

TOWN *Of* PARADISE VALLEY



STAFF REPORT

TO: Chair & Planning Commission Members

FROM: Chad Weaver, Community Development Director
Paul Michaud, Planning Manager
Brandon McMahan, Planner

DATE: April 2, 2024

DEPARTMENT: Community Development – Planning Division
Brandon McMahan, 480-348-3531

AGENDA TITLE: Discussion and Possible Action on Horseshoe Estates Lot Split (LS-24-01) 7300 E Horseshoe Road (APN: 174-30-023A)

REQUEST

The applicant, Nick Prodanov of Land Development Group, is requesting approval of a lot split to divide a 2.32-acre parcel into two lots. Lot 1 is proposed to be 50,481 square feet in size (± 1.16 acres) and Lot 2 is 50,479 square feet in size (± 1.16 acres). The subject property is located at 7300 E Horseshoe Road.

PLANNING COMMISSION REVIEW

The Planning Commission reviewed the Lot Split at the March 5, 2024 work study session. During the work session, the Commission reviewed the project and asked questions on site drainage, right-of-way widths within Horseshoe Road, and the notification process but did not indicate or identify any issues of specific concern or request changes.

RECOMMENDATION

Since the Preliminary Plat is compliant with the Town's development standards, it is recommended that the Planning Commission approve the Horseshoe Estates Lot Split, located at 7300 E Horseshoe Road, dividing an approximately 2.32-acre property into two (2) residential R-43-zoned properties, subject to the following stipulations:

Lot Split (LS-24-01)

1. The plat and related improvements for "Horseshoe Estates" located at 7300 E Horseshoe Road (the "Property") shall be in substantial compliance with the submitted plans and documents:
 - a. The Narrative prepared by Land Development Group dated January 16, 2024.
 - b. The "Horseshoe Estates" Lot Split, Sheet 1, prepared by Land Development Group with revised dated January 12, 2024.
 - c. The "Paving Plan for Horseshoe Estates", Sheets PV-1, prepared by Land Development Group dated January 12, 2024.
 - d. The "Alta/NSPS Land Title Survey", Sheet 1-2, prepared by Land Development Group dated December 15, 2023.

- e. The Drainage Report, prepared by Land Development Group dated December 19, 2023.
2. Prior to the recordation of Horseshoe Estates, the following items must be completed:
 - a. The owner(s) of the Property, or successors, shall submit the required improvement plans for Town Engineer approval and provide a cost estimate for civil improvements (e.g., water, paving, storm drainage, landscaping etc.) to determine financial assurance requirements.
 - b. Provide the required forms of assurances necessary for the Town to be in a guaranteed position to complete the construction and related public site improvements as referenced in the Horseshoe Estates Paving Plan.
 - c. Within 60 days of Council approval of the plat, the applicant shall submit, both in mylar and electronic version (PDF format), the plat map for the Town's permanent record.
 - d. The existing structures on the property must be demolished prior to recordation of the approved plat.
 3. Prior to the issuance of the first building permit for any home on Lot 1 & Lot 2 of "Horseshoe Estates," the following items must be completed:
 - a. The property owner(s) or designee(s) shall complete the roadway improvements on Horseshoe Road.
 - b. The owner(s) of the Property, or successors, shall provide the Town, with a Drainage Easement and Maintenance Agreement for any dedicated drainage easements on Lot 1 and/or Lot 2. These forms shall be submitted and approved by the Town and recorded with the Maricopa County Recorder's Office.
 - c. The installation of the water infrastructure is complete, including inspection by the Town.
 4. Prior to the issuance of a Certificate of Occupancy in "Horseshoe Estates" Lot Split, the following items must be completed:
 - a. The property owner(s) or designee(s) shall demonstrate that the fire sprinkler system is in compliance with the National Fire Protection Association standard 13D or the current equivalent code requirement.

BACKGROUND

Existing Site

The property is zoned R-43, Single-Family Residential for minimum one-acre lots. The property is not in a recorded subdivision and has a single-family home built in 1953, with an existing pool and two accessory structures. The existing structures must be demolished prior to recordation of an approved plat, since the lot split cannot create any non-conforming structures.

Process

Lot splits follow Section 6-9-7 of the Town Code requiring if the lot split is approved by a unanimous vote of the Planning Commission, then it shall be deemed approved. If the lot split application is not approved by a unanimous vote of the Planning Commission, then the lot split application shall be forwarded to the Council for review and final approval. The Town Code provides no specific timing provisions for lot splits.

FACTS/DISCUSSIONHorseshoe Road

The applicant will dedicate the north 25 feet of right-of-way of the subject property. The total right-of-way width within Horseshoe Road is currently and will be 43-feet, which is less than the minimum right-of-way width for a local street of 50 feet. The 25-foot dedication on the north side of Horseshoe Rd (directly adjacent to the subject property) is compliant with the 25-foot half street width, whereas the south side rear yard frontage from the Rancho Sunnyvale subdivision is only 18-feet of right-of-way. The applicant is proposing to saw-cut and remove 2-foot minimum of pavement in kind to provide a straight edge, and construct 2-feet of ribbon curb to match what exists with the two adjacent lots. It appears that the plat to the south only dedicated 8' of ROW initially, although more has been added over time, several lots have been replatted and developed without being asked for a full 25'. It is possible that the original plat did not contemplate the 8' being used for full roadway purposes.

Traffic

A traffic study is not required.

Lot Configuration

The proposed lot split meets all area requirements for R-43 lots, including size, lot width, access to a public street, and setbacks. The new lots will be in similar character and size to the surrounding lots in the immediate neighborhood. The proposed lot split map sets the new boundary line to be exactly in the middle of the property, in line with previous lot splits in the direct vicinity.

Utilities

Each of the proposed lots will have the required 6 or 8-foot public utility easement along the perimeter of the lot in accordance with Section 6-3-3 of the Town Code. The following utilities will be available to each lot.

- 1) Electric: The subject site is located within the APS service area.
- 2) Water: Water will be provided by Berneil Water Company.
- 3) Sewer: The two new lots will be on septic sewer system.

Drainage

Each lot will require an individual engineering site/grading and drainage plan with each building permit application submittal. On-lot retention will be required with the development of each lot. Historically the flows run to the south along the east property line and ultimately discharged at the right-of-way of Horseshoe Road. Per the provided drainage report, the water entering the site on the east side of the lot does not have the necessary depth and flow for proper conveyance, and any drainage easement will be dedicated at the building permit stage of development.

Fire Protection

The two proposed lots will meet all standards related to fire protection as follows:

- 1) Fire Department access: Both lots will have direct access onto a public roadway.
- 2) Fire hydrant spacing/location: There is an existing fire hydrant at Horseshoe Road right of way, 5-foot from the southwest property corner. The Town Code requires a fire hydrant to be located within 400 feet of a property line.
- 3) Fire sprinkler requirement: The new homes and structures that will be constructed on the new lots will have fire sprinklers in accordance with the Town Fire Code.
- 4) Fire Flow: The fire flow rate is compliant with the Town's standards. The fire flow rate for this area is 1,564 gallons per minute (gpm) and the Town Code requires a minimum flow test rate of 1,500 gallons per minute (gpm).

PUBLIC NOTIFICATION:

Public notification was completed in accordance with the public hearing process. On March 8, 2024, the public notice was mailed to the surrounding property owners within 500 feet and the property was posted. Staff has not received any comment or questions on this proposed lot split.

PRELIMINARY PLAT PROCESS:

The Lot Split is compliant with the Town's development standards and is in conformance with Section 6-2-2 of the Town Code. With a unanimous vote of the Planning Commission, then it shall be deemed approved.

ATTACHMENTS

- A. Staff Report
- B. Vicinity Map & Aerial Photo
- C. Application
- D. Narrative, Plans & Documents
- E. Water Impact Service Study
- F. Utility Service Letters
- G. Preliminary Drainage Report
- H. Notification Materials
- I. Presentation

CC: LDG Nick Prodanov, Applicant (Case: LS-24-01)