

TOWN *Of* **PARADISE VALLEY**



STAFF REPORT

TO: Chair and Planning Commission Members

FROM: Chad Weaver, Community Development Director
Paul Michaud, Planning Manager
George Burton, Senior Planner
Jose Mendez, Hillside Planner

DATE: October 21, 2025

DEPARTMENT: Community Development – Planning Division
Jose Mendez, 480-348-3519

AGENDA TITLE: Discussion and Possible Action on Lot 29, Stone Canyon
Amended II Lot Split (LS-25-03) 5338 E San Miguel Avenue
(APN: 172-47-086)

REQUEST

The applicant, Drew Bausom of The Construction Zone, on behalf of Kate & Joseph Hogan, is requesting approval of a lot split to divide a 2.34-acre parcel into two lots. Proposed Lot 1 is 44,282 square feet in size (± 1.017 acres) and Lot 2 is 57,759 square feet in size (± 1.33 acres). The subject property is located at 5338 E San Miguel Avenue.

PLANNING COMMISSION REVIEW

The Planning Commission reviewed the Lot Split at the September 23, 2025 work session. During the work session, the Planning Commission reviewed the project and asked questions regarding the history of lot splits within the subdivision (Attachment H). They examined the applicant's request to defer providing a right-of-way improvement plan, right-of-way landscape plan, and assurances. Direction was given to provide these documents for review following the typical process for Lot Split applications. The Planning Commission also had questions regarding the drainage (which was addressed by the applicant's engineer, refer to Attachment G), whether the proposed lots are buildable (which is demonstrated on Sheets A100 and A101 in Attachment D) and the existing property retaining walls which serve to stabilize the site.

RECOMMENDATION

Since the Lot Split is compliant with the Town's development standards, it is recommended that the Planning Commission approve the Stone Canyon Amended II Lot Split, located at 5338 E San Miguel Avenue, dividing an approximately 2.34-acre property into two residential R-43 Hillside-zoned properties, subject to the following stipulations:

1. The Lot Split and related improvements for “Stone Canyon Amended II” located at 5338 E. San Miguel Avenue (the “Property”) shall be in substantial compliance with the submitted plans and documents:
 - a. Stone Canyon Amended II Lot Split Map, Sheet 1 of 1, prepared by Land Development Group and dated July 7, 2025.
 - b. Stone Canyon Amended II Lot Split Map with Topography, Sheet 1 of 1, prepared by Land Development Group and dated July 7, 2025.
 - c. Native Plant Inventory, Sheet L000, prepared by The Construction Zone and dated July 31, 2025.
 - d. Revegetation Plan, prepared by The Construction Zone and dated February 02, 2025.
 - e. Lot 1 Site Plan (Conceptual), Sheet A100, prepared by The Construction Zone and dated July 31, 2025.
 - f. Lot 2 Site Plan (Conceptual), Sheet A101, prepared by The Construction Zone and dated July 31, 2025.
 - g. Slope Analysis Plan, Sheet 1 of 1, prepared by Land Development Group and dated August 26, 2021.
 - h. Water Impact Service Study prepared by Land Development Group and dated July 29, 2025.
 - i. Drainage Report prepared by Land Development Group and dated April 29, 2022.
 - j. Updated Geotechnical Investigation Report prepared by Vann Engineering, Inc. and dated December 5, 2024.
 - k. Offsite Paving Plan, Sheet 1 of 2 and Sheet 2 of 2, prepared by Land Development Group and dated September 29, 2025.
 - l. Construction Cost Estimate prepared by Land Development Group and dated September 29, 2025.
 - m. R.O.W. Landscape Plan, Sheet L000, by The Construction Zone and dated July 31, 2025.
2. Prior to the recordation of the “Stone Canyon Amended II” plat, the owner(s) of the Property, or successors, shall complete the following items:
 - a. Provide Town staff with a will-serve letter from Cox Communications (if not prior to the public meeting for approval of this lot split).
 - b. Submit a right-of-way encroachment permit for Town review, approval, and inspection for the existing retaining walls within Solano Drive.
 - c. Provide the Town with a Drainage Easement and Maintenance Agreement for Lot 1. This form shall be submitted and approved by the Town and recorded with the Maricopa County Recorder’s Office.
 - d. Submit the final improvement plans (e.g., fire hydrant, curbs) and final cost estimate for Town Engineer review and approval.
 - e. Provide the required forms of assurance necessary for the Town to be in a guaranteed position to complete the construction and related public site improvements as referenced in the Stone Canyon Amended II Lot Split Map and Construction Cost Estimate.
 - f. Submit within 60 days of approval of the Lot Split, both in mylar and electronic version (PDF format), the Lot Split Map for the Town’s permanent record.

3. Prior to the issuance of the first building permit for any home on Lot 1 & Lot 2 of “Stone Canyon Amended II” lot split, the owner(s) of the Property, or successors, shall complete the following items:
 - a. Install the water infrastructure, including the new fire hydrant and inspection by the Town.
 - b. Install the right-of-way landscape improvements as outlined in the Stone Canyon Amended II R.O.W. Landscape Plan, prepared by The Construction Zone and dated July 31, 2025.
 - c. Install the right-of-way half street improvement to include pavement and curbs along Solano Drive per the Town’s Typical Local Cross-Section Option B and outlined in the Offsite Paving Plan prepared by Land Development Group, dated September 29, 2025.
 - d. Install the right-of-way half street improvement to include asphalt along San Miguel Avenue per the Town’s Typical Local Cross-Section Option C and outlined in the Offsite Paving Plan prepared by Land Development Group, dated September 29, 2025.

BACKGROUND

Existing Site

The property is zoned R-43 Hillside, Single-Family Residential, for minimum one-acre lots. The lot adjoins E Solano Drive to the north and E San Miguel Avenue to the south. The property is part of the Stone Canyon Amended subdivision (Lot 29). This lot, along with the other four lots of the Stone Canyon Amended subdivision, is bounded by Solano Drive, San Miguel Avenue, and 54th Street. The original Stone Canyon plat was recorded in 1955 (Attachment H). The Stone Canyon Amended subdivision was approved and replatted in 1994 which resulted in making the subject lot larger than the original Stone Canyon plat recorded in 1955. There was a home on the lot built in 1958 and recently sat unoccupied for years. The home was demolished in early 2023. The only improvements that exist are stone retaining walls within the Solano Drive right-of-way that vary in height to a maximum of 4-foot tall and vary in length from approximately 25 lineal feet and 125 lineal feet. The Town Engineer determined that these retaining walls must remain in full (or part) to prevent erosion and require an encroachment permit (currently being processed by the Town’s Engineering Division). The Stone Canyon subdivision has deed restrictions from 1955 (Attachment C). Condition 13 of these private restrictions limit subdividing but also allows for conveyances provided the lots or parts of lots in common ownership are not less than 40,000 square feet (which area is not allowable under the R-43 Hillside provisions as it is less than a net acre). The Town does not enforce private restrictions, only Town Code standards.

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/DISCUSSION

Hillside Requirements

The proposed lot split meets all area requirements for a lot split pursuant to Article 6-7 of the Town Code and Section 2209 of Article XXII of the Zoning Ordinance within the Hillside Development Area. This includes the submittal of a topographic map

(Attachment D), a proposed grading plan for each lot (Attachment D), a soils geotechnical report (Attachment F), location of existing and proposed conservation easements (which there are none), road profiles (which are not necessary as discussed under the Rights-of-Way/Access section in this report), and a slope analysis which demonstrates the minimum required lot size of 1.0 net acre (Attachment D).

Rights-of-Way/Access

The design standards in Article 6-7 of the Town Code for properties within the Hillside Development Area generally apply to new roads (such as street grade and cut/fill related to the street). However, the lot split process requires any lacking right-of-way and road improvements to be addressed and is described below:

- No additional right-of-way is required. Both roads adjoining the subject property meet Article 6-7 of the Town Code and the Town's Typical Local Cross Section right-of-way standard width of 50 feet.
- Solano Drive exceeds the typical local roadway pavement travel lane width of 22 feet (with Article 6-7 of the Town Code allowing a minimum 20-foot width on hillside and Typical Local Cross-Section Option C allowing the roadway pavement width between 18 feet to 22 feet). San Miguel Avenue has an existing total pavement width from 17.5 feet on the western edge of the site to 12.8 feet on the eastern edge of the site with most of the pavement along the half-width portion that adjoins the subject property. The half width of pavement along the subject property meets or exceeds the 11-foot half width for most of the lineal length except along the east end of proposed Lot 2. The half width on the other side of San Miguel Avenue will be improved when the lot across the street redevelops. The applicant is showing pavement improvement that will bring San Miguel Avenue adjoining the site to the minimum 18-foot width.
- Curbing will be required adjoining the subject property along Solano Drive and not along San Miguel Avenue based on the Town Engineer's review of the street improvements and preliminary drainage documentation.
- The existing retaining walls within the Solano Drive right-of-way (as noted earlier) will remain. Article 6-7 of the Town Code allows for retaining walls within hillside provided these walls are not over 8 foot tall or over 100 lineal feet in length when over 4 foot tall. The existing retaining walls comply with this provision.
- The location of the subject property along Solano Drive and San Miguel Avenue are such that no turnarounds are required.
- Section 5-10-1(G) of the Town Code requires a right-of-way landscape plan adjoining the subject site with a subdivision wall (which there is no wall). Section 5-10-7(D) of the Town Code requires a minimum number of native trees and shrubs along the right-of-way, unless otherwise specified and subject to rules and regulations of the Town. The minimum plant requirements for Solano Drive adjoining the site are 20 trees and 25 shrubs. The minimum plant requirements for San Miguel Avenue are 12 trees and 15 shrubs. The area within the right-of-way and adjacent already provides most of this plant material as shown on the provided right-of-way landscape plan (Attachment D).

Traffic

A traffic study is not required.

Lot Sizes

Both proposed lots meet the minimum one-net acre lot size for R-43 Hillside.

Setbacks

The lots show the required primary building area setbacks for the R-43 District as required in Article X, Height and Area Regulations, of the Zoning Ordinance. Setbacks, height, and other code-requirements are verified at time of the concept/formal Hillside Building Committee review and with the building permit.

Lot Configuration

Lot Configuration requires that the design of each R-43-zoned lot fully encloses a 165-foot diameter circle that fits within the lot area and touches the 40-foot front setback line at a single point. To comply, the circle can encroach into the setbacks and any easements (just not encroach outside the lot boundaries). Both lots fully comply with the Lot Configuration. The new lots are similar in character and size to the surrounding lots in the immediate neighborhood. The designated front yard for both proposed lots is along Solano Drive.

Utilities

Each of the proposed lots will have the required 6-or-8-foot public utility easement along the perimeter of each lot in accordance with Section 6-3-3 of the Town Code. The applicant provided the required utility will-serve letters except for the letter from Cox Communication (which has been requested).

- 1) Electric: The subject site is located within the APS service area.
- 2) Water: Water will be provided by EPCOR Water.
- 3) Sewer: The two new lots will be on septic.
- 4) Telecommunication: The subject site is located in the Century Link and the COX Communication service area.

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. One wash exists that will be within a drainage easement.

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, 250 feet west of the proposed Lot 1 on the northwest along Solano Drive. A new proposed fire hydrant will be installed adjacent to Lot 2, on San Miguel Avenue southeast approximately 12 feet.
- 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 4,099 gallons per minute at 20 PSI. The Town Code requires a minimum flow test rate of 1,500 gallons per minute.

NOTICE/COMMENTS/NEXT STEPS

Pursuant to Town policy, neighborhood mailing notification of this public meeting was sent to the property owners located within 500 feet of this site. Staff did not receive any comments regarding this lot split.

ATTACHMENTS

- A. Staff Report
- B. Vicinity Map & Aerial Photo
- C. Application
- D. Narrative, Plans & Documents
- E. Water Impact Service Study
- F. Geotechnical Report
- G. Drainage
- H. Stone Canyon Plat Map History
- I. Noticing
- J. Staff Presentation