



City of Phoenix

Planning Department

Staff Report: Z-71-08-6 (Biltmore PUD) April 24, 2009

Camelback East Village Planning Committee Meeting Date May 5, 2009

Planning Commission Hearing Date May 13, 2009

Request From: R-5 (36.46 Acres)

Request To: PUD (30.01 Acres), PUD HP-L (6.45 Acres)

Proposed Use Mix of Uses: Resort, Spa, Commercial Retail, Office, Restaurant and Residential.

Location Approximately 1300 feet east of the southeast corner of 24th Street and Arizona Biltmore Circle

Owner KSL Biltmore Resort Inc.

Applicant/Representative LVA Urban Design Studio, LLC / Snell & Wilmer, LLP

Staff Recommendation Approval, subject to stipulations

KIVA # 98-10402

General Plan Conformity		
General Plan Land Use Designation	Commercial R (Resort)	
Street Map Classification	Arizona Biltmore Circle	Residential
	Arizona Canal	
<p>LAND USE ELEMENT, GOAL 11 – GENERAL PLAN LAND USE MAP AND ZONING CONFORMITY: THE GENERAL PLAN LAND USE MAP SHALL SHOW THE GENERALIZED LAND USE PLAN FOR THE CITY AND THE PROPOSED STREET SYSTEM WITH THE EXCEPTION OF LOCAL STREETS. ZONING GRANTED SUBSEQUENT TO THE ADOPTION OF THE GENERAL PLAN OR ANY AMENDMENTS SHALL BE IN CONFORMITY WITH THE LAND USE CATEGORY SHOWN AND DEFINED ON THE GENERAL PLAN.</p> <p>This request is in conformance with the General Plan land use designation of Commercial R (Resort).</p>		
<p>CONSERVATION REHABILITATION & REDEVELOPMENT, GOAL 1 HISTORIC CULTURAL AND CHARACTER PRESERVATION - POLICY 3: DEVELOPMENT SHOULD BE COMPATIBLE WITH ARCHITECTURAL, ARCHEOLOGICAL AND HISTORIC RESOURCES AND THEIR SETTING.</p> <p>The PUD will protect and preserve the historic nature of the Biltmore Resort and Spa through specific regulations and proposed landmark designation over the historic portion of the site. In addition, new development will complement and showcase the existing historic buildings.</p>		

WATER RESOURCES, GOAL 1E – WATER CONSERVATION, POLICY 7 – PURSUE CREATIVE, INNOVATIVE , AND ENVIRONMENTALLY SOUND METHODS TO CAPTURE AND USE STORM WATER, URBAN RUNOFF, AND WASTEWATER FOR BENEFICIAL PURPOSES.

The Biltmore proposes to explore and utilize multiple methods to capture and reuse water on site to limit the resort's intake of groundwater for watering vegetation and turf.

OPEN SPACE, GOAL 1 – NATURAL OPEN SPACE, POLICY 5 - PROVIDE RESOURCE BASED RECREATIONAL OPPORTUNITIES SUCH AS BIRD WATCHING, NATURE STUDY, PICNICKING, INTERPRETATION, AND ENVIRONMENTAL EDUCATION.

Redevelopment of this site will improve the open space and promote human interaction while providing environmental relief and climate comfort.

BACKGROUND

1. This request is to rezone 36.46 acres from R-5 Multifamily Residential to PUD, Planned Unit Development (30.01 acres), and PUD HP-L, Planned Unit Development Historic Preservation-Landmark (6.45 acres). The proposed development standards and allowed uses will facilitate new development, revitalization and redevelopment of the Arizona Biltmore Resort & Spa while preserving the historic integrity of the hotel. The complicated nature of resort development, the age of the hotel and the diverse mix of uses that are needed make the PUD the best suited zoning category.

This request seeks to bring the existing legal non-conforming status of the hotel into conformance with the PUD standards and place a historic preservation-landmark designation over a portion of the site. Under the current R-5 zoning designation, the property is entitled to a maximum of four stories/48 feet in height, fifty percent lot coverage and setbacks of twenty feet for the front, fifteen feet for the rear and three and ten foot setbacks for the sides. The PUD proposes, new heights up to six stories on the interior of the property, building setbacks that vary from zero to 25 feet, new parking structures located underground, design guidelines and a unique set of resort style uses, a minimum of 30 percent open space and no more than fifty percent lot coverage required during all phases of development. The PUD zoning category will preserve the historic character of the property and allow revitalization of the existing development to ensure the Biltmore Resort and Spa continues to be a premier destination, while relinquishing existing multi-family residential rights.

Under the current R-5 multi-family zoning designation, hotel units are not calculated towards the maximum 43.5 dwelling unit per acre standard. The zoning ordinance allows hotels as a use in the R-5 district but is silent when addressing how hotel units are calculated. Therefore, under the current entitlements, the property could develop additional hotel units and would only be limited by setbacks, lot coverage and height.

SUBJECT SITE AND HISTORY

2. The site is located approximately a mile northeast of the corner of Camelback Road and 24th Street at the end of Thunderbird Trail Road. When first developed, the site was far removed from Downtown Phoenix and located in a remote area adjacent to the Arizona Canal. Today the hotel is surrounded by residential developments, a commercial office project, a major shopping center and two golf courses in the heart of Phoenix.



The Biltmore first opened in early 1929 and was designed by Albert Chase McArthur, a student of Frank Lloyd Wright. The hotel was constructed of pre-cast concrete blocks that were stamped with a pattern to imitate a freshly cut palm tree. These blocks became known as the "Biltmore Blocks".

Thirty years after the hotel opened, in 1959, it was annexed into the City of Phoenix. As time passed, the hotel underwent four renovations. The first minor renovation took place in 1975 followed by a major renovation in 1992. A spa and fitness center was constructed in 1998 and two new ballrooms were added in 2003.

Today the campus has 604 guest rooms, 105,000 square feet of conference meeting and ballroom space, eight swimming pools, seven tennis courts, an eighteen hole championship putting course, retail space, spa, salon and fitness center. The site has been zoned R-5 since its annexation into the city.



PROPOSED DEVELOPMENT

3. The proposal was first submitted formally July 7, 2008 and has been refined by the applicant over the past year. The proposal was developed utilizing the PUD zoning category which allows an applicant to propose uses, development standards and design guidelines for a site. One of the benefits of this category is to allow the applicant to develop standards that respond to the surrounding environment, more so than conventional zoning districts allow. The end result is a parcel rezoned with standards specifically crafted and tailored for that site. The PUD zoning category specifically defines such things as height, uses, setbacks and boundaries. Any later deviation from the approved PUD standards determined to be a major amendment will follow the rezoning and public hearing approval process.

The application development narrative is divided into two separate volumes. Volume I provides an overview of the existing conditions, a brief history of the resort, existing and proposed master plans, chronology of development and the intent and guiding principles of the proposal. Volume I is non-regulatory.

Volume II outlines the proposed development standards, design guidelines and implementation program for the project. Volume II contains the regulatory components of this PUD application.

VISION

4. The vision for the Biltmore PUD focuses on six main principles: historic context, architectural character, open space for public use, interaction with the environment, sustainable building and site design practices along with revitalization and redevelopment. The development standards and allowed uses for this request support the vision and define the future of the Biltmore Resort and Spa.

SITE PLAN

5. The proposed development will occur in two phases outlined in Volume II, page A-6. The first phase, will begin in 2010, and will be the larger of the two phases. Phase one includes:
 - a. Addition of two underground parking facilities
 - b. Redesign of the hotel entrance
 - c. Addition of seven buildings including new guest suites and a spa facility as seen on page 5.
 - d. Enhancement of the canal bank
 - e. Addition of signature entrances with new signage to include the Biltmore Block
 - f. Revitalization of the existing cottages and garden wing facilities.

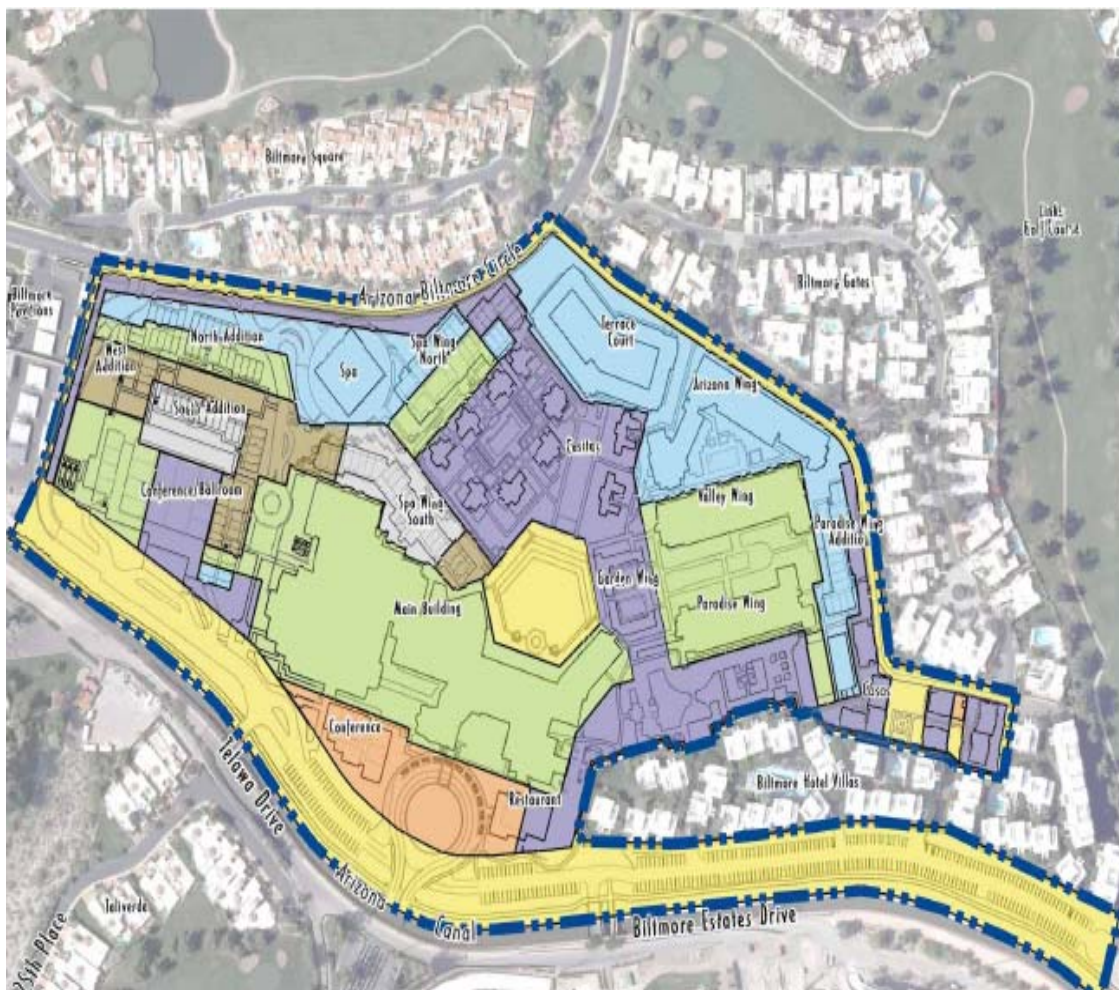
The second phase, to begin in 2030, will add three new buildings and redevelop the conference ballroom that was constructed in 1975. Ultimately the PUD proposes, at maximum build-out, to add 600 rooms to the hotel for a total of 1,204 units. A total of 115,000 square feet of conference space and 345,000 square feet of support space are also proposed. Other changes are proposed to enhance the experience at the hotel by improving the functionality of the open space and entrances to the resort.

VOLUME II DEVELOPMENT STANDARDS & DESIGN GUIDELINES

6. Below is a summary of the proposed standards for the subject site, as described in Volume II of the PUD narrative date stamped April 17, 2009.

Land Use Standards –The purpose of this section is to define the proposed uses that are authorized within the Arizona Biltmore Resort and Spa: uses that are subject to performance standards, uses that are subject to use permits, accessory uses/structures and prohibited uses. The performance standards outline the purpose and intent of the proposed uses and define standards to ensure compatibility with the surrounding properties. Examples of the proposed uses range from a candy/ice cream store, coffee shop and shoe sales to restaurants, conventions and fitness facilities.

The application also proposes two zones that define where special outdoor events can take place and where outdoor tents may be erected (see attachment B). Both zones have standards that define such things as the size, sound levels and hours of operation of the uses. The two proposed zones and the established standards will minimize negative impacts and ensure compatibility with the surrounding residential uses.



Building Height Standards

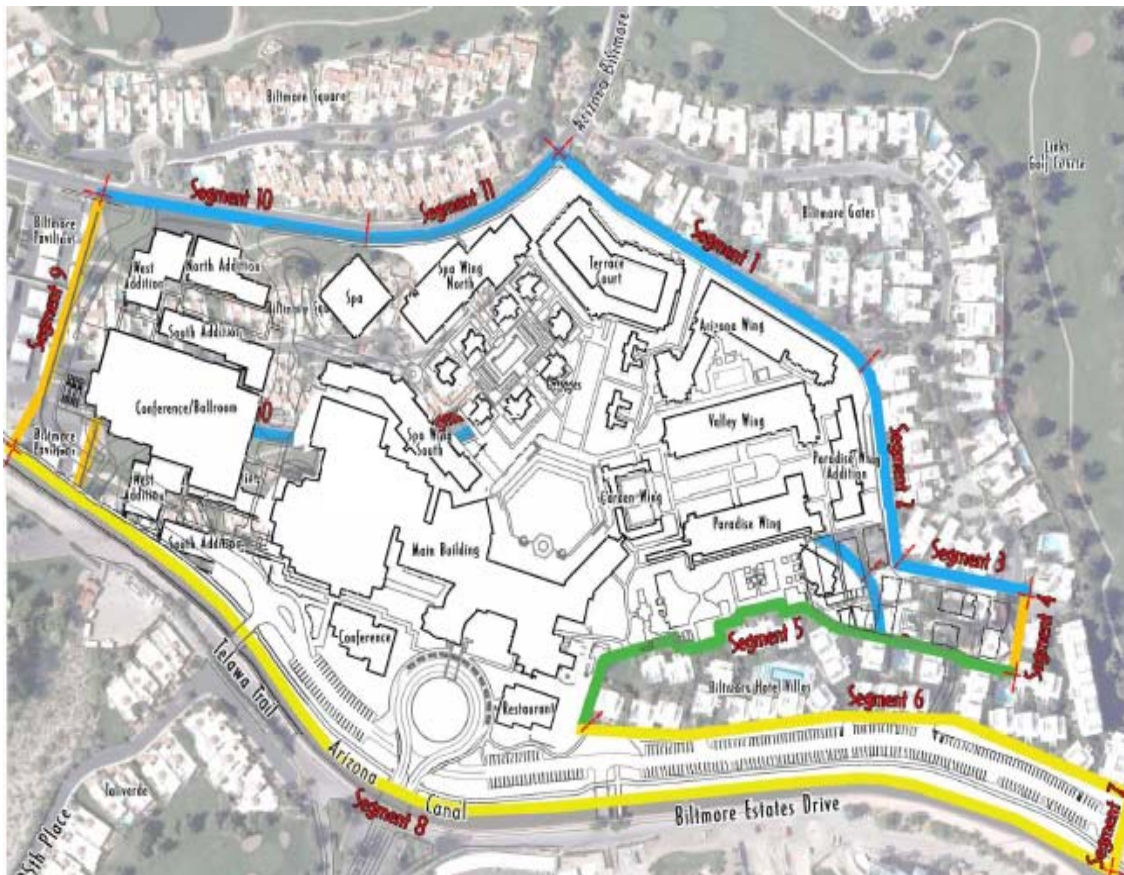
Height Limit Area	Maximum Height (Stories)	Maximum Height (Foot)
A	NA	0/Open
B	1	14'
C	2	26'
D	3	39'
E	4	46'
F	5	56'
G	6	66'

See Appendix C: Legal Descriptions/Height Zones

Form Based Provisions – The PUD proposes that at no time shall the property exceed 50 percent lot coverage or go below 30 percent open space. The intent is to continue the open feeling guests encounter while exploring the property.

The PUD proposes a mix of heights throughout the site. Along the northern perimeter, adjacent to the Biltmore Squares, the height ranges from two to three stories (areas C & D). Along the east and southern perimeter, adjacent to the Biltmore Gates and Biltmore Hotel Villas, the height ranges from two to three stories. The maximum building heights of six stories/ 66 feet, for the south addition and spa wing south addition, are located within the interior of the property (area G) in the northwest portion of the site. Locating greater heights interior to the development will minimize the impact of the resort on adjacent properties.

The PUD proposes a minimum building setback standard. The building setbacks are defined in perimeter segments and range from zero setback along the south property line adjacent the canal, to a 25 foot setback along the north property line adjacent to the Biltmore Gates and Biltmore Square neighborhoods. Again, greater setbacks adjacent to neighborhoods minimize any impacts from the development.

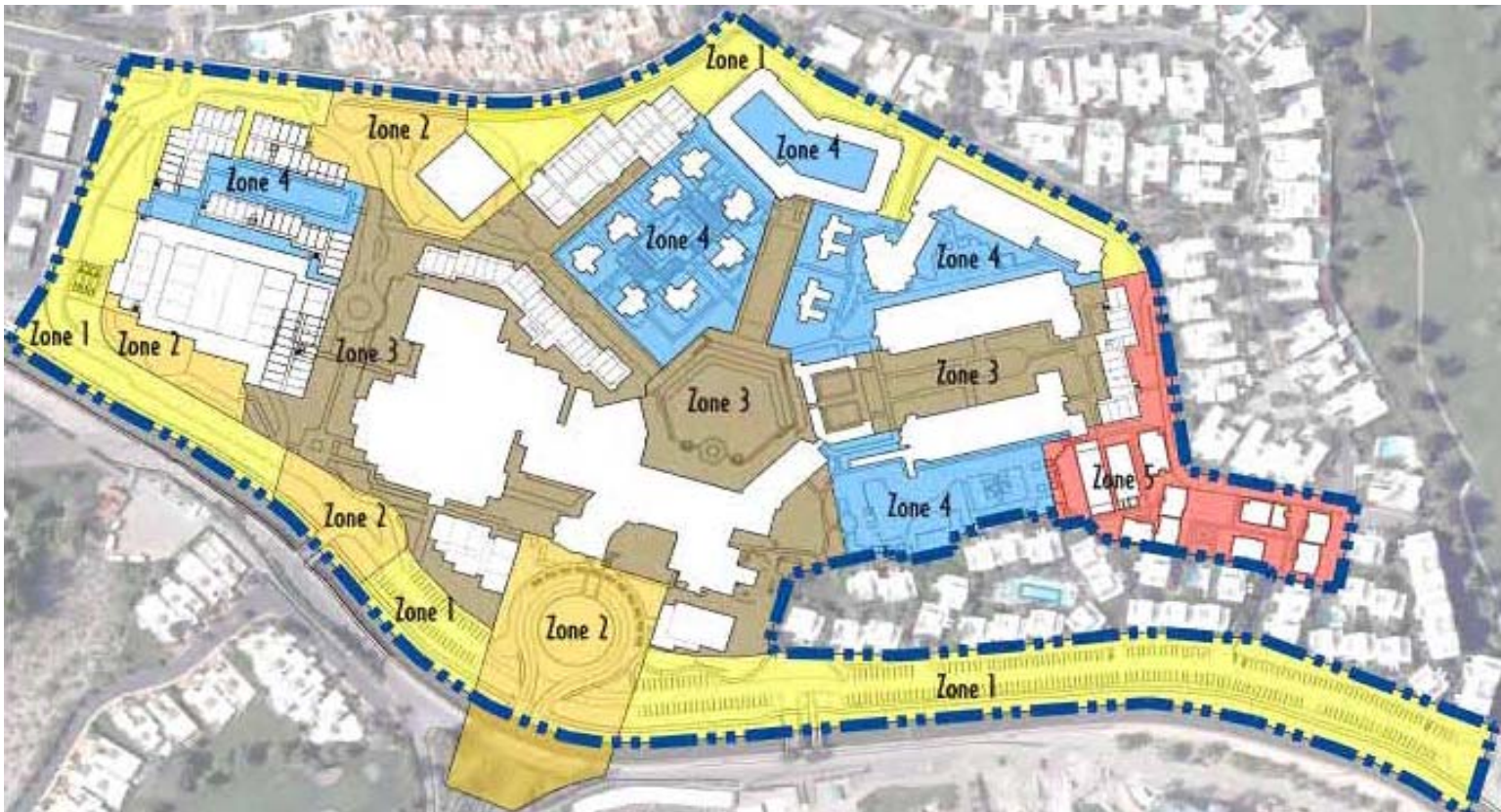


Building Setbacks

- 0' from Established Center Line of Canal Right-of-Way Line
 - 5' from Property Line*
 - 15' from Property Line*
 - 25' from Property Line*
 - Setback Perimeter Segment (see note)
- *or an established right of way line

Landscape Standards – The landscape standards section provides great detail for vegetation throughout the property. Attention was given to preserving as much open space as possible. In addition, the landscape standards focus on parking lot islands and shade, vegetation palettes and design standards.

Five separate and distinct landscape zones are proposed for the site (see map below). Each landscape zone is designed to have an individual character and each has a specific correlating landscape plant palette that will be utilized.



The proposal also details four distinct landscape buffer packages for the adjacent neighborhoods comprised of the Biltmore Squares, Biltmore Gates and Biltmore Villas. Each package provides specific details describing the placement, size and types of vegetation, walls, roadway widths and sidewalks. The proposal provides compatible and interesting landscape palettes with a variety of vegetation and options for the surrounding neighborhoods. The proposed landscape design will also provide an appropriate transition and buffer.

Parking Standards – The existing surface parking located along the south and southeastern portion of the property will not be changed. At full build-out/2030, the site will have four below grade parking structures located at the east, north and west portions of the property and surface parking along the south portion of the site.

The applicant describes in detail parking space size and angle dimensions, accessible parking requirements, parking plan review requirements, off-site parking standards, methodology for parking calculations, uses and required number of parking spaces, off-street loading spaces and locations, peak period parking plan requirements and use of a shared parking model. The number of parking spaces and standards defined in this section should greatly reduce any negative parking impacts to the surrounding area.

Lighting Standards – The lighting standards are designed to promote safe, compatible and efficient lighting throughout the site while minimizing visual impact to surrounding residents. The standards address the height, illumination and direction of surface and underground parking, internal and external pedestrian walkways, signage, water features, landscaping and building entrances and facades. Interior and exterior lighting will be controlled by a global automatic system that will utilize energy saving features and minimize visual impact.

The lighting standards throughout the site are appropriate for a resort and will direct light downward and away from established residential uses.

Sign Standards – The sign portion of this application will be subject to a comprehensive sign plan, per the zoning ordinance requirements, which will address on-site signs and will be reviewed by the Development Services Department. The overall comprehensive sign plan will be reviewed and approved through the Zoning Adjustment public hearing process.

Design Guidelines – The design guidelines are intended to guide the future development and alterations on the site while preserving the elements of the hotel that distinguish it as a community landmark. The guidelines are separated into site development and building development sections. They encompass a multitude of aspects of the resort from landscaping, open space and parking elements to massing, articulation and building form.

Each guideline has implementation standards and is categorized as a Requirement, (with an asterisk) Presumption or Consideration. This section of the narrative mirrors the zoning ordinance process. If the applicant were to seek relief of a design requirement or presumption, they would by stipulation file an appeal to the Design Review Appeals Board. The Design Review Appeals Board consists of seven members of the public who review appeals by an applicant regarding design review decisions made by the Development Services Department.

The Design Review Appeals Board is a public hearing. Stipulations would also require the applicant to provide written documentation to the Development Services Department that the Arizona Biltmore Estates Village Association (ABEVA) receive notice of these appeals.

All development and implementation of standards adjacent the Arizona Canal will require the coordination and approval of the Salt River Project and Flood Control District of Maricopa County. The design guidelines address such things as the bridge entry to the resort, access, landscaping and safety.

Implementation – The implementation section discusses the procedures and steps necessary to accomplish the full build-out of 2030. This portion of the narrative also describes the design review process required by the city if owners of the property wish to change any design requirements in the PUD. In addition, the implementation section states that zoning ordinance provisions will regulate minor and major amendment procedures for the PUD.

As part of the implementation process, the Arizona Biltmore Resort and Spa ownership group would establish a Design Review Advisory Committee (DRAC) comprised of Biltmore Resort owners and a group of neighborhood property owners that live in proximity to the Biltmore. These property owners have worked with the Biltmore representatives to develop and refine the design standards and guidelines found in the PUD. If this PUD is approved, the DRAC will review all future development plans and provide written comments prior to the submission of these plans to the Development Services Department. This will ensure the future input of the community on resort development.

GENERAL COMMENTS

7. The Planned Unit Development zoning district allows applicants to create development standards and cannot alter city processes or modify regulations governed by the zoning ordinance. The Arizona Biltmore PUD submittal follows City of Phoenix processes except for the technical appeals section. Stipulation 2 addresses these minor changes to ensure city processes and protocol are not altered.

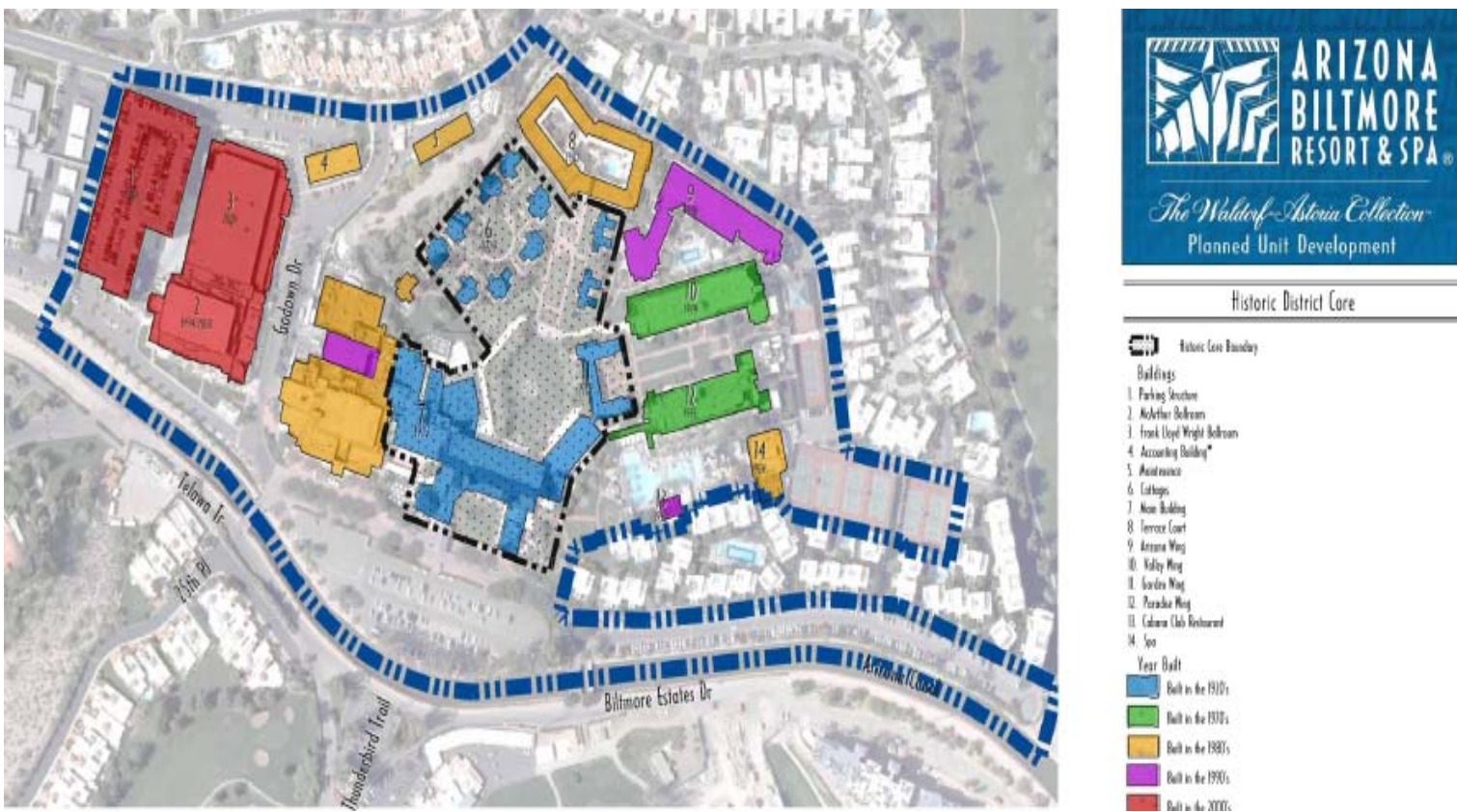
In addition the Parks and Recreation Department requested the Grand Paseo Trail be addressed in this application. Stipulation 3 outlines the shared-use trail and requires final approval by the Parks and Recreation Department.

Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements and other formal actions may be required.

HISTORIC PRESERVATION COMMENTS

8. The Arizona Biltmore, designed in 1928 and completed in 1929 north of the city limits adjacent to the Arizona Canal, is one of the most significant historic properties in Arizona. Over the years, the Arizona Biltmore has expanded to the east and west of the original hotel development and substantial new residential development has occurred around it; the original hotel development in the center of the property has remained largely intact. Additional information on the history and development of the Arizona Biltmore is provided in Volume I of the PUD document.

The property owners are requesting a Landmark Designation (HP-L) for the approximate 6.5 acre historic core as delineated in Figure A-1 and Appendix F in Volume II of the PUD document. The applicant is also requesting a 20-year stay of demolition, instead of the 3-year demolition stay ordinarily afforded to HP-L properties. The eligibility criteria for HP Landmark designation are set forth in Section 808 of the zoning ordinance. To qualify, a property must “possess historic or architectural significance, integrity, distinctive visual character and quality that is a level of exceptional significance...” above and beyond the regular historic designation criteria for listing on the Phoenix Historic Property Register delineated in Section 807 D. of the zoning ordinance.



Applying this criteria, the Arizona Biltmore is exceptionally significant under Criterion A for “events that have made a significant contribution to the broad pattern of history” since the Biltmore set the stage for the golden age of resorts in the Salt River Valley, and heavily influenced the early development of the region’s important resort industry. The property is also exceptionally significant under Criterion C for embodying the “distinctive characteristics of a type, period or method of construction...” Its customized geometric-pattern textile block construction used on the hotel and cottages is an extremely rare and unusual aesthetic. The design of the building and site is a sophisticated Wrightian-influenced and modern architectural expression (Albert Chase McArthur was a former student of Frank Lloyd Wright and McArthur formally consulted with Wright

on the project) as demonstrated by the use of Wright's textile blocks, the building's geometric forms inside and out, its modern styling and forms, and the use of many natural and indigenous materials. Also noteworthy are the property's impressive siting and layout to maximize views of the mountains to the north and to provide a relaxed resort experience, its incredible quality of craftsmanship and level of arts-and-crafts detailing, and its overall high degree of architectural integrity despite significant changes over the years.

While the proposed boundaries of the HP-L designation do not include at least one known historic property and immediately adjacent lands proposed for re-development, the proposed HP-L boundaries encompass the vast majority of the property's historic features and structures, including its main hotel structure, and its most significant original layout and site design features and qualities. The HP-L designation will provide for Historic Preservation Office review and approval of all future proposed physical changes within those boundaries, ensuring the long-term preservation of the property's historic character. Because of the property's high level of historic significance, the Historic Preservation Office supports the HP-L designation and recommends approval as submitted with the request that the historic core boundaries clearly be labeled as "PUD-HP-L" on the adopted zoning map. Utilization of the PUD category has allowed the applicant to willingly insert standard background language disclaimer, commit to the 20-year demolition stay instead of the typical 3-year stay associated with the HP-L category.

Findings

1. The request is consistent with the General Plan land use designation of Commercial Resort and with multiple goals of the General Plan. The property's proximity to the Camelback East Core and the current entitlements in the area make it appropriate for PUD rezoning.
2. The proposal is compatible with surrounding development by locating the tallest buildings away from established residential neighborhoods and internal to the development.
3. PUD zoning allows for unique design guidelines that are customized to this premier resort.
4. The proposal will preserve and revitalize an established historic resort that will continue to be an amenity to the city and surrounding area.
5. The proposal will preserve the historic character of the Biltmore Resort by establishing a Historic Landmark designation for a portion of the property, with a 20-year demolition stay.

Stipulations

1. That an updated Development Narrative for the Biltmore Resort and Spa reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped April 17, 2009, as modified by the following stipulations.
2. That the PUD Volume II narrative shall be modified as follows:
 - a. Page B-5, Appeals, last sentence shall state "Those Requirements followed by an asterisk (R*) are appealed to the Design Review Appeals Board.
 - b. Page A-6, first asterisk * relating to table A.1 shall be deleted.
 - c. Page B-12, 1st dot point, second sentence relating to appeals of technical requirements shall state "A notice of this appeal shall be provided to the Chairperson of the ABEVA Board of Directors by the applicant."
 - d. Page B-12, 2nd dot point, first sentence relating to appeals of technical requirements shall state "an appeal will be heard within 30 calendar days from the date of submission of an appeal."
 - e. Page B-12, 3rd dot point, first sentence relating to appeals of technical requirements, delete reference to five calendar days.
3. That the Grand Paseo Trail shall be constructed to the shared-use path standards found in section 429 of the City of Phoenix MAG Supplemental Details, as approved or modified by the Parks and Recreation Department.
4. That the developer shall notify the following individuals by mail 15 days prior to any Zoning Adjustment, Architectural Appeals Board hearing, Design Review Board hearing or preliminary site plan meetings with the Development Services Department. The notice shall include the date, time and location of the meeting/hearing.
 - a. Chairperson of ABEVA Board of Directors
5. That the developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Development Services Department. All improvements shall comply with all ADA accessibility standards.

6. That the below language shall be added as a preamble statement on a blank page prior to the Table of Contents within the Development Narrative. This additional language and any modifications to the narrative made through the public hearing process shall be completed and a final written PUD Development Narrative and electronic PUD Development Narrative shall be submitted within 30 days of final City Council approval.
 - a. A Planned Unit Development (PUD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the zoning ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as but not limited to right-of-way abandonments.

Writer

Marc Thornton

4/13/09

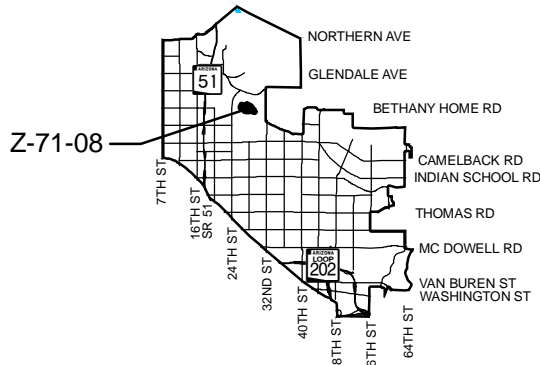
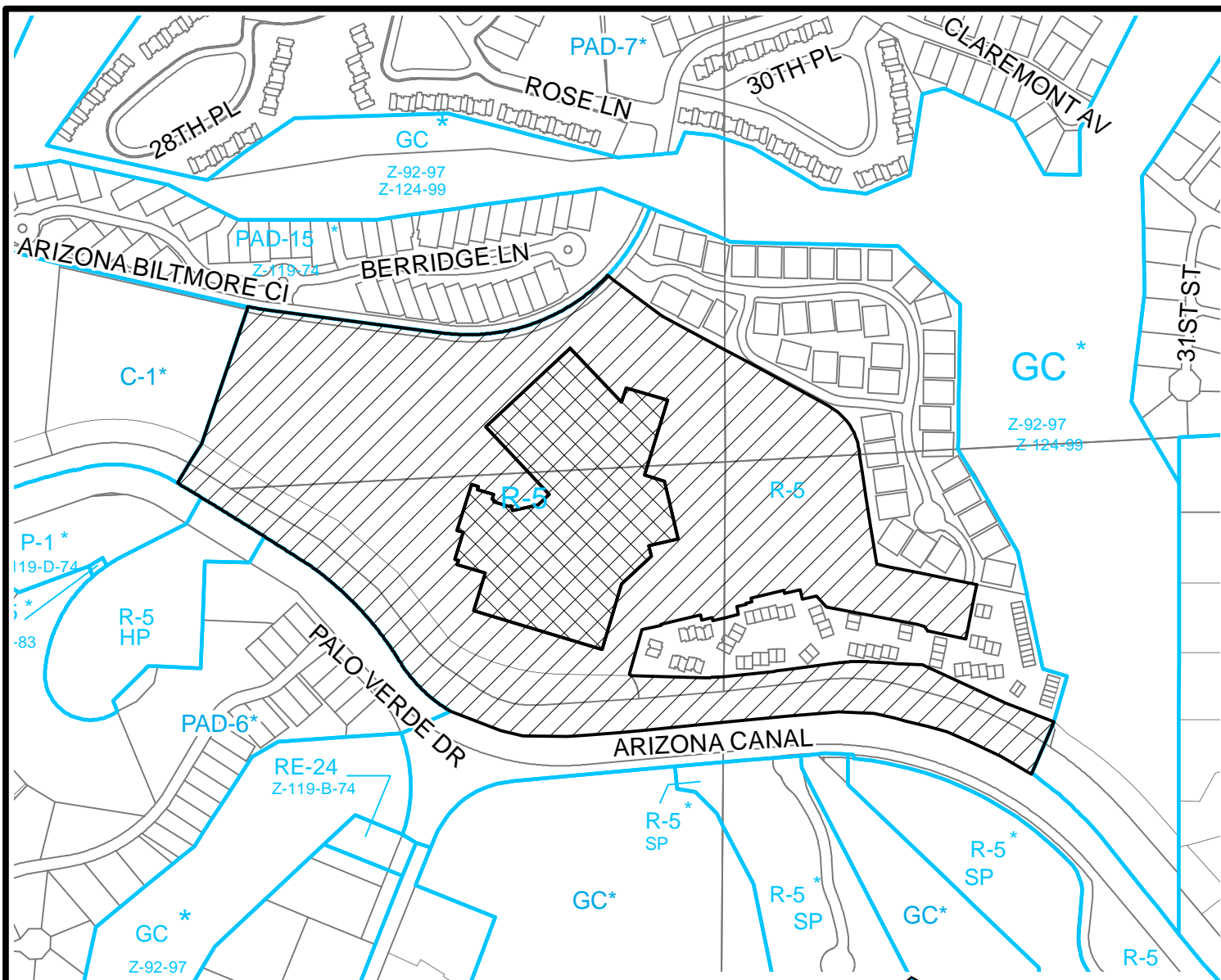
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Attachments



Attachment A: Sketch Map

Attachment B: Land Use Zones Map

Attachment C: Biltmore Resort and Spa PUD Narrative date stamped April 17, 2009

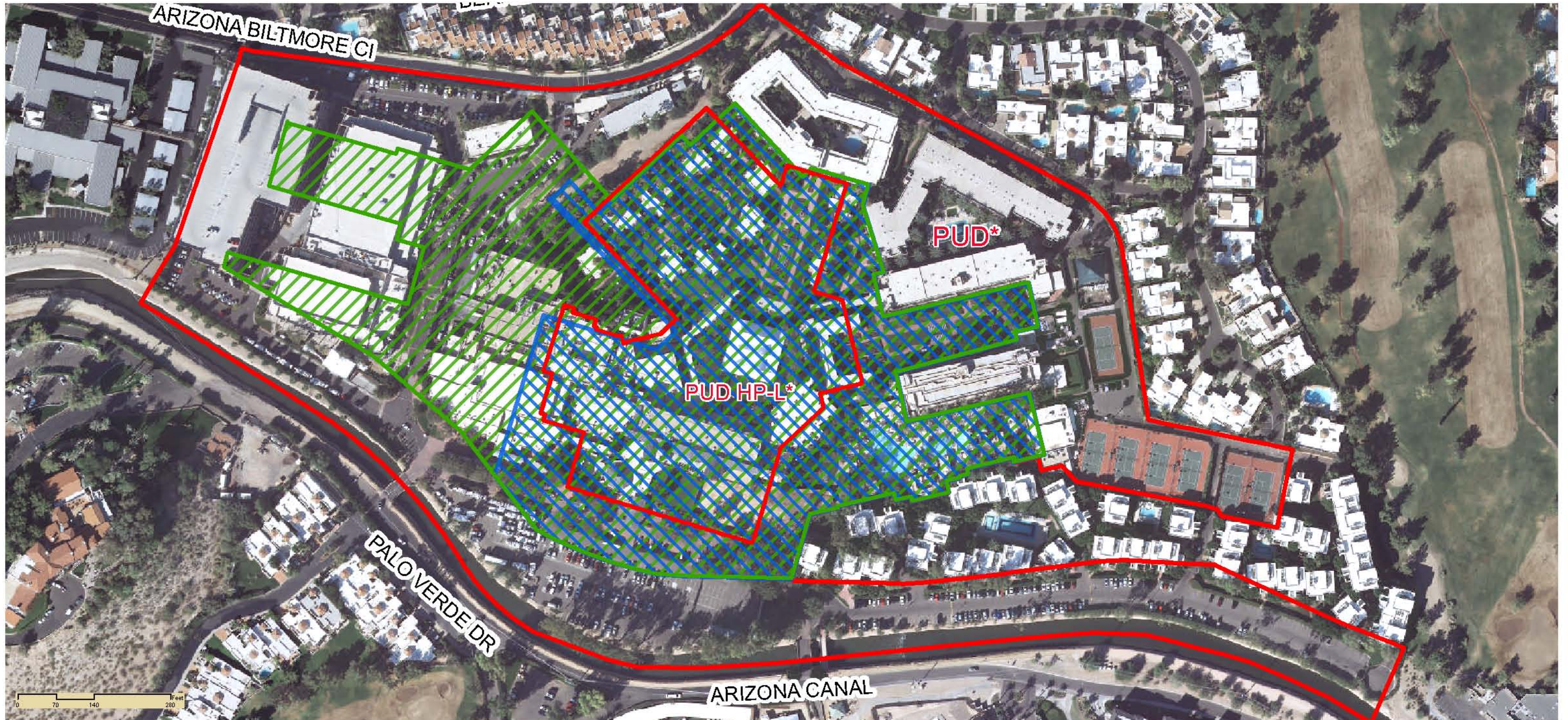


CITY OF PHOENIX PLANNING DEPARTMENT
CAMELBACK EAST VILLAGE
 CITY COUNCIL DISTRICT: 6

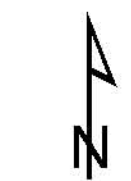
APPLICANT'S NAME: LVA Urban Design Studio LLC - Alan Beau		REQUESTED CHANGE: FROM: R-5, (36.46 a. c.) TO: PUD, (30.01 a. c.)  PUD HP-L, (6.45 a. c.) 	
APPLICATION NO. Z-71-08	DATE: 04/10/09 REVISION DATES:		
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 36.46 Acres	<small>AERIAL PHOTO & QUARTER SEC. NO.</small> Q20-34	<small>ZONING MAP</small> I-9	
MULTIPLES PERMITTED R-5 PUD	CONVENTIONAL OPTION 1325 PROJECT NARRATIVE STARTING ON PAGE 53	* UNITS P.R.D. OPTION 1590	




* Maximum Units Allowed with P.R.D. Bonus

ARIZONA BILTMORE LAND USE ZONES



Z-71-08



-  Zone One
-  Zone Two
-  Z-71-08 Zoning Area