



Legislation Text

File #: 19-255, **Version:** 1

TO: Chair and Planning Commission

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

DATE: June 4, 2019

CONTACT:

George Burton, 480-348-3525

AGENDA TITLE:

Discussion of a Preliminary Plat & Private Road Conditional Use Permit (PA-19-01 and CUP-19-02). Lavitt Manor II - Two Lot Subdivision with Private Road 7525 N. Ironwood Drive (APN: 169-03-078).

REQUEST

Cullum Homes filed two applications to develop a two-lot subdivision. They will split 7525 N. Ironwood Drive into two lots and create a 50-wide private road to access one of the new lots (Lot 2).

BACKGROUND

History:

The subject property is zoned R-43 and was platted in 1994 via the Lavitt Manor subdivision. The applicant is now requesting a Preliminary Plat and private road Conditional Use Permit to turn the property into a two-lot subdivision. There is an existing house, guest house, and tennis court on the property. Since the subdivision cannot create any non-conformities, the existing structures must be demolished prior to recordation of the final plat.

Preliminary Plat

The subject property is 120,533 square feet (2.8 acres) and is zoned R-43. The property will be subdivided into two new lots, a private roadway tract, and a drainage/utility easement tract adjoining the new roadway. Lot 1 is 49,096 square feet (1.13 acres), Lot 2 is 49,488 square feet (1.14 acres), private road Tract A is 17,099 square feet (0.39 acres), and drainage/utility easement Tract B is 4,850 square feet (0.11 acres).

Lot Configuration & Lot Size. The proposed property meets the R-43 area requirements, including size, lot width, and setbacks. Each lot is rectilinear in shape, meets the 165' diameter circle test, and is greater than one net acre in size (with new Lot 1 at 1.13 acres and new Lot 2 at 1.14 acres).

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:

- Electric: The subject site is located within the APS service area.
- Water: Water for this subdivision will be provided by City of Phoenix.
- Sewer: Town of Paradise Valley sewer is available to service the new lots (will serve letters from the applicable utility companies and a water service impact study are included in the packet for reference).

Drainage. The preliminary grading, drainage, and pavement plan illustrates the site topography and identifies a drainage easement on Lot 1. Each lot will require an individual engineering site/grading and drainage plan with each building permit application submittal. On-site lot retention will also be required with the development of each lot.

Fire Protection Issues. The proposed lots will meet all standards related to fire protection as follows:

- Fire Department access: Lot 1 will have access via Ironwood Drive and the new private roadway. Lot 2 will have direct access via the new private roadway.
- Fire hydrant spacing/location: The nearest fire hydrant is located more than 400 feet away from new Lot 2. The Town Code requires a fire hydrant to be located within 400' of a property line. Therefore, the installation of a new fire hydrant will be required with the development of Lot 2 (via the building permit process).
- Fire sprinkler requirement: The new homes and structures that will be constructed will have fire sprinklers in accordance with the Town Fire Code.
- Fire Flow: The flow rate in this area does not meet the Town Code requirements. The applicant provided a water impact study which identifies an average flow rate is 1,062 gallons per minute (gpm) and the Town Code requires a minimum flow rate of 1,500 gpm. Since the fire flow rate is below the minimum standard, a stipulation will be added requiring the fire sprinkler system for the new homes to demonstrate compliance with the National Fire Protection Association standard 13D or the current fire code requirements.

Landscaping. The Town Code requires that landscaping be placed between the roadway surface and adjoining property line of existing and new/proposed rights-of-way. 4 fifteen-gallon native trees and 5 one-gallon native shrubs shall be placed every 100 feet adjoining the rights-of-way.

The private road tract (Tract A) is approximately 250 feet long, which requires 8 trees and 10 shrubs to be planted along each side of the new roadway. The landscape plan identifies 16 trees (12 Blue Palo Verde and 4 Foothill Palo Verde) and 35 shrubs (with a mixture of Globe Mallow, Creosote, Yellow Bells and Mexican Bird of Paradise) will be planted along private roadway Tract A.

The area adjoining the existing roadway, Ironwood Drive, is approximately 180 feet long; which requires 8 trees and 10 shrubs to be planted along the east side of the road (adjoining Lot 1). The landscape plan identifies that 8 trees (3 Blue Palo Verde and 5 Foothill Palo Verde) and 14 shrubs (with a mixture of Globe Mallow, Creosote, Yellow Bells and Mexican Bird of Paradise) will be placed next to Ironwood Drive.

No lighting is associated with the right-of-way landscape improvements. Also, there are no subdivision signs nor subdivisions walls proposed with this improvement.

Tract B. The applicant is placing a 20' wide drainage/utility easement track between the new private roadway and the existing property to the south. Tract B was added to retain water from the private roadway, run utilities to the new Lot 2, and to prevent the new private roadway from converting the existing property to the south (located at 7425 N. Ironwood Drive) into a corner lot; which would change the setback requirements for the existing property and possibly create non-conforming structures (since side yards adjoining a right-of-way have greater setbacks than side yards adjoining a residential property).

N. Ironwood Dr (Existing Public Roadway). There is approximately 20' of pavement and no curb on the existing roadway. As a result, half street improvements are required to bring the adjoining portion of street into compliance with the Town's requirements. The applicant will add 2' of new ribbon curb adjoining Lot 1. A stipulation will also be added to the preliminary plat identifying that prior to the recordation of the final plat, the applicant shall submit improvement plans for Town Engineer approval and provide an assurance for the Town to be in a guaranteed position to complete the improvements on N. Ironwood Drive.

Private Road Conditional Use Permit (CUP)

The applicant is proposing to construct a private road to access Lot 2. The private roadway is labeled as Tract A on the preliminary plat and the roadway improvements are identified on the preliminary grading, drainage, and pavement plan. The private road is compliant with the Town Code and General Plan standards.

Tract A. Town Code limits private roadways to:

- A minimum tract width of 50 feet,
- A paved surface width of 18 to 22 feet, and
- A cul-de-sac design with a minimum radius of 45' to enable vehicles to turn around.

The private roadway tract (Tract A) is:

- 50 feet wide,
- Has 18' of paved roadway surface with 2' of ribbon curb on each side, and
- A cul-de-sac design with a 45' radius at the end of the road.

Public Notification

Neighborhood notification is not required for the work study session. Public notification will be performed in accordance with the public hearing process.

Preliminary Plat & Conditional Use Permit Process

The applicant will update the preliminary plat and private road CUP in accordance with input and direction from this work study session. Per Section 6-2-2 of the Town Code, the preliminary plat/map shall be presented at least twenty-eight (28) days prior to a meeting of the Commission in order that reasonable time is obtained for study of the plat/map by the Planning and Zoning Commission and other officials and agencies concerned. The Commission shall act on the preliminary plat/map within forty (40) days. Since the Commission cannot take action on applications during July and August,

the public hearing for the Preliminary Plat and Private Road Conditional Use Permit (CUP) will be scheduled in September 2019.

The Preliminary Plat and private road CUP are also being reviewed and processed at the same time. A stipulation will be added to the CUP identifying that the CUP approval is contingent upon the Final Plat approval by the Town Council.

ATTACHMENTS:

Vicinity Map & Aerial Photo
Preliminary Plat Application
Conditional Use Permit Application
Narrative
Preliminary Plat & Grading Plans
Landscape Plan
Drainage Report
Water Service Impact Study
Hydrant Flow Test
Utility Will Serve Letters
Drainage Easement Agreement
Access Easement & Private Road Maintenance Agreement

CC: Brad Cullum and Dave Montgomery, Applicant