amendment, approve the amendment with stipulation, deny the amendment, or continue the hearing for additional review.

ATTACHMENTS:

Vicinity Map & Aerial Photo

Application

Narrative & Plans

Ritz-Carlton SUP Stipulations and SUP Sheets D-3, E-6, and H-6

Notification Materials

Email Regarding St. Barnabas Church

CC: Richard Frazee, Applicant