



Legislation Text

File #: 17-087, **Version:** 1

TO: Mayor Collins and Town Council

FROM: Eva Cutro, Community Development Director
Paul Michaud, Senior Planner

DATE: March 23, 2017

CONTACT:

Paul Michaud, 480-348-3574

AGENDA TITLE:

Consideration of a Proposed Lot Split Located at 6912 E Horseshoe Road

RECOMMENDATION:

Approve the proposed lot split, subject to the following stipulations in the Action Report.

STIPULATIONS

1. The lot split plat must be recorded with the Maricopa County Recorder's Office, in substantial compliance with the survey plat prepared by Clouse Engineering, Inc., dated November 18, 2016.
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 the subject site in accordance with the local roadway standard, Option B, of the Town's General Plan.
 - b. Except for the west, north, and east existing perimeter walls, the property owner shall secure the appropriate demolition permit(s) and related inspections to remove all the vertical structures as shown on the boundary survey prepared by Clouse Engineering, Inc., dated May 19, 2016.
 - c. The property owner or designee shall dedicate the required public right-of-way (ROW) area, being the south 25 feet of the subject site, hereinafter the "ROW Area" by separate instrument (a deed) and shall show the area so deeded on said lot split plat. The deeded ROW Area shall be deeded free and clear of all liens and encumbrances and the property owner shall pay for appropriate title insurance and escrow/recording costs for the deeding of the ROW Area.

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 improvements described in Stipulation 2 shall be completed.
 - b. The property owner or designee shall demonstrate that the fire sprinkler system is in compliance to the National Fire Protection Association standard 13D or the current equivalent code requirement.
 - c. The property owner or designee shall install a new fire hydrant on Horseshoe Road as specified by the Town Fire Marshal, generally near the southwest corner of Lot 1 of the Sharma Lot Split.
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

Town Council Study Session:

The Town Council discussed the lot split request at the meeting of March 9, 2017. There were no specific concerns.

Planning Commission Recommendation:

The Planning Commission discussed and took action on the lot split at their meeting of March 7, 2017. The Planning Commission by a vote of 6 to 0 recommended that the Town Council approve the proposed lot split, subject to the four stipulations under Recommendation of this report.

Request:

The property owners, Dr. Balbir C. Sharma and Sharda Sharma, Trustees of the Sharma Family Trust, are requesting approval of a lot split to divide a 2.4-gross acre parcel into two lots. After right-of-way dedication, each lot will be approximately 1.15 acres. The subject property is zoned R-43 for single-family homes on minimum one-acre lots. The site is located at 6912 E Horseshoe 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:

Horseshoe Road between Scottsdale Road and the 68th Street alignment has a reduced right-of-way width from the typical 50-foot width standard. This right-of-way circumstance existed in this area prior of the site's incorporation into the Town. The lots along the north side of this road have granted the Town their 25-foot half-width of right-of-way as these lots have split over time. It is recommended that this property owner dedicate their 25-foot right-of-way. Presently, the access along the subject site is by a 16-foot wide private ingress-egress access easement on the south portion of the subject site. Also, the pavement adjoining the subject site will need to be widened with ribbon curb to conform to Figure 4-6, Typical Local Cross-Sections, Option B, of the General Plan.

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 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 1959 and related structures will be demolished prior to recordation. This home was previously an assisted living home. This demolition is necessary to avoid the creation of nonconforming setbacks, structures on a lot without a main residence, and having a wall within a dedicated right-of-way. The existing perimeter block walls are located either on the adjoining lots or a common-shared wall. The northern walls have razor wire located on top in violation of the Zoning Ordinance. As these walls are part of the adjoining lots to the north, the Town Code Compliance Officer has been notified. The perimeter walls can remain in place. The sides of these walls that face the subject lot are unfinished CMU walls. The Town Zoning Ordinance typically requires a minimum of paint and stucco. The applicant will work with these neighbors to finish these walls.

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. As with neighboring properties along Horseshoe Road, these homes will be on septic.

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. A new fire hydrant will need to be installed near the subject lot. The

Town Code requires a fire hydrant to be located within 400' of a property line. The new homes 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 Berneil Water Company service area. The documentation demonstrates that the water system does not provide the required flow rate of 1,500 gpm at the residual zone pressure of 20 psi. This is typical in this neighborhood. However, in an emergency the minimum Town standard should be met when the City of Scottsdale system is open per its arrangement with Berneil Water Company for their service area. If the fire flow rate is below the minimum rate, the Town typically includes a stipulation that the property owner shall demonstrate that the required fire sprinkler system will comply with the National Fire Protection Association standard 13D or the current equivalent code requirement.

PUBLIC COMMENTS

Pursuant to new Town policy, neighborhood notification was done to property owners within 500 feet of this site. There was one phone call regarding the subject site. This resident lives on Sunnyvale Road. She was supportive of the lot split.

NEXT STEPS

If approved, the next steps include recordation of the lot split map and completion of the stipulations.

ATTACHMENTS

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

C: - Applicant
 - Case File: LS-17-01