

# **TOWN** *Of* **PARADISE VALLEY**



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## **STAFF REPORT**

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**TO:** Mayor Bien-Willner and Town Council Members

**FROM:** Jill B. Keimach, Town Manager  
Lisa Collins, Community Development Director  
George Burton, Senior Planner

**DATE:** January 28, 2021

**DEPARTMENT:** Community Development Department  
George Burton, 480-348-3525

**AGENDA TITLE:**  
**RP-21-01. Replat of Five Star Area C. 7000 E Lincoln Drive.**

**REQUEST:**

The applicant requests a replat of Five Star's Area C (the Resort Branded Homes) in order to reduce the number of properties from 39 lots to 32 lots.

**SUMMARY STATEMENT:**

History and Scope of Request

Five Star Area C is currently comprised of 39 single family residential lots and a private roadway tract. The applicant is proposing to enlarge the properties by reducing the number of parcels from 39 to 32 lots. With the reduction of properties, the average lot size is increasing from 15,895 square feet to 19,372 square feet.

Via this replat, the front yard designation for Lot 28 (previously recorded Lot 34) is changing from a west orientation (along E Bella Vita Drive) to a southern orientation (along E Dolce Drive). As a result, the previously recorded 1' wide Vehicular Non-Access Easement (V.N.A.E.) along the south property line will be abandoned to accommodate the driveway and a new 1' wide V.N.A.E will be placed along the west property for Lot 28. The existing private roadway tract, emergency access tract, and all other easements (e.g. Public Utility Easements, Nonvehicular Access Easements, and Shared Facility Easements, etc.) will remain in the same locations and will not be modified.

However, due to changes in the lot numbers and the lot configurations, two Shared Facility Easement Agreements and the Private Right-of-Way Easement and Agreement forms must be updated and re-recorded to reflect these changes. Also, the modified lot lines may require the relocation of certain utility stub-outs since the current stub locations may no longer adjoin the lots they will serve. Staff recommends approval of this replat be subject to the following stipulations:

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1. The replat must be recorded with the Maricopa County Recorder's Office, in substantial compliance with the "Replat Amended 7000 East Lincoln – Parcel C – Amended IV" replat map, Sheets 1 – 3, prepared by CVL Consultants, and dated December 28, 2020.
2. Prior to release of additional building permits for Area C, the following items must be completed:
  - a. The Private Right-of-Way Easement and Agreement must be updated and recorded to reflect the changes in the replat. The updated Private Right-of-Way Easement and Agreement must be submitted for Town review and is subject to Town approval.
  - b. The Shared Facilities Easement Agreements (one agreement for existing Lots 15 and 16 now changing to Lots 18 and 19 and the other agreement for existing Lots 17 and 18 now changing to Lots 20 and 21) must be updated and recorded to reflect the changes in the replat. Both updated Shared Facilities Easement Agreements must be submitted for Town review and are subject to Town approval.
  - c. The applicant must provide updated plans and documents identifying the location of existing and revised utility stub locations. The updated utility plans and documents must be submitted for Town review and are subject to Town approval.
3. Within 60 days of approval of the replat map, the applicant shall submit Mylars and an electronic version in a pdf format for the Town's permanent record.

Building permits have been issued for the guard house and for a new single-family residence on Lot 29 (previously recorded Lot 35). The replat does not adversely affect these permits. The guard house is in the private roadway track (which is not changing) and Lot 29 increased in size which results in a larger setback from the new property line.

There is no expense or out pocket cost to the Town as a result of this replat. Also, the replat does not change the resort fees or other financial obligations of either Five Star or the Town.

Per Article 6-9 of the Town Code, a replat is a non-administrative land modification which follows the final plat process and requires Town Council review and approval. As a result, the Town Council must act on the replat within forty (40) days from when staff deems the application complete (with the 40<sup>th</sup> day being February 14, 2021).

The replat is scheduled for action during the business portion of the January 28<sup>th</sup> Town Council meeting. The neighboring property owners located within a 1,500' radius have been notified of this application and Council meeting. No comment or inquiries were received.

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### **ATTACHMENT(S):**

- A. Staff Report
- B. Vicinity Map & Aerial Photo
- C. Application
- D. Narrative
- E. Replat Map
- F. Notification Materials
- G. Presentation