

Mountain Shadows Resort

Special Use Permit

Town Council Study Session

October 4, 2012



Tonight's Objectives

- Identify key viewpoints of town, property owner, and immediate neighbors
- Present status of SUP, stipulations, and development agreement caveats
- Provide opportunity for comments by property owner's representatives, immediate neighbors, and town officials



Tonight's Agenda

- Overview
- SUP
- Stipulations
- Development Agreement
- Owner Feedback
- Immediate Neighbor Feedback
- Councilmember Comments



Key Town Viewpoints

- Redevelopment of the property has been adversely affected by the fact that Mountain Shadows is the only Paradise Valley resort property without a SUP.
- Property is zoned R-43; the 1992 Development Agreement does not confer non-residential zoning to property



Key Town Viewpoints (cont.)

- The structures on the property are largely economically obsolete and should be replaced with more modern facilities
- Redevelopment can not happen without adoption of a SUP; elimination of the 1992 development agreement increases clarity

Key Town Viewpoints (cont.)

- The Town plans to adopt a SUP based on concepts
- The owner must agree to the SUP considered by Town government; the Town can not do it unilaterally
- The Town does not expect the current property owner to develop the property; the adopted SUP is expected to allow redevelopment by any owner.



Owner

- The owner believes the property has zoning based on the Town's R-43 zoning classification and the 1992 development agreement
- The owner is willing to negotiate a SUP and new development agreement if the property zoning entitlements are clear.



Owner (cont.)

- The owner supports using development envelopes (concepts) to establish the SUP
- The owner does not believe that building a 250-300 room (key) resort is feasible.
- The owner is willing to assure that the golf course either remains in operation or as private open space



Owner (cont.)

- The owner expects to convert some area of the site currently used for resort property purposes to residential uses associated with the new resort



Immediate Neighbors

- Believe the property is still zoned as it was prior to 1992, because the Town failed to zone it at the time of annexation
- Believe the golf course's existence is protected legally already and that an SUP is unnecessary to provide protection



Immediate Neighbors (cont.)

- Believe any newly built residential structures should be architecturally consistent with what exists currently
- Believe that it is preferable that a SUP is adopted for the property after a specific site plan is presented for the property



Immediate Neighbors (cont.)

- Believe that resort amenities are an important part of the discussion
- Believe the Town can become a party to the enforcement or resolution of property disputes between themselves and the owner

Land Use Approval for Mountain Shadows



- Involves approval of three separate documents by the Town Council
 - SUP
 - Stipulations
 - New Development Agreement



Land Use Approval Process

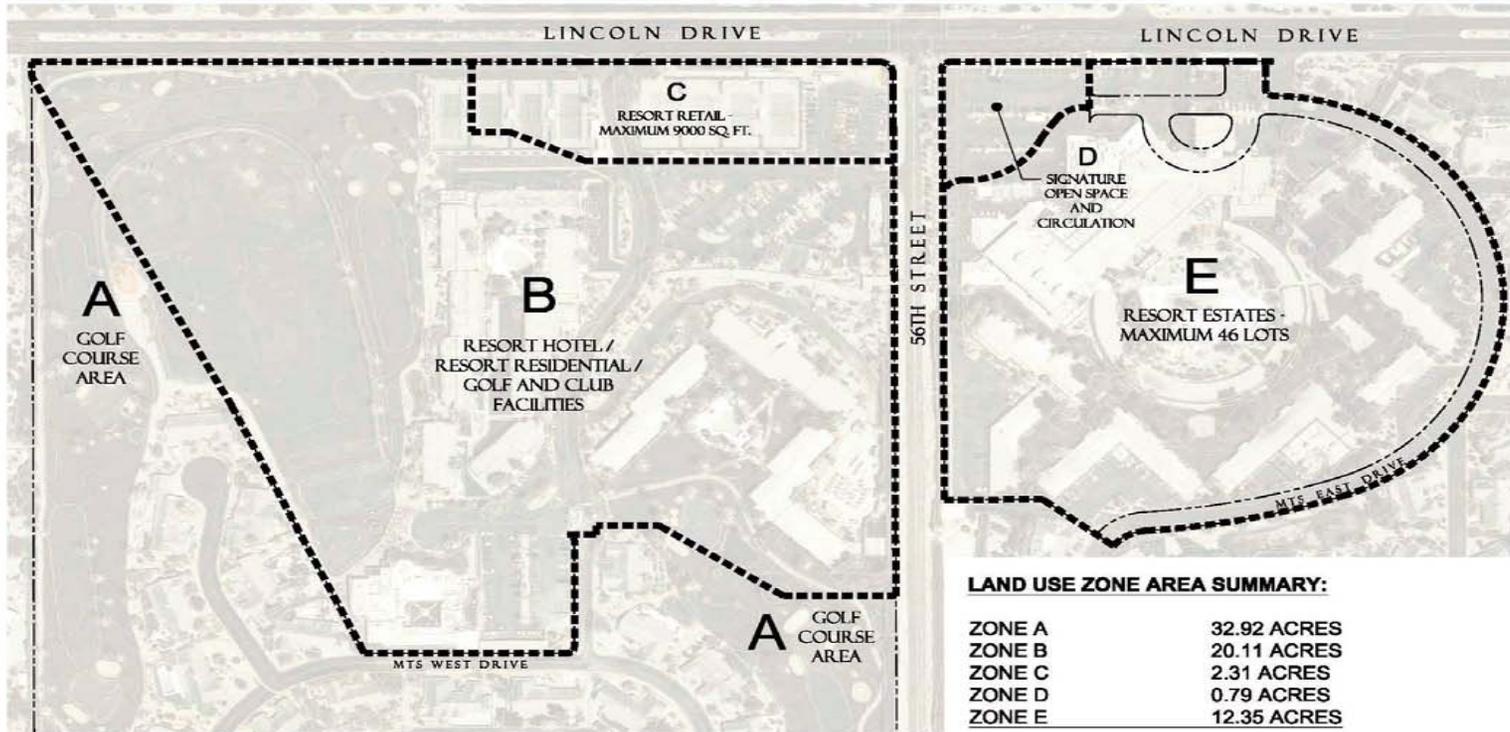
- The approval process began with the Town Council (SOD) and continues with them after the Planning Commission completed its work on September 24th.
- The SOD and Resolution 1261 will guide the staff discussion of the SUP, stipulations, and development agreement



SUP Recommended by Commission

Relies on concepts – Not specific plans

- Mix of resort, residential, and golf course uses in five development envelopes.
- East side of 56th Street - residentially subdivided (46 lots are currently proposed although fewer lots were stipulated by the Commission).
- West side may contain a resort hotel (100 key minimum), resort residential units, resort retail, and golf facilities.
- Golf course will be modified with the relocation of several holes and the reconfiguration of the practice area.
- 56th St - concept includes improvements such as bike lanes, pedestrian paths, and medians, a meandering alignment, hardscaping and landscaping.



LAND USE ZONE AREA SUMMARY:

ZONE A	32.92 ACRES
ZONE B	20.11 ACRES
ZONE C	2.31 ACRES
ZONE D	0.79 ACRES
ZONE E	12.35 ACRES
TOTAL	68.48 ACRES



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



DATE		BY	FOR
REV 01, 2012	DATE	BY	FOR
Revised June 11, 2012			OWNER
Revised June 20, 2012			SPECIAL LINE POINT
Revised Aug 21, 2012			

LAND USE PLAN
2



Development Envelopes

as recommended by the Planning Commission

- Golf Course D.E. (Land Use Zone A):
 - Only structures in this envelope are restrooms and maintenance facility
 - Structures not to exceed 8,000 sq ft
 - Structures located along south and west edge of envelope
- Resort Area D.E. (Land Use Zone B):
 - Envelope encompasses property west of 56th Street, except golf course and retail envelope.
 - Envelope would comply with Open Space Criteria and Resort Guidelines.
 - Resort Development to include:
 - 100 keys minimum
 - Mix of resort residential permitted
 - Accommodate up to 400,000 square feet of development (floor area) total
 - Of the 400,000 square feet total:
 - 100 key resort component (including clubhouse, lobby, and other support uses) shall be at least 120,000 square feet.
 - Resort may be 36 feet high
 - Residential may be 28 feet high.



Development Envelopes (Cont)

- Retail Area D.E. (Land Use Zone C)
 - Envelope located on west side of 56th Street, abutting 56th Street and Lincoln.
 - Maximum of 10,000 square feet of retail
 - Minimum setback of 40' for 20' tall structure (as per the Open Space Criteria).
 - Additional height must meet the Open Space Criteria.
- East Side Open Space D.E. (Land Use Zone D)
 - Envelope contains the acre of land east of 56th Street, bordering Lincoln Drive
 - This land will remain as open space and cannot be developed

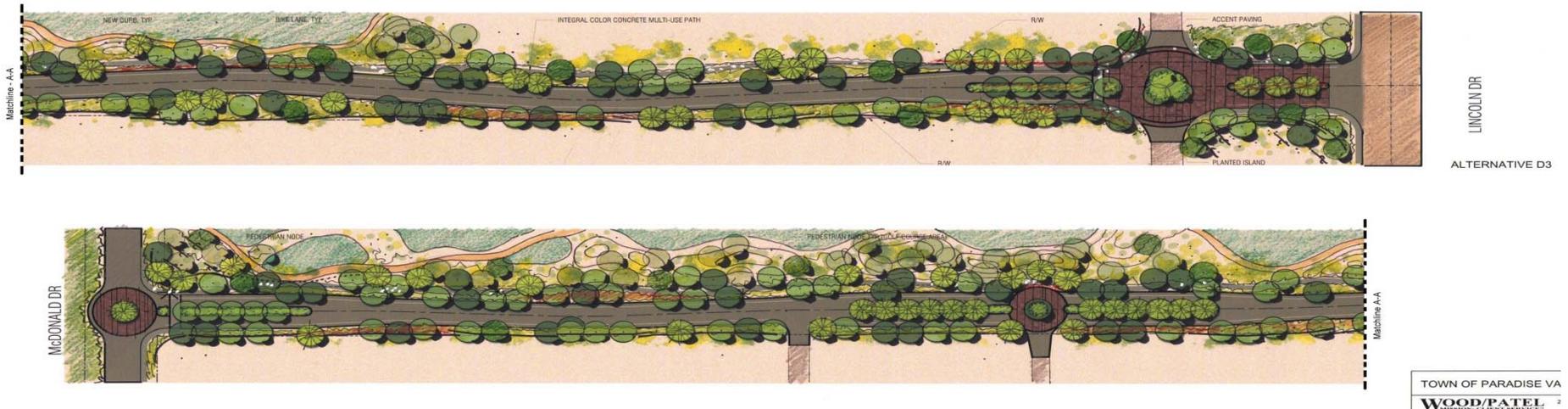


Development Envelopes (Cont)

- Residential East of 56th Street D.E. (Land Use Zone E)
 - SOD addresses this envelope
 - Many expressed concerns about those details, beginning with the number of lots.
 - Application currently proposes a 46 lot subdivision with lots averaging 7500 square feet.
 - Stipulations reflect Commission recommendation that subdivision be treated as R-10

56th Street

- concept includes improvements such as bike lanes, pedestrian paths, and medians, a meandering alignment, hardscaping and landscaping.





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OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS

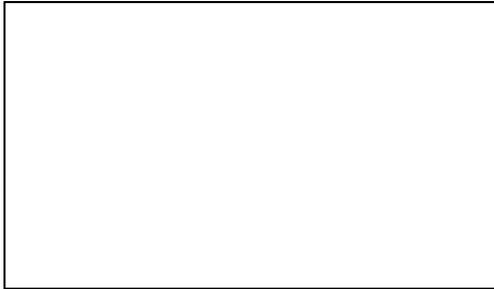
CROWN
REALTY DEVELOPMENT
CORPORATION

COVER SHEET

Rev	Date	Description	By	Appr
0	07/16/2012	ISSUE FOR PERMIT		
1	07/16/2012	REVISED PER CITY		
2	07/16/2012	REVISED PER CITY		
3	07/16/2012	REVISED PER CITY		
4	07/16/2012	REVISED PER CITY		

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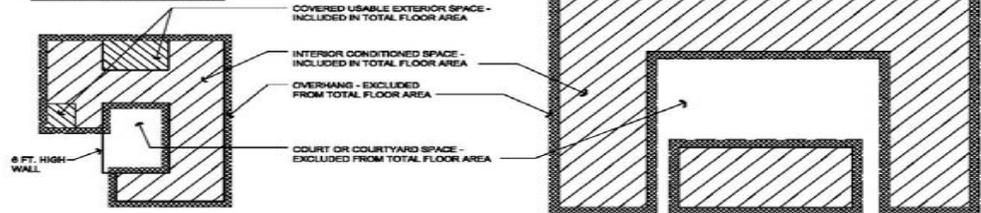


DEFINITIONS AND LIMITATIONS ON DENSITY:

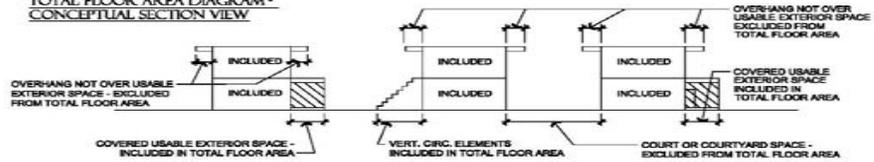
1. FLOOR AREA RATIO FOR ALL RESORT IMPROVEMENTS SHALL NOT EXCEED 25%. FLOOR AREA RATIO IS CALCULATED BY DIVIDING TOTAL FLOOR AREA (AS DEFINED BELOW), BY 2,983,012 S.F.
2. A UNIT IS ANY SINGLE GROUPING OF ONE OR MORE ROOMS WHICH CAN BE OCCUPIED FOR HOSPITALITY OR RESIDENTIAL USE (I.E., ONE OR MORE BEDROOMS) AND IS ACCESSIBLE BY ONE KEY. ROOMS WITHIN A UNIT MAY BE ACCESSIBLE BY MORE THAN ONE KEY; UNITS WITH MORE THAN ONE ROOM MAY BE OCCUPIED BY MORE THAN ONE PARTY USING SEPARATE KEYS. TOTAL NUMBER OF SEPARATELY KEYPED ROOMS FOR RESIDENTIAL AND HOTEL USE WILL NOT EXCEED MAXIMUM TOTAL UNITS.
3. TOTAL FLOOR AREA IS DEFINED IN SECTION 2.01 OF THE TOWN ZONING ORDINANCE, BUT EXCLUDING COURTYARDS AND "TRUE ROOF OVERHANGS" (SEE RELATED DRAWINGS ON SHEET 2.1, WHERE THE HIGHEST FINISH FLOOR ELEVATION OF PARKING DECK OF A COMMONLY USED PARKING STRUCTURE AT THE MIDPOINT IS NO HIGHER THAN ORIGINAL NATURAL GRADE. THE AREA OF THE PARKING STRUCTURE IS NOT INCLUDED IN FLOOR AREA CALCULATIONS. IF ANY PORTION OF THE PARKING STRUCTURE IS MORE THAN SIX FEET ABOVE GROUND, IT SHALL BE INCLUDED IN THE FLOOR AREA RATIO. SHADE STRUCTURES COVERING PARKING SUPPORTING SOLAR PHOTOVOLTAIC PANELS SHALL NOT BE INCLUDED IN FLOOR AREA CALCULATIONS.
4. ALL MEASUREMENTS UNDER THIS S.U.P. FOR TOTAL FLOOR AREA SHALL BE BASED UPON THE DEFINITIONS SET FORTH HEREIN.

ALLOWED COURTYARD DIAGRAMS:

TOTAL FLOOR AREA DIAGRAM - CONCEPTUAL PLAN VIEW



TOTAL FLOOR AREA DIAGRAM - CONCEPTUAL SECTION VIEW



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

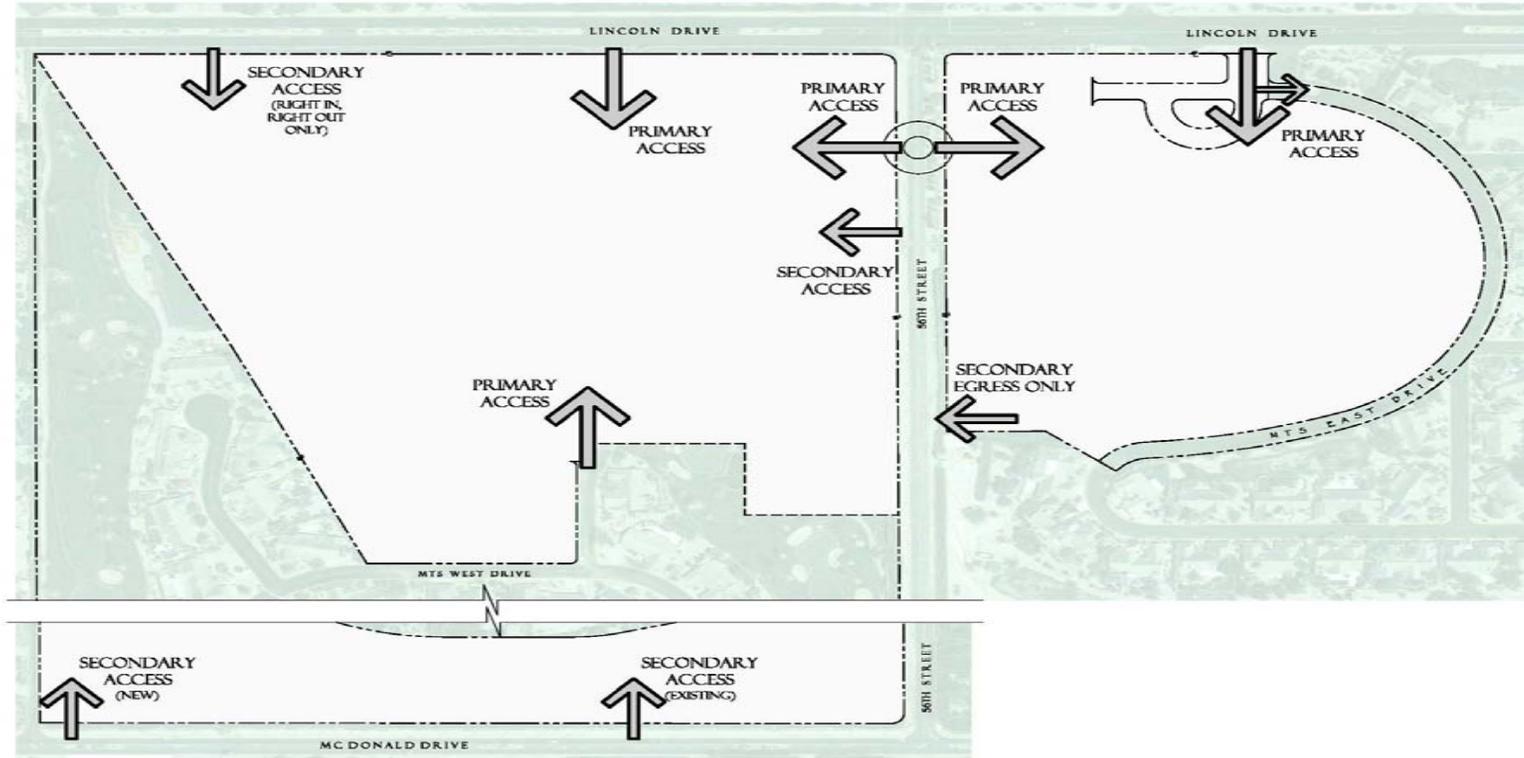
MOUNTAIN SHADOWS



MOUNTAIN SHADOWS RESORT PROGRAM, LAND USE PLAN NOTES & DIAGRAMS

DATE: 06/15/2017	BY: BSA	NO. 2.1
REVISION: 06/15/2017	REVISION: 06/15/2017	
REVISION: 06/15/2017		





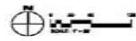



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MOUNTAIN SHADOWS



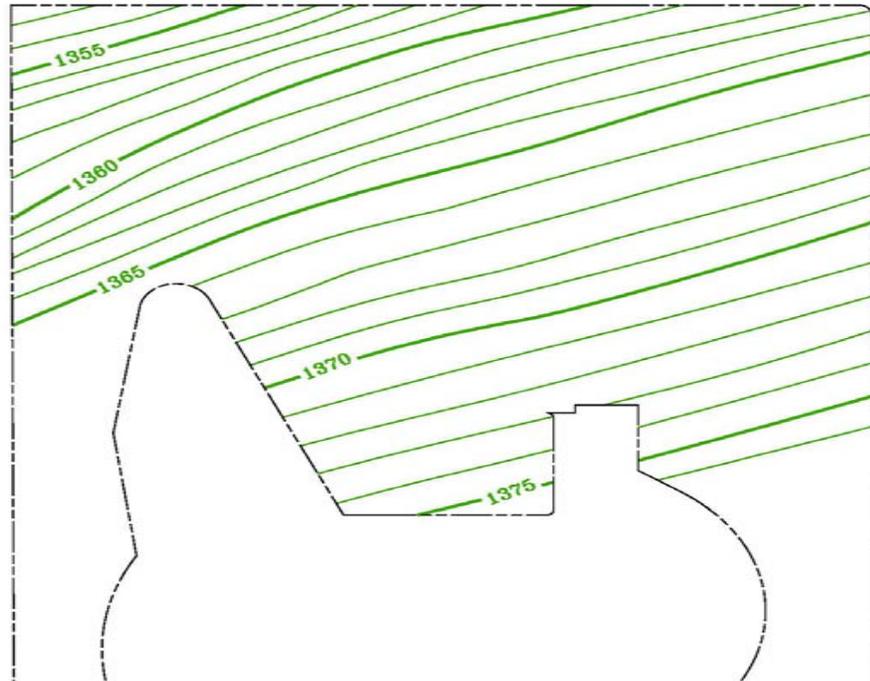
INGRESS / EGRESS DIAGRAM



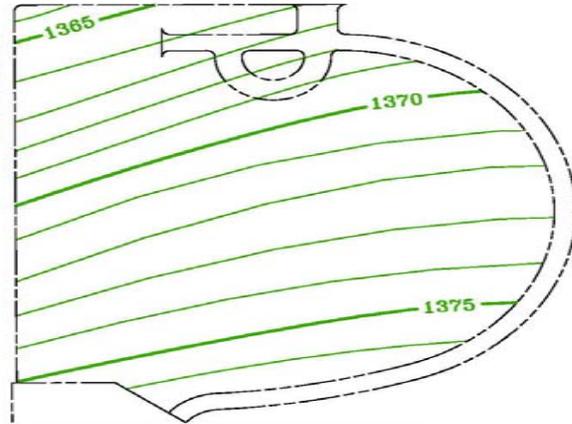
DATE	NOV 10, 2012	SCALE	AS SHOWN	SHEET NO.	3
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LINCOLN DRIVE R.O.W.



56TH ST. R.O.W.



NOTES

1. THIS PLAN REPRESENTS THE "ORIGINAL NATURAL GRADE" TO BE USED FOR THE PURPOSE OF MEASURING ALL ELEVATIONS AND BUILDING HEIGHTS AS ALLOWED UNDER THIS SLIP.
2. FINISH FLOOR ELEVATION (F.F.E.) OF ANY BUILDING OR IMPROVEMENT MAY BE ABOVE OR BELOW THE ASSUMED NATURAL GRADE WITHOUT RESTRICTION.
3. THE MAXIMUM HEIGHT OF ANY SINGLE BUILDING OR IMPROVEMENT SHALL BE MEASURED FROM THE MID-POINT EQUIDISTANT FROM THE HIGH POINT AND LOW POINT OF THE ORIGINAL NATURAL GRADE IMMEDIATELY ADJACENT TO SUCH BUILDING OR IMPROVEMENT. A SINGLE BUILDING OR IMPROVEMENT IS DEFINED AS ANY STRUCTURE (OR PART OF A STRUCTURE) WHOSE F.F.E. IS ALL AT THE SAME GRADE. FILL MAY EXCEED 2 FEET.
4. CONTOUR INTERVAL SHOWN IS 1 FOOT.

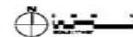


ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



ORIGINAL NATURAL GRADE (O.N.G.) PLAN



DATE: May 10, 2017	BY: [Signature]	NO. 4
PROJECT: Mountain Shadows, LLC	SCALE: AS SHOWN	



Golf Course Plan



CARD of the COURSE

NO.	YARDS	PAR	TYPE
1	105	85	3
2	140	105	5
3	135	100	5
4	185	135	5
5	80	60	3
6	130	90	3
7	85	75	3
8	170	140	5
9	95	70	3
1300			
Holes: 27			
10	100	80	3
11	140	90	3
12	80	70	3
13	135	100	5
14	70	60	3
15	165	135	5
16	120	110	5
17	90	75	3
18	130	100	5
1090			
Holes: 27			
2185			
Holes: 54			

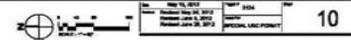


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MOUNTAIN SHADOWS



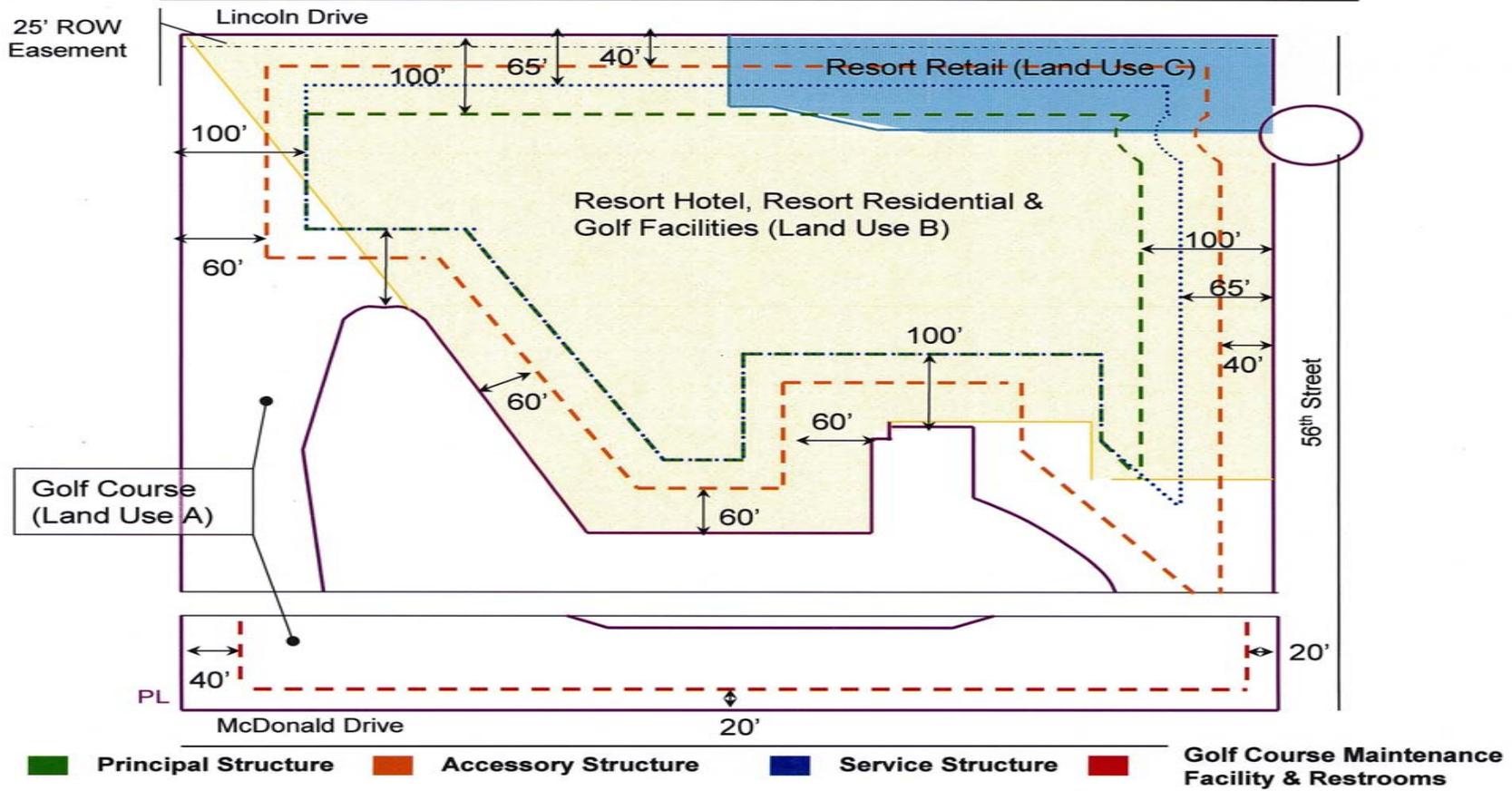
CONCEPTUAL GOLF COURSE IMPROVEMENTS PLAN



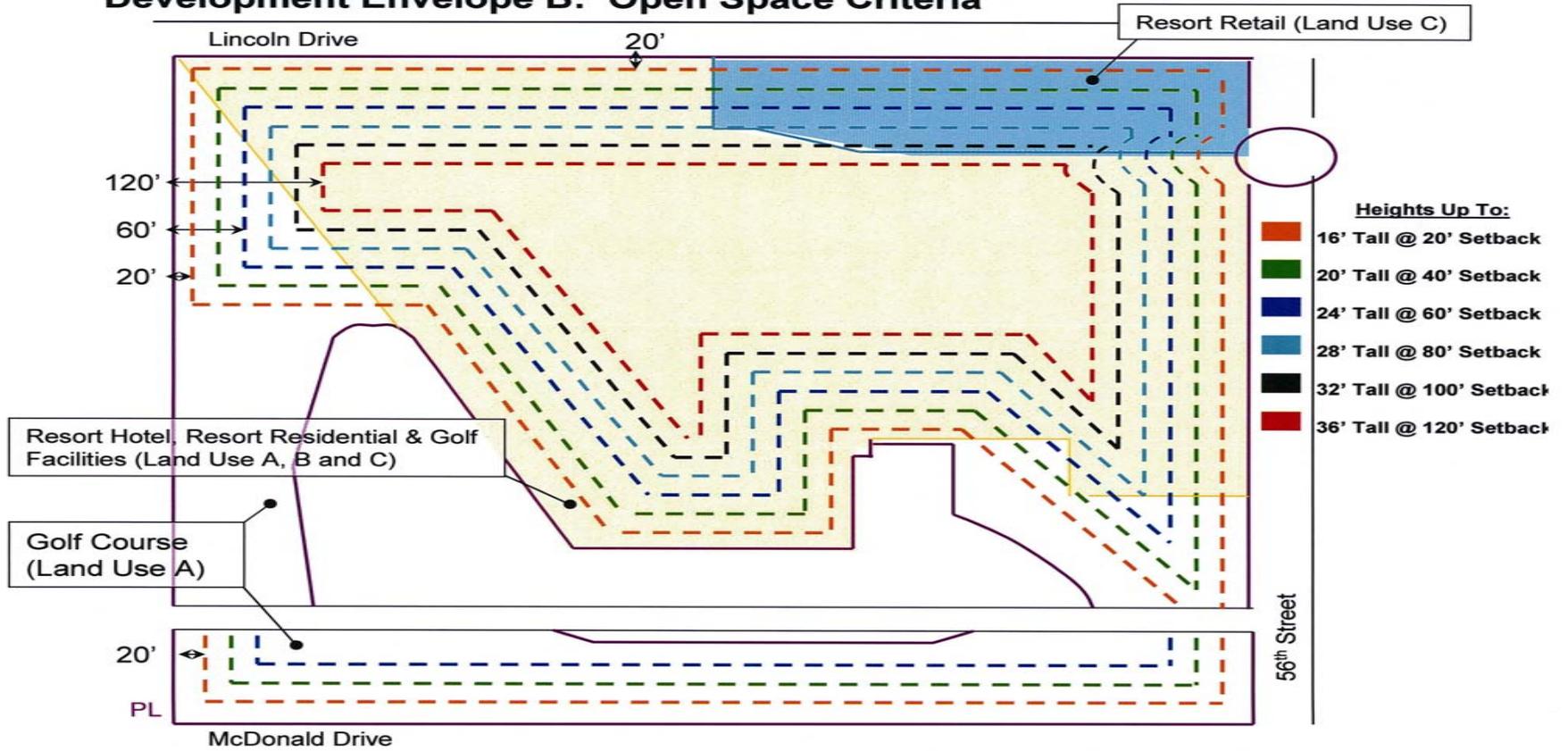
DATE: 06/16/2010	SHEET: 10	OF: 10
PROJECT: MOUNTAIN SHADOWS	LOCATION: CALIFORNIA	



Development Envelope A: Setbacks



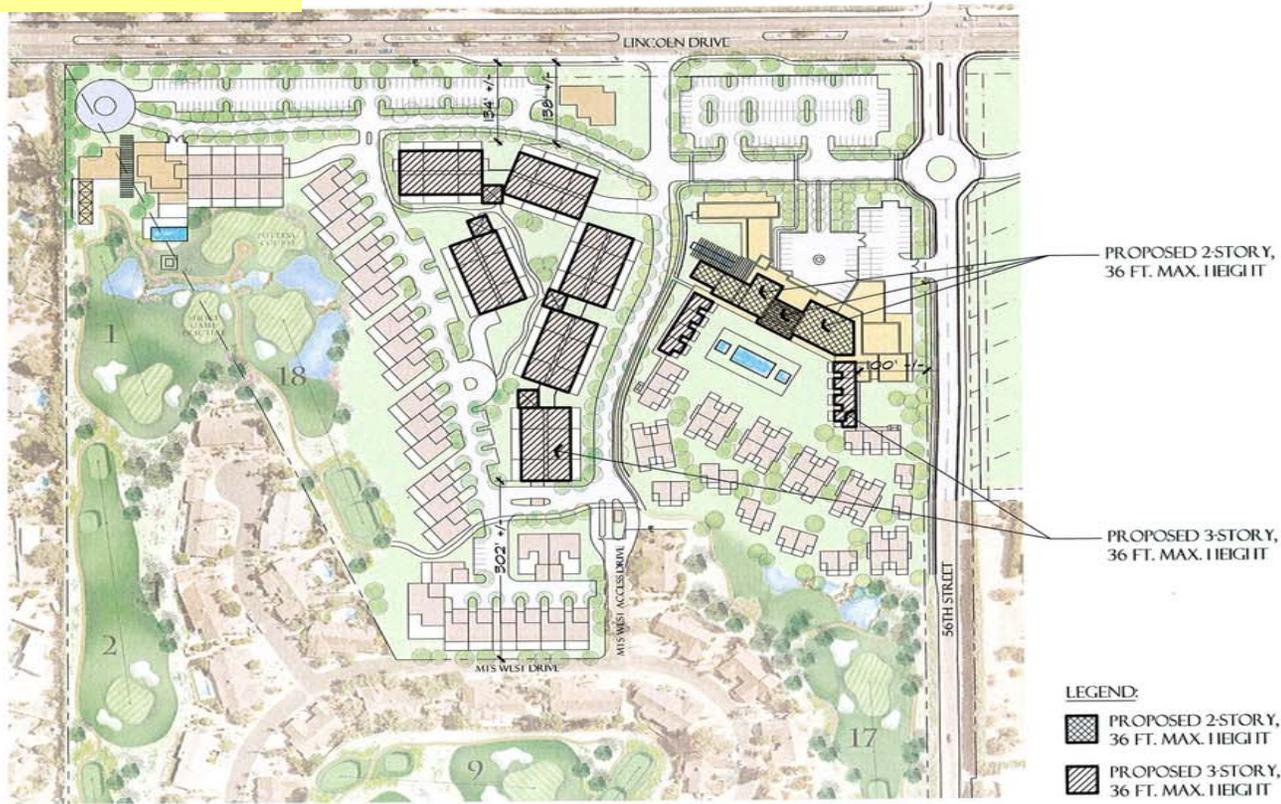
Development Envelope B: Open Space Criteria



DISTANCES & LINES SHOWN ARE APPROXIMATE
AND NOT DRAWN TO SCALE

October 4, 2012

Tall Structure Site Plan



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



BUILDINGS IN EXCESS OF 28 FT. IN HEIGHT

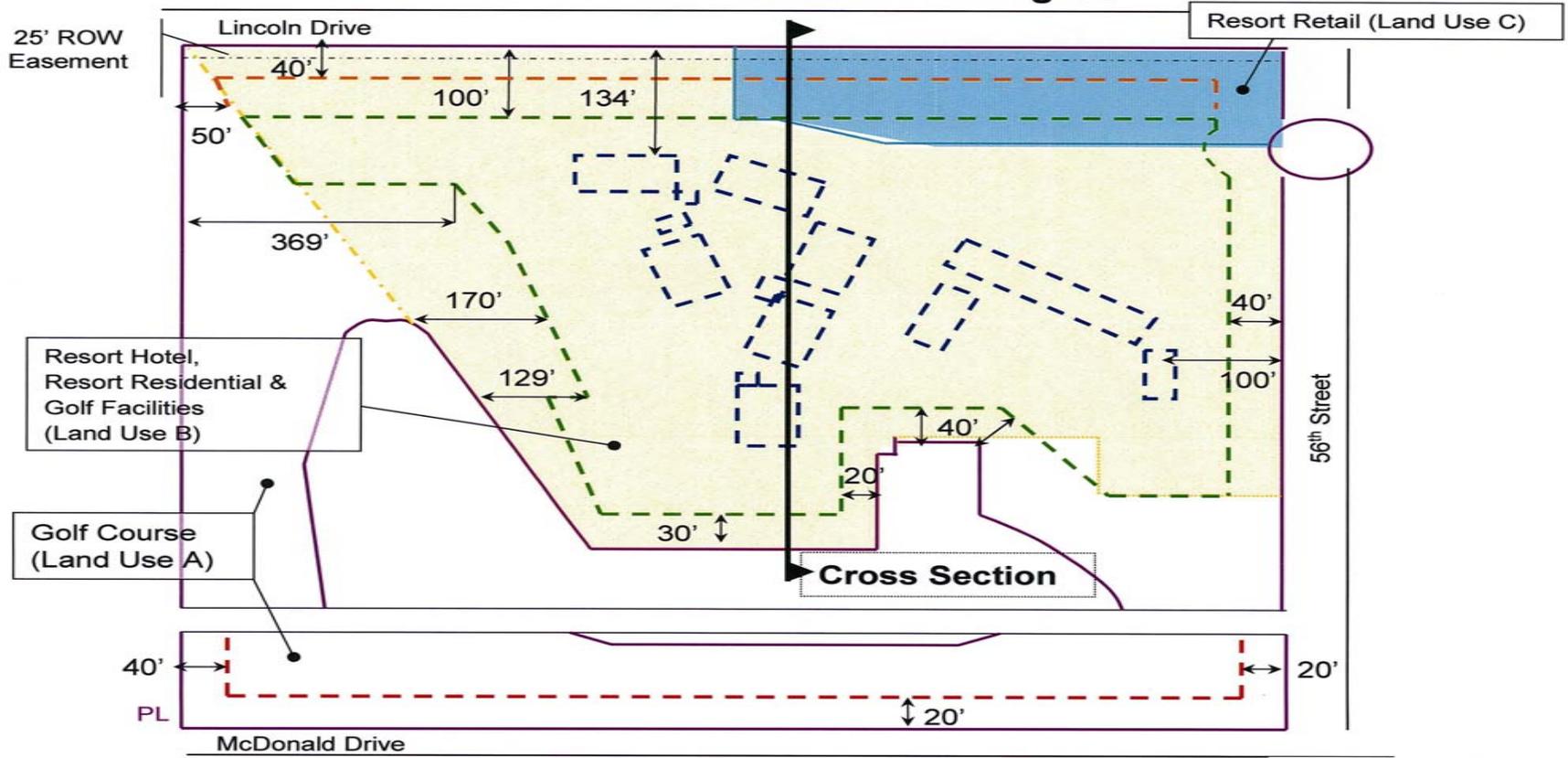


Date: July 26, 2012	Sheet: 9.3
Revised: July 26, 2012	Special Use Permit
Revised: Sept. 24, 2012	
9.3	

OZARCHITECTS, INC.

DISTANCES & LINES SHOWN ARE APPROXIMATE AND NOT DRAWN TO SCALE

Tall Structure Setbacks & Heights

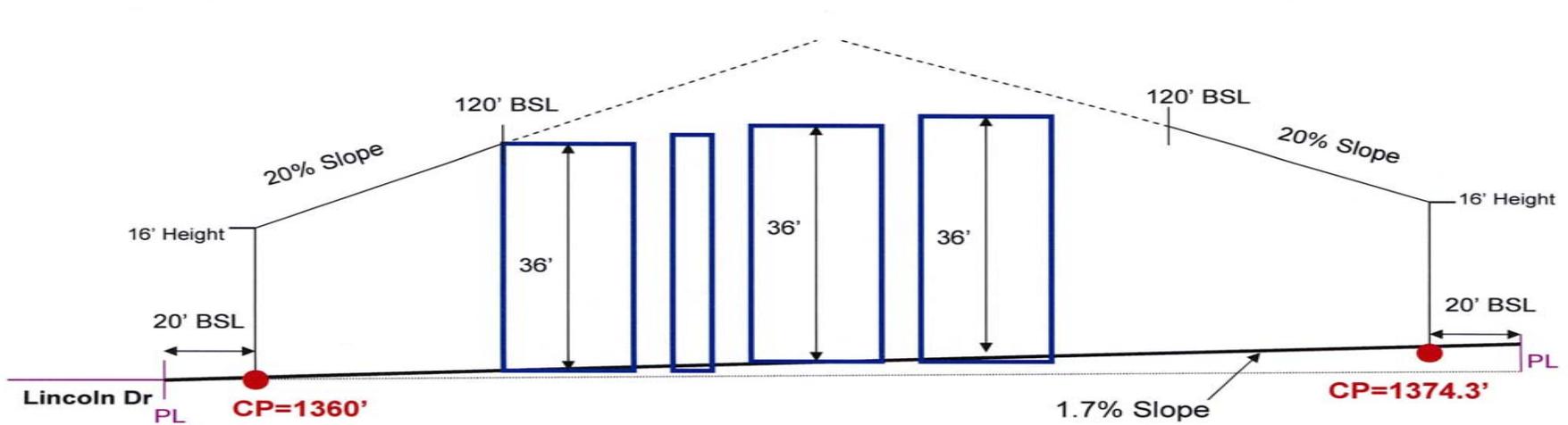


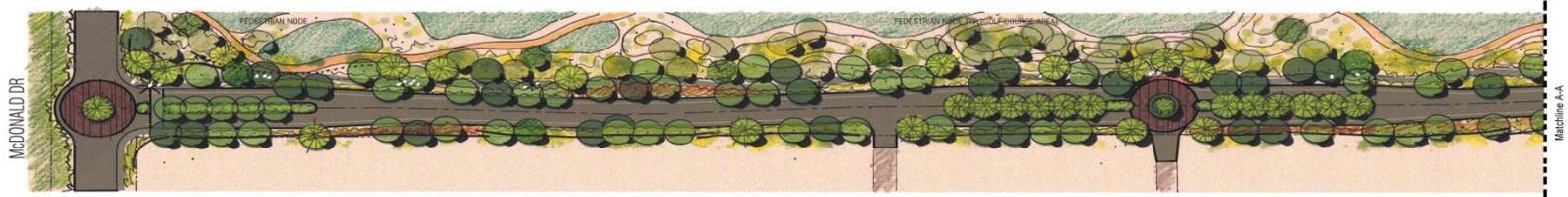
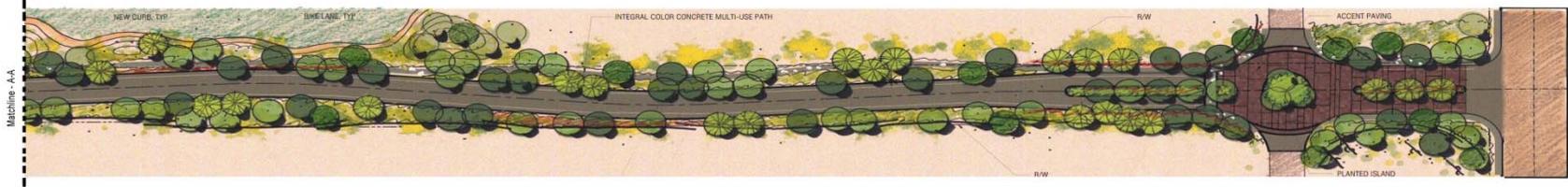
- 28 ft Tall 2 Story
- Setback for 150 L.F of Bldg Frontage 24 ft Tall
- 36 ft Tall 3 Story
- 16 ft Tall Maintenance Facility & Restrooms

DISTANCES & LINES SHOWN ARE APPROXIMATE AND NOT DRAWN TO SCALE

Cross Section of Tall Structure Plan

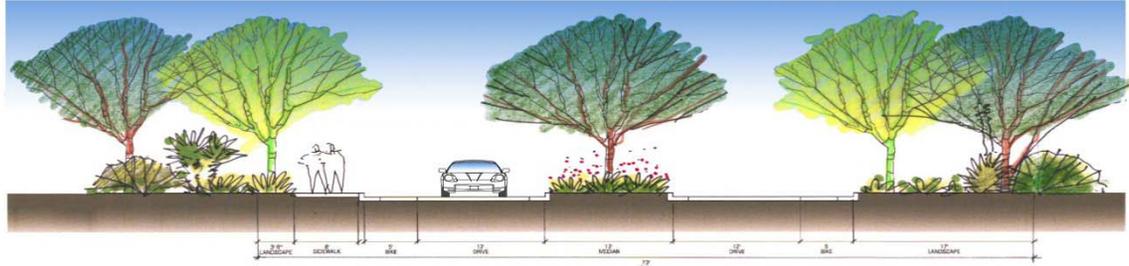
- OSC: 36' height from adjoining control point elevation
- 36' Overall building height measured from grade at midpoint of structure



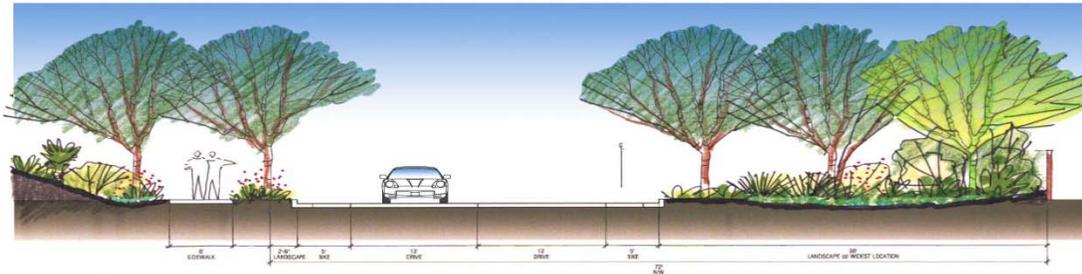


LINCOLN DR

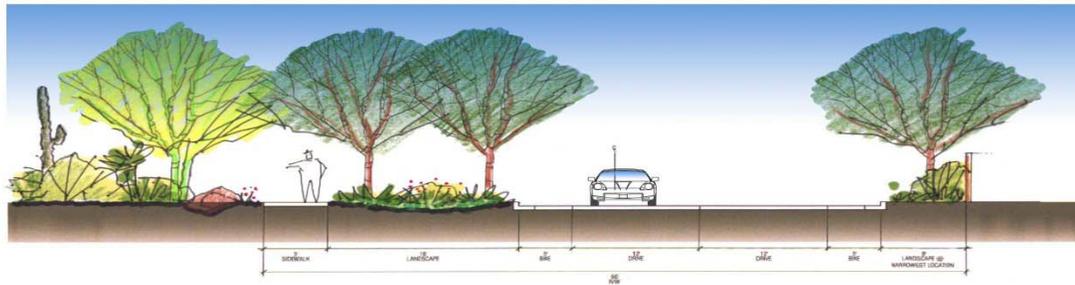
ALTERNATIVE D3



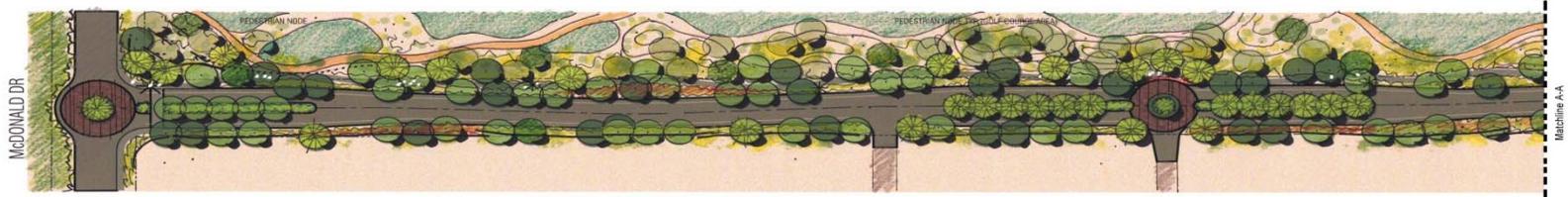
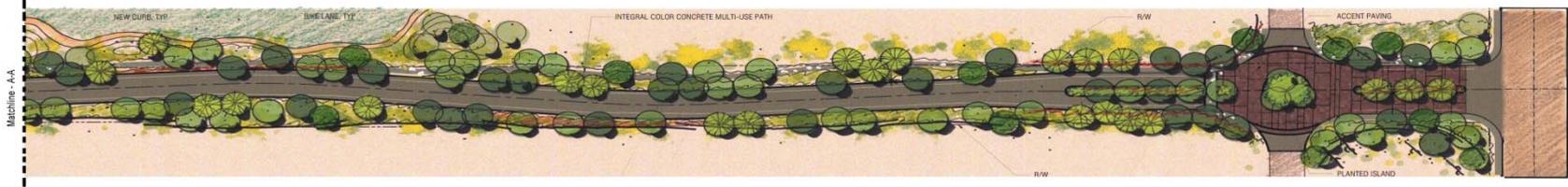
Looking North at Median Location near Lincoln Drive



Looking North Between Nauni Valley Drive and Lincoln Drive



Looking North Between McDonald Drive and Nauni Valley Drive



LINCOLN DR

ALTERNATIVE D3



Stipulations

- Commission originally submitted 105
- There are now 102 stipulations
- Staff has identified stipulations which need further discussion due to conflicts with the SOD or disagreements between staff, Council, Commission, and/or applicant

Stipulation Chart

**Mountain Shadows Resort SUP
Comparison of Draft Stipulations and Statement of Direction**

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
<p>SOD No. 5.2</p> <p>Construction/demolition schedule and/or phasing timeline shall be provided. The demolition of existing structures shall commence within 90 days of SUP approval and be completed 180 days thereafter. The demolition schedule shall also address the necessary site stabilization to be utilized after demolition and before construction. All other phasing will be addressed in the Development Agreement.</p>	<p>No. 11</p> <p>No later than ninety (90) days following the Effective Date of the SUP, the applicant shall apply for all permits (including all required submittals of plans and payment of all applicable fees) for the demolition of the existing improvements (except for any existing golf course and clubhouse improvements); said demolition permit application to also include a dust mitigation plan.</p> <p>Within thirty (30) days following the issuance of all necessary permits by the Town, applicant shall commence demolition of the existing improvements (“Demolition Start Date”).</p>	<p>Agree with Stipulation</p>	<p>Agree with Stipulation. Should be in the Development Agreement as well.</p>	<p>?</p>

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
<p>SOD No. 3.C.2</p> <p>Town Council accepts the development standards for the maintenance facility but will send to the Planning Commission for neighborhood input. PC may modify and establish development standards based upon public input.</p>	<p>No. 31a and 31c</p> <p>Area A – Golf Course Maintenance Facility and Restroom:</p> <p>These structures are limited to a maximum floor area of 8,000 square feet combined.</p> <p>Setbacks shall be a minimum of 40’ adjacent to residential and 20’ adjoining ROW.</p>	<p>Agree with Stipulation</p>	<p>Staff needs further discussion.</p>	<p>Disagree with Stipulation.</p> <p>Applicant proposes: Additional facilities and structures with floor area not to exceed 20,000 square feet.</p> <p>See MTS Land/Golf’s Revised Setbacks and Heights Drawing dated September 14, 2012 for setbacks and Open Space Criteria: Maintenance Building setback of 20’ from east residential property line and 40’ setback from McDonald Drive.</p>

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
<p>SOD No. 3A and 3B</p> <p>Overall FAR of 25%</p> <p>Total third-story and 36 foot height square footage shall not exceed 120,000 square feet</p>	<p>No. 40 and 41</p> <p>Area B – Resort Hotel, Residential and Golf Facilities.</p> <p>The maximum square footage of development/floor area shall be 400,000</p> <p>At least 120,000 square feet of the 400,000 total shall be utilized for the resort component (i.e. rooms, lobby, and other support uses).</p>	<p>Agree with Stipulation</p>	<p>May be amended as a result of the Development Agreement discussion.</p>	<p>Disagree with Stipulation.</p> <p>Applicant proposes: 425,000 sq ft of development (floor area) total; provided that up to 25,000, additional sq ft can be added to resort hotel component without reducing resort residential sq ft. If resort hotel component exceeds 115,000 sq ft, resort residential is reduced accordingly.</p> <p>Resort hotel component (hotel, clubhouse, retail associated with hotel, lobby, guestrooms, restaurants, meeting rooms, kitchens, storage, and all other facilities or areas which are related to and support or service same) shall be at least 90,000 sq ft.</p> <p>Up to 40,000 sq ft of resort residential may be 36' three stories.</p>

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
<p>SOD No. 3B</p> <p>SOD limits heights via Tall Structure plan with maximum of 3 story and 36' tall for structures without private attached garages. Maximum of 2 story and 28' tall for structures with private attached garages.</p>	<p>No. 43</p> <p>Area B- Resort Hotel, Residential and Golf Facilities. The location (i.e. footprint) of any building or structure, or any portion thereof, shall be in accordance with the Approved Development Envelope Plan. Tall Structures shall be limited to the locations identified on the Tall Structure plan (Sheet 9.3); but must also fit within the Approved Development Envelope Plan and meet the Open Space Criteria. Any change in the location of the Tall Structure(s) shall be subject to an Amendment to the Special Use Permit.</p>	<p>Agree with Stipulation</p>	<p>Needs further discussion. Tall Structure plan may not be needed.</p>	<p>Applicant proposal:</p> <p>See MTS Land/Golf's Revised Setbacks and Heights Drawing dated September 14, 2012 for setbacks and Open Space Criteria:</p> <ol style="list-style-type: none"> 1. 100' setback from Lincoln Drive 40' setback from 56th St 60' setback from west property line 20' to 100' setback from south property line 2. Anticipation of 7' roadway abandonment along 56th St 3. Open Space Criteria <p>Exception: Allow 28' height at 60' setback and 20' setback at south end of development area.</p>

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
<p>SOD No. 3B</p> <p>SOD limits heights via Tall Structure plan with maximum of 3 story and 36' tall for structures without private attached garages. Maximum of 2 story and 28' tall for structures with private attached garages.</p>	<p>No. 44</p> <p>The principal resort structures, such as the lodge building and those containing guest rooms, guest registration areas and facility administrative offices, shall be limited to a maximum height of 36 feet tall. Resort residential structures shall be limited to a maximum height of 28 feet tall.</p>	<p>Agree with Stipulation</p>	<p>Agree with Stipulation because it further limits third story to resort use only and will be added in the Development Agreement.</p>	<p>Applicant proposal:</p> <p>See MTS Land/Golf's Revised Setbacks and Heights Drawing dated September 14, 2012 for setbacks and Open Space Criteria:</p> <ol style="list-style-type: none"> 1. 100' setback from Lincoln Drive 40' setback from 56th St 60' setback from west property line 20' to 100' setback from south property line 2. Anticipation of 7' roadway abandonment along 56th St 3. Open Space Criteria <p>Exception: Allow 28' height at 60' setback and 20' setback at south end of development area.</p>
<p>Not specifically addressed in SOD.</p>	<p>No. 51</p> <p>Residents living in Mountain Shadows East and West shall have access to resort amenities.</p>	<p>Agree with Stipulation</p>	<p>Private Issue between East/West and Resort Owner.</p>	<p>?</p>

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
SOD No. 4C SOD states hours of operation as determined by PC.	No. 59 Land Use Area C: Maximum restaurant(s) and/or retail hours of public operation are limited to 6 am – 10 pm.	Agree with Stipulation	Disagree. Should be consistent with Land Use Area B resort restaurant/retail hours of operation until 2 a.m.	?
Not addressed in SOD	No. 66 (Part 1) This land shall remain in open space and shall not be developed; except for landscaping and hardscaping including, but not limited to: pathways, seat walls, benches, and water features.	Agree with Stipulation	Staff needs further discussion to establish heights and setbacks of structures.	Disagree with Stipulation. Applicant proposes: Open space will be landscaped and can include walkways, low walls, art, benches, trellis, sculpture, etc.
Not addressed in SOD	No. 66 (Part 2) This land shall remain in open space and shall not be developed; except for landscaping and hardscaping including, but not limited to: pathways, seat walls, benches, and water features.	Agree with Stipulation	Needs further discussion. Access drive may reduce amount of open space and may be accommodated in Area E.	Applicant proposes: Access drive from 56th Street may be located in this area.

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
<p>Per Resolution 1261:</p> <p>This matter should be addressed by the Council in its review of the SUP application.</p>	<p>No. 69 (Part 1)</p> <p>The maximum number of lots shall be determined by the Town Council and illustrated on the preliminary plat/final plat</p>	<p>PC removed this language from the stipulations.</p>	<p>Disagree with language being removed.</p> <p>Staff believes maximum number of lots should be addressed by the TC.</p>	<p>SUP application proposed 46 lots.</p> <p>Applicant now proposes 43 lots.</p>
<p>SOD No. 3H</p> <p>SOD directs PC to review plat.</p>	<p>No. 69 (Part 2)</p> <p>All platted Rights of Way must meet Town standard of 50' width. Pavement must be approximately 30' wide and centered in Right of Way.</p>	<p>Agree with Stipulation</p>	<p>Town Code requires a 50' wide ROW.</p> <p>Since this is an SUP, this development standard can be modified. A 30' ROW may be included in the Development Agreement.</p>	<p>Disagree with Stipulation</p>

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
<p>Stipulation disagrees with SOD No. 3H.3: Mean average lot size of at least 7,500 net square feet.</p> <p>Stipulation disagrees with Resolution 1261: This matter should be addressed by the Council in its review of the SUP application.</p>	<p>No. 70</p> <p>Lot size shall be determined by the Town Council and illustrated on the preliminary plat/final plat. The minimum lot size shall be 10,000 square feet, with a minimum width of 100 feet. On lots that are not rectangular, width shall be measured at the center point of the lot.</p>	<p>Agree with Stipulation</p>	<p>Disagree with Stipulation.</p> <p>Staff believes maximum number of lots should be addressed by the TC.</p> <p>The Development Agreement may recommend a minimum lot size of 8,000 square feet. No lot totals will be included. No minimum width will be included.</p>	<p>Disagree Stipulation disagrees with SOD.</p>
<p>SOD No. 3H.4</p> <p>5' side yard setback 20' rear yard setback</p>	<p>No. 72.1 Minimum Setbacks</p> <p>7' side yard setback 25' rear yard setback</p>	<p>Agree with Stipulation</p>	<p>7' side yard setback and a 20' rear yard setback may be included in the Development Agreement</p>	<p>Applicant proposes:</p> <p>7' side yard setbacks 0 lot line allowed so long as combined side yards equal 14' 10' front and street side setback 20' rear yard setback</p>

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
<p>SOD No. 3H.4</p> <p>Disagrees with SOD: Maximum number of stories – mix of one and two stories. The two lots at the southwest corner of the site, plus a minimum of three other perimeter lots shall contain one-story homes.</p>	<p>No. 72.2 Heights</p> <p>20 feet maximum on perimeter lots; 24 feet maximum height on interior lots.</p> <p>Maximum number of stories – mix of one and two stories. The two lots at the southwest corner of the site, plus a minimum of three other perimeter lots shall contain one-story homes</p>	<p>Agree with Stipulation</p>	<p>Needs Further Discussion.</p>	<p>Applicant proposes:</p> <p>10 single-story residences (minimum), including two at southwest corner</p> <p>24' height, except that residences on interior lots may have up to 600 sq ft of floor area which has up to 28'</p>
<p>SOD No. 3H.6</p> <p>10' side/rear yard setback adjoining public ROW.</p>	<p>No. 75 Interior Fence</p> <p>15' side/rear yards adjoining a public ROW.</p>	<p>Agree with stipulation due to public input and consultant design of 56th Street.</p>	<p>Agree with Stipulation.</p>	<p>?</p>
<p>SOD No. 3C</p> <p>SOD allows PC to develop Guard House standards.</p>	<p>No. 78</p> <p>Maximum height shall not exceed 16' and maximum control gate height shall not exceed 8 6'.</p>	<p>Agree with Stipulation</p>	<p>Disagree with Stipulation. 8' tall gate is in accordance with SUP Guidelines.</p>	<p>?</p>

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
<p>SOD No. 5 states that Town Manager shall review these submittals.</p>	<p>No. 102 (Continued) a. Parking for all components of the development, b. Vehicular circulation including ingress and egress, c. Noise generation and abatement across the property with a focus on mechanical equipment and special event staging, d. Perimeter landscaping, walls and fences, e. Lighting, f. Pool locations, g. Back of-house activities including delivery access and any exterior storage, h. Perimeter signage i. Architectural character.</p> <p>The reviews shall occur as necessary between SUP approval and Certificate of Occupancy.</p>	<p>Agree with Stipulation</p>	<p>Agree with SOD</p> <p>Lighting, interior landscaping, parking, interior signage subject to Town Manager Review.</p> <p>Pools and Walls/Fence standards already addressed in Ordinance 653 Stipulations.</p>	<p>?</p>

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
Not addressed in SOD	<p>No. 103 This SUP anticipates that the entire area subject to this SUP (the Entire SUP Area) shall be developed by one master developer, who may be the applicant or any subsequent applicant who purchases or otherwise acquires the Entire SUP Area, and that said applicant may develop the Entire SUP Area in phases such that individual lot or unit sales may be made by purchasers who acquire title directly from the one master developer, however, sales of a bulk parcel, such as entire Developable Area shall be prohibited. Should the applicant (or any subsequent owner of the Entire SUP Area) sell any bulk parcel, such as entire Developable Area, to a third party who is not the then current owner of the Entire SUP Area,</p> <p>(Continued to Next Page)</p>	Agree with Stipulation	<p>Disagree with stipulation because staff believes it will not be developed by one master developer.</p> <p>Therefore, does not appear to be feasible since lots in Area E will be privately owned and may not be part of the resort rental pool.</p> <p>Difficult to enforce.</p>	?

Statement of Direction	Stipulation	Planning Commission	Staff	Applicant
Not addressed in SOD	No. 103 (Continued) within 15 years after the approval of this SUP, this SUP may be revoked and the Entire SUP Area shall revert to its former zoning classification, pursuant to the provisions contained in ARS §9-462.01(E) (or any similar statute that may replace ARS §9-462.01(E) in the future).	Agree with Stipulation	Disagree with stipulation because staff believes it will not be developed by one master developer. Therefore, does not appear to be feasible since lots in Area E will be privately owned and may not be part of the resort rental pool. Difficult to enforce.	?

A New Development Agreement is being drafted

Topics will include:

- 207 waiver
- Recision of 1992 Development Agreement and Settlement of Claims
- Demolition / Site Cleanup
- Scope and Schedule



New Development Agreement (cont.)

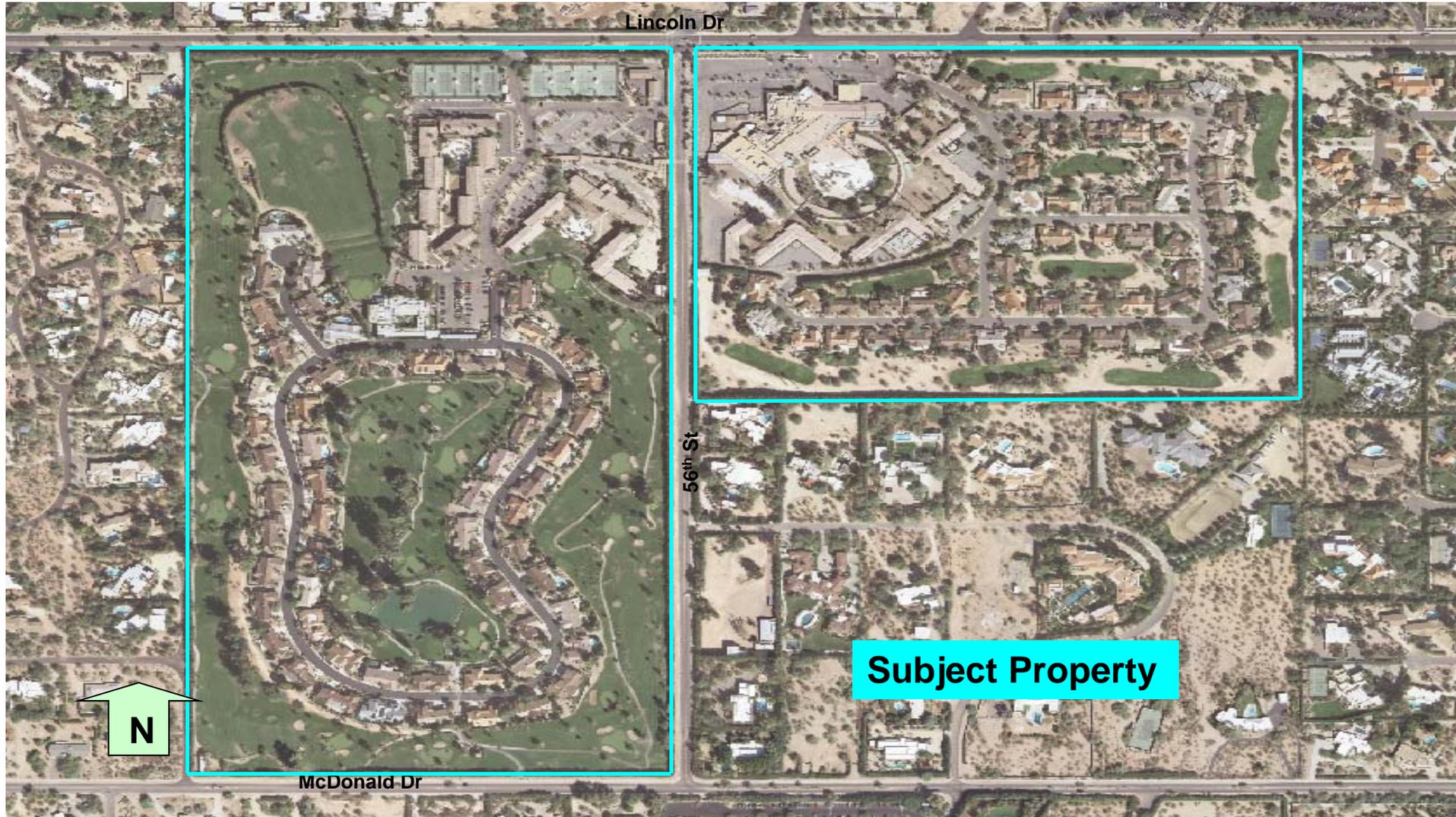
- List of Approved Uses
- Resort Standards
- Golf Course / Open Space Commitment
- ROW / Public Improvement Contribution
- Phasing
- In-lieu fees

Questions

Comments by Owner's Representative

Comments by MSE and MSW neighbors

Councilmember Comments



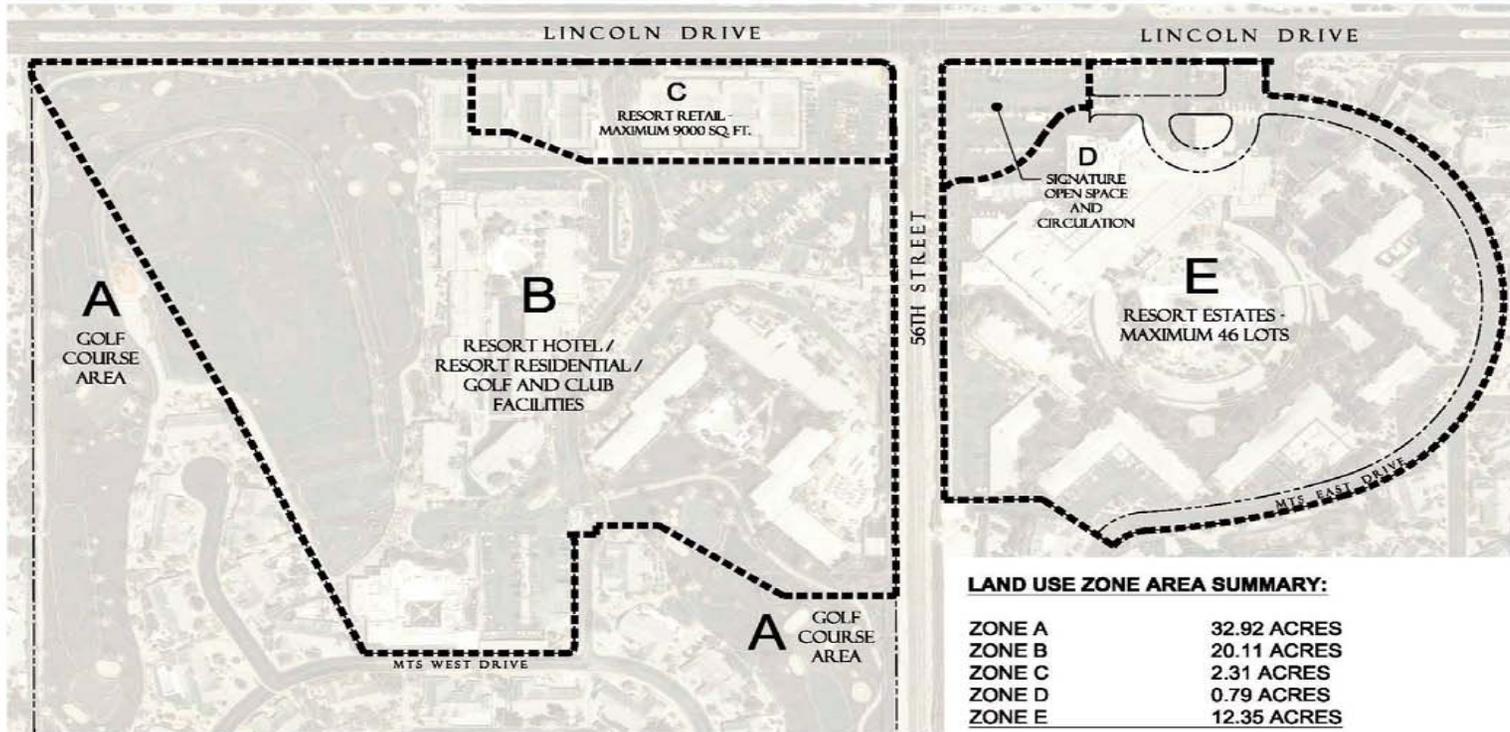
Lincoln Dr

N

McDonald Dr

56th St

Subject Property



LAND USE ZONE AREA SUMMARY:

ZONE A	32.92 ACRES
ZONE B	20.11 ACRES
ZONE C	2.31 ACRES
ZONE D	0.79 ACRES
ZONE E	12.35 ACRES
TOTAL	68.48 ACRES



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



DATE		BY	FOR
REV 01, 2012	DATE	BY	FOR
Revised June 11, 2012			OWNER
Revised June 20, 2012			SPECIAL LINE POINT
Revised Aug 21, 2012			

LAND USE PLAN
2

OZARKITE CTS INC.
2200 Walnut St.
St. Louis, MO 63103
314.433.1111
www.ozarkite.com

Statement of Direction & Resolution 1261

- Said areas of review to include a set of recommended stipulations/conditions of approval and the following items:
 1. Tall structure plan
 2. 56th Street alignment and improvement plans
 3. Location of the maintenance facility for the golf course
 4. Common use pools
 5. Perimeter walls and fences
 6. Temporary golf cart storage area plan
 7. Preliminary plat for the residential area east of 56th Street
(but not requiring the preliminary plat to be finalized)
 8. Lincoln Drive streetscape, including removal of oleanders
 9. Monument signs
 10. Alternate screening if oleanders hedges are removed
anywhere on the perimeter of the property



Previous Discussion

- Work Sessions
 - June 29, 2012,
 - July 31, 2012,
 - August 7, 2012,
 - August 14, 2012, and
 - September 11, 2012
- Hearing
 - August 14, 2012
 - September 18, 2012
- Joint work session
 - August 29, 2012



SUP Guideline Setbacks

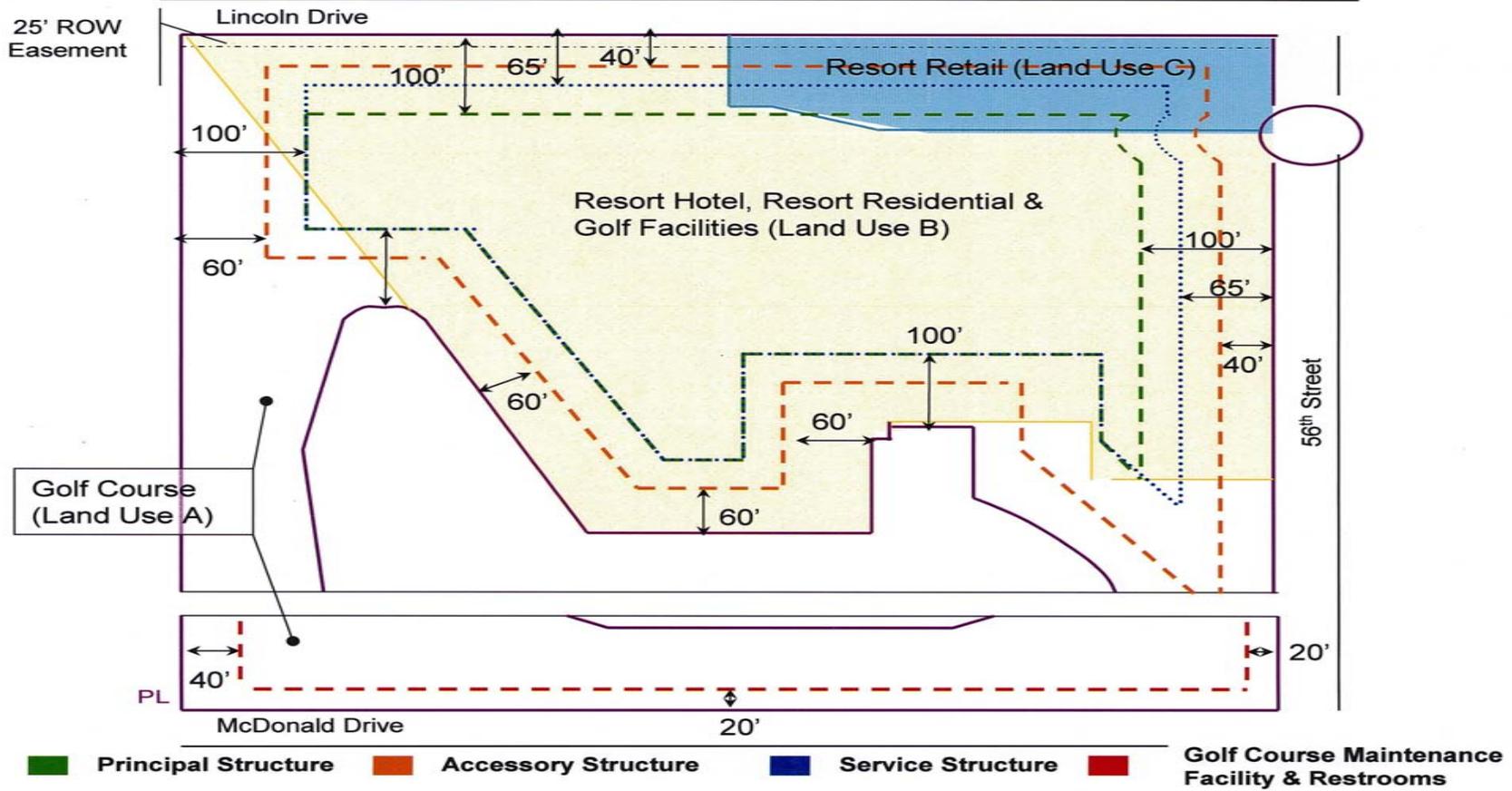
- Adjacent to residential:
 - Principal structures - 100 feet
 - Accessory structure - 60 feet
 - Service structure - 100 feet
- Adjacent to non-residential and/or public street:
 - Principal structures - 100 feet
 - Accessory structure - 40 feet
 - Service structure - 65 feet



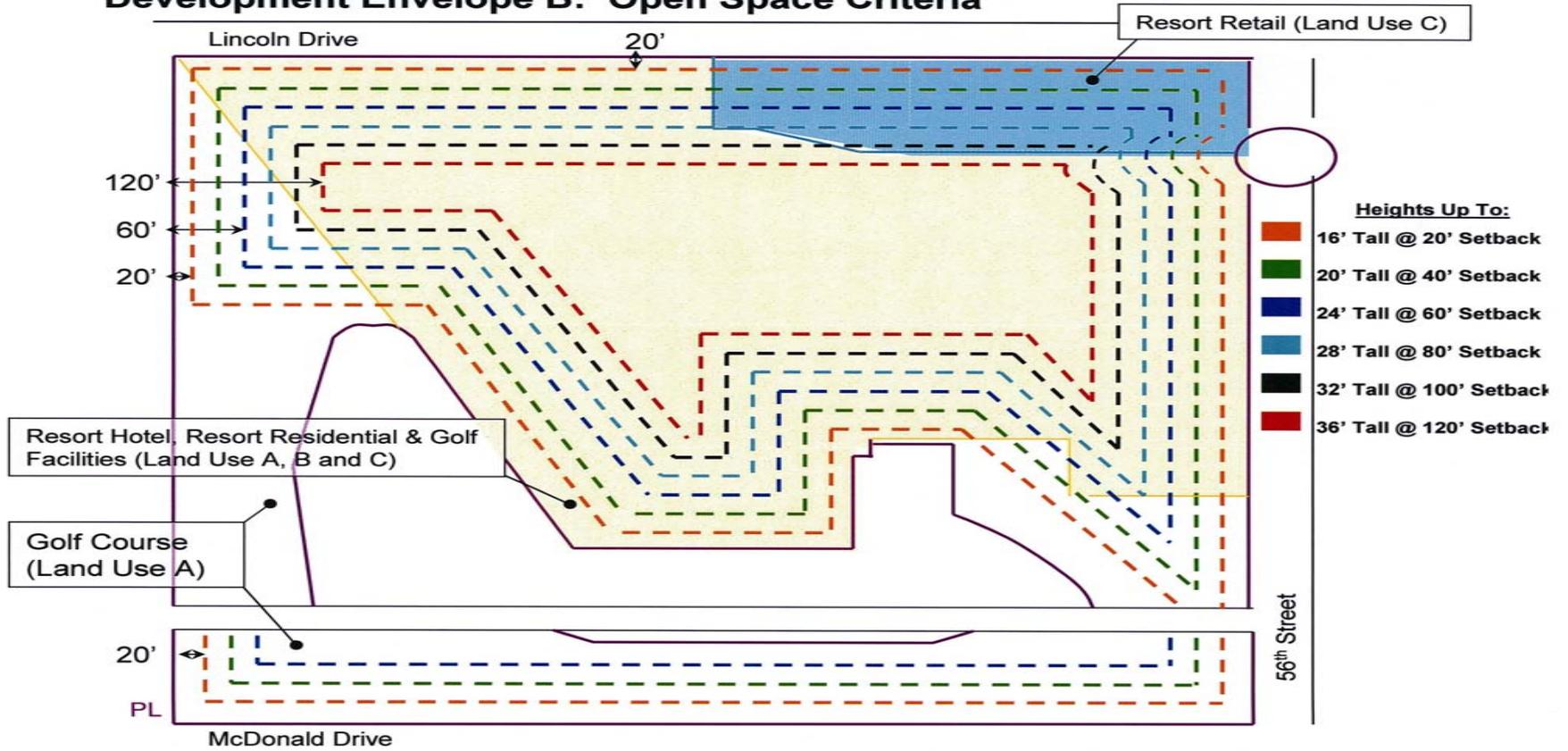
SUP Guideline Heights

- Comply with Open Space Criteria:
 - No building shall penetrate an imaginary plane beginning at 16 feet above the natural grade and 20 feet from exterior property lines, which plane slopes upward at a ratio of one foot vertically for each five feet horizontally measured perpendicular to the nearest property line
- Maximum Building Heights:
 - Principal structures - 36 feet
 - Accessory structure - 24 feet
 - Service structure - 18 feet

Development Envelope A: Setbacks



Development Envelope B: Open Space Criteria

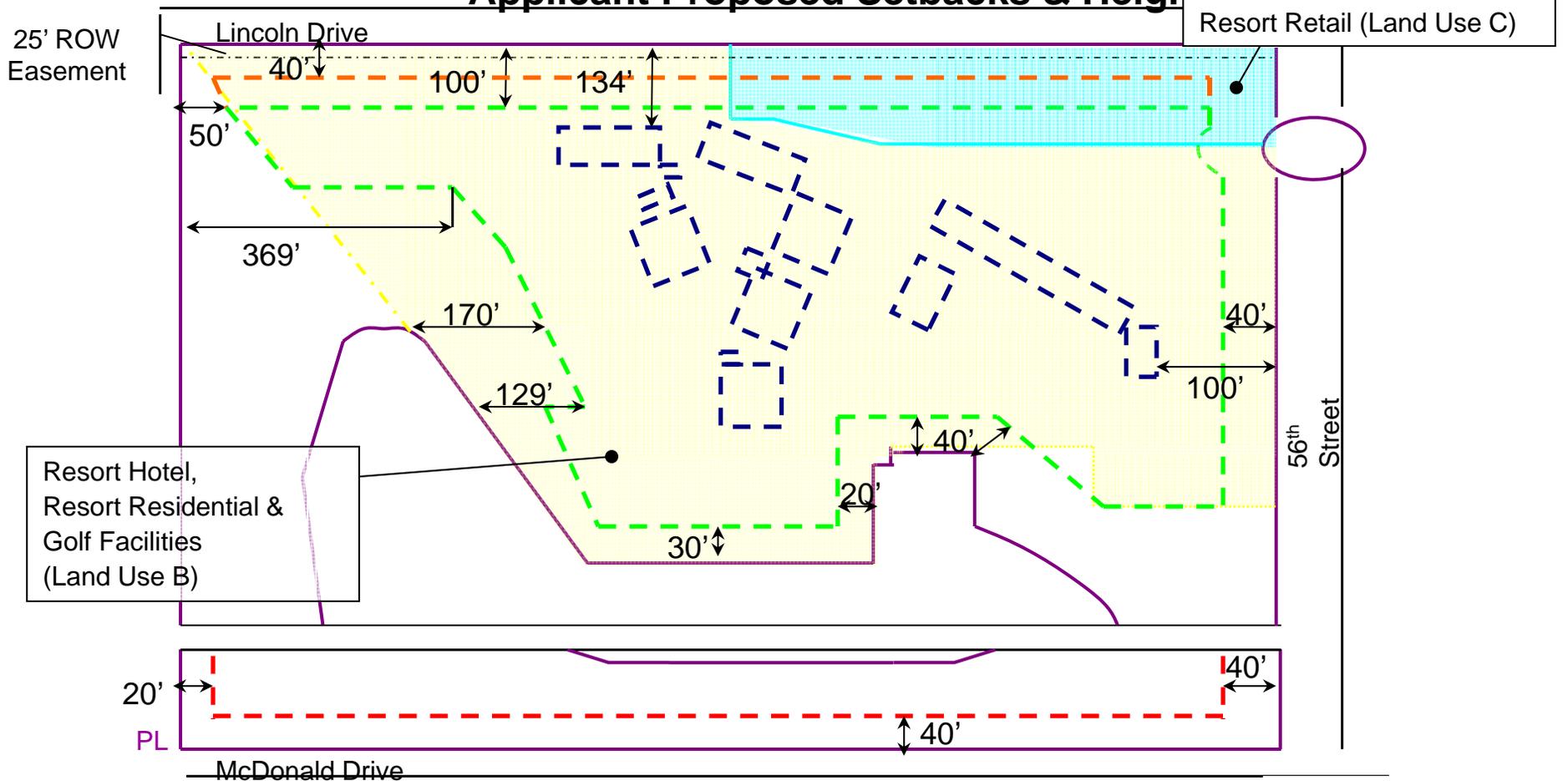


DISTANCES & LINES SHOWN ARE APPROXIMATE AND NOT DRAWN TO SCALE

October 4, 2012

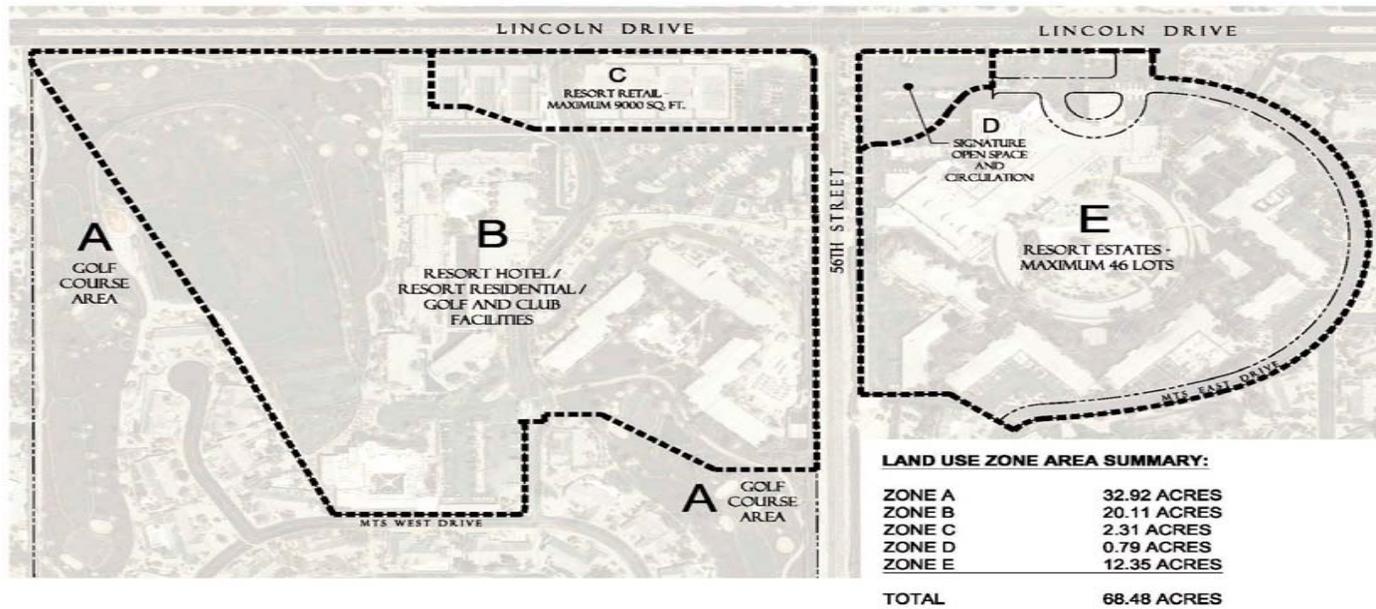
DISTANCES & LINES SHOWN ARE APPROXIMATE
AND NOT DRAWN TO SCALE

Applicant Proposed Setbacks & Heights



- █ 28 ft Tall 2 Story
- █ Setback for 150 L.F of Bldg Frontage 24 ft Tall
- █ 36 ft Tall 3 Story
- █ 16 ft Tall Maintenance Facility & Restrooms

STIPULATIONS



DEFINITIONS

- "Approved Plans" means those certain plans and other documents listed in Exhibit B to Mountain Shadows Stipulations below.
•
- ~~"Clubhouse" means the building and related structures and uses depicted on the Approved Plans and Narrative as describe in the Stipulations.~~
•
- "Courtyard Areas" mean any residential courtyard areas as defined in Article XXIV of the Town Zoning Ordinance.
•
- "Developable Area" means the Land Use Areas **A, B, C, D, and E,**
•
- Development Envelope **means the document depicting the setback/height ratio on the west side of 56th Street.**
•
- "Existing Entitlements" means whatever rights the Resort Hotel Owner had with respect to the use and development of the Property prior to the Approval Date.

- “Floor Area Ratio” means the total floor area divided by the total lot area.
-
- “Golf Course” means the 18-hole golf course and practice facility generally depicted on the Approved Plans (Sheet 10) **and known as Area A..**
-
- ~~“Hotel” means the Lodge Building, Club House, Resort Residential and all related structures, appurtenances, facilities, and uses depicted on the Approved Plans, the Narrative and as described in the Stipulations.~~
-
- ~~“Land Use Plan” means that certain Land Use Plan (Sheet 2) prepared by Oz Architects, Inc.~~
-
- ~~“Lodge Building” means the primary Hotel building containing among other things guest reception, restaurant, bar, retail, Resort Residential and other Resort Ancillary Facilities and Uses as depicted on the Approved Plans and as described in the Stipulations.~~

- “Lot Area” means the area bounded by the recorded property description of a lot, excluding any dedicated right of way, street or alley, and excluding any private road for which a Special Use Permit has been granted (68.48 acres).
-
- “Maximum floor area” means the floor area ratio shall not be more than 25% and shall be computed using the total lot area of 68.48 acres which includes the golf course. Individual lots within the overall 68.48 acres shall not be limited by the 25% floor area ratio as to that particular lot (i.e. the individual Resort Estate lots are not limited to a maximum floor area ratio of 25%).
-
- ~~“Net Square Footage” means the conditioned and non-conditioned area under roof, per story, but excludes the floor area of any fully subterranean portions of a building.~~
-
- ~~“Resort” means the entire property and all facilities and other improvements existing, developed or redeveloped on the Property in general conformance with the Approved Plans and/or the Stipulations.~~

- "Resort Ancillary Facilities and Uses" means all facilities and uses related or incidental to the operation of a resort, including specifically, but without limitation: restaurants, bars and lounges; spas and salons; indoor and outdoor meeting, convention, display, exhibit, wedding and social function facilities; sale of food and alcohol; catering facilities; outdoor cooking facilities; outdoor dining facilities; gourmet food shop (offering prepared and pre-packaged foods, wines, liquors, gifts, fresh fruits and vegetables, groceries, sundries, cosmetics, over the counter pharmaceuticals, housewares, and related kitchen, indoor and/or outdoor dining items); deli, coffee, tea, ice cream, yogurt and similar shops or sales; snack bars; central plant, maintenance shop, engineering facilities, housekeeping facilities, laundry, storage and support facilities; valet and other parking facilities, parking garages and areas; automobile rentals ~~with a maximum of five (5) rental cars allowed to be stored on site~~; gift and sundries shop; flower sales; art gallery; jewelry shop; fashion, eyewear, footwear and apparel sales; sale of hotel items such as furniture, bedding, art, toiletries, etc is permissible but shall not be sold out of the lobby or sold out of a store; other resort retail; marketing, sale and resale of Resort Residential, Resort Estates and other Resort sales and marketing; travel agency offices; tour and other off-site activity offices; administrative, support and other resort offices; indoor and outdoor entertainment; ramadas; pools; golf, tennis, and other recreational or sport uses and services, amenities, recreational facilities and fitness facilities; and uses now or hereafter located.

- “Resort Estates” means the ~~46~~ lots and residences in areas E (as shown on Sheet 2).
-
- "Resort Unit" means a room or group of rooms which can be locked and served by a single key and which is part of a resort complex, as such is defined by the Town Zoning Ordinance. A Resort Unit may be served by one or more bathrooms, and may be with or without cooking facilities. A Resort Unit may, subject to the stipulations and other provisions set out below, be owned by either the Resort Hotel Owner or a third party.
-
- "Retail Use" means a dedicated facility open to the general public offering for sale goods and merchandise as in accordance with the definition for "Resort Ancillary Facilities and Uses". Restaurants and the incidental sale of products and services incidental to or in conjunction with restaurant or other typical resort uses shall not be considered Retail Use.
-
- “Resort Hotel” means the 100 to 314 Resort Units.
-
- “Resort Residential” means the ~~489~~ **Resort Units on the west side of 56th Street.**
-

- “Tall Structures” mean any third story building or structure in excess of 28 feet in height (Sheet 9.3).
-
- “Total Floor Area” means the area under roof added to the floor area of any second and third story. The total floor area also includes any residential courtyard areas (as defined in Article XXIV of the Town Zoning Ordinance) in Area E (east of 56th street); the solid portion(s) of trellises and/or open weave roofs, and all area under roof in accessory buildings such as gazebos, ramadas and other accessory buildings. The total floor area excludes the floor area of any fully subterranean portions of a building, courtyard areas (for any area west of 56th Street), and overhangs (for any area west of 56th Street) not over useable exterior spaces (as illustrated on Sheet 2.1).
-
- “Total Floor Area for the Resort Estates (Area E)” means area under roof added to the floor area of any second story. The total floor area also includes any courtyard areas (as defined in Article XXIV of the Town Zoning Ordinance); the solid portion(s) of trellises and/or open weave roofs, overhangs, and all area under roof in accessory buildings such as gazebos, ramadas and other accessory buildings. The total floor area excludes the floor area of any fully subterranean portions of a building.
- “Town Manager” means the Paradise Valley Town Manager or his designee.

STIPULATIONS

- **A. GENERAL**

1. In the event of a conflict between the Mountain Shadows Resort Special Use Permit stipulations and the approved plans, the stipulations shall prevail.
2. As of the Approval Date, this Special Use Permit shall supersede and replace the Existing Entitlements – (Town Attorney to review and redraft if needed)
3. This Special Use Permit shall run with the land and any person having or subsequently acquiring title to any portion of the Property shall be subject to this Special Use Permit, as it applies to the portion of the Property owned thereby and as it may be amended or superseded from time to time. Once an owner (including, without limitation, a third party owner of a Resort Unit or the Resort Hotel Owner) no longer owns a portion of the Property, such prior owner shall not be subject to this Special Use Permit.

- 4. If the Resort is used in violation of the terms of this Special Use Permit, the Town Council may, after fair notice, a hearing and a reasonable opportunity to correct, terminate this Special Use Permit or, if the Council so determines, after fair notice, a hearing and a reasonable opportunity to correct, the Council may impose a sanction in an amount not to exceed the maximum amount allowed for violations of the Town Zoning Ordinance for each day such violation exists.
- 5. The use of the Property shall at all times conform to all applicable State laws and Town ordinances, except that if there is a conflict between this Special Use Permit and any Town ordinance or other requirement, this Special Use Permit shall prevail.
- 6. The redevelopment and construction of the Property shall, subject to the Stipulations, substantially conform with the intent of those certain plans and other documents (collectively, the “Approved Plans”) marked and certified by the Paradise Valley Town Clerk which are listed in Exhibit B (attached). Each of the Approved Plans is hereby incorporated into this Special Use Permit and made an integral part hereof.

- 7. A mylar and electronic version of the Approved Plans and an electronic version of the other Approved Plans shall be submitted to the Town within 60 days after the Town Council's approval of this Special Use Permit.
-
- 8. Nothing in this Special Use Permit or otherwise shall require the operation of the Resort under the name "Mountain Shadows," "Mountain Shadows Resort" or any similar or other name. No further consent shall be required to enable the Resort Hotel Owner to transfer all or any portion of the Resort, name or rename the Resort, or select or reselect brands or management companies of the Resort. None of the Resort Units or any part of the Resort shall be operated as a Time-Share Project; as such term is defined by the Town Zoning Ordinance.
-
- 9. If any section, subsection, sentence, clause or phrase of this Special Use Permit is for any reason held illegal, invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Special Use Permit.

- 10. The Town and the Resort Hotel Owner believe and intend that the provisions of this Special Use Permit are valid and enforceable. In the unlikely event that this Special Use Permit is declared by a court of competent jurisdiction to be invalid or unenforceable, the Resort may be used and operated as a legal non-conforming use in accordance with the Stipulations until such time as a special use permit or other applicable zoning for the Resort is issued or reissued by the Town for the Property, it being the intent of the Town that in such event the Town will promptly issue a special use permit or other zoning classifications containing stipulations and other provisions which are identical to, or as near to identical as possible, to those contained in this Special Use Permit.

DEMOLITION

- **B.** ~~A construction/demolition schedule and/or phasing timeline shall be submitted to the Town of Paradise Valley for review and approval. The demolition of existing structures shall commence within 90 days of SUP approval and be completed 180 days thereafter. The demolition schedule shall also address the necessary site stabilization to be utilized after demolition and before construction. If construction does not start within 365 days from issuance of the demolition permit, the applicant must landscape the perimeter of the property and all portion(s) of the property adjoining existing residences. The landscape plan(s), which may include the use of existing vegetation and landscaping, shall be reviewed and approved by the Town Manger or his designee.~~

- No later than ninety (90) days following the Effective Date of the SUP, the applicant shall apply for all permits (including all required submittals of plans and payment of all applicable fees) for the demolition of the existing improvements except for any existing golf course improvements); said demolition permit application to also include a dust mitigation plan.
- **Within** ~~By the later of thirty (30) days following the issuance of all necessary permits by the Town, or thirty (30) days following the approval by the bankruptcy court of any demolition of the existing improvements for which bankruptcy court approval is required (as reasonably determined by the Town Attorney),~~ applicant shall commence demolition of the existing improvements (“Demolition Start Date”).
- No later than one hundred eighty (180) days following the Demolition Start Date, the applicant shall complete (or have caused the completion of) all demolition of the existing improvements and clean-up of the site.
- If requested by the Town, prior to the Demolition Start Date, applicant shall provide the Town with a completion bond in an amount, and subject only to those conditions, deemed reasonably satisfactory to the Town Attorney, naming the Town as obligee of such bond, to cause the completion of demolition of the existing improvements and subsequent clean-up. The costs of such bond shall be paid by applicant, and the bond shall include such other reasonable and customary terms as the Town may require.
- To the extent that approval of the Bankruptcy Court is required in connection with the demolition of the existing improvements, the applicant shall promptly undertake all actions required to obtain such approval at the applicant’s sole cost and expense.

DEVELOPMENT

- 12. All permanent public utilities within the Resort shall be underground and located within appropriate easements. The Town Manager may, from time to time, require the granting of such easements as deemed reasonably appropriate for utilities benefiting the Resort that are not covered by easements shown on the final plat or set forth in the recorded CC&Rs for the Resort, Resort Hotel, Resort Residential or Resort Estates. Sewage shall be disposed of by connection with the sewer system. All water and sewage facilities shall be constructed in accordance with plans approved by the Town Manager.
- 13. No construction permit shall be issued for any phase of construction on the Property until appropriate engineering or architectural plans are submitted to the Town and the issuance of such construction permit for that particular activity is approved by the Town Manager. This provision shall not impede continued maintenance, repair or replacements of the Golf Course, including arbor care, irrigation system replacement and other renovation of existing features that are to remain as part of the Golf Course, or are necessary to keep the Golf Course operating prior to initiation of remodeling of the Golf Course as contemplated by the Approved Plans and the Stipulations.

- 14. Access to the Property during construction shall comply with the following.
 - During redevelopment of the Resort, temporary curb cuts may be allowed on 56th Street to allow construction access to the Property both east and west of 56th Street, such temporary curb cuts and their location shall be approved by the Town Engineer. A maximum of two such curb cuts shall be allowed on each side of 56th Street between Lincoln Drive and the southern boundaries of the Property.
 - Prior to the issuance of a certificate of occupancy, adequate fire, emergency and other vehicle access and adequate fire service shall be provided in the Resort, Resort Hotel, Resort Residential and Resort Estates as determined by the Town Manager.
 - Temporary construction driveway locations are subject to the review and approval by the Town Manager or his designee.

- 15. The Owner's development plans shall satisfy all fire department requirements for each component of work (which may include temporary fire protection facilities) prior to the issuance of any building permit for such work.
- 16. A pre-demolition meeting must be held with the Town Manager prior to demolition of any structures.

- 17. The Owner shall submit a construction schedule prior to the issuance of any building permit to ensure compliance with all Town ordinances and in order to minimize construction nuisances. This construction schedule shall include the following:
 - - Dust and noise control measures
 - Vehicle /equipment storage/parking
 - Construction days/hours
 - Location of staging area for construction supplies/equipment
 - Location of any construction trailer and sanitary facility
 - Location of on-site construction-materials/debris storage
 - Location of fire lanes during the construction period
 -

- 18. During construction, a sign shall be posted on the Property indicating the name and phone number of a person the public may contact with construction-related concerns.
- 19. During construction, the Owner shall sweep Lincoln Drive, 56th Street and McDonald Drive adjacent to the Property to remove construction-related dirt and debris at least once a day, as reasonably required by the Town Manager.
- 20. Sidewalks along 56th Street shall be designed and constructed in accordance with the plans prepared by the Town's Consultant. The precise location and/or required screening of any backflow preventer or other similar equipment to the extent same would be visible from Lincoln Drive or 56th Street shall be approved by the Town Manager.
-
- 21. The public improvements shall be installed as depicted on the Approved Plans **created by Wood/Patel**.. Bonding of all offsite improvements shall be submitted prior to the issuance of any building permits.

- 22. The Owner shall arrange for Construction Phasing on the Property in the following sequence:
 - Commence native plant salvage, dust and erosion control measures, job-site mobilization and set-up, and the like.
 - Upon completion of the salvage, erosion and dust control, job-site mobilization, and set-up, commence horizontal or civil improvements and site work
 - Upon substantial completion of the civil improvements and site work, commence perimeter landscaping of the Property, along Lincoln Drive, 56th Street and McDonald Drive and adjoining existing residences. The landscape plan(s) shall be reviewed and approved by the Town Manger or his designee.
 - Upon substantial completion of the perimeter landscaping the vertical building improvements may commence.
- - Off-site and right-of-way improvements may be scheduled independently of the foregoing.

HEIGHT AND AREA

- **23. Floor Area and Floor Area Ratio:**
 - The maximum floor area ratio shall not be more than 25% and shall be computed using the total lot area of 68.48 acres which includes the golf course. Individual lots within the overall 68.48 acres shall not be limited by the 25% floor area ratio as to that particular lot (i.e. the individual Resort Estate lots are not limited to a maximum floor area ratio of 25%).
 - The total floor area shall be defined as the area under roof added to the floor area of any second and third story. The total floor area also includes any residential courtyard areas (as defined in Article XXIV of the Town Zoning Ordinance) in Area E (east of 56th street); the solid portion(s) of trellises and/or open weave roofs, and all area under roof in accessory buildings such as gazebos, ramadas and other accessory buildings. Any parking structure/parking garage that is more than six feet above ground shall be included in the floor area ratio calculation. The total floor area excludes the floor area of any fully subterranean portions of a building, courtyard areas (for any area west of 56th Street), and overhangs not over useable exterior spaces.
 - Any increase in the amount of floor area above 25% shall constitute an amendment to the Mountain Shadows Special Use Permit in accordance with Article XI of the Town Zoning Ordinance.
 - The total floor area for the Resort Estates (Area E) shall be defined as the area under roof added to the floor area of any second story. The total floor area also includes any courtyard areas (as defined in Article XXIV of the Town Zoning Ordinance); the solid portion(s) of trellises and/or open weave roofs, overhangs, and all area under roof in accessory buildings such as gazebos, ramadas and other accessory buildings. The total floor area excludes the floor area of any fully subterranean portions of a building.

- 24. The building elevations, architectural elements and features (such as parapets, eaves, hips, gables, etc.), materials, and colors shown on the plans are conceptual in nature. Final building plans may vary from these concepts provided that they are generally consistent with the architectural style reflected in such concepts as determined by the Town Manager.
- 25. Height measurements shall be taken from the original natural grade as set forth on Sheet 4. Since the original natural grade has been established by the Town Engineer and applicant's engineer, the Town Council finds that the original natural grade as submitted is acceptable. If finished grade is not restored back to original natural grade, the maximum height shall be measured from the mid-point equidistant from the high point and low point of the Original Natural Grade or un-restored or existing grade, whichever is lower immediately adjacent to such building (in accordance with Note 3 of Sheet 4);
- 26. Mechanical equipment and mechanical equipment screens shall be included in the total height of any structure they are attached to;

- 27. The Monument signs shall comply with the Town of Paradise Valley Special Use Permit Guidelines;
-
- 28. No structures shall be placed in a right-of-way easement except approved monument signs and any other approved structures per this Special Use Permit;
-
- 29. All mechanical equipment shall be screened so that it is not visible from abutting properties and the right-of-way. Mechanical equipment and mechanical equipment screens shall be included in the total height of any structure they are attached to. If applicable, mechanical screening shall provide the necessary noise attenuation for any mechanical equipment. All mechanical equipment, with the use of screens, shall comply with the allowable noise levels as defined in the Town's noise ordinance.

DEVELOPMENT AREAS

- **AREA A GOLF COURSE**
- 30. The redevelopment of the Golf Course shall be in accordance with the Approved Plans (Sheet 10). Detailed plans regarding the improvements shall be submitted for Town Manager review and approval.
- 31. Other than periods of repair, remodel or replacement, if the Golf Course is not utilized as a golf course, it shall be maintained as landscaped open space.
- 32. Maintenance Facility and restroom
 - These structures are limited to a maximum floor area of 8000 square feet combined.
 - These structures shall meet the Open Space Criteria
 - Setbacks shall be a minimum of ~~20~~ **40'** adjacent to residential and ~~40~~ **20'** adjoining ROW.
 - **Ingress and egress for the maintenance facility shall face either east or north.**
 - **No more than 4 employee parking spaces shall be at the maintenance facility. All other employees must park in alternate resort parking lots.**
 - **Deliveries, trash pick-ups, or other noise generating outside services, including large commercial trucks, shall be allowed at the Maintenance Facility only between 9:00 a.m. to 4:00 p.m., Monday through Friday. No such activity shall be allowed on weekends, or legal holidays**
 - Setback areas directly adjacent to maintenance and restroom buildings are ~~intended to~~ **shall** be landscaped with plant materials sufficient to fully screen buildings when landscaping is mature.

- ~~33. Walls and fences along Lincoln drive shall meet Article XXIV~~ **Portions of the overall design created by Wood/Patel for the 56th Street corridor shall be extended along McDonald Road. The applicant shall incorporate similar design standards such as landscaping and hardscaping to provide continuity of design along 56th Street and McDonald Drive..**
- 34. Walls and fences along 56th Street bordering the golf course shall be permitted in their existing location; but outside of any Rights of Way. Section 8-1-13 Corner Vision shall be met. Height is limited to 6' and the fence must meet view fence requirements in Article XXIV. If a standard, non-view fence/wall is proposed it must meet height and setback requirements in Article XXIV.
-
- 35. The perimeter fence walls along McDonald Drive may have a 0 foot setback with no infringement on the golf course. Fence wall may be located at the property line (but not in the Town's ROW). The fence wall shall not exceed a height of 6 feet and the fence must meet view fence requirements in Article XXIV. Section 8-1-13 Corner Vision shall be met at 56th St and McDonald Dr;

- 36. Golf cart storage
 - Golf cart storage shall be either underground or in a partially subterranean building that would be completely shielded from view by the wall proposed along Lincoln Drive. Any portion above ground shall have setbacks of 100' from **non-SUP** residential property line and 65' from non-residential and shall meet Open Space Criteria.
 - If necessary, temporary at-grade golf cart storage may be used to keep the golf course operational while a permanent golf cart storage structure is being constructed. It shall be permitted with setbacks of 100' from residential property line and 65' from non-residential and shall meet Open Space Criteria.
- 37. Golf Course, maintenance areas and practice area hours of operation shall be no earlier than 5:30 a.m. and no later than 60 minutes after sunset;

- 38. Golf Course mowing shall not begin prior to 5:30 am. All golf course maintenance equipment shall be “Noise Friendly”, as follows:
 - “Noise Friendly’ shall be defined as meeting all applicable governmental noise regulations for such equipment at the time of purchase, including provisions of this Special Use Permit.
 - All new motorized equipment shall be the most “Noise Friendly” commercial equipment available for its intended function at the time of purchase.

AREA B RESORT/RESIDENTIAL

- 39. The Resort Hotel, Resort Facilities and/or Resort Units shall be constructed prior to or concurrently with the construction of the Resort Residential and/or Resort Estates; or as determined in the Development Agreement.
-
- 40. The maximum square footage of development/floor area shall be 400,000
-
- 41. At least 120,000 square feet of the 400,000 total shall be utilized for the resort component (rooms, lobby, and other support uses)
-
- 42. Resort component shall contain a minimum of 100 keys/units.
-
- 43. The location (i.e. footprint) of any building or structure, or any portion thereof, **shall be in accordance with the Approved Development Envelope Plan**. Tall Structures shall be limited to the locations identified on the Tall Structure plan; **but must also fit within the Approved Development Envelope Plan and meet the Open Space Criteria**. Any change in the location of the Tall Structure(s) shall be subject to an Amendment to the Special Use Permit.

- 44. **The principal resort structures, such as the lodge building and those containing guest registration areas and facility administrative offices, shall be limited to a maximum height of 36 feet tall. Resort residential structures shall be limited to a maximum height of 28 feet tall. ~~No new two-story element shall be closer than 50 feet to an existing one-story residence existing at the date the SUP is granted (measured between exterior walls)~~**
-
- 45. The building elevations, architectural elements and features (such as parapets, eaves, hips, gables, etc.), materials, and colors shown on the plans are conceptual in nature. Final building plans may vary from these concepts provided that they are generally consistent with the architectural style reflected in such concepts as determined by the Town Manager
-
- 46. No exposed face in any vertical plane shall exceed a 24' height. The vertical plane must be broken by a recess ~~of bump~~ **or offset** at least 5' deep. (With the exception of necessary elevator shafts and stairwells)

- 47. Massing and articulation of Resort Hotel, Resort Units, Resort Residential and Resort Estate structures shall be designed in a manner that is generally consistent with the architectural style reflected in such concepts as determined by the Town Manager and is considerate of views and view corridors. Architectural massing refers to the concept of arranging the volumes of a structure in relation to other structures and the streetscape. Massing may be adjusted to maintain building proportions and surface areas consistent with the style. A balanced effect and style statement is achieved by variations in simple building form and projections. Facades ~~should~~ **shall** incorporate architectural features such as pilasters, windows, cornices, porches, corners, offsets, or changes in materials and changes in the vertical plane to break up the mass of the building and add visual interest

- 48. Walls and Fences along Lincoln shall be in accordance with Article XXIV
- 49. Walls and Fences along 56th St shall not exceed 6' in height with a minimum setback of 15. **They shall be integrated into the overall design created by Wood/Patel for the 56th Street corridor and must incorporate similar design standards as the walls on the west side of 56th Street to provide continuity of design.;**
-
- 50. Common Use Pools shall be in compliance with the resort guidelines of 200' setback from a **non- SUP** residential property line and 65' from non-residential
-
- **51. Existing residents living in Mountain Shadows East and West residents shall have access to resort amenities.** ~~The existing guard house/guard gate (the "MS West Guardhouse") immediately west of Lot 69 that currently services Mountain Shadows Estates West may remain. If Mountain Shadows Estates West at some time in the future decides to re-build the MS West Guardhouse, an amendment to this Special Use Permit shall be required in accordance with Article XI of the Town Zoning Ordinance.~~

- 52. The maximum hours of public operation of the following specific uses/facilities shall be as follows:
 - Vendor deliveries (other than US Mail, private courier services such as UPS or FedX, or emergencies): 6 am - 7 pm
 - Pools, spas and jacuzzis (except pools, spas and jacuzzis located in enclosed private yards including yards such as presidential suites or hotel suites or casitas, which may be used 24 hours/day): 6 am - midnight
 - Restaurants and other food service facilities: 6 am - 2 am
 - Bars/lounges: 10 am – 3 am
 - Banquet facilities, receptions, weddings and socials: 6 am – 2 am
 - Resort retail: 7 am – midnight
 - Golf facilities and related retail - 5:30 a.m. – until midnight
 - Room service: 24 hours/day
 - Guest reception and guest services: 24 hours/day
- Parking facilities: 24 hours/day
- Spa & fitness facilities: 24 hours/day (outside members limited to 5 am – midnight).
- Trash pickup: 7 am – 7 pm
- Outdoor **venues**, events, or functions ~~with music and/or amplified sound~~ shall comply with the allowable noise levels as defined by the Town's noise ordinance.

53. Each owner of a Resort **Residential** Unit may occupy it, permit its guest(s) to occupy it, or make it available for rental for transient occupancy uses, residential uses or hospitality uses (rental of these units would not be counted towards the 100 minimum units required, but would be in excess of these units). Rental of resort residential units shall be addressed in the Development Agreement;

54. Unlicensed support vehicles (i.e., golf carts, utility vehicles, etc.) may be used to service the Resort, and to transport and provide persons or service to guests of the Resort and owners of the Resort Units and by owners of the Resort Residential and Resort Estates. The support vehicles shall not park on public streets.

55. Parking Structure(s) - Detailed plans regarding any proposed parking structure(s) will be submitted at a later date to be approved by the Town Manager or his designee. If any portion of the proposed parking structure/parking garage is more than six feet above ground, it shall be included in the ~~floor area ratio~~ **total allowable square footage** calculation;

- 56. All contracts between Resort Hotel Owner and any valet company or other parking company shall include an acknowledgment and agreement that such company shall not park any vehicles on public streets in the Town. Buses and other vehicles may be used to shuttle guests or employees to or from parking areas not located on the Resort, and between the Resort and other destinations (e.g., airport, shopping facilities, golf courses, etc.). Any catering agreement between Resort Hotel Owner and any guests booking events at the Resort shall include an acknowledgement and agreement that vehicles may not park on public streets in the Town. There shall be no valet parking on the streets. **Any automobile rental facilities shall be limited to five (5) rental cars allowed to be stored on site.**
-
- 57. At any time the parking demand within the Resort reaches capacity, the Resort Hotel Owner shall submit a valet parking plan for review and approval by the Town Manager or his designee.

AREA C RESTAURANT/RETAIL

-
- 58. A maximum **floor area** of 10,000 square feet of restaurant/retail may be developed.
-
- 59. Maximum restaurant(s) and/or retail hours of public operation are limited to 6 am – 10 pm.
-
- 60. A total of 150 lineal feet of building frontage for retail/restaurant uses located on the west side of 56th Street adjoining Lincoln Drive, may be allowed at a minimum setback of 40 feet from the property line and must meet the Open Space Criteria. **The maximum height shall be 20’;**
-
- ~~61. No exposed face in any vertical plane shall exceed a 24’ height. The vertical plane must be broken by a recess or bump at least 5’ deep. (With the exception of necessary elevator shafts and stairwells) **The entrance to the retail structure shall be off of 56th Street or through the existing Mountain Shadows West Drive. No new entrance off of Lincoln Drive shall be permitted.**~~

- 62. Massing and articulation shall be designed in a manner that is generally consistent with the architectural style reflected in such concepts as determined by the Town Manager and is considerate of views and view corridors. Architectural massing refers to the concept of arranging the volumes of a structure in relation to other structures and the streetscape. Massing may be adjusted to maintain building proportions and surface areas consistent with the style. A balanced effect and style statement is achieved by variations in simple building form and projections. Facades ~~should~~ **shall** incorporate architectural features such as pilasters, windows, cornices, porches, corners, offsets, or changes in materials and changes in the vertical plane to break up the mass of the building and add visual interest.

- 63. Walls and Fences along Lincoln Drive shall be in accordance with Article XXIV
- 64. Walls and fences along 56th Street shall have a maximum 6' height with a minimum setback of 15'. **They shall be integrated into the overall design created by Wood/Patel for the 56th Street corridor and must incorporate similar design standards as the walls on the west side of 56th Street to provide continuity of design.;**
- 65. Section 8-1-13 Corner Vision shall be met

AREA D OPEN SPACE

- 66. This land shall remain in open space and shall not be developed; except for landscaping and hardscaping including, but not limited to: pathways, seat walls, benches, and water features..
- ~~67. Walls along Lincoln drive shall meet Article XXIV and Section 8-1-13 Corner Vision.~~ **Public access to Area D shall not be restricted in any manner. Walls along Lincoln Drive or 56th Street shall be prohibited. Any landscaping or hardscaping along 56th Street shall be consistent with the plan prepared by Wood/Patel and shall not obstruct corner vision.**
-

AREA E RESIDENTIAL

- 68. Allowed uses – single family residential (resort estates) and uses incidental or accessory thereto (such as barbecues, fences, fireplaces, pools, spas, etc.);
- ~~69. The maximum number lots shall be determined by the Town Council and illustrated on the preliminary plat/final plat~~ **All platted Rights of Way must meet Town standard of 50' width. Pavement must be approximately 30' wide and centered in the Right of Way.**
- ~~70. Lot size shall be determined by the Town Council and illustrated on the preliminary plat/final plat.~~ **The minimum lot size shall be 10,000 square feet, with a minimum width of 100 feet.** On lots that are not rectangular, width shall be measured at the center point of the lot
- 71. Each owner of a Resort Estate may occupy it, permit its guest(s) to occupy it, or make it available for rental for transient occupancy uses, residential uses or hospitality uses.

- 72. Primary Residence Area requirements shall be as follows:
 - Primary Residence/Structure:
 - Minimum Setbacks
 - » Front yard – 10 feet
 - » Side yard – 7 feet (zero lot lines allowed, but side yards must total at least 14')
 - » Side yard with frontage – 10 feet
 - » Rear yard –25 feet
 - Heights
 - » **20 feet maximum on perimeter lots; 24 feet maximum height on interior lots**
 - » Maximum number of stories – mix of one and two stories. ~~The two lots at the southwest corner of the site, plus a minimum of three other perimeter lots shall contain one-story homes~~
 - Minimum floor area of 2,000 square feet;
-

- 73. Accessory structures including, but not limited to, pools, barbeques, fire pits, fireplaces, water features and other accessory structures shall not exceed 6 feet in height and shall be allowed in the setbacks provided they are located behind and completely screened by the allowed walls;
- 74. Accessory structures over 6 feet but no taller than 15 feet shall comply with the following setbacks – 10 foot front yard, 5 foot side yard (10 foot side yard with frontage), 7 foot rear yard (10 foot rear yard with frontage);

- 75. Interior fence
 - Interior fence walls shall not exceed a height of 6 feet shall maintain a setback of:
 - » Front yard – 10 feet,
 - » Side/Rear yards – 0 feet,
 - » Side/rear yards adjoining a public right-of-way – 15 40 feet
 - » Side/rear yards adjoining Lot 68 – 5 feet
 - » Side/rear yards adjoining all other rights of way – 0 feet
 - Three (3') tall Interior Fence Walls:
 - » Front yard – 10 feet,
 - » Side/rear yards – 0 feet,
 - » Side/rear yards adjoining a public right-of-way – 15 40 feet
 - » Side/rear yards adjoining Lot 68 – 5 feet
 - » Side/rear yards adjoining all other rights of way – 0 feet
 - Fences adjoining Lot 68 shall not exceed a height of 6' and shall maintain a setback of:
 - » Front yard – 10 feet,
 - » Side yard – 5 feet,
 - » Rear yard – 5 feet;

- 76. If construction has not commenced on any Resort Estate building by a date that is **one two (2) years** after issuance of the initial building permit for the first element of work (excluding the grading and demolition permits), any such Resort Estate building pad shall be landscaped as reasonably required by the Town Manager.
- ~~77. The existing guard house/guard gate (the “MS East Guardhouse”) on Lot 68 that currently services Mountain Shadows Estates East will remain. If Mountain Shadows Estates East at some time in the future decides to re-build the MS East Guardhouse or construct a second MS East Guardhouse, an amendment to this Special Use Permit shall be required in accordance with Article XI of the Town Zoning Ordinance. **Preliminary Plat and Final Plat shall meet all on site retention requirements for Area E in total.**~~
- ~~78. The new A guard house east of 56th Street adjoining Lincoln Drive may be allowed at a minimum setback of 25 feet from the property line. The maximum size shall not exceed 500 square feet to allow for the guard house functions and mail drop. Maximum height shall not exceed 16’ and maximum control gate height shall not exceed 8 6’. All signage shall comply with the SUP guidelines.~~

- 79. Walls and fences along Lincoln drive shall meet Article XXIV
- 80. Perimeter fence walls along 56th Street shall have a minimum 15' setback. **They shall be integrated into the overall design created by Wood/Patel for the 56th Street corridor and must incorporate similar design standards as the walls on the west side of 56th Street to provide continuity of design.;**
- 81. Restrictions Related to Issuance of Resort Estates/East Side Resort Homes (Area E) Certificates of Occupancy
 - Prior to issuance of a certificate of occupancy for the first East Side homes, all of the following shall occur:
 - All demolition on the east and west side of 56th Street has been completed, grading permits have been issued, and grading has been completed.
 - All offsite improvements to Lincoln Drive and 56th Street to be done by the Resort Hotel Owner are complete.
 - All necessary infrastructure such as storm drains, sewer, fire service, water, and electrical serving such Resort Estate is complete, including such items as access roads.
 - Further phasing of construction shall be as per the development agreement.

- **82. (combined with Stipulation 84);**
- 83. All exterior lighting shall comply with the Town zoning ordinances and the Special Use Permit Guidelines;
- 84. All mechanical equipment, including pool and fountain equipment, shall be screened so that it is not visible from abutting properties and the right-of-way. Mechanical equipment and mechanical equipment screens shall be included in the total height of any structure they are attached to. If applicable, mechanical screening shall provide the necessary noise attenuation for any mechanical equipment. All mechanical equipment, with the use of screens, shall comply with the allowable noise levels as defined in the Town's noise ordinance. All heaters are to be stackless or low-profile in configuration;

- 85. Except as otherwise allowed by Federal or State requirements, antenna and satellite dishes are permitted, as follows:
 - Satellite dishes must not be located above the roof line. Satellite dishes and antennas greater than 24" x 36" in diameter are permitted, provided that they are not mounted on the roof and meet all Town Code requirements including full screening of equipment from view.
 - All wiring shall be contained within a structure or underground conduit.
 - Unlicensed support vehicles (i.e., golf carts, utility vehicles, etc.) may be used to service the Resort, and to transport and provide persons or service to guests of the Resort and owners of the Resort Units and by owners of the Resort Residential and Resort Estates. The support vehicles shall not park on public streets.

USES

- 87. Temporary tents or pavilions may be erected in Areas A, B, and C on the Property in accordance with the Town Code Special Event Permit requirements (Chapter 8). No tent shall be higher than 24 feet above finished grade or closer to any exterior property line than the minimum setbacks shown for a 24 foot height building on the Land Use Plan. Placement of tents shall have no material adverse impact on parking or circulation on site. Temporary tents or structures shall not be allowed for more than thirteen (13) consecutive days.

-

- 88. Recorded Documents – (Town Attorney to review and redraft if needed)
- The following stipulations shall be set forth in certain easements and/or covenants, conditions and restrictions (“CC&Rs”) or other recorded instruments, to be recorded on the Resort or such part thereof for which such stipulation is germane. Such recordation shall occur at or prior to recordation of the final plat or final map as the case may be. As a condition to approval of the final plat or final map, such recorded instruments shall be approved by the Town Manager.
- a. Easements
- - Vehicular and pedestrian access easements shall be dedicated and maintained as needed and determined by the Town of Paradise Valley.
 - Utility easements shall be dedicated and maintained as needed and determined by the Town of Paradise Valley.
 - Drainage easements shall be dedicated and maintained as needed and determined by the Town of Paradise Valley.
 - West Side (Land Use Areas A, B, and C and ~~F~~). Easement for the Resort Hotel Owner to Maintain and Repair the Resort, Resort Hotel and Resort Residential. An easement to enable the Resort Hotel Owner to fully control the maintenance and repair of the Resort as a whole by giving it a property right to exercise its rights and responsibilities under Section b below.

- b. Resort Hotel Owner Maintenance Rights and Responsibilities
 - 1. West Side (Land Use Area **B**) - Exterior Yards of the Resort Residential. The Resort Hotel Owner will initially improve and thereafter shall be entitled and responsible to maintain or shall cause the maintenance of the portions of the front, side and rear yards of each Resort Residential yard located outside of privacy walls, to ensure consistency of landscaping and maintenance throughout the Resort.
 - 2. West Side (Land Use Areas **B and C**) - Maintenance and Repair of Exteriors of the Resort, Resort Hotel, Resort Residential and Related Improvements. The Resort Hotel Owner shall be entitled and responsible to maintain or shall cause to be maintained the exteriors of the Resort, Resort Hotel, Resort Residential and related improvements, such as the exterior features of garages, fences, walls and the like, to ensure consistency throughout the Resort.
 - 3. Town Self-Help Remedy. A covenant will be recorded on the Resort, Resort Hotel, Resort Residential (which may be set forth in the CC&R's) providing the Town a right to perform exterior maintenance and repair of those properties and related facilities (i.e., access roads and parking lots) to the extent maintenance and repair of each the Resort Hotel and Resort Residential unit if such unit is not reasonably maintained and such deficiency is not cured within a reasonable period of time, following notice and hearing, in addition to any other remedies available at law to the Town. In the event the Town utilizes such remedy, the owners of the affected property will be responsible to repay the Town for its reasonable costs and expenses incurred in performing such work within 30 days after receipt of an invoice and reasonable supporting materials from the Town. If the owner does not pay such amount to the Town within such 30-day period, the Town shall be entitled to file a lien on the owner's Resort Hotel and Resort Residential unit, and enforce such lien as provided by Arizona law.

- 4. Rental. Resort Residential (Area B) and Resort Estates (Area E) owners may participate in the Resort Hotel Owner's rental program at their option.
- 5. Registration at Front Desk. Each principal occupant (other than the owner) of a Resort Residential (Area B) and Resort Estates (Area E) shall register with the onsite registration to be maintained by the Resort Hotel Owner, and shall be required to update that registration upon the occurrence of any material change in occupancy or status.
- 6. Rental by Rental Agents Other than Resort Hotel Owner. Rentals of Resort Residential and Resort Estates by a rental agent other than the Resort Hotel Owner or its affiliates or agents, are permitted provided, each such agent must be locally based, licensed as required under applicable law, insured, and provide continuous service availability to each owner and/or renter (i.e., available at all times), as confirmed by documents provided to the Resort Hotel Owner. ~~Any operator of the hotel offering a rental.~~

- 89. All the improvements, except for the pavement, of Lincoln Drive, 56th Street and McDonald Drive shall be maintained by Resort Hotel Owner and/or the individual property owner.
- 90. Prior to the issuance of building permits for a particular phase of development (this does not prevent the acquisition of demolition permits), the applicant shall provide to the Town for each phase of development proposed:
 - The lighting, interior landscaping, circulation, parking, and interior signage plans shall be submitted for Town Manager review and approval in accordance with Article XI of the Town zoning ordinance **the SUP resort guidelines.**

PARKING & CIRCULATION

- 91. Parking and circulation shall be reviewed and approved by the Town Manager. The minimum parking counts shall be based upon the Special Use Permit Guidelines, the Institute of Transportation Engineers (ITE) or the American Association of State Highway and Transportation Officials (AASHTO) standards. The standard that generates the largest required parking count shall prevail. **Shared parking provisions shall be considered.**
- 92. All designated fire lanes shall maintain a vertical clearance of 14 feet above finished grade and a horizontal clearance of 20 feet to allow passage of emergency vehicles and must meet all Department of Transportation standards.
- 93. Trash service for the Resort, Resort Hotel and Resort Residential shall be provided either directly by Resort Hotel Owner or through a single third party vendor. Incidental removal of trash, debris and landscape material may be handled by alternative vendors.
- 94. All streets and drives within the Property are and shall remain private streets. All streets, sidewalks, and paved areas constructed shall remain private; provided, that all new streets constructed shall be of adequate width and design to permit the provision of fire and police protection to the Property.

MANAGEMENT

- 95. There shall be at least one person at the Resort at all times who has been thoroughly briefed on the provisions of this Special Use Permit and who has the authority to resolve all problems related to compliance with this Special Use Permit. All calls from Town residents to the Town or Resort regarding noise or disturbances shall be referred to and addressed by such person(s). Maintenance of the Resort in general and all common areas specifically, shall be coordinated through a single unified management entity, which may be the Resort Hotel Owner or its designee.
- 96. At all times the property shall remain under unified management and shall be operated as one, single resort facility.

CELLULAR ANTENNAS

- 97. Cellular and other wireless transmission antennas are permitted, provided that they comply with this Special Use Permit, all applicable Town ordinances and obtain a Conditional Use Permit. Any cellular antennas shall be designed as integrated architectural features within the structures on the Property and any screening shall be in the same finish and color as the structure on which it is located. There shall be no unscreened projections of cellular antennas on any building above the roofline. Any lease agreement with a wireless operator will specifically allow entry by the Town and its agent for the purpose of inspection and compliance with Town ordinances and will require compliance with Article XII of the Town Zoning Ordinance or any successor ordinance regarding the conditions and limitations of special use permits.

LIGHTING

- 98. If the Town receives a complaint from an off site owner that the light emitting element (i.e., the bulb) within an exterior light fixture is visible from off the Property, Town Manager may inspect the Property and require the Resort Hotel Owner to redirect such light source if the light emitting element is visible from outside the Property.
- 99. The exterior lighting shall comply with the Special Use Permit Guidelines and shall be submitted for Town Manager review and approval in accordance with Article XI of the Town zoning ordinance.

LANDSCAPE STANDARDS

- 100. If construction does not start within 365 days from issuance of the demolition permit, the applicant must landscape the perimeter of the property and all portion(s) of the property adjoining existing residences. The landscape plan(s), which may include the use of existing vegetation and landscaping, shall be reviewed and approved by the Town Manger or his designee.
- 101. Landscaping plans shall be submitted for Town Manager or his designee for review and approval in accordance with Article XI of the Town zoning ordinance. Perimeter landscaping adjoining Lincoln Drive, 56th Street and McDonald Drive shall be substantially compliant with the Town's Landscape Guidelines.
- 102. Where all or part of oleander hedge is removed an alternate screening shall be proposed. It may be a combination of landscaping, berming, and hardscaping that shall respect privacy concerns, as well as safety and aesthetic concern.
- **103. As a pre-requisite to obtaining a building permit the applicant must demonstrate the existence of adequate perimeter screening either existing or to be planted prior to construction.**

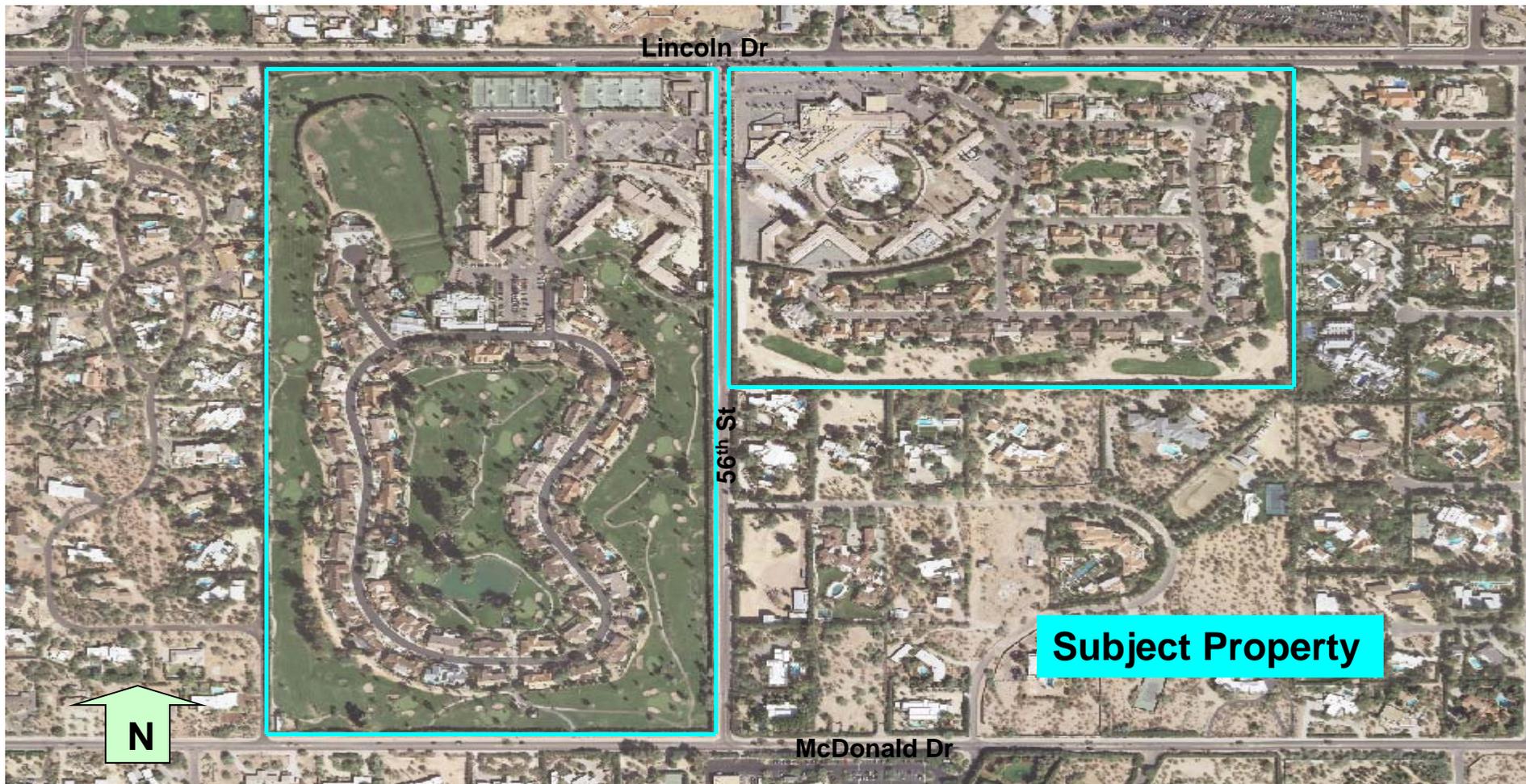
ENTITLEMENTS

- **104. This SUP anticipates that the entire area subject to this SUP (the Entire SUP Area) shall be developed by one master developer, who may be the applicant or any subsequent applicant who purchases or otherwise acquires the Entire SUP Area, and that said applicant may develop the Entire SUP Area in phases such that individual lot or unit sales may be made by purchasers who acquire title directly from the one master developer, however, sales of a bulk parcel, such as entire Developable Area shall be prohibited. Should the applicant (or any subsequent owner of the Entire SUP Area) sell any bulk parcel, such as entire Developable Area, to a third party who is not the then current owner of the Entire SUP Area, within 15 years after the approval of this SUP, this SUP may be revoked and the Entire SUP Area shall revert to its former zoning classification, pursuant to the provisions contained in ARS §9-462.01(E) (or any similar statute that may replace ARS §9-462.01(E) in the future).**



Scope of Review

- Council reaffirms Commission's scope of review for the SUP application to be consistent with the original SOD
- Said areas of review to include a set of recommended stipulations/conditions of approval and the following items:
 1. Tall structure plan
 2. 56th Street alignment and improvement plans
 3. Location of the maintenance facility for the golf course
 4. Common use pools
 5. Perimeter walls and fences
 6. Temporary golf cart storage area plan
 7. Preliminary plat for the residential area east of 56th Street (but not requiring the preliminary plat to be finalized)
 8. Lincoln Drive streetscape, including removal of oleanders
 9. Monument signs
 10. Alternate screening if oleanders hedges are removed anywhere on the perimeter of the property



Lincoln Dr

56th St

McDonald Dr

Subject Property

N

180 feet of Camelback Mountain Visible above a 28 foot tall building

180'

 Site Line for 28 foot tall Building

DISTANCES & LINES SHOWN ARE APPROXIMATE
AND NOT DRAWN TO SCALE

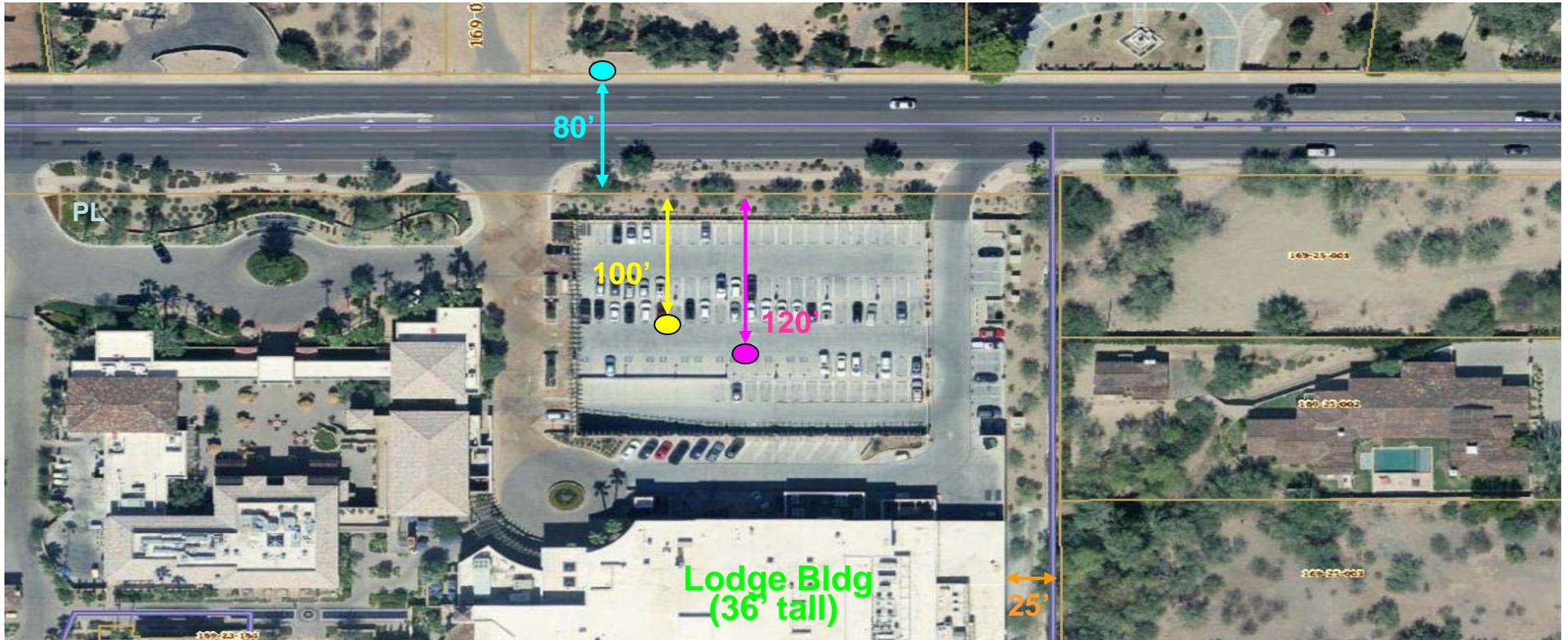
Examples of 36' Height Limit

- Montelucia Lodge Building

Montelucia – Lincoln Drive Setbacks



Photos of Lodge Bldg taken from 3 locations



DISTANCES & LINES SHOWN ARE APPROXIMATE AND NOT DRAWN TO SCALE

Montelucia Lodge – Across Lincoln Drive (308' Away)



Montelucia Lodge – At Property Line (228' Away)



DISTANCES & LINES SHOWN ARE APPROXIMATE
AND NOT DRAWN TO SCALE

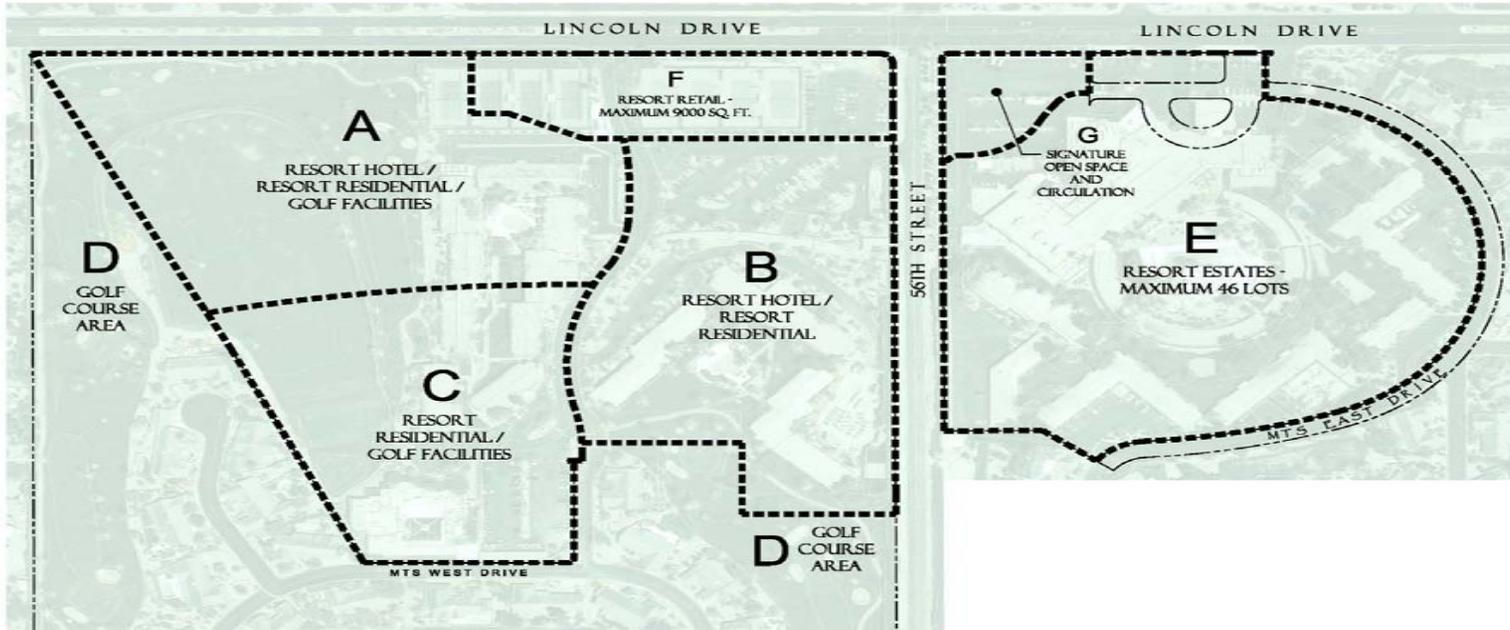
Montelucia Lodge – From Parking Lot (108' Away)

36'





Mountain Shadow Resort Plans



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



LAND USE PLAN

DATE: May 15, 2017	PROJECT: MOUNTAIN SHADOWS	SCALE: AS SHOWN
DESIGNED BY: Robert J. Pomeroy	DATE: June 16, 2017	PROJECT: MOUNTAIN SHADOWS
DRAWN BY: Robert J. Pomeroy		2

OZA RICHFIELD CITY INC
 10000 10th St NW
 Grand Rapids, MI 49501
 616-451-1000
 www.ozarichfieldcity.com

West Side - Previously Submitted Concept



- PROPOSED REVISED DEVELOPMENT ENVELOPE LINE (SHOWN IN BLUE) 6-15-12
- DEVELOPMENT ENVELOPE LINE (SHOWN IN ORANGE) 6-05-12
- DEVELOPMENT ENVELOPE LINE (SHOWN IN RED) 5-15-12

FLEET + FISHER ENGINEERING INC.
 4400 E. Cambridge
 Suite 100
 Phoenix, Arizona 85042
 (602) 998-8800

FURNESS RICHARDSON & ASSOC.
 3015 CHANDLER AVENUE
 PHOENIX, ARIZONA 85024

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



"DEVELOPMENT LINE HISTORY" PLAN

DATE: JUNE 15, 2012

PROJECT: 5104

SCALE: PHYSICAL, LEGAL PRESENT

9.1

OZA RUIZ PATE CTS INC.
 62 ANTONIO BLVD
 1000 N. 10TH AVE
 PHOENIX, AZ 85004
 (602) 998-8800

West Side - Two (2) Story Only Concept



MOUNTAIN SHADOWS

NO THREE-STORY CONCEPTUAL SITE PLAN - WEST SIDE

AUGUST 3, 2012



OZ
S
I
INC
O'Fallon, IL
61871
618.233.1100
www.ozsi.com

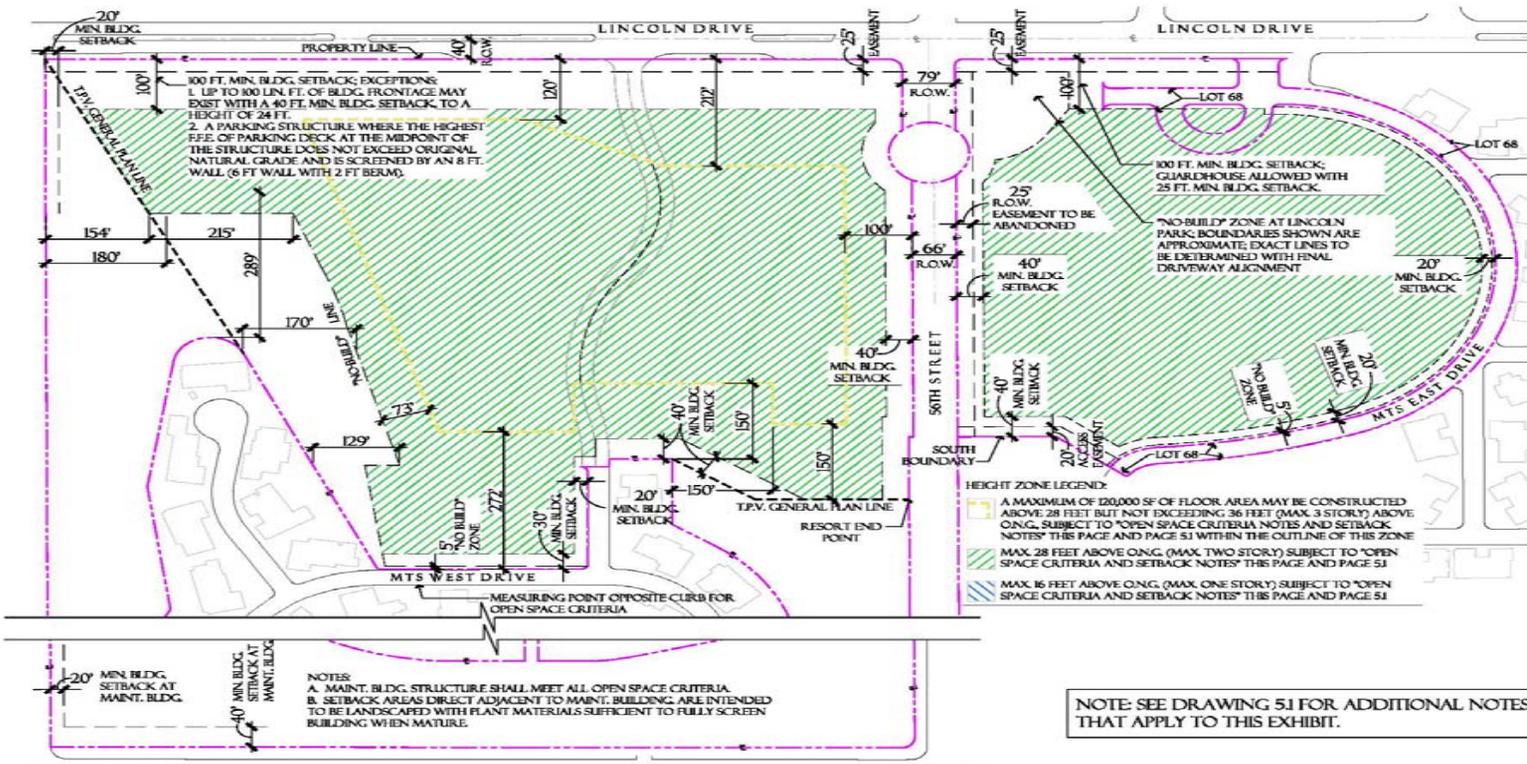
West Side Concept Plans



Two (2) Story Only Concept



Previously Submitted Concept



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS

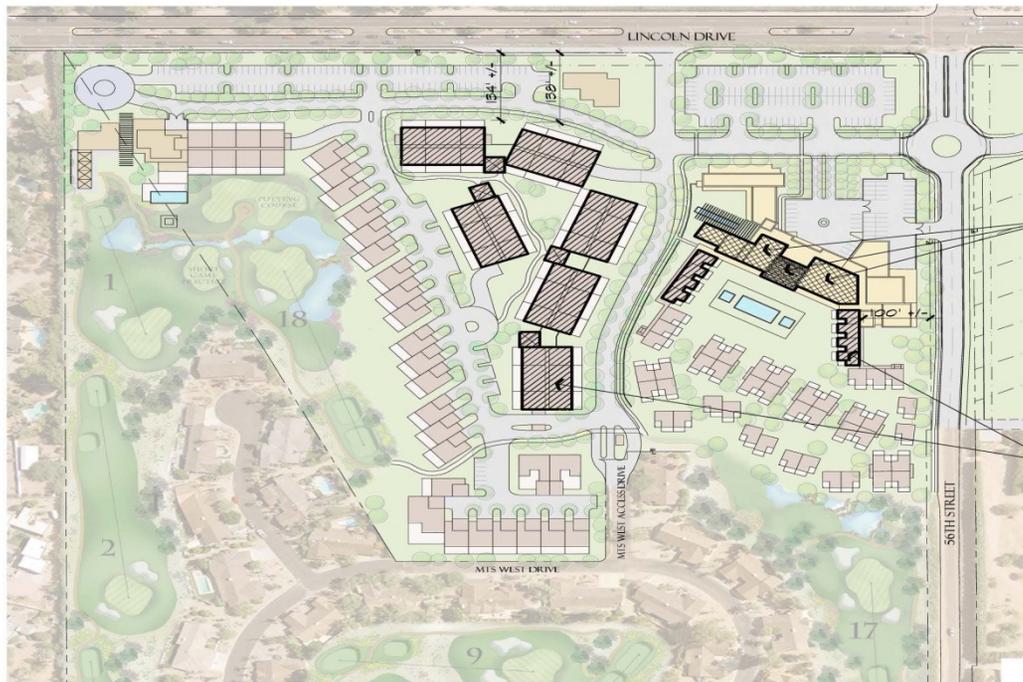


DEVELOPMENT ENVELOPE PLAN



DATE: 10/15/2024	PROJECT: MOUNTAIN SHADOWS	SHEET: 5
DESIGNED BY: [Name]	CHECKED BY: [Name]	APPROVED BY: [Name]
DATE: 10/15/2024	PROJECT: MOUNTAIN SHADOWS	SHEET: 5

OZARK DEVELOPMENT INC.
 10000 N. STATE ST. SUITE 100
 OZARK, MO 64875
 (417) 421-1111
 WWW.OZARKDEV.COM



PROPOSED 2 STORY,
36 FT. MAX. HEIGHT

PROPOSED 3 STORY,
36 FT. MAX. HEIGHT

LEGEND:

- PROPOSED 2 STORY,
36 FT. MAX. HEIGHT
- PROPOSED 3 STORY,
36 FT. MAX. HEIGHT

**FLEET • FISHER
ENGINEERING
INC.**
ARCHITECTS
PLANNERS & ENGINEERS
10000 W. 10TH AVENUE
DENVER, CO 80202
303.751.1000

**ROBERT
BOGARDUS
& ASSOC.**
ARCHITECTS
1000 W. 10TH AVENUE
DENVER, CO 80202
303.751.1000

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE
OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



BUILDINGS IN EXCESS OF 28 FT. IN HEIGHT



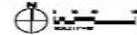
DATE: July 25, 2012	PROJECT: 3124	SHEET: 9.3
SPECIAL USE PERMIT		

**OZ
RICH
LITTLE
GILES
INC.**
An Architectural Firm
1411 S. University
Denver, CO 80202
303.751.1000
www.ozrlg.com



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



ENLARGED CONCEPTUAL SITE PLAN

NO.	DATE	DESCRIPTION	BY	CHKD
1	08/14/2018	ISSUED FOR PERMITTING	...	...
2	08/14/2018	ISSUED FOR PERMITTING	...	...
3	08/14/2018	ISSUED FOR PERMITTING	...	...
4	08/14/2018	ISSUED FOR PERMITTING	...	...
5	08/14/2018	ISSUED FOR PERMITTING	...	...
6	08/14/2018	ISSUED FOR PERMITTING	...	...
7	08/14/2018	ISSUED FOR PERMITTING	...	...
8	08/14/2018	ISSUED FOR PERMITTING	...	...
9	08/14/2018	ISSUED FOR PERMITTING	...	...

9

OZA
ARCHITECTS
INC.
2018/08/14/2018



FASET + FISHER
 ENGINEERING
 INC.
 1400 E. Cambridge
 Suite 400
 Phoenix, AZ 85016
 602.491.1111

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS

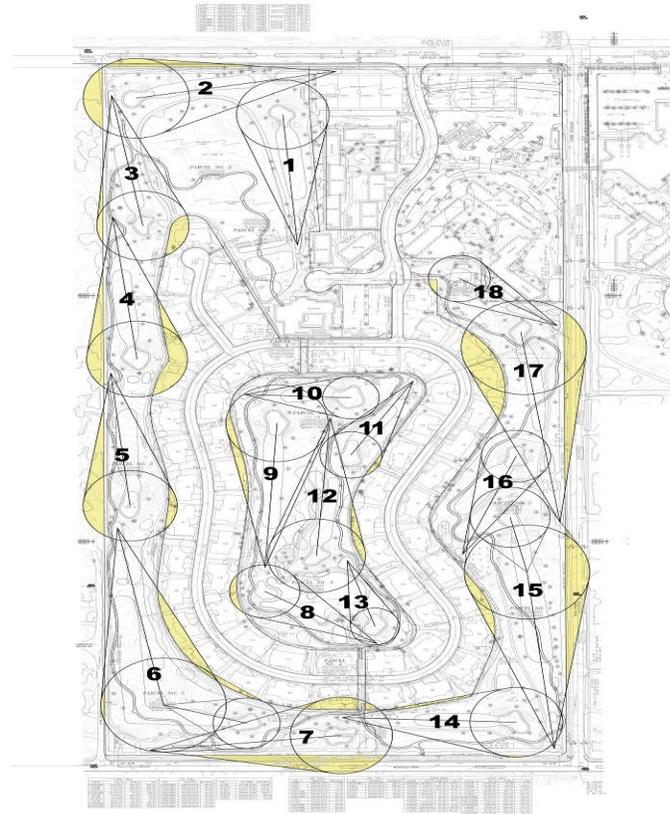


CONCEPTUAL LANDSCAPE SKETCH

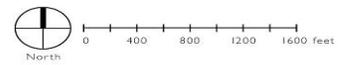


DATE	May 15, 2012	PROJECT	MSD	SHEET	2
DESIGNER		DATE		BY	
CHECKED		DATE		BY	
SPECIAL USER PREPARED		DATE		BY	

OZA
RCH
ITE
CTS
INC
 8700 North Central
 Phoenix, AZ 85028
 602.954.8888
 www.oza.com

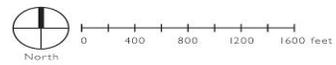


MOUNTAIN SHADOWS GOLF CLUB | *Exhibit A: Existing Conditions*



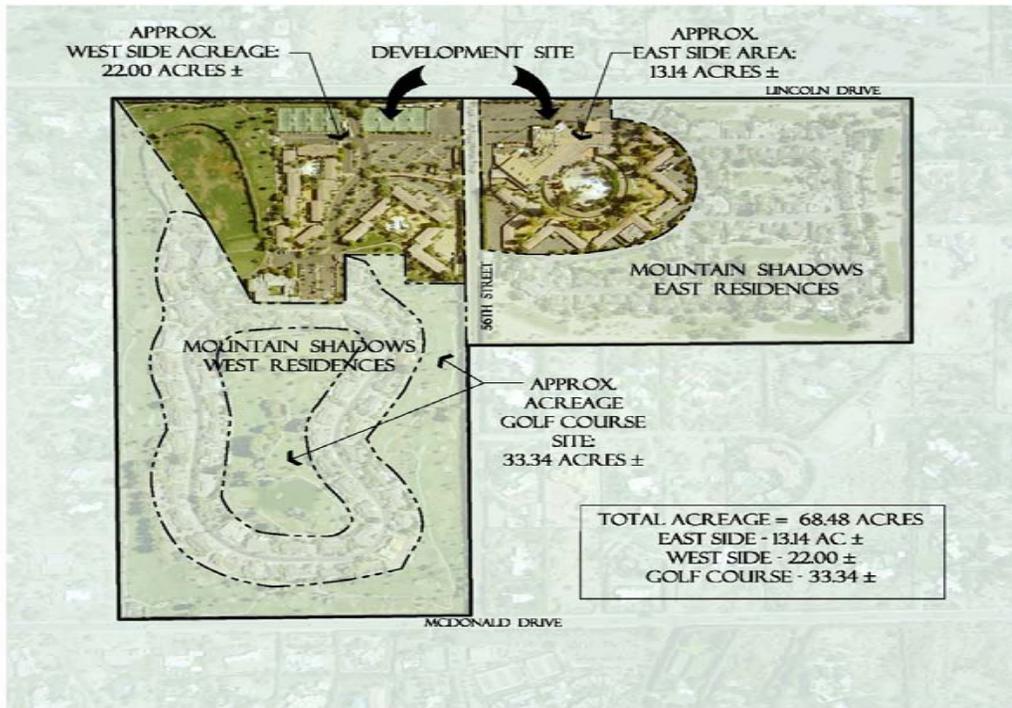


MOUNTAIN SHADOWS GOLF CLUB | *Exhibit B: Proposed Conditions*









APPROX. WEST SIDE ACREAGE: 22.00 ACRES ±

DEVELOPMENT SITE

APPROX. EAST SIDE AREA: 13.14 ACRES ±

MOUNTAIN SHADOWS WEST RESIDENCES

MOUNTAIN SHADOWS EAST RESIDENCES

APPROX. ACREAGE GOLF COURSE SITE: 33.34 ACRES ±

TOTAL ACREAGE = 68.48 ACRES
 EAST SIDE - 13.14 AC ±
 WEST SIDE - 22.00 ±
 GOLF COURSE - 33.34 ±

AERIAL EXISTING SITE SCALE 1" = 100'



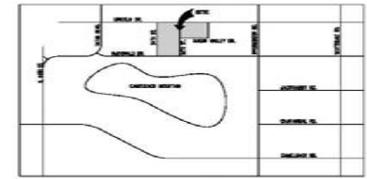
ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



SHEET INDEX:

NO:	TITLE:
0	COVER SHEET
1	AERIAL / VICINITY MAP / TABLE OF CONTENTS
2	LAND USE PLAN
21	RESORT PROGRAM, LAND USE NOTES & DIAGRAMS
3	INGRESS / EGRESS DIAGRAM
4	ORIGINAL NATURAL GRADE PLAN
5	DEVELOPMENT ENVELOPE PLAN
5.1	DEVELOPMENT ENVELOPE NOTES
6	56TH STREET R.O.W. IMPROVEMENTS
7	MOUNTAIN SHADOWS EAST PLAN
8	OVERALL CONCEPTUAL SITE PLAN
9	ENLARGED CONCEPTUAL SITE PLAN
9.1	"DEVELOPMENT LINE HISTORY" PLAN
9.2	"THREE STORY GOLD LINE HISTORY" PLAN
9.3	BUILDINGS IN EXCESS OF 28 FT. IN HEIGHT
9.4	FLOOR AREA RATIO COMPARISON CHART
10	CONCEPTUAL GOLF COURSE IMPROVEMENTS PLAN
10.1	GOLF COURSE & 56TH ST. R.O.W. DETAIL CONCEPT
10.2	GOLF COURSE CONCEPTUAL SECTIONS
10.3	CONCEPTUAL G.C. VIEW CORRIDOR GRADING
11	ENVISIONED ELEVATION
12	ENVISIONED PERSPECTIVE
13	ENVISIONED IMAGE PHOTOS
14	ENVISIONED IMAGE PHOTOS

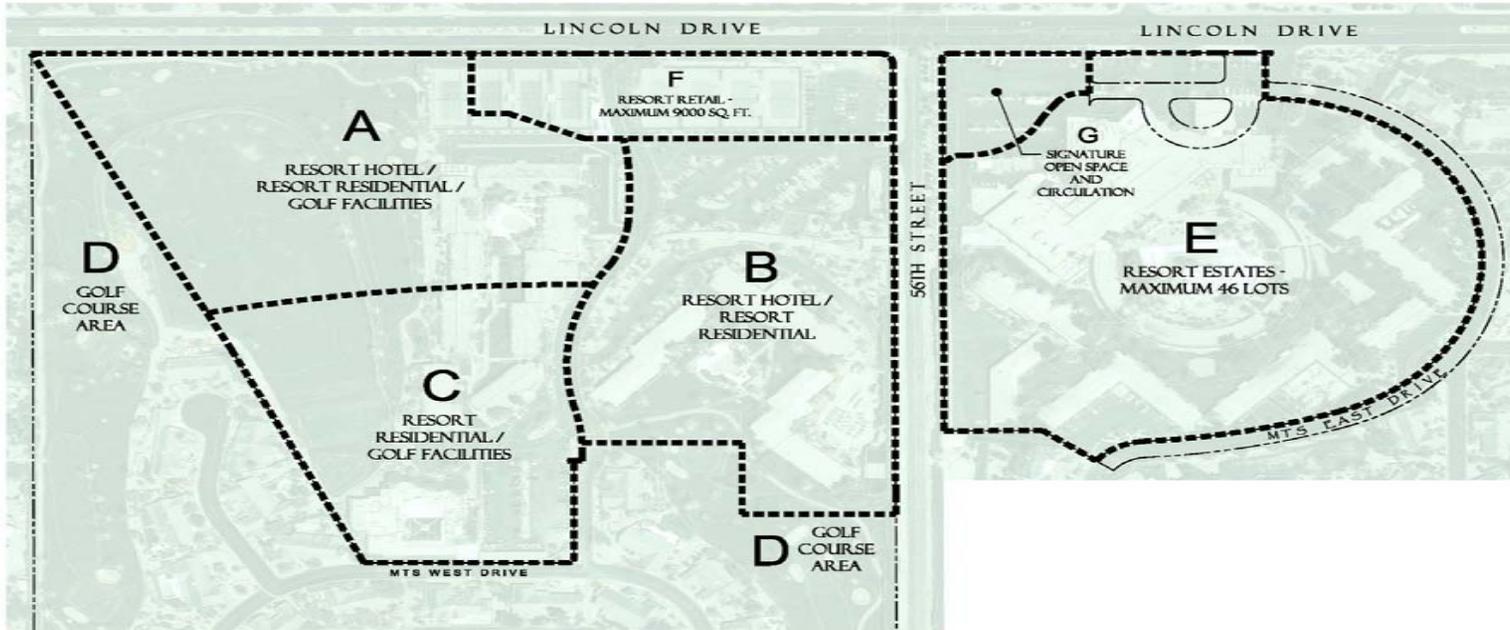


VICINITY MAP NTS PARADISE VALLEY, ARIZONA

AERIAL / VICINITY MAP / TABLE OF CONTENTS

NO.	TITLE	NO.
		1





ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



LAND USE PLAN

DATE: May 15, 2017	PROJECT: MOUNTAIN SHADOWS	SCALE: AS SHOWN
DESIGNED BY: Robert J. Pomeroy, P.E.	DATE: 05/15/17	PROJECT: MOUNTAIN SHADOWS
DRAWN BY: Robert J. Pomeroy, P.L.C.		2

OZA RICHFIELD CITY INC

Golf Course Plan



CARRY-OUT COURSE	
HOLE	PAR
1	4
2	4
3	4
4	4
5	4
6	4
7	4
8	4
9	4
10	4
11	4
12	4
13	4
14	4
15	4
16	4
17	4
18	4
TOTAL	72

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS

CONCEPTUAL GOLF COURSE IMPROVEMENTS PLAN

2017
 THE
 SHAW
 GROUP
 INC.
 10000
 W. 100th
 Suite 100
 Overland Park, KS 66204
 Phone: 913.241.2000
 Fax: 913.241.2001
 Email: info@shawgroup.com

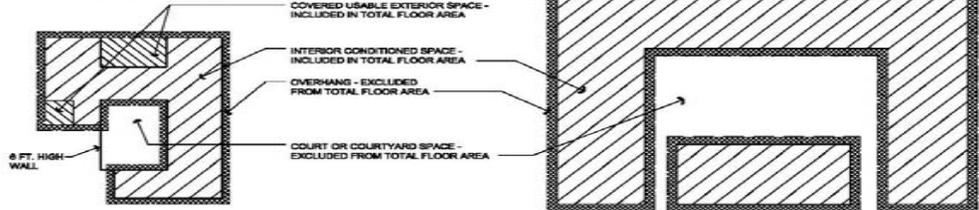
MOUNTAIN SHADOWS RESORT PROGRAM		
	Min/Max	NO. OF UNITS (NOTE 3)
WEST SIDE		
RESORT HOTEL	Minimum/Maximum	100/314
RESORT RESIDENTIAL	Maximum	189
WEST SIDE SUBTOTAL	Maximum	314
EAST SIDE		
RESORT ESTATES	Maximum Lots	46
EAST SIDE SUBTOTAL		46
RESORT TOTAL	Maximum	360

DEFINITIONS AND LIMITATIONS ON DENSITY:

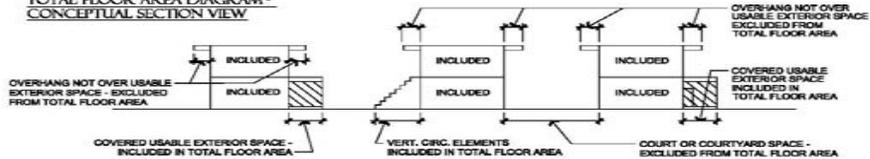
- FLOOR AREA RATIO FOR ALL RESORT IMPROVEMENTS SHALL NOT EXCEED 25%. FLOOR AREA RATIO IS CALCULATED BY DIVIDING TOTAL FLOOR AREA (AS DEFINED BELOW), BY 2,983,012 S.F.
- A UNIT IS ANY SINGLE GROUPING OF ONE OR MORE ROOMS WHICH CAN BE OCCUPIED FOR HOSPITALITY OR RESIDENTIAL USE (I.E., ONE OR MORE BEDROOMS) AND IS ACCESSIBLE BY ONE KEY. ROOMS WITHIN A UNIT MAY BE ACCESSIBLE BY MORE THAN ONE KEY; UNITS WITH MORE THAN ONE ROOM MAY BE OCCUPIED BY MORE THAN ONE PARTY USING SEPARATE KEYS. TOTAL NUMBER OF SEPARATELY KEYED ROOMS FOR RESIDENTIAL AND HOTEL USE WILL NOT EXCEED MAXIMUM TOTAL UNITS.
- TOTAL FLOOR AREA IS DEFINED IN SECTION 2.01 OF THE TOWN ZONING ORDINANCE, BUT EXCLUDING COURTYARDS AND "TRUE ROOF OVERHANGS" (SEE RELATED DRAWINGS ON SHEET 2.1. WHERE THE HIGHEST FINISH FLOOR ELEVATION OF PARKING DECK OF A COMMONLY USED PARKING STRUCTURE AT THE MIDPOINT IS NO HIGHER THAN ORIGINAL NATURAL GRADE, THE AREA OF THE PARKING STRUCTURE IS NOT INCLUDED IN FLOOR AREA CALCULATIONS. IF ANY PORTION OF THE PARKING STRUCTURE IS MORE THAN SIX FEET ABOVE GROUND, IT SHALL BE INCLUDED IN THE FLOOR AREA RATIO. SHADE STRUCTURES COVERING PARKING SUPPORTING SOLAR PHOTOVOLTAIC PANELS SHALL NOT BE INCLUDED IN FLOOR AREA CALCULATIONS.
- ALL MEASUREMENTS UNDER THIS S.U.P. FOR TOTAL FLOOR AREA SHALL BE BASED UPON THE DEFINITIONS SET FORTH HEREIN.

ALLOWED COURTYARD DIAGRAMS:

TOTAL FLOOR AREA DIAGRAM - CONCEPTUAL PLAN VIEW



TOTAL FLOOR AREA DIAGRAM - CONCEPTUAL SECTION VIEW



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS

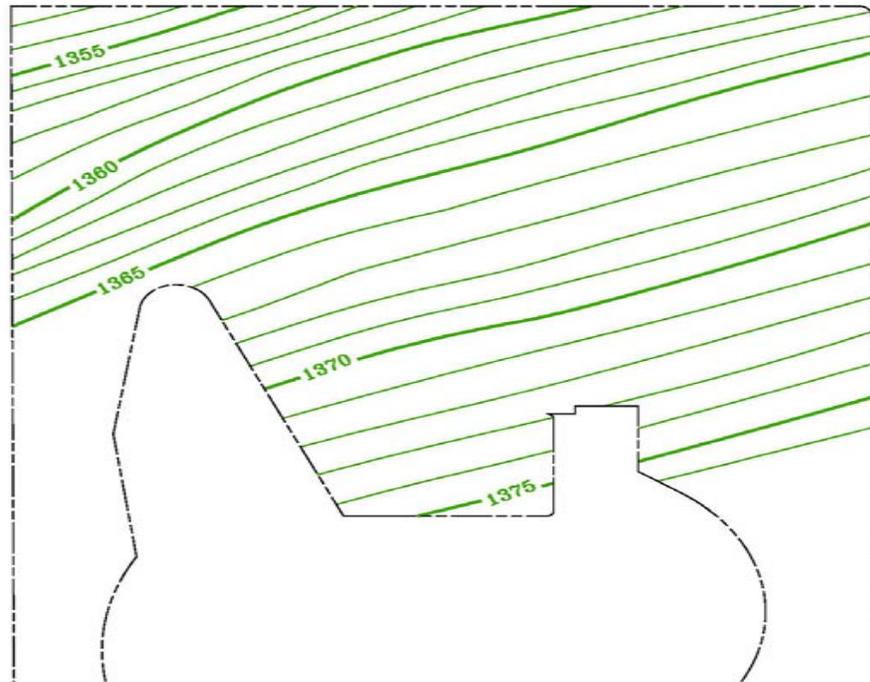


MOUNTAIN SHADOWS RESORT PROGRAM, LAND USE PLAN NOTES & DIAGRAMS

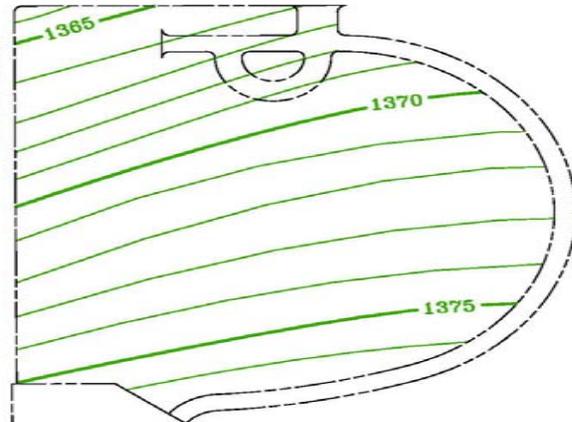
DATE: 08/15/2017	BY: BSA	NO.:
REVISION: 08/15/2017	REVISION: 08/15/2017	NO.:
DESCRIPTION: LAND PROGRAM		2.1



LINCOLN DRIVE R.O.W.



56TH ST. R.O.W.



NOTES

1. THIS PLAN REPRESENTS THE "ORIGINAL NATURAL GRADE" TO BE USED FOR THE PURPOSE OF MEASURING ALL ELEVATIONS AND BUILDING HEIGHTS AS ALLOWED UNDER THIS SLIP.
2. FINISH FLOOR ELEVATION (F.F.E.) OF ANY BUILDING OR IMPROVEMENT MAY BE ABOVE OR BELOW THE ASSUMED NATURAL GRADE WITHOUT RESTRICTION.
3. THE MAXIMUM HEIGHT OF ANY SINGLE BUILDING OR IMPROVEMENT SHALL BE MEASURED FROM THE MID-POINT EQUIDISTANT FROM THE HIGH POINT AND LOW POINT OF THE ORIGINAL NATURAL GRADE IMMEDIATELY ADJACENT TO SUCH BUILDING OR IMPROVEMENT. A SINGLE BUILDING OR IMPROVEMENT IS DEFINED AS ANY STRUCTURE (OR PART OF A STRUCTURE) WHOSE F.F.E. IS ALL AT THE SAME GRADE. FILL MAY EXCEED 2 FEET.
4. CONTOUR INTERVAL SHOWN IS 1 FOOT.

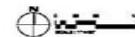


ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS

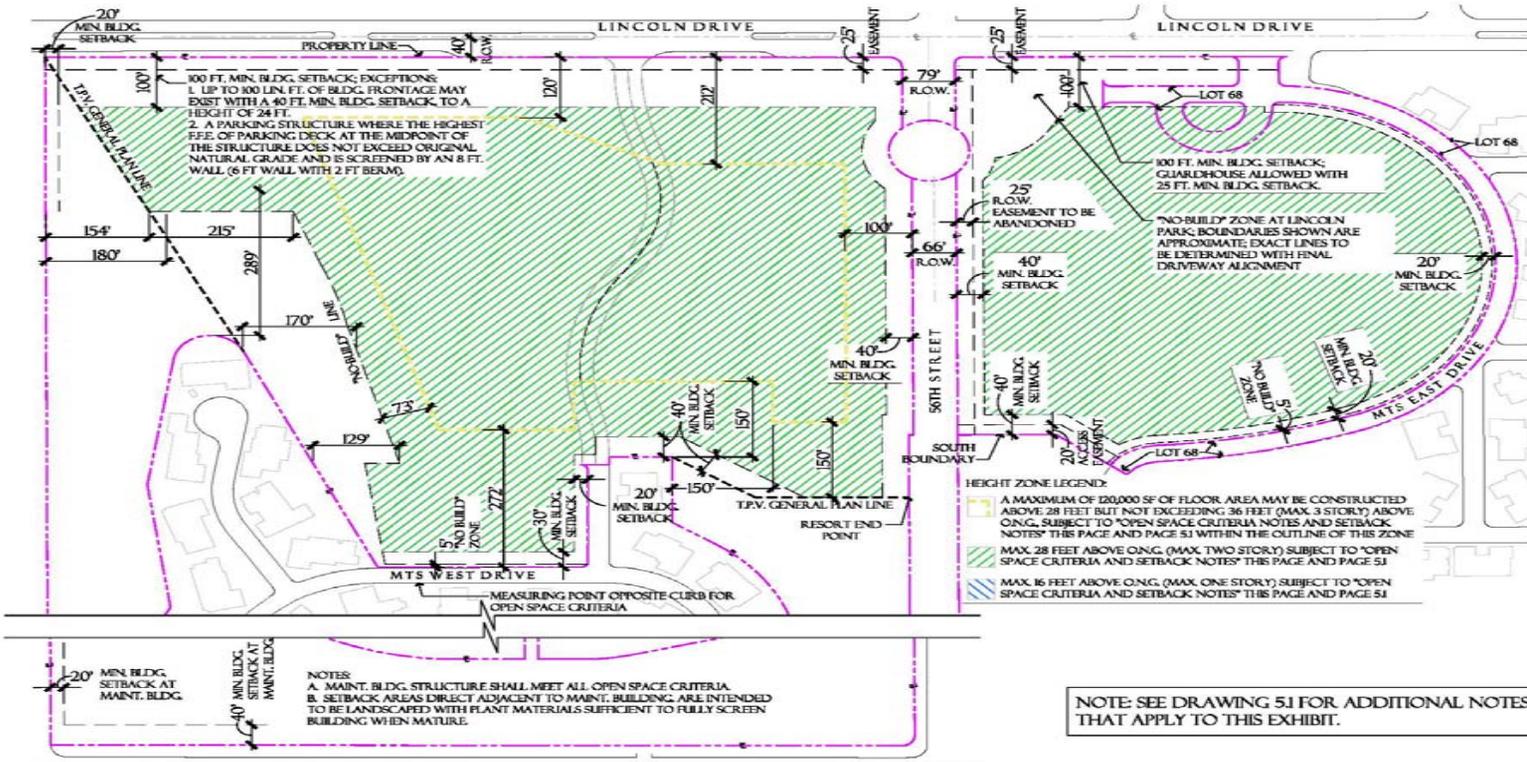


ORIGINAL NATURAL GRADE (O.N.G.) PLAN



DATE: May 10, 2017	BY: [Signature]	SCALE: AS SHOWN	4
PROJECT: Mountain Shadows, LLC	PROJECT: [Signature]	PROJECT: [Signature]	





ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



DEVELOPMENT ENVELOPE PLAN

DATE: 10/15/2024	PROJECT: MOUNTAIN SHADOWS	SCALE: AS SHOWN	SHEET: 5
DESIGNED BY: [Name]	CHECKED BY: [Name]	APPROVED BY: [Name]	DATE: 10/15/2024

OZARK DEVELOPMENT INC.
 10000 N. STATE ST. SUITE 100
 OZARK, MO 64745
 417-231-1111

OPEN SPACE CRITERIA

ALL BUILDING IMPROVEMENTS SHALL OBSERVE THE TYP. RESORT SUP. OPEN SPACE CRITERIA WITH RESPECT TO BUILDING IMPROVEMENTS ADJACENT TO PUBLIC STREETS AND ADJACENT PROPERTY NOT SUBJECT TO THIS SUP., EXCEPT AS QUALIFIED AS FOLLOWS:

1. BUILDING IMPROVEMENTS ERECTED ADJACENT TO LOT 647 ON THE EAST SIDE SHALL MEASURE COMPLIANCE FROM THE OUTER EDGE OF LOT 64.
2. ALONG THE WEST SIDE OF 56TH ST. NORTH OF THE "RESORT END POINT" UP TO 180 LINEAL FEET OF BUILDING MAY EXCEED THE OPEN SPACE CRITERIA, PROVIDED THAT NO PORTION OF SAID BUILDING SHALL BE WITHIN 100 FT. OF LINCOLN DRIVE.
3. WHERE PROPERTY BORDERS A PRIVATE STREET, THE SETBACK REQUIREMENTS FOR PURPOSES OF OPEN SPACE CRITERIA SHALL BE TAKEN FROM THE CURB ON THE OPPOSITE SIDE OF THE STREET.

MINIMUM SETBACK EXCEPTION FOR WEST SIDE OF 56TH ST.

UP TO 180 LINEAL FEET OF BUILDING IMPROVEMENTS MAY BE ERECTED WITHIN THE 40 FT. MIN. SETBACK PROVIDED:

1. MAXIMUM HEIGHT SHALL BE 28 FT.
2. NO PORTION OF SAID ENCLOSUREMENT SHALL BE WITHIN 100 FT. OF LINCOLN DRIVE.
3. NO BUILDINGS SHALL BE CONSTRUCTED WITHIN 10 FT. OF PROPERTY LINE.

NOTES

1. THIS DEVELOPMENT ENVELOPE PLAN REFLECTS THE MINIMUM BUILDING SETBACK WITHIN ANY PARTICULAR LOCATION SHOWN ON THE PLAN AS NOTED.
2. EXCEPT AS SPECIFICALLY ALLOWED, THIS DEVELOPMENT ENVELOPE PLAN REFLECTS THE MAXIMUM HEIGHT OF ANY BUILDING AT ANY PARTICULAR LOCATION ON THIS PLAN MEASURED FROM THE ORIGINAL NATURAL GRADE, MEASURED IN ACCORDANCE WITH THE PROVISIONS OF THE ORIGINAL NATURAL GRADE PLAN.
3. CERTAIN BUILDING FEATURES (NOT TO INCLUDE MECHANICAL EQUIPMENT OR MECHANICAL EQUIPMENT SCREENS) WILL BE ALLOWED AT A HEIGHT GREATER THAN THE MAXIMUM ALLOWED BUILDING HEIGHT FOR SUCH AS CHIMNEYS, ELEVATOR ENCLOSURES, TOWERS OR OTHER ARCHITECTURAL FEATURES, OR OTHER ITEMS DESCRIBED ELSEWHERE IN THIS SUP., NOT TO EXCEED 40 FT.
4. GOLF FACILITIES WITHIN ZONE D AS SHOWN ON LAND USE PLAN SHALL HAVE A MAXIMUM HEIGHT OF 20 FT. FOR CLUBHOUSE/ PRO SHOP STRUCTURE, 16 FT. FOR MAINTENANCE BUILDINGS, COMFORT STATIONS AND OTHER "ACCESSORY" TYPE GOLF COURSE STRUCTURES.
5. REFER TO DRAWING "M" ORIGINAL NATURAL GRADE PLAN FOR ADDITIONAL ORIGINAL NATURAL GRADE (ONC) INFORMATION.
6. PROPERTY LINES ON 56TH ST. REFLECT PROPOSED R.O.W. DEDICATIONS AND ABANDONMENTS.

WALLS

1. ALONG LINCOLN: 8 FT. MAX. HEIGHT WALL WITH 5 FT. ROOM (ON LINCOLN SIDE) SET BACK MIN. OF 25 FT.
2. ALONG 56TH ST. WEST SIDE FROM LINCOLN TO RESORT END POINT: 6 FT. MAX. HEIGHT WALL SET BACK MINIMUM OF 13 FT.
3. ALONG 56TH ST. EAST SIDE: 6 FT. MAX. HEIGHT WALL SET BACK MIN. OF 13 FT.
4. ALONG THE INTERIOR PERIMETER OF EAST SIDE LOTS ADJACENT TO LOT 68: 6 FT. MAX. HEIGHT WALL/ FENCE SET BACK MIN. OF 5 FT. FROM INTERIOR LOT 68 FRONT LINE.
5. COMMON WALLS WILL BE ALLOWED ON INTERIOR LOTS TO A MAXIMUM HEIGHT OF 8 FT.

COMMON USE POOL SETBACKS

1. 25 FT FROM EXISTING SUBSIDENTIAL STRUCTURES
- PRIVATE USE POOLS SHALL NOT BE RESTRICTED.

COMMON USE PARKING LOT STALL SETBACKS

1. 25 FT FROM R.O.W. AT LINCOLN FRONTAGE
2. 20 FT AT 56TH ST. FRONTAGE
3. 60 FT FROM EXISTING SUBSIDENTIAL
4. VEHICULAR CIRCULATION SHALL BE ALLOWED IN SETBACKS.



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

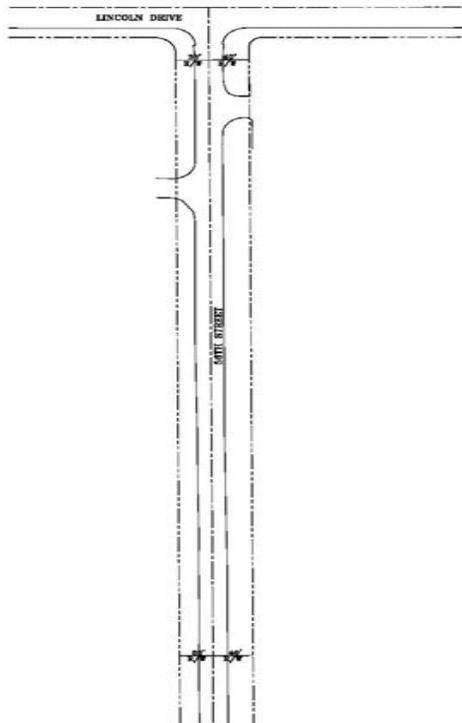
MOUNTAIN SHADOWS



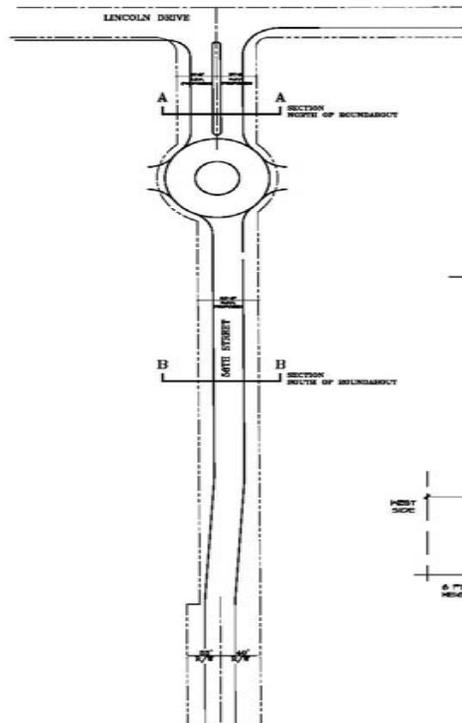
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ISSUED: 09/20/2017	DATE:	PROJECT: 2017-0004
5.1		



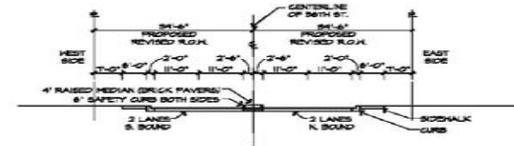


EXISTING 56TH STREET R.O.W.
SCALE: 1" = 40'

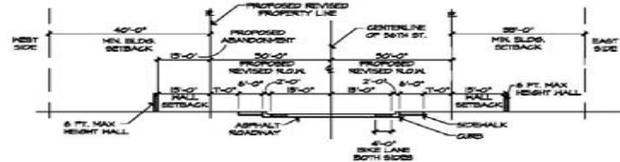


PROPOSED 56TH STREET R.O.W.
SCALE: 1" = 40'

MOUNTAIN SHADOWS



A PROPOSED 56TH STREET CROSS SECTION
SCALE: 1" = 10'
(NORTH OF ROUNDABOUT)



B PROPOSED 56TH STREET CROSS SECTION
SCALE: 1" = 10'
(SOUTH OF ROUNDABOUT)

56TH STREET R.O.W. IMPROVEMENTS

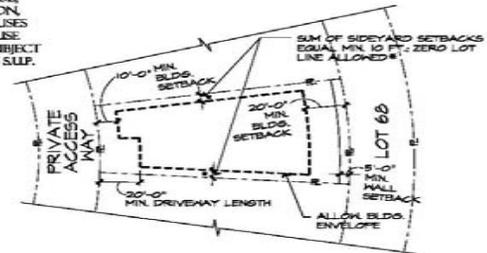


DATE: 08/15/2017	SCALE: 1" = 10'
PROJECT: MOUNTAIN SHADOWS	SHEET: 6



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

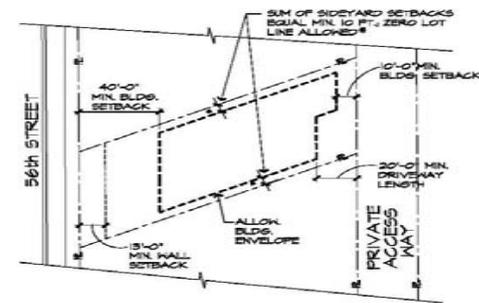
OZA RCHT ETC INC
REGISTERED ARCHITECT
REGISTERED ENGINEER
REGISTERED LANDSCAPE ARCHITECT



* MINIMUM BUILDING-TO-BUILDING SETBACKS AS MEASURED AT THE FOUNDATION AT GRADE.

T=20'

**LOT DEVELOPMENT PLAN-
ALONG LOT 68 PERIMETER**



T=20'

**LOT DEVELOPMENT PLAN-
ALONG 56TH ST
MOUNTAIN SHADOWS EAST PLAN**

**DEVELOPMENT CRITERIA
EAST SIDE LOTS**

1. MINIMUM SETBACKS AT PERIMETER OF EAST SIDE SHALL BE AS SHOWN ON SHEET 5
2. REAR YARD SETBACKS 20 FT.
3. FRONT YARD SETBACKS 10 FT. TO BUILDING STRUCTURE. DRIVEWAY MUST BE 20 FT. MIN. LENGTH MEASURED FROM BACK OF CURB.
4. SIDE YARD SETBACKS SUM OF SIDEYARD SETBACKS SHALL EQUAL 10 FT. MIN. ZERO LOT LINE ALLOWED.
5. CORNER LOTS STREET FRONTAGES SHALL BE ADJ. PER FRONT YARDS PER ITEM 3. ABOVE.
6. POOL/ACCESSORY STRUCTURES NOT EXCEEDING 6 FT. IN HEIGHT SHALL BE ALLOWED IN SETBACKS BUT BEHIND ALLOWED WALLS

WALLS

1. ALONG LINCOLN 8 FT. MAX. HEIGHT WALL WITH 2 FT. BERM (ON 1/2" INCL. SLOPE) SETBACK. MIN. OF 20 FT.
2. ALONG 56TH ST. WEST SIDE FROM LINCOLN TO RUSKOPF END POINT: 6 FT. MAX. HEIGHT WALL SET BACK MINIMUM OF 10 FT.
3. ALONG 56TH ST. EAST SIDE: 6 FT. MAX. HEIGHT WALL SET BACK. MIN. OF 10 FT.
4. ALONG THE INTERIOR PERIMETER OF EAST SIDE LOTS ADJACENT TO LOT 68 6 FT. MAX. HEIGHT WALL/VIEW FENCE SET BACK MIN. OF 5 FT. FROM INTERIOR LOT 68 PROP. LINE.
5. COMMON WALLS WILL BE ALLOWED ON INTERIOR LOTS TO A MAXIMUM HEIGHT OF 6 FT.

**FENCE WALL SETBACKS
FOR NEW EAST SIDE LOTS**

- FRONT YARDS: 30 FT. EXCEPT WALLS 3 FT. HIGH OR LESS SHALL BE ALLOWED WITH A 0 FT. SETBACK.
- REAR YARD: 0 FT.
- REAR YARD WITH FRONTAGE: 5 FT. ADJACENT TO LOT 68 ONLY; 0 FT. OTHERWISE.

MEAN AVERAGE LOT AREA:
7500 SF

AVERAGE MINIMUM LOT WIDTH MEASURED AT THE MID-POINT OF LOTS:
60 FT



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



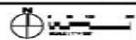
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DATE	NO. OF SHEETS	TOTAL SHEETS	7
DATE	NO. OF SHEETS	TOTAL SHEETS	7
DATE	NO. OF SHEETS	TOTAL SHEETS	7

OZA ARCHITECTS INC. 7



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE
OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



OVERALL CONCEPTUAL SITE PLAN

DATE	NOV 2012	NO.	001
PROJECT	MOUNTAIN SHADOWS	DATE	NOV 2012
DESIGNED BY	[Name]	CHECKED BY	[Name]
DRAWN BY	[Name]	SPECIAL LINE POINTS	8

OZA
RCH
CLC
CLO
INC



- PROPOSED REVISED DEVELOPMENT ENVELOPE LINE (SHOWN IN BLUE) 6-15-12
- DEVELOPMENT ENVELOPE LINE (SHOWN IN ORANGE) 6-05-12
- DEVELOPMENT ENVELOPE LINE (SHOWN IN RED) 5-15-12

FLEET & PIERCE ENGINEERING INC.
 4400 S. UNIVERSITY AVENUE
 PHOENIX, ARIZONA 85046
 (602) 998-8800

PURCELL, RICHARDSON & ASSOC.
 1001 N. CENTRAL AVENUE
 PHOENIX, ARIZONA 85004
 (602) 998-8800

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



"DEVELOPMENT LINE HISTORY" PLAN

DATE: JUNE 15, 2012

SCALE: 1" = 100'

PROJECT: 9.1

OZA RUIZ PATE CTS INC.
 62 AMERICA BLVD
 1001 N. CENTRAL AVENUE
 PHOENIX, ARIZONA 85004
 (602) 998-8800



REVISED "GOLD LINE"
6-26-12
(SHOWN IN YELLOW)

PREVIOUS "GOLD LINE"
AS SUBMITTED 6-15-12
(SHOWN IN RED)



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE
OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS

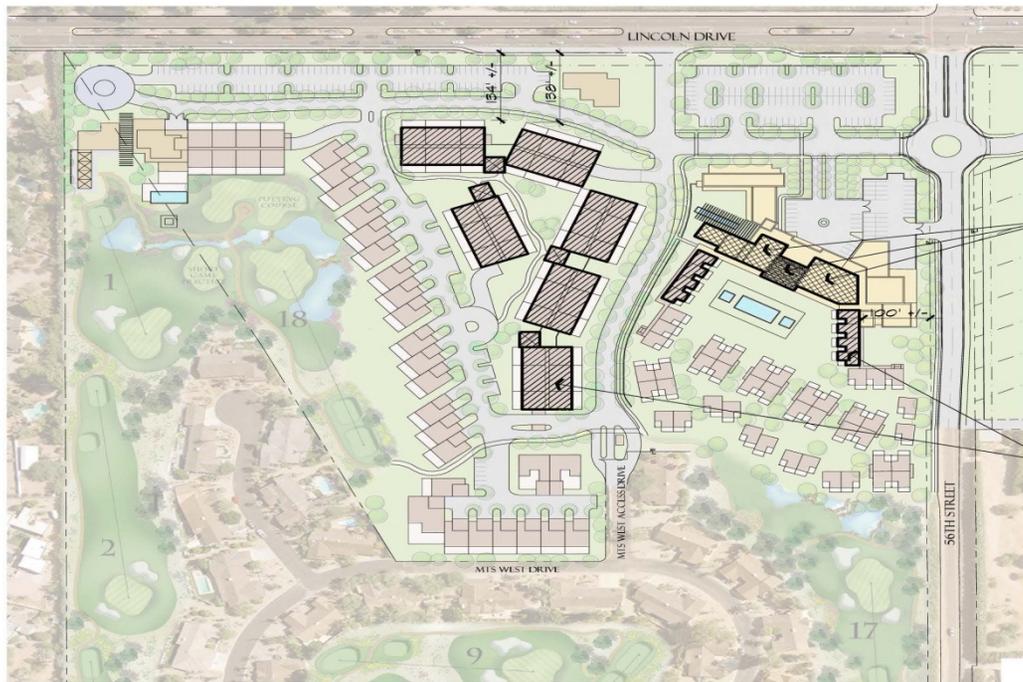


"THREE STORY GOLD LINE HISTORY" PLAN

Scale: 1" = 100'-0"

9.2

OZA
RCHITECTS
INC



PROPOSED 2 STORY,
36 FT. MAX. HEIGHT

PROPOSED 3 STORY,
36 FT. MAX. HEIGHT

LEGEND:

-  PROPOSED 2 STORY,
36 FT. MAX. HEIGHT
-  PROPOSED 3 STORY,
36 FT. MAX. HEIGHT

**FLEET + FISHER
ENGINEERING
INC.**
ARCHITECTURAL
DESIGN
PHOTOGRAPHY
LANDSCAPE ARCHITECTURE

**ROBERTS
BOGARDUS
& ASSOC.**
LANDSCAPE ARCHITECTS

**WOLF CORPENT
& ASSOCIATES**

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE
OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



BUILDINGS IN EXCESS OF 28 FT. IN HEIGHT



DATE: July 25, 2012	PROJECT: 3124	SCALE:
SPECIAL USE PERMIT		9.3

**OZ
RICH
LITTLE
CITY
INC.**
An Architectural Firm
1411 N. 10th Street
Tulsa, OK 74103
Tel: 918.482.4444
Fax: 918.482.4444
www.ozrich.com



FLOOR AREA RATIO (F.A.R.) COMPARISON CHART

	<u>LAND AREA (AC.)</u>	<u>FLOOR AREA (S.F.)</u>	<u>F.A.R.</u>
MOUNTAIN SHADOWS DEVELOPMENT AGREEMENT	67.0414	1,752,194*	60%
MONTELUCIA	27.935	615,085	50.55%
MOUNTAIN SHADOWS SUP (DEVELOPMENT AREA ONLY)	35.14	745,747	48.72%
MOUNTAIN SHADOWS SUP (ALL LAND AREA)	68.48	745,747	25%

* ASSUMES 30% LOT COVERAGE AT 2-STORY THROUGHOUT.



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE
OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



FLOOR AREA RATIO
COMPARISON CHART

DATE: JUN 05, 2012	SCALE: 1/8" = 1'-0"	9.4
--------------------	---------------------	-----



CARRY-OUT COURSE	
YARD	FEET
1	400
2	400
3	400
4	400
5	400
6	400
7	400
8	400
9	400
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97	400
98	400
99	400
100	400



LEGEND

- GREEN
- SAND TRAP
- WATER
- FAIRWAY
- BUNKER
- OBSTACLE
- ROAD
- BUILDING

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE
OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS

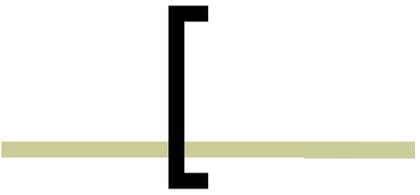
CROWN
REALTY DEVELOPMENT CORPORATION

CONCEPTUAL GOLF COURSE IMPROVEMENTS PLAN

10'

0' 10' 20' 30' 40' 50' 60' 70' 80' 90' 100'

201
THE
INC
INC





MOUNTAIN SHADOWS

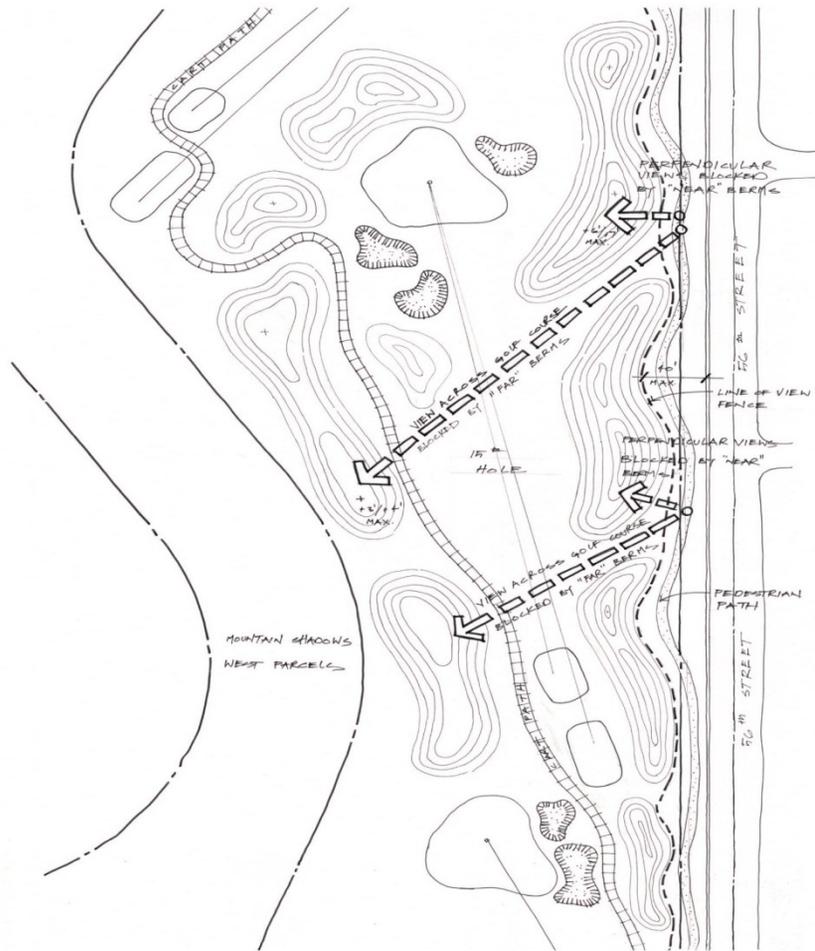
GOLF COURSE & 56TH ST. R.O.W. DETAIL CONCEPT

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.



DATE	NO. 24, 2012	SCALE	AS SHOWN
PROJECT	56TH ST. R.O.W.	DATE	NOV 15, 2011
PROJECT	56TH ST. R.O.W.	SCALE	10.1





MOUNTAIN SHADOWS

CONCEPTUAL GOLF COURSE VIEW CORRIDOR GRADING

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.



DATE	DATE	SCALE
08/11/2011	08/11/2011	1" = 10.3'

OZARK ENGINEERING
 10101 E. Highway 100
 Suite 100
 Littleton, CO 80120
 303.741.1111

FLYBY ENGINEERING
 10101 E. Highway 100
 Suite 100
 Littleton, CO 80120
 303.741.1111





KLEIN + FISHER
 ARCHITECTS
 INC.
 10000 N. CENTRAL
 EXPRESSWAY
 SUITE 100
 DALLAS, TEXAS 75243
 TEL: 972.382.1000
 WWW.KFAA.COM

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE
 OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



CONCEPTUAL ELEVATION
 ENVISIONED ARCHITECTURAL STYLE



DATE	NOV 10, 2011	PROJECT	2014
DRAWN BY		CHECKED BY	
SHEET NO.			11

OZA
 REALTY
 GROUP
 INC.
 10000 N. CENTRAL
 EXPRESSWAY
 SUITE 100
 DALLAS, TEXAS 75243
 TEL: 972.382.1000
 WWW.OZAREALTY.COM



MOUNTAIN SHADOWS



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE
OVER SCALED DIMENSIONS.



CONCEPTUAL IMAGE PHOTOS
ENVISIONED ARCHITECTURAL STYLE

DATE: 08/15/2012	PROJECT: 0104	SHEET: 13
DRAWN BY: [REDACTED]		CHECKED BY: [REDACTED]
SCALE: [REDACTED]		DATE: [REDACTED]

OZA
RCHITECTURE
LIFE
CIRCLE
INC
OZA ARCHITECTURE, INC.
1001 S. LINDEN
SUITE 100
DALLAS, TX 75210
972.343.8888
www.ozaarch.com



ALL WRITTEN DIMENSIONS TAKE PRECEDENCE
OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



CONCEPTUAL IMAGE PHOTOS
ENVISIONED ARCHITECTURAL STYLE

DATE: 08/26/2025	SCALE: 1/8" = 1'-0"	14
SHEET NO.		(TOTAL SHEETS)

OZA
ARCHITECTS
INC.



FLEET + FISHER
ENGINEERING
INC.
4000 E. Cambridge
Suite 200
Phoenix, Arizona 85044
(602) 998-8888

FORREST
RICHARDSON
& ASSOC.
ARCHITECTS
GOLF COURSE
ARCHITECTS
10000 N. 19th Ave.
Suite 100
Phoenix, AZ 85021
(602) 998-8888

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE
OVER SCALED DIMENSIONS.

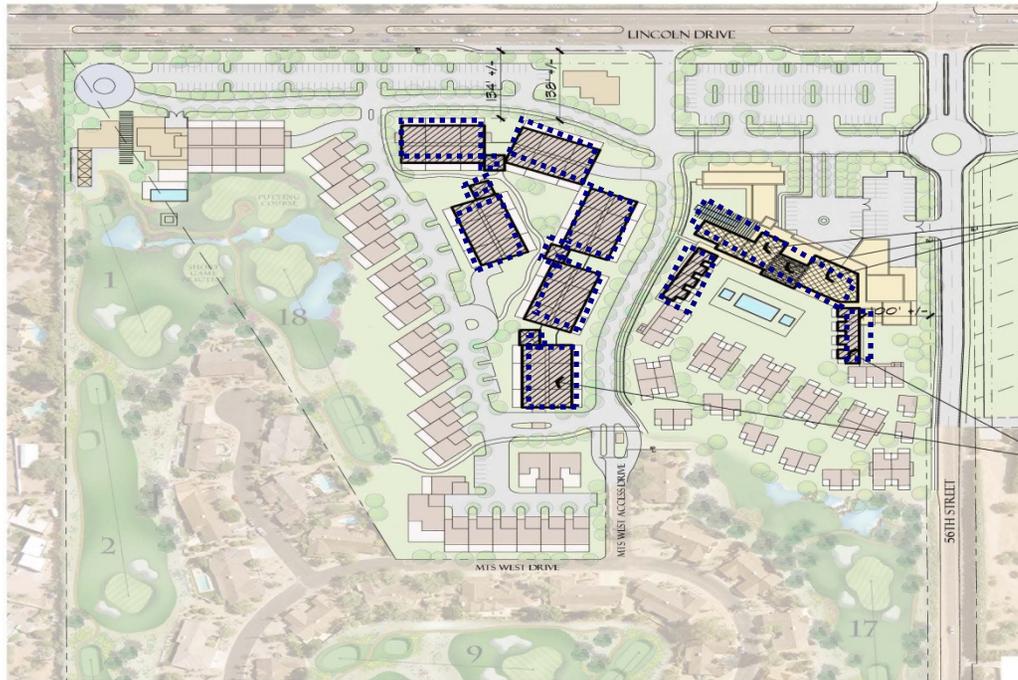
MOUNTAIN SHADOWS

CROWN
REALTY & DEVELOPMENT
CORPORATION

COVER SHEET

Rev	Date	Description	By	Appr
0	07/16/2013	ISSUE FOR PERMIT		
1	07/16/2013	REVISIONS		
2	07/16/2013	REVISIONS		
3	07/16/2013	REVISIONS		
4	07/16/2013	REVISIONS		
5	07/16/2013	REVISIONS		
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7	07/16/2013	REVISIONS		
8	07/16/2013	REVISIONS		
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10	07/16/2013	REVISIONS		
11	07/16/2013	REVISIONS		
12	07/16/2013	REVISIONS		
13	07/16/2013	REVISIONS		
14	07/16/2013	REVISIONS		
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95	07/16/2013	REVISIONS		
96	07/16/2013	REVISIONS		
97	07/16/2013	REVISIONS		
98	07/16/2013	REVISIONS		
99	07/16/2013	REVISIONS		
100	07/16/2013	REVISIONS		

OZA
ROTH
GTS
INC.
1000 N. Central Ave.
Suite 100
Phoenix, AZ 85004
(602) 998-8888
www.oza.com



PROPOSED 2 STORY,
36 FT. MAX. HEIGHT

PROPOSED 3 STORY,
36 FT. MAX. HEIGHT

LEGEND:

PROPOSED 2 STORY,
36 FT. MAX. HEIGHT

PROPOSED 3 STORY,
36 FT. MAX. HEIGHT

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& ASSOC.
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LANDSCAPE ARCHITECTS

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE
OVER SCALED DIMENSIONS.

MOUNTAIN SHADOWS



BUILDINGS IN EXCESS OF 28 FT. IN HEIGHT



DATE: July 26, 2012	PROJECT: 3124	SHEET: 9.3
SPECIAL USE PERMIT		

OZ
RCH
TT
ETS
INC

Oz Architects, Inc.
1411 N. 10th Street
Tucson, AZ 85710
PH: 520.298.8888
WWW.OZARCHITECTS.COM

Examples of Proposed Residential Heights & Separation

- Paradise Preserve Subdivision located near 40th Street & Lincoln Drive



28 foot tall/2 story SFR





10 foot Separation between homes

10 foot Separation between homes



Town

- The Town plans to adopt a SUP based on concepts
- The owner must agree to the SUP considered by Town government; the Town can not do it unilaterally
- The Town does not expect the current property owner to develop the property; the adopted SUP is expected to allow redevelopment by any owner.