

ORDINANCE NO. (O)17-10

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING A REZONING REQUEST BY PAUL OLAND OF WLB GROUP, INC., FROM R1-144 TO R1-36, INCLUDING ESL FLEXIBLE DESIGN OPTIONS AND SUBJECT TO CONDITIONS FOR A 76.4 ACRE RESIDENTIAL DEVELOPMENT LOCATED ON THE EAST SIDE OF SHANNON ROAD AND IMMEDIATELY SOUTH OF IRONWOOD RIDGE HIGH SCHOOL

WHEREAS, Paul Oland of WLB Group, Inc., (the "Applicant"), applied for a rezoning from R1-144 to R1-36, including ESL Flexible Design Option for the 76.4 Acre Residential Development located on the east side of Shannon Road and Immediately south of Ironwood Ridge High School, as depicted on Exhibit "A" attached hereto; and

WHEREAS, the current zoning of R1-144 allows one lot per 144,000 square feet; and

WHEREAS, the Applicant wishes to change the zoning to R1-36 to develop a residential subdivision; and

WHEREAS, the Application also requests flexible design options enabled by the Environmentally Sensitive Lands regulations; and

WHEREAS, the Applicant's request for rezoning complies with the OVZCR; and

WHEREAS, the Applicant's request for rezoning complies with the applicable General Plan requirements; and

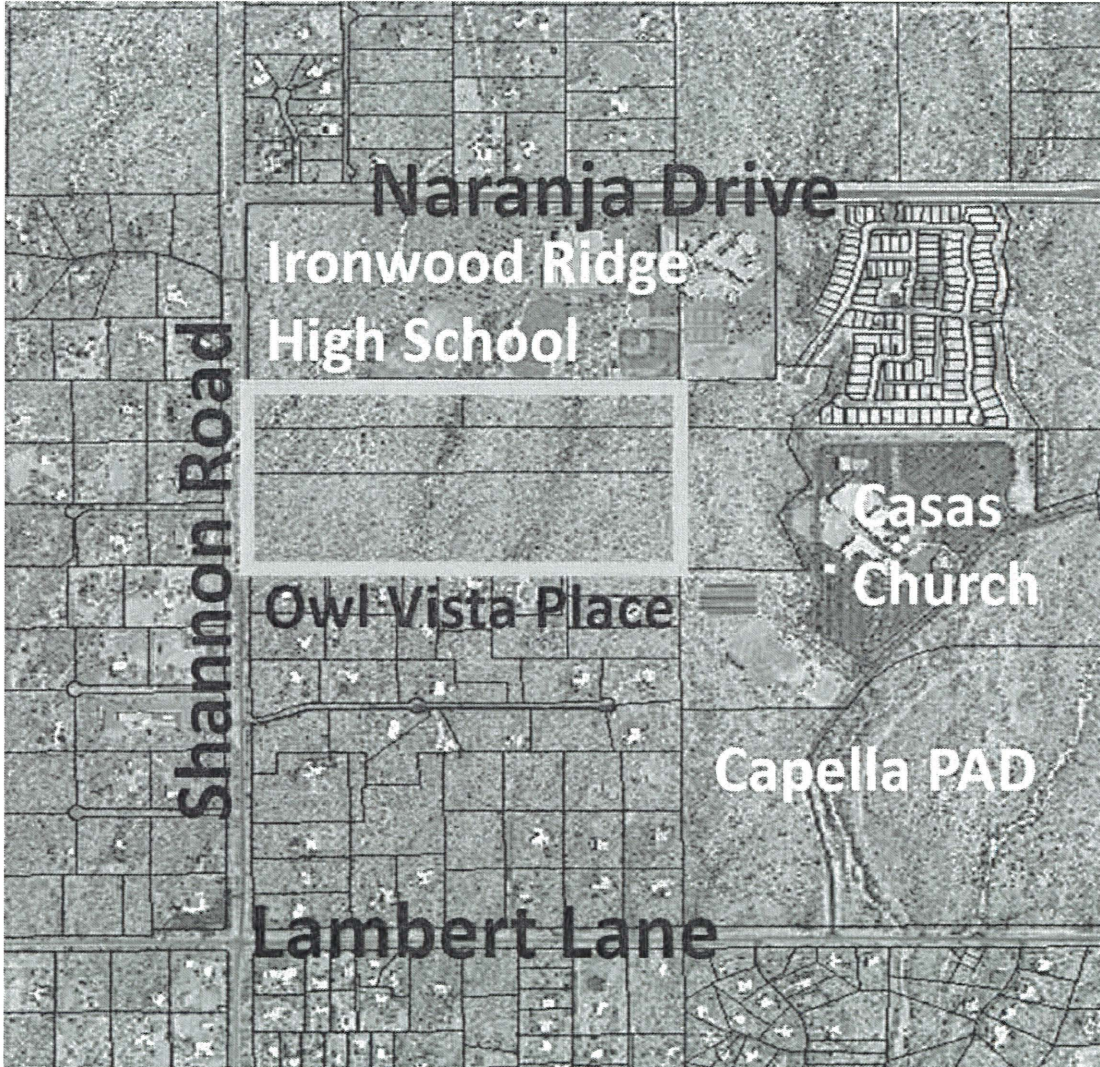
WHEREAS, on October 3, 2016, the Planning & Zoning Commission recommended approval for rezoning the property from R1-144 to R1-36 and ESL flexible design options with conditions; and

WHEREAS, the Town Council has duly considered the Applicant's request for rezoning of for the 76.4 Acre Residential Development located on the east side of Shannon Road and Immediately south of Ironwood Ridge High School.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona that the rezoning requested by Paul Oland of WLB Group, Inc., to for the 76.4 Acre Residential Development located on the east side of Shannon Road and Immediately south of Ironwood Ridge High School Drive is hereby approved with the conditions attached hereto as Exhibit "B".

NOW THEREFORE BE IT FURTHER ORDAINED that:

EXHIBIT "A"



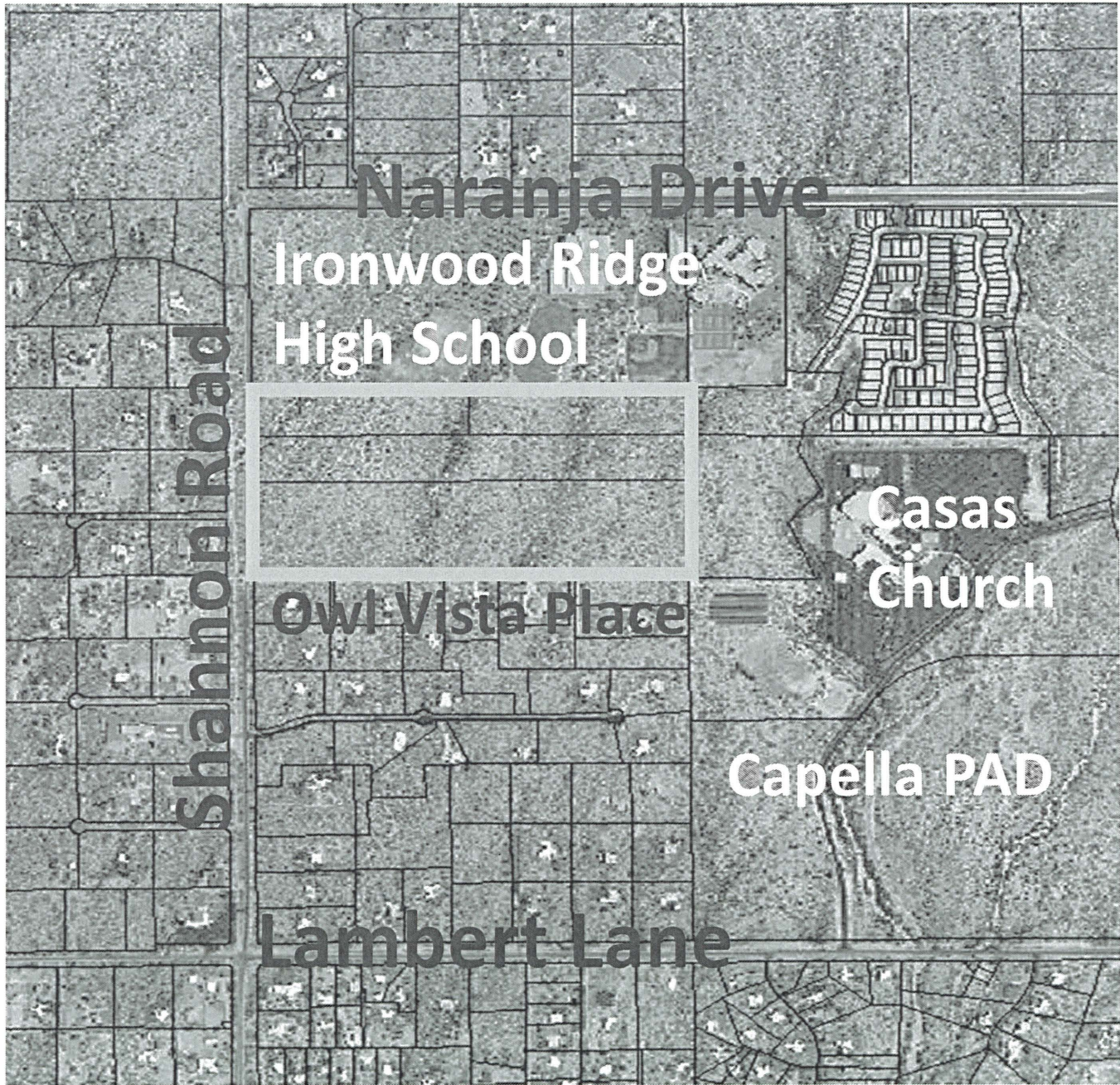
Yellow box = subject property

EXHIBIT "B"

CONDITIONS OF APPROVAL

1. Flat roof homes shall be limited to 18', one-story and gable-roof homes shall be limited to 23', one-story.
2. A rustic or western design typically used in a rural-ranch context, using steel, wood or other materials compatible to the surrounding area, shall be used for the entry gate and entryway sign. Only native landscaping found in the immediate area shall also be used at the entrance.
3. The entry gate to the proposed development shall be located no further than 75' from the rear property line of Lot 1.
4. Streetlights shall not be permitted on internal streets **or in the recreation area** within the development.
5. The Native Plant Preservation Waiver has been partially approved to not include any Ironwood Trees or Saguaro Cacti.
6. The design shown on the Tentative Development Plan represents a condition of Rezoning. Noteworthy elements for neighborhood compatibility include:
 - a. Density restricted to a maximum of 80 lots.
 - b. Minimum lot size shall be 8,750 square feet.
 - c. Lots along the western perimeter and nearest to Shannon Rd. shall be a minimum of one-third acre.
 - d. The area preserved as Environmentally Sensitive Open Space (ESOS), ranging from 300' to 600' feet from the southern property line and 300' to 450' from the western property line, shall be owned and maintained by the HOA and protected by the Town of Oro Valley, through a conservation easement **as natural open space, except for limited drainage and utility infrastructure improvements**, on the Final Plat.
7. The developer shall construct a south-bound left-turn lane with associated widening at the Shannon Road/Sahuaro Divide intersection as recommended by the Traffic Impact Analysis. Construction of the turn lane is to be completed prior to the subdivision's public opening for home sales.
8. The developer shall construct a south-bound left-turn lane at the Shannon Road/Owl Vista Place intersection. Construction of the turn lane is to be completed prior to the subdivision's public opening for home sales.
9. The developer shall construct a north-bound left-turn lane with associated widening at the Shannon Road/Sahuaro Divide intersection as agreed to by the developer in coordination with the surrounding neighbors. Construction of the turn lane is to be completed prior to the subdivision's public opening for home sales.

10. The developer shall provide an in-lieu fee for the construction of a 10-foot wide asphalt shared-use path on the east side of Shannon Road, along the entirety of the project's right-of-way frontage. The fee for the multi-use path must be provided to the Town, prior to building permits being issued.
11. On-site detention basins shall be required to be designed and constructed so as to have the effect of decreasing the 2-, 10-, 50- and 100-year pre-existing storm water flow rates by 15%-25%, as deemed appropriate relative to design constraints by the Town Engineer, for drainage exiting the property along the southern boundary. The private detention basins shall be required to be regularly maintained by the subdivision's homeowner's association per a Town approved drainage maintenance plan.
12. The developer shall construct off-site drainage improvements along Owl Vista Place, as agreed to by the developer in coordination with the surrounding neighbors. Construction of the Owl Vista Place improvements are to be completed prior to the subdivision's public opening for home sales. Improvements required within flood prone areas shall include:
 - a. Replacing existing culvert crossings with larger capacity culverts
 - b. Raising the elevation of the drive and armoring the drive embankment(s) for erosion protection where required so as to have the effect of providing all-weather access along the private drive.
 - c. Redirecting existing stormwater drainage to be conveyed back into historical, concentrated crossing locations along Owl Vista Place.
 - d. **Any disturbance or modification of the existing road surface of Owl Vista Place shall include re-establishing the current compacted 3" Aggregate Base Course (ABC) surface covering as dictated by the existing Owl Vista Place CC&Rs.**
13. A private drainage and maintenance easement shall be dedicated per the Final Plat for an area along the project's southern property line, adjacent to Owl Vista Place. The easement shall be granted to the owners of the properties along Owl Vista Place for ongoing maintenance of drainageways, conveyance structures, and erosion protection.
14. The proposed development shall not increase pre-existing storm water flows within the FEMA floodplain exiting the property along the western boundary.
15. The large Saguaro Cactus with multiple arms, located along Shannon Road and across from Sahuaro Divide, shall be preserved in place.



Yellow box = subject property



Shannon Road
Location Map
(OV1701072 & OV1701617)

Attachment 3