

## TOWN OF ORO VALLEY

### COUNCIL COMMUNICATION

MEETING DATE: May 16, 2007

**TO: HONORABLE MAYOR & COUNCIL**

**FROM:** Jill Manion-Farrar, Planner

**SUBJECT: OV12-05-24, Engineering Design Associates, representing Lodestone Builders,** requests approval for a preliminary plat of a 4-lot subdivision, located two parcels south of Calle Concordia on the west side of Oracle Road.

#### **EXECUTIVE SUMMARY OF APPLICATION:**

##### Nature of Application:

The preliminary plat stage of land division includes detailed subdivision planning to meet the specific requirements for the zoning district as well as requirements for all affected agencies. Once recommendations are made by staff, the preliminary plat is reviewed by the Development Review Board, which in turn forwards the application with its recommendation to Town Council. Preliminary plat approval constitutes authorization for the subdivider to proceed with preparation of the final plat and the engineering plans and specifications for public improvements. Please refer to OVZCR Section 22.9.D for additional information on the preliminary plat process.

##### Current Site Conditions:

- 1.25 acre site – currently vacant
- R-S zoning
- The General Plan Designation for the site is Neighborhood Commercial/Office.
- The site is bordered by a drainage easement and an alley on the north and west borders

##### Proposed Improvements:

- Four (4) residential attached single-family townhomes
- One private street with a hammerhead turnaround
- 50' ORSCOD buffer preserving significant vegetation
- Drainage basin

#### **DEVELOPMENT REVIEW BOARD RECOMMENDATION**

At their regular meeting of March 13, 2007, the Development Review Board (DRB) voted unanimously (6-0) to recommend conditional approval of OV12-25-24. The motion is summarized below:

*A motion was made by Marc Panas, Vice-Chair and seconded by Shelley Solomon to approve OV12-05-24, Engineering Design Associates, representing Lodestone Builders subject to the conditions listed in Exhibit A.*

The discussion continued with concern expressed about the safety of the turn around and traffic flow. Mr. Keesler, OV Public Works, informed the DRB that the Arizona Department of Transportation has tentatively approved this development. Please see the attached minutes for more information.

#### **BACKGROUND:**

##### Approvals to Date:

There are no approvals to date for this project. However, the applicant requested a variance to reduce the site's required setbacks on July 25, 2006. The Board of Adjustment denied the request.

##### Surrounding Land Uses

<i>Direction</i>	<i>Zoning</i>	<i>Land Use</i>
North	R1-36	Individual Lots; drainage easement and alley
East	ROW/R-S	Oracle Road; vacant land
West	R1-36	Individual Lots; drainage easement and alley
South	R-4	Vista del Oro Townhomes

### **ANALYSIS OF OVZCR 22.6B DEVELOPMENT REVIEW CRITERIA**

*“In considering any application for development review, the Development Review Board shall be guided”* by a specific list of criteria when deliberating (see OVZCR Section 22.6B). The following is a list of noteworthy criteria (in italics) followed by staff commentary:

**1. *The Development Review Board shall examine the application to insure that all provisions of this Code and all other Codes, master plans, general plans and standards of the Town shall be complied with where applicable.***

#### **A. General Plan Compliance:**

The General Plan designation for this parcel is Neighborhood Commercial Office. Thus, the proposed use does not comply with the General Plan. However, the zoning for the property is R-S which allows townhomes. Hard zoning takes precedence over a General Plan designation.

The following General Plan policy is particularly noteworthy: *Policy 11.2.15: The Town shall require the protection of healthy native vegetation within a development. If on-site protection is not feasible, the Town shall encourage transplantation of healthy native vegetation to approved sites within, or as a less preferable option, outside the project limits.*

A Significant Resource Inventory (SRI) and a Native Plan Preservation Plan have been approved administratively by staff. All significant vegetation within 50’ of Oracle Road was preserved except to provide for access to the site. In addition, much of the vegetation on the west side of the site will be preserved in place. All healthy transplantable material will be replanted on the site.

#### **B. OVZCR Compliance**

##### *Section 23.7.C.1, Residential Service District*

*“Whenever dwelling units are to be built as townhouses, the development standards in Section 23.7.A.4 (R-4 Townhouse Residential District), shall apply.”* This plat meets all the development standards for townhomes in the R-4 zoning district. The subdivision is within the density of 5,450 square feet of gross land area per dwelling unit and the subdivision provides more than the required open space. All setbacks have been met and the proposed building height is 18’6”, which is below the maximum permitted height of 25’.

##### *Section 24.5 Oracle Road Scenic Corridor Overlay District (ORSCOD)*

The site complies with ORSCOD’s Vegetative Preservation Site Planning Standards, which requires any significant vegetation within 100’ from the Oracle Road right of way to be preserved.

ORSCOD requires a visual analysis to map view corridors of sites within ORSCOD. The applicant conducted the analysis and staff finds that the proposed 18’6” structures will not negatively impact views. In sum, the proposed preliminary plat complies with all applicable standards and guidelines in ORSCOD.

##### *Section 26.5 Provision of Recreation Area*

The applicant wishes to exercise the “in-lieu fee option” outlined in OVZCR Section 26.5E, which allows a subdivider of a project consisting of 20 parcels or less to pay a fee to equal to the land value as determined by the fair market value instead of setting physical recreation area aside within the project. Planning & Zoning and Parks & Recreation staff support this request for the following reasons:

- The required recreation area is 2,049.88 s.f., which is insufficient area to provide substantive amenities.
- There are only 4 lots in the subdivision and only a few people would be served.
- The site is approximately 0.2 miles to Jim Kreigh Park on Calle Concordia.
- The in-lieu fee will be used to aid in the development/enhancement of Town parks, thus positively impacting a greater number of existing and new Town residents as well as the residents of this subdivision.

In sum, the proposed subdivision meets all applicable OVZCR development standards.

***2. The proposed development shall promote a desirable relationship of structures to one another, to open spaces and topography both on the site and in the surrounding neighborhood.***

Existing vegetation has been preserved in place within open space and bufferyards on the north, west and east boundaries of the proposed townhome development. The site will be built below the maximum allowable density and the homes will remain one-story, which is sensitive to the surrounding existing homes as well as to the view from Oracle Road.

The primary access to the site hugs the southern boundary, which borders existing townhomes. The street is placed on the southern boundary to ensure the maximum allowable separation of the entry of this site from the Calle Concordia intersection. Shrubs will be planted between the street and the Vista del Oro Townhomes property wall line, which will be detailed on the landscape plan.

***3. All components of a development shall be in compliance with Addendum A Design Guidelines.***

***Addendum A C1.e.iii: Site design should also be sensitive to adjacent land uses.***

The proposed townhomes provide an ideal transition between the single family lots to the north of the site and the townhome development to the south of the site. The placement of the townhomes, which are setback a minimum of 30' from the property line, also maintains the privacy of the adjacent homes.

***Addendum A C1.c.ii Consider vistas when designing sites and locating buildings.***

A visual analysis was conducted; showing that placement of the proposed one-story structures will not impact views of the Santa Catalina Mountains from the west of the site.

***Addendum A C1.e.ii Encourage clustering of structures as a means of preserving open space.***

The placement of the homes is centered on the site, which preserves much of the existing vegetation.

## **ENGINEERING REVIEW**

### **Traffic**

A single right-in/right-out ingress/egress point to Oracle Road provides access to this development. Ultimate approval and permitting of said access point shall be obtained from ADOT.

On-site vehicular circulation system consists of a two-way, 28-foot wide residential street, which meets TOV Subdivision Street Standards with respect to design vehicle access and maneuverability to each of the lots.

### **Grading**

A Type 2 Grading Permit will be required to construct the building pads, drainage structures, utilities, private streets and any other structures requiring grading on the project site. The grading represented within this Preliminary Plat conforms to the requirements of OVZCR Section 27.9 as well as the stipulations and development criteria of the Town of Oro Valley Subdivision Street Standards.

**Drainage**

Developed onsite drainage consists of two components. The majority of the drainage flows through the site using the parking area access lanes (PAALs), drainage swales and is collected in a catch basin as part of simple storm drain system. From the catch basin, the flow discharge meters out to predevelopment rates and volumes via conduits to an existing drainage channel that borders the north and west portions of this development. The balance of the site which does not convey through the detention basin is collected by a drainage swale south of lot #1 and ultimately discharges to the same drainage channel as the detention basin.

This development and the drainage mitigation factors presented within adhere to the requirements of the Town of Oro Valley Drainage Criteria Manual.

**PUBLIC INPUT**

The surrounding property owners have been noticed in accordance with the Town notification requirements and a neighborhood meeting was held on October 4, 2006. The neighborhood meeting resulted in commitments by the applicant to the surrounding neighbors. The commitments are as follows:

1. New utilities will be buried. Existing utilities will remain "as-is" or per TEP's requirements.
2. Proposed recreation area: Activities that assure low noise and low lighting levels. CC&Rs are to limit hours of lighting and noise levels. Look into:
  - a. Nature trail
  - b. Community garden
  - c. Exercise stations
3. Trees on the west end of property: They will be kept in place when possible. Transplanted specimens will be placed in this area when possible to limit the view of new buildings from the west property line
4. Drainage occurring on the southern portion of the parcel will be directed to the drainage basin at the northwest corner of the property in order to limit flow and erosion beyond the southwest corner of the property.
5. Property walls will be earth tone and six foot in height on the north, west and south boundaries. Property walls on the south boundaries will not sit on Vista del Oro utility lines.

The commitments have all been satisfied on the plat through design and general notes. A recreation area was originally included on the plat; however, it has been removed and the applicant is requesting, use of an in-lieu fee. In response to the Board of Adjustment notice in June 2006, the Planning and Zoning Department also received a letter regarding the project from a homeowner in the Vista del Oro subdivision. At this time, an easement to access Vista del Oro utilities from the subject property was requested. A block property wall was also requested as well as the preservation of as many trees and vegetation as possible. These requests have been satisfied.

**SUMMARY OF FACTORS***Findings in Favor:*

1. The preliminary plat complies with all OVZCR regulations, subdivision design standards and design guidelines.
2. The subdivision is proposed below the maximum allowable density and building height.
3. All neighborhood concerns have been fully addressed.

*Findings Against:*

1. None

**SUGGESTED MOTIONS:**

I move to [approve, approve with conditions, OR deny] OV12-05-24 Preliminary Plat for Shadow Mountain Estates III. Staff recommends that any motion to approve be subject to the conditions specified in Exhibit A

**Attachments:**

1. Exhibit A
2. March 2007 DRB meeting minutes
3. Preliminary Plat

cc: Scott Leska, 622-2198

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Sarah S. More, Planning and Zoning Director

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Craig Civalier, Town Engineer

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Jerene Watson, Assistant Town Manager

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David Andrews, Town Manager

Exhibit A  
OV12-05-24 Shadow Mountain Estates III  
Preliminary Plat Conditions of Approval

1. The recreation area in-lieu fee must be approved by Town Council prior to Town approval of the final plat.
2. Add a general note stating that the utility access gate required by Pima County Wastewater on the west property line wall will be locked at all times and will be used by utility personnel.
3. The omitted square footage for Lot 4 must be added to the table on the top left corner of Page 2.
4. Correct the spelling of “triangle” on the lower left corner of page 2.
5. Address all minor redlined comments on returned plans. The redlines must be returned to the Town of Oro Valley prior to certification of the preliminary plat.
6. Replace the Location Map presently shown on Page 1 of the Drainage Report with the Location Map presently shown on Sheet 1 of the Preliminary Plat. Also, clarify what basis of elevation DATUM for the topographic survey for this parcel. Change the last sentence on Page 1 of the Drainage Report to incorporate this information.