



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253**

**SUMMARIZED MINUTES
MARCH 13, 2008**

CALL TO ORDER

Mayor Winkler called to order the Town Council meeting of the Town of Paradise Valley, Arizona, held at Town Hall 6401 E. Lincoln Drive, on Thursday, March 13, 2008 at 4:05 PM.

COUNCIL MEMBERS PRESENT

Mayor Ed Winkler
Vice Mayor Scott LeMarr arrived at 4:07 p.m.
Council Member Ron Clarke
Council Member Brian Cooney arrived at 4:07 p.m.
Council Member Mary Hamway arrived at 4:07 p.m.
Council Member Dan Schweiker
Council Member Virginia "Jini" Simpson

STAFF MEMBERS PRESENT

Town Manager James C. Bacon, Jr
Town Clerk Duncan Miller
Town Engineer William Mead
Chief of Police John D. Wintersteen
Management Services Director Lenore Lancaster
Planning & Building Director Eva Cutro
Public Works Director Andrew Cooper
Senior Planner Molly Hood
Deputy Town Attorney Steven Zraick

DISCUSSION ITEMS

Discussion Unitarian Universalist Congregation of Phoenix Special Use Permit Amendment

Ms. Hood stated that the applicant, Unitarian Universalist Congregation of Phoenix located at 4027 E. Lincoln Drive, requests an amendment to its existing Special Use Permit for the following renovations to be completed in two phases:

Phase One

- Interior renovations to older existing buildings
- Reconfigure lobby in original 1961 Worship building
- Minor interior renovations to 1961 West Wing Building
- Interior renovations to 1965 Structure
- New restroom addition south of Worship building (956 square feet)
- New partial lobby addition east of Worship space (1,916 square feet)
- Sidewalk and landscape improvements along Lincoln Drive frontage
- Improvements to parking lots
- Connection to Phoenix sewer

Future Phase

- Partial lobby addition (2,216 square feet)
- Partial restroom addition (343 square feet)
- New worship area (6,126 square feet)
- New administrative building (6,482 square feet)
- New kitchen/dining area (5,402 square feet)
- New library/archives (2,602 square feet)
- New education wing (4,358 square feet)
- New pre-school Wing (1,648 square feet)
- New parking lot

The total project build-out will equal 12.7% lot coverage, substantially below the 25% maximum lot coverage allowed.

Ms. Hood stated that the application is consistent with the General Plan and is in compliance with the Zoning Ordinance.

A traffic study prepared by Task Engineering concluded that the proposed building improvements (Phase I and Future Phases) will have minimal impact on the adjacent roadways. The existing roadway and traffic control can accommodate the site traffic and background traffic. Additionally, the available and proposed parking exceeds the parking requirements.

She said the Town retained Civtech, Inc to conduct a peer review of the Task Engineering study. Civtech recommended that the westernmost driveway on Lincoln Drive remain since visibility will be improved as a result of the sidewalk project. It was proposed that the northernmost driveway on 40th Place be for ingress only.

Ms. Hood said that the Planning Commission discussed the application on July 24, 2007, August 7, 2007, September 4, 2007, October 2, 2007, and November 6, 2007. The Commission held public hearings on November 20, 2007 and February 19, 2008. The Commission voted 4 – 0 to recommend approval of the major amendment subject to 21 stipulations.

In response to a question from the Council, the applicant stated that funding for Phase I is available and will be financed. The applicant agreed that the timeline is agreeable and reasonable.

The applicant confirmed that the parking lot paving, lighting and landscaping will be completed in Phase I. There was discussion about putting down decomposed granite instead of asphalt pavement in the parking lot to limit the heat island effect. However, the applicant proposed asphaltic concrete for the economic value.

Regarding traffic on 40th Place the applicant stated that the peaking will be less than what the report shows because the Ascension Lutheran Church and the Unitarian Church will stagger their respective school starting times.

Discussion of The Ritz-Carlton, Paradise Valley Special Use Permit

Ms. Cutro reviewed the following topics to be discussed by Council during the next two meetings:

1. The Indian Bend Road cross section including the existing traffic circle and addressing ingress and egress from the Indian Bend entrance.

Dawn Cartier, Civtech Engineering, presented the cross section of Indian Bend Rd which is classified as a collector street in the Town's General Plan. Indian Bend Road connects to Mockingbird Lane which is classified as a minor arterial. She noted that Indian Bend Rd will be the secondary entrance into The Ritz-Carlton property. She stated that the traffic counts in her report were worst case scenario and showing traffic counts ten years into the future. However, it is anticipated that the traffic will be less than shown in the report because a card restricted gate will be added at the Indian Bend Rd. entrance.

There was Council consensus that Indian Bend should remain a collector street. The preference was to direct traffic exiting the property east to Scottsdale Rd. There was discussion about keeping the current traffic circle in its current location and installing a right turn only "dogleg", installing a second traffic circle at the entrance, or constructing a median at the entrance to force vehicles to turn right. The Council asked the applicant to meet with the neighbor immediately across the street to learn their preference. The applicant will then provide further alternatives.

2. Additional limitations, if any, proposed for the 11 perimeter estate lots.

Ms. Cutro explained that the Planning Commission considered several different ways in which to calculate the heights, setbacks and massing of the Estate Lots. The Commission considered measuring based on lot coverage and floor area ratio. The final recommendation was to base the calculation on floor area ratio with certain differences from normal R-43 standards. The recommendation also allowed for all but one estate lot to be two stories. Since Planning Commission approval the Council expressed interest in limited the 11 perimeter lots to one story.

Peterson Architecture offered some bubble diagram renderings for the estates lots showing one-story houses and asked if they could be granted some flexibility in design as a tradeoff for building a one-story house.

The Council discussed examples of subdivisions in Town with a design mixture of one-story homes built in compliance with floor area ratio standards and that meet the open space criteria. Council expressed that the residential units on the perimeter of the project was their biggest area of concern and they will have the greatest visual impact on residents. The Council maintained their position that the houses should be limited to one-story and 25% Floor Area Ratio. There was no consensus on if the height should be measured from the lowest natural grade or finished grade.

3. Parking concerns at the patio homes, including guest parking for parties and garage ingress and egress. She said Peterson Architects is preparing an exhibit to be discussed on March 20th.
4. The Town Engineer will work with Fred Fleet, Fleet Fisher Engineering to address water supply, stormwater retention, and grading and drainage. Information will be distributed to the Council once it becomes available).
5. The need for an exhibit showing deceleration lanes, and setbacks, on Lincoln Drive and the setbacks on lots 23-27.

The developer showed an exhibit showing the deceleration lane and setbacks on Lincoln Drive. The preliminary plat, wall plan, and landscape plan show the deceleration lane and right turn lane. They also provided exact measurements of the wall along Lincoln Drive from the back of curb and from the right-of-way. All walls were setback at least 40 feet except for Lot 3 which was 28.5 feet. The Council expressed a desire that walls be at least 40 feet from the back of curb. The developer agreed to see if it was possible to alter Lot 3 enough to gain 12 feet of additional distance.

The developer opposed the suggestion that the site plan be amended to relocate the private drive to the southern edge of lots 23-27, similar to the design of the Judson subdivision.

Discussion of Planning Commissioner Selection Process

The Mayor announced that Planning Commissioner Jane Jozoff has decided not to seek reappointment to the Commission in October. She has offered to step down earlier if it is the will of the Council. There was Council consensus to select a replacement prior to October and to appoint someone from the candidates interviewed last summer.

EXECUTIVE SESSION

- a.** Discussion and consultation with Town Attorney regarding the **development agreement with Five Star Development** as authorized by A.R.S. §38-431.03.A.4.
- b.** Discussion of **Town Manager goals and objectives for 2008** as authorized by A.R.S. §38-431.03.A.1.

These items were not discussed.

CALL TO ORDER

Mayor Winkler reconvened the meeting of the Town Council at 7:00 P.M.

COUNCIL MEMBERS PRESENT

Mayor Ed Winkler
Vice Mayor Scott LeMarr
Council Member Ron Clarke
Council Member Brian Cooney
Council Member Mary Hamway
Council Member Dan Schweiker
Council Member Virginia "Jini" Simpson

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Management Services Director Lenore Lancaster
Planning & Building Director Eva Cutro

PLEDGE OF ALLEGIANCE

Deputy Town Attorney Steven Zraick led the Pledge of Allegiance.

PRESENTATIONS

There were no presentations.

CALL TO THE PUBLIC

Resident Dennis Wurst stated that he did not believe there is a large enough police force in Town to respond to criminal activity and monitor traffic.

Resident Tatianna Ramras requested that the Town research the possibility of 1) acquiring the East side of Tatum Blvd from Doubletree Ranch Road to Mountain View from the City of Phoenix so that the Town could install sidewalks and maintain the landscaping; 2) install a merging lane on Tatum Blvd at Mountain View Rd; 3) construct a sidewalk on Mountain View Rd from Tatum Blvd to 52nd St.

Mr. Bacon reported that the Town had received a petition from approximately 30 neighbors requesting the sidewalk on Mountain View Rd. The request was forwarded to the Public Works Department for review and possible action.

PUBLIC COMMENT - THE RITZ-CARLTON, PARADISE VALLEY SPECIAL USE PERMIT

Rick Adams spoke in opposition to the development project. He opposed any residential construction on less than one-acre.

Valerie Crosby was in favor of the project.

Gordon McGuire spoke in favor of the project.

David McCaleb asked if the current Sinclair Oil Special Use Permit is still in effect. He was not in favor of allowing high residential density.

Geneva Spigner spoke in opposition to the residential component of the resort project and its impact on traffic and water resources.

Mel Kowal spoke in opposition to the residential density and suggested that the Sinclair Oil Special Use Permit has expired.

Linda Peterson Warren said the project will be an asset to the Town.

Jim Baker spoke in favor of the project.

Arlene Sova spoke in opposition to the residential portion of the Ritz-Carlton project.

Larry Westhouse spoke in opposition to the high density of the project.

MAYOR / COUNCIL / MANAGER REPORT

Mr. Bacon announced that The Ritz-Carlton Special Use Permit application will be discussed on March 20th at 4:00 p.m. and on March 27th at 7:00 p.m. Public comment will be invited at both meetings.

Mr. Bacon reported that the barricades on Lincoln Drive will be removed for Easter weekend.

CONSENT AGENDA

a. Minutes of Town Council Meeting February 28, 2008

Mr. Bacon summarized the consent agenda.

Motion and vote – Councilmember Clarke moved to approve the consent agenda as submitted. Councilmember Hamway seconded the motion which passed unanimously.

PUBLIC HEARINGS

There were no public hearings.

ACTION ITEMS

Award of Contract to Construct Fire Stations No. 1 and No. 2

Mr. Bacon stated that the bids to construct the two new fire stations in Town were opened on March 11, 2008. Ten firms submitted bids and TSG Constructors LLC submitted the lowest bid totaling \$4,367,000. LEA Architects researched TSG Constructors' background and references and found them to be qualified.

Responding to a question from the Council, LEA Architects stated that they have worked with the principles from TSG Constructors in the past.

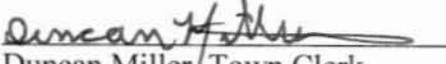
Motion and vote – Vice Mayor LeMarr moved to award a contract to construct Fire Stations No. 1 and No. 2 to TSG Constructors, LLC in an amount not to exceed \$4,396,000, and authorize the Town Manager to approve change orders up to \$200,000. The motion was seconded by Councilmember Schweiker and passed by a vote of 7-0.

ADJOURNMENT

Motion and vote – Vice Mayor LeMarr moved to adjourn. Councilmember Clarke seconded the motion which passed unanimously.

Mayor Winkler adjourned the meeting at 7:52 p.m.


Ed Winkler, Mayor

ATTEST:

Duncan Miller, Town Clerk