



## Legislation Text

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**TO:** Chair and Planning Commission

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

**DATE:** March 3, 2020

**DEPARTMENT:** Community Development

### **AGENDA TITLE:**

Discussion of a Minor Special Use Permit Amendment  
Mountain Shadows Resort (SUP-20-01). 5445 E. Lincoln Drive.

### **REQUEST**

Mountain Shadows Resort is requesting a Minor Special Use Permit (SUP) amendment to add a new left turn lane on Lincoln Drive.

### **BACKGROUND**

In 1992, the Town annexed Mountain Shadows Resort. The site is approximately 68 acres in size with a golf course. On April 18, 2013, a Special Use Permit (SUP) was approved to redevelop the resort and golf course. The Mountain Shadows SUP includes a mix of resort, residential, and golf course uses. The east side of 56<sup>th</sup> Street is residential and the west side contains a resort hotel, resort residential units, resort retail, and golf facilities. On May 16, 2017, a Minor SUP amendment was approved to add accent lighting on the resort building.

The resort has been in operation for approximately three years and has experienced a consistent challenge with guest accessing the resort; in which westbound Lincoln traffic has a tendency to pass the resort entrance at Mountain Shadows Drive and then makes a U-turn at the first median break or at Desert Fairways Drive to access the property. As a result, the applicant is requesting a Minor SUP amendment in order to add a new left turn lane on Lincoln Drive for westbound traffic.

### Existing Conditions

There are two entrances on Lincoln Drive and two entrances on 56<sup>th</sup> Street. Currently, on Lincoln Drive, the west entrance is a secondary access point with right-in/right-out movements. The east entrance on Lincoln Drive is a primary access point with right-in/right-out and left-in/left-out movements. The entrance nearest to Lincoln Drive on 56<sup>th</sup> Street is assessable from and can utilize the traffic signal at 56<sup>th</sup> Street and Lincoln Drive. This access point is and was shown as the primary 56<sup>th</sup> Street access driveway on Sheet 3 of the approved Special Use Permit. The other entrance is a manually locked gate on Valley Vista Lane that is accessible only to residents within the New Home

community. This is one of two allowable secondary access driveways on Sheet 3 of the approved Special Use Permit.

### Scope of Request

The proposed left turn lane from Lincoln Drive will add another means of access to the western entrance; which will allow westbound traffic to turn left into the west entrance (with existing right-in/right-out). No additional entrances will be added with this amendment. This proposal just adds a left turn movement into the western entrance. A portion of the existing Lincoln Drive median will be removed to accommodate the new left turn lane. The new turn lane is 230' long, 10' wide with 2' of curb on each side, has a 90' taper and 100' of storage. The traffic impact study identifies that:

- The proposed left turn lane is in compliance with the City of Scottsdale design standards (since the Town does not provide explicit criteria for dedicated left turn lanes) and
- A dedicated westbound left turn lane is a safer option than making a U-turn at an unprotected signalized intersection or at a median break.

### **DISCUSSION/FACTS:**

#### Signage

Staff recommends adding signage to identify the turn lane and clarify that this a turn lane is only for westbound traffic. Specifically, staff recommends that:

- An arrow or arrows be painted in the turn lane to identify that the westbound traffic may turn left into the resort, and
- Additional signage may be required to identify that this is not a turn lane for eastbound traffic.

#### Process

If the Minor SUP amendment for the turn lane is approved, the Town will coordinate the timing of the final design and construction with its Lincoln Drive Medians Project. The Lincoln Drive Medians Project is subject to Town Council approval. However, Mountain Shadows Resort would be required to pay for all design and construct costs associated with the left turn lane in the right-of-way. In the event the Town does not proceed with the Lincoln Drive Medians Project, Mountain Shadows Resort will need to finalize the design drawings and secure the appropriate contractor and permits for construction on their own.

A development agreement regarding the reimbursement of the median work is required and must be executed in conjunction with the Minor SUP amendment process. However, the development agreement must be authorized and approved by the Town Council prior to the Planning Commission public hearing. As a result, the public hearing for the Minor SUP amendment cannot be held until the development agreement is approved by Council. After a development agreement is approved, the Planning Commission public hearing date will be scheduled accordingly.

#### 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 Section 1102.7 of the Zoning Ordinance, 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 new turn lane does not change or add a use, does not increase the floor area of the resort, nor change the architectural style of the SUP. The new turn lane creates an additional and safer means of access to the western resort entrance.

**Public Comment**

Public notification is not required for a work session. Once the public hearing is scheduled, notification will be performed in accordance with the public hearing process.

**Next Steps**

As noted above, the public hearing will be scheduled once a development agreement regarding the reimbursement of the median work is approved. During the public hearing, the Planning Commission will take two actions. First, to determine if the request constitutes a Minor SUP Amendment. If deemed a Minor SUP Amendment, the Commission may approve, approve with stipulations, deny, or continue the request for further review.

**ATTACHMENT(S):**

- A - Vicinity Map & Aerial Photo
- B - Application
- C - Narrative & Plans
- D - Original Traffic Flow Plan
- E - Traffic Impact Study