



Legislation Text

File #: 19-251, **Version:** 1

TO: Chari and Planning Commission

FROM: Jeremy Knapp, Community Development Director
Paul Michaud, Senior Planner
George Burton, Planner

DATE: June 4, 2019

DEPARTMENT: Community Development

AGENDA TITLE:
Consideration of Camelback Lands 7 Lot Split (LS-19-05)
5307 N. Invergordon Road (APN: 173-20-026)

RECOMMENDATION

It is recommended that the Planning Commission approve the Camelback Lands 7 Lot Split, subdividing approximately 2.24 acres into two (2) residential R-43-zoned lots, subject to the following stipulations:

1. The lot split plat must be recorded with the Maricopa County Recorder's Office, in substantial compliance with the lot split plat map prepared by Montgomery Engineering & Management, LLC and dated August 1, 2018.
2. Prior to the recordation of said lot split plat, the nonconforming structures on this property shall be removed, with the applicable demolition permit submitted to the Town and inspections done by the Town's Community Development Department.
3. Within 60 days of approval of the plat map, the applicant shall submit Mylars and an electronic version in a pdf format for the Town's permanent record.
4. A copy of the Drainage Easement and Maintenance Agreement forms must be submitted to the Town for review and approval prior to recordation of the Mylars.

Request:

The applicant, Joel Saper, is requesting approval of a lot split to divide a 2.24-acre parcel into two lots. Lot 1 is 48,837 square feet in size (1.12 acres) and Lot 2 is 48,820 square feet in size (1.12 acres). The subject property is located at 5307 N. Invergordon Road.

Existing Site:

The property has a house, guest house, pool, fences, entry gate, and tennis court located on it. The

existing structures must be demolished prior to recordation of an approved plat, since the lot split cannot create any non-conforming structures.

General Plan:

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 lots are zoned R-43 and are limited to one house per acre.

ENFORCEMENT:

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

FACTS/DISCUSSION:

Invergordon Road:

No right-of-way (ROW) dedication is required. The right-of-way is 66' wide and the Town standards require a minimum ROW width of 66' per the General Plan (for Minor Arterial Streets without a Median). Invergordon Road has approximately 43' of pavement with a 6" vertical curb adjoining the property.

Traffic:

Per the Town Engineer, 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. Although the lot split meets the standards for R-43 properties, they may be out of character for the neighborhood as the majority of the lots in this subdivision appear to be 2.25 acres in size.

The applicant also provided a copy of the title report, which references restrictions placed on the Camelback Lands subdivision in July of 1945. However, it does not identify any restrictions prohibiting lot splits in the subdivision. The Town does not enforce private deed restrictions, only Town Code standards.

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 for the Camelback Lands 6 Lot Split will be provided by EPCOR Water Company.
- 3) Sewer: The two new lots may be serviced by the Town of Paradise Valley sewer.

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.

Based upon the topography of the property, drainage easements will be dedicated on each lot. Staff also has concern regarding the drainage report statement of, “the current channel south of lot 81 and outlet at the northwest corner of adjacent lot 79 are under-sized for current design flows.....”. During the work study session, the Planning Commission recommended that staff send a letter to the affected property owner to inform them of this drainage issue.

Fire Protection Issues:

The 2 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: The nearest fire hydrant is located 27 feet away from the south property line. The Town Code requires a fire hydrant to be located within 400’ of a property line. An additional fire hydrant will not be required since the existing hydrant falls within the 400’ limit.
- 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 3,398 gallons per minute (gpm) and the Town Code requires a minimum flow test rate of 1,500 gallons per minute (gpm).

Planning Commission Discussion

The Planning Commission reviewed this application at the May 21, 2019 work study session. During the work study review, the Commission requested and identified the following:

- Staff should consider sending a letter to the neighboring property owners informing them of the drainage issue identified in the applicant’s preliminary drainage report.
- Provide an aerial photo of the area to help compare the different lot sizes in the area. Recent lot splits in the area will also be identified for reference.

Notification

Neighborhood notification was performed in accordance with the Town’s lot split process.

Lot Split Procedure

Per Section 6-9-7 of the Town Code, 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.

ATTACHMENTS

Application

Narrative

Plat and Drainage/Topographic Plan

Drainage Report

Water Service Impact Study

Utility Service Letters

Notification Materials

Surrounding Area & Previous Lot Splits

C: - Applicant: Brad Cullum
 - Case File: LS-19-05