



## Legislation Text

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File #: 17-272, Version: 1

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**TO:** Mayor Collins and Town Council Members

**FROM:** Kevin Burke, Town Manager  
Eva Cutro, Community Development Director  
Paul Michaud, Senior Planner

**DATE:** September 14, 2017

**DEPARTMENT:** Community Development

**AGENDA TITLE:**

**Discussion of a proposed lot split (LS-17-03)  
6001 E Cactus Wren Road**

**Town Value(s):**

- Primarily one-acre, residential community
- Limited government
- Creating a sense of community
- Partnerships with existing schools and resorts to enhance recreational opportunities
- Improving aesthetics/creating a brand
- Preserving natural open space

The proposed lot split will create a 1.21-net acre and 1.14-net acre lot, consistent with the Town's primarily one-acre single-family character.

**Council Goals or Statutory Requirements:**

Lot splits on property less than 2.5-net acres require Planning Commission recommendation and Town Council approval.

**RECOMMENDATION:**

No action will be taken at the September 14, 2017 meeting. Action is scheduled for the meeting of September 28, 2017 to approve the lot split located at 6001 E Cactus Wren Road, subject to conditions.

**SUMMARY STATEMENT:**

Planning Commission recommendation for the Town Council to approve the lot split request was unanimous, by a vote of 6 to 0, with Commissioner Strom absent, subject to the following conditions:

1. The lot split plat must be recorded with the Maricopa County Recorder's Office, in substantial compliance with the survey plat prepared by Land Development Group, dated June 21, 2017.

2. Prior to the recordation of said lot split plat, the following shall be completed:
  - a. The property owner or designee shall submit the required improvement plans for Town Engineer approval and provide a procedure and other forms of assurances necessary for the Town to be in a guaranteed position to complete the pavement widening and curbing adjoining Lots 1 and 2 of said lot split plat in accordance with the local roadway standard, Option B, of the Town's General Plan.
  - b. The property owner shall secure the appropriate demolition permit(s) and related inspections to remove all the vertical structures on Lot 2 as shown on the boundary survey prepared by Land Development Group, dated May 27, 2016.
3. Prior to the issuance of a Certificate of Occupancy for a new single-family residence on said lot split plat, the following shall be completed:
  - a. The property owner or designee shall complete the pavement improvements of Stipulation 2.a.
4. Within 60 days of approval of the plat, the applicant shall submit Mylars and an electronic version in a pdf format for the Town's permanent record

## **BACKGROUND**

### Request:

The property owner, Susan Shultz, is requesting approval of a lot split to divide a 2.35-net acre parcel into two lots. The subject property is zoned R-43 for single-family homes on minimum one-acre lots. The site is located at 6001 E Cactus Wren Road.

## **ENFORCEMENT**

There are no current zoning violations associated with the subject property.

## **DISCUSSION/FACTS**

### General Plan/Zoning:

The subject property is shown as Low Density Residential (0-1 house per acre) on the Town's General Plan Land Use Map. The proposed site is zoned R-43 and is limited to one house per acre. The subject site is not designated hillside.

The proposed lot split supports the Town's General Plan. This includes Policy LU 2.1.1.1. Preserve Residential Character. The Town shall preserve and maintain the community's primarily one-acre-lot, single-family residential character. Both lots are over one acre and in character with the neighborhood.

### Right-of-Way/Road Improvements:

No additional right-of-way is required. The subject site has street frontage adjoining the west, north and east. These streets are all designated local roads per the Town's General Plan. The adjoining

right-of-way fully complies with the minimum right-of-way standard of 25-feet for half width adjoining the subject site.

There is also a 16-foot wide platted alley that adjoins the property along the south. This alley is unimproved and will remain unchanged.

Additional pavement width and curbing will be required adjoining the subject property to conform to Figure 4-6, Typical Local Cross-Sections, Option B, of the General Plan. This cross-section requires 26-foot pavement width, including two-foot wide ribbon curbs. The property owner is required to complete their half street improvements.

Traffic:

Per the Town Engineer, a traffic study is not required. As a new lot will be created, this may increase vehicular and pedestrian traffic. However, it is not expected to cause a significant increase in traffic. The Trip Generation Manual by the Institute of Transportation Engineers estimates the typical single-family detached home averages between 8.78 to 10.09 vehicle trip ends per day.

Lot Configuration:

The proposed lot split meets all area requirements for R-43 lots, including lot size, lot width, access to a public street, and setbacks. No known private deed restrictions exist on the subject site related to lot splitting.

Existing Structures:

The existing home built in 1957 will remain, along with any related structures on its lot. To avoid any zoning violations with accessory structures/fencing without a main home, the structures on Lot 2 will be removed prior to recordation of the lot split plat. These structures include a guesthouse, barn, and fencing as shown on the boundary survey.

Drainage:

There are no washes on the subject site. 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.

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. All typical utilities will be provided; such as water, electricity, and natural gas. The new home on Lot 2 will be connected to sewer as sewer lines exist within Cactus Wren Road.

Fire Protection Issues:

The two proposed lots will meet all standards related to fire protection. Both lots will have direct access onto a public roadway. There are two existing fire hydrants within 400 feet of the subject site as shown on the boundary survey. The new home that will be constructed as a result of this lot split will have fire sprinklers in accordance with the Town Fire Code.

The applicant has provided water service impact documentation. The site is located within the EPCOR Water Company service area. The documentation demonstrates that the water system exceeds the required flow rate of 1,500 gpm at the residual zone pressure of 20 psi.

## **PUBLIC COMMENTS**

Pursuant to Town policy, neighborhood notification of the meeting action is to be taken is mailed to the property owners within 500 feet of this site. As of the writing of this report, the Town received only one comment from a neighbor in support.

## **BUDGETARY IMPACT:**

As required by the Town Code with platting, the property owner will be required to complete street improvements adjoining the subject site. This will have a savings to the Town.

## **ATTACHMENT(S):**

1. Vicinity Map (Aerial/General Plan/Zoning)
2. Application
3. Water-Utility Information
4. Noticing
5. Minutes
6. Proposed Lot Spilt Plat
7. Presentation

C:       - Applicant  
          - Case File: LS-17-03