

MARANA ORDINANCE NO. 2022.010

RELATING TO DEVELOPMENT; APPROVING A MODIFICATION OF A REZONING CONDITION OF MARANA ORDINANCE NO. 2014.026, WHICH CREATED THE RIVERSIDE AT SILVERBELL SPECIFIC PLAN, TO DELETE A PROVISION OF THE ORDINANCE THAT REQUIRED THE DEVELOPER TO DESIGN AND CONSTRUCT EASTBOUND RIGHT-TURN (DECELERATION) LANES AT EACH OF THE PROJECT'S THREE DRIVEWAYS ON INA ROAD

WHEREAS the Mayor and Council of the Town of Marana adopted Ordinance No. 2014.026 on October 21, 2014, approving a rezoning of approximately 14.7 acres of land located at the southeast corner of Ina Road and Silverbell Road to "F - Specific Plan" creating the Riverside at Silverbell Specific Plan ("Riverside"); and

WHEREAS approval of the rezoning was subject to a number of conditions, including condition 9 which provides that the developer will be responsible for the design and construction of eastbound right-turn (deceleration) lanes at each of Riverside's three driveways on Ina Road; and

WHEREAS Ascent Companies intends to develop a portion of Riverside as the Amavida Apartments, and submitted a Traffic Impact Statement (TIS) for the project dated January 2022 which finds that the three right-turn lanes required by condition 9 of Ordinance No. 2014.026 are no longer warranted due to changes in land uses and intensities in the area; and

WHEREAS based on the January 2022 TIS, Ascent Companies has submitted an application to modify Ordinance No. 2014.026 to delete condition 9 of the ordinance; and

WHEREAS the Mayor and Council find that this condition modification is insubstantial enough not to require or benefit from Planning Commission consideration, and that this ordinance is in the best interests of the Town and its citizens.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Marana, Arizona, as follows:

Section 1. Section 3, condition 9 of Marana Ordinance No. 2014.026 is hereby deleted and the Riverside at Silverbell Specific Plan is hereby amended to conform to the deletion of the condition.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed as of the effective date of this ordinance; provided, however, that this repeal shall not affect the rights and duties that matured or penalties that were incurred and proceedings that were begun before the effective date of the repeal.

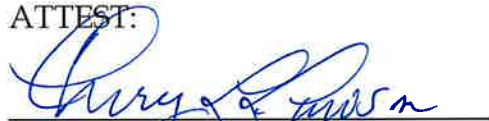
Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 12th day of July, 2022.




Mayor Ed Honea

ATTEST:



Cherry L. Lawson, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney