AGENDA
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
December 7, 2011
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

UPCOMING MEETING ANNOUNCEMENTS

COUNCIL REPORTS

DEPARTMENT REPORTS

The Mayor and Council may consider and/or take action on the items listed below:

ORDER OF BUSINESS: MAYOR WILL REVIEW THE ORDER OF THE MEETING

INFORMATIONAL ITEMS

1. DIS Customer Feedback Forms

2. Public Safety Providers Quarterly Reports

3. Council Trip Report

CALL TO AUDIENCE – At this time, any member of the public is allowed to address the Mayor and Town Council on any issue ***not listed on today's agenda.*** Pursuant to the Arizona Open Meeting Law, individual Council Members may ask Town staff to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "Call to Audience." In order to speak during "Call to Audience" please specify what you wish to discuss when completing the blue speaker card.

PRESENTATIONS

1. Presentation of Plaques of Appreciation to outgoing Board and Commission members

2. Presentation of Certificates to graduates of the Community Academy - Local Governance 101 class

CONSENT AGENDA
(Consideration and/or possible action)

A. Minutes - September 27, October 5, 2011

B. Fiscal Year 2011/12 Financial Update Through October 2011

C. Tucson Regional Economic Opportunities, Inc. Quarterly Report: July 1, 2011 - September 30, 2011

D. Metropolitan Tucson Convention and Visitors Bureau Quarterly Report: July 1, 2011 - September 30, 2011

E. Council approval regarding Tucson Sports' request for In-Kind Support from the Town of Oro Valley for the USA Triathlon National Duathlon Championships

F. Appointments to various Boards and Commissions

G. Resolution No. (R)11-76, Authorizing and approving an Intergovernmental Agreement between the Town of Oro Valley and Pima County for Election Services

H. Resolution No. (R)11-77, Authorizing and approving drainage easements between the Town of Oro Valley and two homeowners along Lomas de Oro Wash for maintenance of the Channel Drainage Improvement Project

I. Resolution No. (R)11-78, Appointing the Interim Town Manager Greg Caton as Applicant Agent for the Federal Emergency Management Agency, Arizona Department of Emergency Management, Lomas De Oro Wash Project

REGULAR AGENDA

1. PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR HARVEST RESTAURANT LOCATED AT 10355 N. LA CANADA DR. #141

2. DISCUSSION AND POSSIBLE ACTION REGARDING A ONE-TIME, MID-YEAR EMPLOYEE APPRECIATION PROGRAM THROUGH THE DISTRIBUTION OF OV DOLLARS GIFT CARDS TO TOWN EMPLOYEES

3. PUBLIC HEARING: RESOLUTION NO. (R)11-79, AMENDING THE GENERAL PLAN TO EXPAND THE MUNICIPAL PLANNING AREA BOUNDARY WEST TO THORNYDALE ROAD AND SOUTH TO ORANGE GROVE ROAD, ENCOMPASSING APPROXIMATELY ELEVEN SQUARE MILES AND TO ASSIGN THIS AREA AN "UNDESIGNATED AREA"

4. PUBLIC HEARING: RESOLUTION NO. (R)11-80, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL/OFFICE TO MEDIUM DENSITY RESIDENTIAL FOR A 13 ACRE PARCEL LOCATED ONE QUARTER MILE SOUTH OF TANGERINE ROAD ON THE WEST SIDE OF LA CHOLLA BOULEVARD

5. PUBLIC HEARING: RESOLUTION NO. (R)11-81, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM COMMERCE OFFICE PARK TO HIGH DENSITY RESIDENTIAL FOR A FIFTEEN ACRE PARCEL LOCATED AT THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO COMMERCE LOOP

6. PUBLIC HEARING: RESOLUTION NO. (R)11-82, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM COMMERCE OFFICE PARK TO HIGH DENSITY RESIDENTIAL FOR 13 ACRES LOCATED NEAR THE NORTHEAST CORNER OF LINDA VISTA BOULEVARD AND ORACLE ROAD

7. DISCUSSION AND POSSIBLE ACTION REGARDING CAPITAL ENHANCEMENTS TO POOL FACILITY

8. RESOLUTION NO. (R)11-83, ADOPTING UPDATED DEVELOPMENT IMPACT FEES TO BE COMPLIANT WITH SENATE BILL 1525 PRIOR TO JANUARY 1, 2012

FUTURE AGENDA ITEMS (The Council may bring forth general topics for future meeting agendas. Council may not discuss, deliberate or take any action on the topics presented pursuant to ARS 38-431.02H)

CALL TO AUDIENCE – At this time, any member of the public is allowed to address the Mayor and Town Council on any issue ***not listed on today's agenda.*** Pursuant to the Arizona Open Meeting Law, individual Council Members may ask Town staff to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "Call to Audience." In order to speak during "Call to Audience" please specify what you wish to discuss when completing the blue speaker card.

ADJOURNMENT

POSTED: 11/30/11 at 5:00 p.m. by tlg

When possible, a packet of agenda materials as listed above is available for public inspection at least 24 hours prior to the Council meeting in the Town Clerk's Office between the hours of 8:00 a.m. – 5:00 p.m.

The Town of Oro Valley complies with the Americans with Disabilities Act (ADA). If any person with a disability needs any type of accommodation, please notify the Town Clerk's Office at least five days prior to the Council meeting at 229-4700.

INSTRUCTIONS TO SPEAKERS

Members of the public have the right to speak during any posted public hearing. However, those items not listed as a public hearing are for consideration and action by the Town Council during the course of their business meeting. Members of the public may be allowed to speak on these topics at the discretion of the Mayor.

If you wish to address the Town Council on any item(s) on this agenda, please complete a speaker card located on the Agenda table at the back of the room and give it to the Town Clerk. **Please indicate on the speaker card which item number and topic you wish to speak on, or if you wish to speak during "Call to Audience," please specify what you wish to discuss when completing the blue speaker card.**

Please step forward to the podium when the Mayor announces the item(s) on the agenda which you are interested in addressing.

1. For the record, please state your name and whether or not you are a Town resident.
2. Speak only on the issue currently being discussed by Council. Please organize your speech, you will

only be allowed to address the Council once regarding the topic being discussed.
3. Please limit your comments to 3 minutes.
4. During “Call to Audience” you may address the Council on any issue you wish.
5. Any member of the public speaking must speak in a courteous and respectful manner to those present.

Thank you for your cooperation.

Town Council Regular Session **Item # 1.**

Meeting Date: 12/07/2011

Submitted By: Arinda Asper, Town Manager's Office

Information

Subject

DIS Customer Feedback Forms

Attachments

DIS Customer Feedback Forms

NOV 1 2011

Development and Infrastructure Services Department
11000 N. La Cañada Drive • Oro Valley, Arizona 85737
www.orovalleyaz.gov

Customer Name (Please Print) Contact Phone (Optional) Date

Bo Bleil 10-5-11

Meeting our Customer's needs is important to us. We welcome your suggestions and comments and encourage you to fill out this form.

1. Were the steps for the development, permit, or inspection process clearly explained and understandable?

   ☒ Yes? ☐ No?

2. Were the development, permit, and/or inspection approval (s) received within the timeline goals prescribed?

   ☒ Yes? ☐ No?

3. Was the service professional, courteous and helpful?

   ☒ Yes? ☐ No? Would you like to name any employee(s) that you feel provided exceptional service? Mark Thomas

4. Did you experience any problem getting the information you needed? If yes, what aspect? _____

5. Any general comments?

Thank you for taking your time to help us improve!

NOV 3 2011

Development and Infrastructure Services Department
11000 N. La Cañada Drive • Oro Valley, Arizona 85737
www.orovalleyaz.gov

Mel Elkins (SWKB) 531-9187 11/2/11

Customer Name (Please Print) Contact Phone (Optional) Date

Meeting our Customer's needs is important to us. We welcome your suggestions and comments and encourage you to fill out this form.

1. Were the steps for the development, permit, or inspection process clearly explained and understandable?

   [X] Yes? [ ] No?

2. Were the development, permit, and/or inspection approval (s) received within the timeline goals prescribed?

   [X] Yes? [ ] No?

3. Was the service professional, courteous and helpful?

   [X] Yes? [ ] No? Would you like to name any employee(s) that you feel provided exceptional service? you guys are always so helpful!

4. Did you experience any problem getting the information you needed? If yes, what aspect? no - it was very easy!

5. Any general comments?

   Thank you for always supporting our business growth! We truly feel like you are our partners in the business.

Thank you for taking your time to help us improve!

NOV 3 2011

Development and Infrastructure Services Department
11000 N. La Cañada Drive • Oro Valley, Arizona 85737
www.orovalleyaz.gov

BENJAMIN CLARK 818-0019 2 NOV 11

Customer Name (Please Print) Contact Phone (Optional) Date

Meeting our Customer's needs is important to us. We welcome your suggestions and comments and encourage you to fill out this form.

1. Were the steps for the development, permit, or inspection process clearly explained and understandable?

   [X] Yes? [ ] No?

2. Were the development, permit, and/or inspection approval (s) received within the timeline goals prescribed?

   [X] Yes? [ ] No?

3. Was the service professional, courteous and helpful?

   [X] Yes? [ ] No? Would you like to name any employee(s) that you feel provided exceptional service? _____

4. Did you experience any problem getting the information you needed? If yes, what aspect? _____

5. Any general comments?

   WILLIAM VICENS HAS BEEN EXCEPTIONALY HELPFUL AND PROFESSIONAL REPRESENTING THE TOWN DURING THE PERMITING PROCESS. COMPARED TO OTHER BLDG DEPTS I HAVE WORKED WITH

Thank you for taking your time to help us improve!

ORO VALLEY ARIZONA
FOUNDED 1974

NOV 3 2011

Development and Infrastructure Services Department
11000 N. La Cañada Drive • Oro Valley, Arizona 85737
www.orovalleyaz.gov

Michelle Neufeld 520-444-1297 10/27/11

Customer Name (Please Print) Contact Phone (Optional) Date

Meeting our Customer's needs is important to us. We welcome your suggestions and comments and encourage you to fill out this form.

1. Were the steps for the development, permit, or inspection process clearly explained and understandable?

   [X] Yes? [ ] No?

2. Were the development, permit, and/or inspection approval (s) received within the timeline goals prescribed?

   [X] Yes? [ ] No?

3. Was the service professional, courteous and helpful?

   [X] Yes? [ ] No? Would you like to name any employee(s) that you feel provided exceptional service? Mike Valencic - was very knowledgeable and professional. He had answers to my questions and called me back in 5 min - Unbelievable on the quickness - thanks

4. Did you experience any problem getting the information you needed? If yes, what aspect? NONE - Service exceptional !!!

   I left office w 2 business cards of people who I might need in the future.

5. Any general comments? Thank you Will!

   William Vicens greeted me right as I was walking through the door. Very professional. Found the paperwork immediatelly. Asked me if I had any other ?'s or concerns. Thanks for all your expertise in the questions I had.

Thank you for taking your time to help us improve!

Town Council Regular Session **Item # 2.**

Meeting Date: 12/07/2011

Submitted By: Arinda Asper, Town Manager's Office

Information

Subject

Public Safety Providers Quarterly Reports

Attachments

Public Safety Providers Quarterly Reports

Golder Ranch Fire District - Oro Valley
Call Summary
First Quarter FY 2011/2012

Sun City Station 374	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	204	93%
Dispatch to At Scene <6:00 minutes -FIRE	0	
Average Dispatch to At Scene Time	**3:39**	

Woodburne Station 375	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	138	79%
Dispatch to At Scene <6:00 minutes -FIRE	2	100%
Average Dispatch to At Scene Time	**4:06**	

Lambert Station 376	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	104	78%
Dispatch to At Scene <6:00 minutes -FIRE	2	100%
Average Dispatch to At Scene Time	**4:25**	

Oracle Rd. Station 377	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	197	88%
Dispatch to At Scene <6:00 minutes -FIRE	0	
Average Dispatch to At Scene Time	**3:54**	

Average Total All Oro Valley Stations	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	643	85%
Dispatch to At Scene <6:00 minutes -FIRE	4	100%
Average Dispatch to At Scene Time	**4:06**	

Average Total All Oro Valley Stations -2nd Fire Unit	# of calls	%
2nd Fire Unit Dispatch to At Scene <8:00 minutes -FIRE	2	50%
Average Dispatch to At Scene Time for 2nd Fire Unit	**6:41**	

Other Miscellaneous Fire Calls –All Oro Valley Stations	# of calls	%
Dispatch to At Scene <6:00 minutes -FIRE	12	75%
Average Dispatch to At Scene Time	**5:43**	

Golder Ranch - Oro Valley Call Load Breakdown

July - September 2011

CALL TYPE	Sun City	Woodburne	Lambert	Oracle		TOTAL
Aircraft						
Brush / Vegetation	1	1		1		3
Building						
Electrical / Motor			1			1
Fires - All Other			1			1
Gas Leak		1				1
Hazmat		1	2			3
Trash / Rubish	1			1		2
Unauthorized Burning		1	1	1		3
Vehicle	1	1		1		3
Total Fire Calls	**3**	**5**	**5**	**4**		**17**
Animal Problem	2	7	2	1		12
Animal Rescue	1	3				4
Assist -Other	5	3	1	5		14
Battery Change	43	17	19	18		97
Bee Swarm			1			1
Defective Appliance	1	1				2
Invalid Assist	64	7	14	10		95
Snake	95	136	155	101		487
Lockout		3		3		6
Fire Now Out						
Total Service Calls	**211**	**177**	**192**	**138**		**718**
Alarms (Fire, Smoke. CO)	13	12	17	13		55
Cancelled / Negative Incident	3	6	2	8		19
Smoke / Odor Investagation	1	1	3			5
Total Good Intent Calls	**17**	**19**	**22**	**21**		**79**
Motor Vehicle Accident	2	2	6	15		25
Rescue (high, trench, water)						
All Other EMS Incidents	202	136	98	182		618
Total EMS Type Calls	**204**	**138**	**104**	**197**		**643**
TOTAL ALL CALLS	**435**	**339**	**323**	**360**		**1457**

Golder Ranch Fire District – Oro Valley
Detailed Fire Response Report
First Quarter FY 2011/2012

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
8/12/11	15688	HOUSE	09:30:38	EN376	09:31:47	09:35:41	**5:03**
St.376							
Reported as smoke alarms going off inside residence. While en route, additional information came in stating that the resident was burning papers inside fireplace and had not opened the flew. EN376 arrived on scene to find no fire problem and cancelled other units. Assisted in smoke removal. NEGATIVE INCIDENT.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
8/13/11	15809	HOUSE	17:23:35	LT375	17:24:39	17:28:00	**4:25**
St.375				EN374	17:24:33	17:29:02	**5:27**
Odor of smoke in kitchen of residence. Upon further investigation it was discovered that the odor was from a faulty air conditioning unit. NEGATIVE INCIDENT.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
8/16/11	16017	HOUSE	19:05:41	EN377	19:06:08	19:11:29	**5:48**
St. 376			19:03:31	EN339	19:05:11	19:11:41	**8:10**
Calling party reports that they have smoke and burning wires from the house. EN377 and EN339 on scene with nothing showing, shut down all other units to code 2. Calling party reported this happened over an hour ago. NEGATIVE INCIDENT. *EN376 was on another call at this time.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
8/24/11	16594	HOUSE	15:18:49	LT375	15:19:47	15:23:48	**4:59**
St.375							
Reported as a trash can that is on fire and endangering house. LT375 on scene with trash fire now out, no structural involvement. –NEGATIVE INCIDENT							

Golder Ranch Fire District - 1st Quarter FY 2011/2012 (July - Sept. 2011) - Oro Valley Report Summary

All GRFD Oro Valley Stations	Time	#of Calls	Adopted Standard %	Actual %	Description of Variance
Dispatch to At Scene - FIRE	< 6:00	4	90%	100%	Met and exceeded the standard this quarter
Time to achieve Adopted Standard of 90%	N/A				
Average Dispatch to At Scene Time	5:02				

Dispatch to At Scene - EMS	< 5:00	643	90%	85%	Far end of 1st due
Time to achieve Adopted Standard of 90%	5:28				Out of 5 minute response abilities
					Far West part of District
					No easy way to get there faster
					Construction area
Average Dispatch to At Scene Time	4:06				

2nd Fire Unit Dispatch to At Scene	< 8:00	2	90%	50%	
Time to achieve Adopted Standard of 90%	6:41				
Average Dispatch to At Scene Time	6:41				

SWA - Oro Valley Transport Units	Time	#of Calls	Adopted S	Actual %	Description of Variance
Dispatch to At Scene - ALS Transport Unit	< 8:00	350	90%	94%	Calls are in compliance
Time to achieve Adopted Standard of 90%	Achieved				
Average Dispatch to At Scene Time	7:34				

Mountain Vista Fire District - Oro Valley
Call Summary
First Quarter FY 2011/2012

MVFD Station 610	# of calls	%
Dispatch to At Scene <5:00 minutes -EMS	60	97%
Dispatch to At Scene <6:00 minutes -FIRE	8	100%
Average Dispatch to At Scene Time	**4:09**	

Average Total All Oro Valley Stations -2nd Fire Unit	# of calls	%
2nd Fire Unit Dispatch to At Scene <8:00 minutes -FIRE	1	100%
Average Dispatch to At Scene Time for 2nd Fire Unit	**3:19**	

Other Miscellaneous Fire Calls – Oro Valley Stations	# of calls	%
Dispatch to At Scene <6:00 minutes -FIRE	7	71%
Average Dispatch to At Scene Time	**4:46**	

Mountain Vista Fire District – Oro Valley
Detailed Fire Response Report
First Quarter FY 2011/2012

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
7/7/11	19462	GRADE 1 COMM	19:52:38	E610	19:53:52	19:57:06	**4:28**
St.610		FIRE ALARM	19:53:47	L610	19:53:55	19:57:06	**3:19**
Dispatched as Grade 1 Commercial Fire Alarm Sounding, crews arrived on the scene with nothing showing. L610 crew gained access and found negative smoke or flames present, crew made their way to the alarm panel to find no power and battery back up disconnected. NEGATIVE INCIDENT							

Date	Call#	Type	Disp. Time	Unit	Respond	On-scene	Total Resp. Time
7/8/11	19550	GRADE 1 COMM	06:01:53	E610	06:02:00	06:04:28	**2:35**
St.610		FIRE ALARM					
Dispatched as Grade 1 Commercial Fire Alarm Sounding, crews arrived on the scene with nothing showing. E610 crews meet up with front desk and informed this was a false alarm. NEGATIVE INCIDENT.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
7/15/11	21784	COMMERCIAL STRUCTURE FIRE	18:39:50	E610	18:39:53	18:42:51	**3:01**
St.610		COMMERCIAL STRUCTURE FIRE					
Dispatched as Commercial Fire, crews arrived on the scene with nothing showing. Upon gaining access to the apartment E610 crews found burned food on the stove. Crews removed the food and vented the apartment. NEGATIVE INCIDENT							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
8/2/11	26914	GRADE 1 COMM	14:31:45	E610	14:32:25	14:34:26	**2:41**
St.610		SMELL OF GAS					
Dispatched as smell of gas in a building, crews arrived on the scene with nothing showing. E610 crew did a complete walk through with nothing found, awaited southwest gas to arrive on scene. NEGATIVE INCIDENT.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
9/9/11	37829	COMMERCIAL STRUCTURE FIRE	18:55:07	E610	18:56:15	19:00:47	**5:40**
St.610		COMMERCIAL STRUCTURE FIRE					
Dispatched as Commercial Fire, crews arrived on the scene to find a palm tree on fire. E610 crews extinguished, single engine response and returned all others.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
9/9/11	37881	GRADE 1 COMM	21:34:28	E610	23:34:38	21:38:34	**4:06**
St.610		FIRE ALARM					
Dispatched as Grade 1 Commercial Fire Alarm Sounding, crews arrived on the scene with nothing showing. E610 crews meet up with front desk and informed this was a false alarm. NEGATIVE INCIDENT.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
9/12/11	38769	GRADE 1 COMM	19:35:19	E610	19:36:11	19:39:46	**4:27**
St.610		FIRE ALARM					
Dispatched as Grade 1 Commercial Fire Alarm Sounding, crews arrived on the scene with nothing showing. E610 crews meet up with front desk and informed this was a false alarm. NEGATIVE INCIDENT.							

Date	Call #	Type	Disp. time	Unit	Respond	On-scene	Total Resp. Time
9/14/11	39195	GRADE 1 COMM	09:23:09	L610	09:23:11	09:25:05	**1:56**
St.610		FIRE ALARM					
Dispatched as Grade 1 Commercial Fire Alarm Sounding, crews arrived on the scene with nothing showing. E610 crews meet up with front desk and informed this was a false alarm. NEGATIVE INCIDENT.							

MVFD 1st Quarter FY 2011/2012 - Oro Valley Report Summary

RMFD	Time	#of Calls	Adopted Standard %	Actual %	Description of Variance
Dispatch to At Scene - FIRE	< 6:00	8	90%	100%	
Time to achieve Adopted Standard of 90%	3:28				
Average Dispatch to At Scene Time	4:06				

Dispatch to At Scene - EMS	< 5:00	60	90%	97%	
Time to achieve Adopted Standard of 90%					
Average Dispatch to At Scene Time	2:51				

2nd Fire Unit Dispatch to At Scene	< 8:00	1	90%	100%	
Time to achieve Adopted Standard of 90%	N/A				
Average Dispatch to At Scene Time	3:19				

SWA - Oro Valley Transport Units	Time	#of Calls	Adopted S	Actual %	Description of Variance
Dispatch to At Scene - ALS Transport Unit	< 8:00	59	90%	97%	
Time to achieve Adopted Standard of 90%	Achieved				
Average Dispatch to At Scene Time	4:20				

Town Council Regular Session **Item # 3.**

Meeting Date: 12/07/2011

Submitted By: Arinda Asper, Town Manager's Office

Information

Subject

Council Trip Report

Attachments

Council Trip Report

Office of the Mayor & Town Council

Trip Report

Purpose: 2011 Governor's Statewide Development Conference

Date: October 26 - 28, 2011

Location: Hilton El Conquistador Resort
Oro Valley, AZ

Attendees:

Mayor Satish Hiremath
Vice Mayor Mary Snider
Councilmember Joe Hornat
Councilmember Steve Solomon
Councilmember Lou Waters
Interim Town Manager Greg Caton
Economic Development Manager Amanda Jacobs

Summary:

2011 Governor's Statewide Development Conference was hosted by the Town of Oro Valley, Arizona. The theme of this year's conference was "A Statewide Approach – Let's Do This Together!"

The conference drew over 300 attendees from cities and towns across Arizona. Highlights of the conference included: a Community Reception; Legislative Roundtable; Governor's Award Luncheon and daily breakout sessions dealing with issues of importance to local, regional and statewide officials. The conference "schedule at a glance" is attached.

Report submitted to the Town Clerk on November 10, 2011.

Satish I. Hiremath
Mayor

The Governor's Statewide Development Conference
Oct 26-28, 2011 - Oro Valley, Arizona

"A Statewide Approach—Let's Do This Together!"

Wednesday, October 26th Sessions

9:30a	**Golf Tournament**	Tee off in the shadow of the dramatic Santa Catalina Mountains and the Tucson valley. *Deadline to sign up and register for the Golf is October 18th - online.*
2:00 - 3:15p	**E.D. 101**	**Erik Glenn, University of Arizona Cooperative Extension** *Agent/Director of the Arizona Economic Development Course* What is Economic Development? Join Erik Glenn for this introduction to the economic development profession, the tools its practitioners use and the organizations around the state that do this important work.
3:30 - 5:00p	**A Funny Thing Happened on Our Way to Economic Recovery**	**Jim Rounds, Sr. Vice President, Elliott Pollack Group; John Lenio, Economist and Managing Director of CB Richard Ellis' Economic Incentives Group** This program will include an examination of the status of the economy, both nationally and locally. As 2011 progresses the economy will be brought back into equilibrium, but many problems will remain well into the next year or two. How will these remaining national issues impact our great state? How is our local economy performing and what will the next couple of years look like for jobs, incomes, home prices, tax collections, etc.? While more can still be done, many changes have already been enacted pertaining to economic development. These policies and programs will also be briefly examined as they relate to our economic recovery.
6:00 - 9:00p	**Community Reception**	**Hosted by the Town of Oro Valley** The Town of Oro Valley invites you to bring your cowboy/cowgirl hats and boots to the opening reception at the Last Territory at the Hilton El Conquistador Golf & Tennis Resort. Enjoy delicious food prepared by the Hilton, live entertainment and gorgeous mountain views. Dress is Western Attire.

Thursday, October 27th Sessions

7:30 - 9:00a **Buffet Breakfast**

7:30 - 9:00a **Rural Roundtable**

Opportunity for rural communities to discuss issues impacting economic development in rural Arizona.

9:00 - 10:30a **Let's Do This Together**

Jerry Colangelo, Principal Partner, JDM Partners *(Invited)*; Don Cardon, President & CEO, Arizona Commerce Authority; Joe Snell, President & CEO, Tucson Regional Economic Opportunities; Barry Broome, President & CEO, Greater Phoenix Economic Council

It's a new era in Arizona for economic development. With the new Arizona Commerce Authority (ACA) in place and the urgency to bring quality jobs to all of Arizona, we all need to work together as a state to successfully compete in the global market. This session brings out seasoned economic development and business leaders to discuss the importance of working together as a unified force to ensure Arizona's success. Expect exciting dialog with opportunities for audience interaction. A can't miss session.

10:30 - 10:45a **Break**

10:45 - 11:45a ***3 CONCURRENT SESSIONS***

Grants: What Works and What Doesn't?

Sally Clifford, Executive VP, Alliance of Arizona Nonprofits; Matthew Hanson, Director of the Governor's Office of Economic Recovery

In need of a magic wand? The Project Profile/Planning Worksheet is the closest thing to it as one of mightiest tools available to you as a successful grant seeker. You'll learn to organize your thoughts quickly and how to tap into your own passion to discover the most compelling story possible. This session will also discuss the ACA's 2010 Rural Economic Development Grant Program and how the winners were able to position themselves and secure this funding. This session will also discuss why other jurisdictions were not successful and common mistakes made by inexperienced grant applicants.

Retail: In a Changing Economic Climate

Todd Sergi, Principal, Capital Development Partners; Gordon Keig, Kornwasser Shopping Center Properties

Arizona Cities depend heavily on retail sales tax to fund critical services. Shopping centers and retailers are undergoing rapid and dramatic change. Likewise, communities are facing similar concerns as shifting consumer demographics and eroding tax revenues challenge public officials to reevaluate the climate for development in their communities. This session will provide an overview of how retail is changing, insight into the characteristics of successful retail development, provide greater understanding of the economic impact that retail has on communities and some of the challenges developers face in creating a viable project. The panel will also highlight which retailers are expanding and how to attract them to your community.

Business Retention & Expansion: A Renewed Approach

Michele Pierson, Department of Economic Development Director, City of Phoenix; Danielle Casey, Economic Development Director, City of Maricopa

Around the State communities recognize that business retention efforts are critical to the successful foundation of their economic growth strategies. So how do you keep it fresh in a fast-paced digital world where everyone is doing more with less? Hear about new creative programs that are changing the way we approach traditional BRE models in pursuit of supporting and growing our existing businesses.

Noon - 1:15p ***LUNCHEON PROGRAM***

California: Arizona's Competitive Advantage

Chris Camacho, Executive Vice President, Greater Phoenix Economic Council; Sean Ahern, Sun Corridor Contractor

The California economy continues to experience mighty challenges in solving the debt crisis, increases taxation on corporations and keeping the cost of living at bay. While the national economy shows early signs of moderate progress, California companies are evaluating their long term options like never before. Join us on an in-depth discussion on the California market and what opportunities may lie ahead for Arizona.

1:30 - 3:00p **ACA Rollout**

Don Cardon, President & CEO, Arizona Commerce Authority; Sandra Watson, Executive Vice President & COO, Arizona Commerce Authority

The new Arizona Commerce Authority is now a reality! This informative session will introduce the key players in the organization and layout the strategies and direction that the ACA will undertake in leading the State's economic development efforts. Don Cardon and Sandra Watson will lead the discussion on the new initiatives the ACA is undertaking and how we can make the most out of the State's economic assets. Q&A to follow.

3:00 - 3:15p **Break**

3:15 - 4:15p ***3 CONCURRENT SESSIONS***

Using Arizona's Natural Resources for Economic Development

Representative Brenda Barton, Arizona District 5; Renée Bahl, Executive Director of Arizona State Parks

This session will discuss the human, political, and financial capital necessary to prudently utilize these natural resources in creating a sustainable economic benefit for the State of Arizona and its people. We will explore pathways to reach the potential of Arizona's natural, cultural and recreational resources as a major contributor of our economic future. Arizona has a vast storehouse of natural resources. A focus on transforming raw resources into manufactured value added products for export will be

Friday, October 28th Sessions

7:30 - 9:00a	**Buffet Breakfast**	
7:30 - 9:00a	**Practitioner Roundtable**	**Back by popular demand, this forum provides the practitioners an opportunity to discuss all aspects of the economic development world and share ideas to improve our efforts in Arizona.**
9:00 - 10:15a	***3 CONCURRENT SESSIONS***	
	Lead Generation Strategies for Arizona	**Allison Gilbreath and Tom Doyle, Vice Presidents of Business Attraction, Arizona Commerce Authority** Learn what the Arizona Commerce Authority is doing to attract new leads for Arizona. Discover their strategic approach to aggressively attract new businesses from global to statewide. The session also will offer suggestions on how a community can use its local assets to create a targeted marketing strategy. This session will inform you about taking proactive measures to attract new businesses by using lead generation strategies.
	What is a "PIF"? Why should my community respond?	**Bennett Curry, Business Attraction Managing Director, Arizona Commerce Authority** The infamous "PIF" *(Project Information Form)* enables you to showcase your community assets, available buildings and land, to a prospective company. Remember the phrase, "You only have one opportunity to make a good first impression." At this session you'll learn how to match the client's needs with your supply to create effective responses.
	Marketing on a Shoestring	**Kimber Lanning, Director, Local First Arizona** Does your agency or those businesses you serve need help marketing on a shoestring? There is a wide variety of free tools and resources that agencies/small business owners can use to reach untapped, potential customers and stay connected to current ones. From on-line presence to social media, new technologies can mean the difference between a thriving business and a struggling one. This session will discuss marketing tools to empower agencies/small business owners to create a solid foundation of self-sustained community marketing and public relations that enables them to survive and thrive in any economic downturn.
10:15 - 10:30a	**Break**	
10:30 - 11:45a	**Legislative Roundtable *(Legislative Representatives)***	Always an exciting session, leading legislators and lobbyists that are working on economic development issues will discuss the upcoming legislative session and listen to your ideas that will help bring jobs to Arizona.
Noon	**GOVERNOR'S AWARD LUNCHEON**	**The Honorable Janice K. Brewer, Arizona Governor *(invited)*** Your presence is requested at the Governor's luncheon where she will speak to Arizona's most pressing economic issues of the day. Following this address she will honor partnerships, organizations, associations, and individuals which have successfully created and implemented economic development strategies for their respective communities through this Excellence in Economic Development Awards Program.

Town Council Regular Session **Item # 1.**

Meeting Date: 12/07/2011

Requested by: Julie Bower, Town Clerk **Submitted By:** Tracey Gransie, Town Clerk's Office

Department: Town Clerk's Office

Information

SUBJECT:

Presentation of Plaques of Appreciation to outgoing Board and Commission members

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

N/A

BACKGROUND OR DETAILED INFORMATION:

Outgoing members for December, 2011 are as follows:

Board of Adjustment
- Jimmy Fields
- Sandra Hoy-Johnson
- Paul Parisi

Historic Preservation Commission
- Samuel McClung
- Daniel Zwiener

Parks and Recreation Advisory Board
- Susannah Myerson
- Greg Roberts

Planning and Zoning Commission
- Robert LaMaster

Water Utility Commission
- David Powell

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Town Council Regular Session **Item # 2.**

Meeting Date: 12/07/2011

Presentation of certificates to graduates of the Community Academy-Local Governance 101 Class

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Information

Subject

Presentation of Certificates to graduates of the Community Academy - Local Governance 101 class

Summary

The Town of Oro Valley is pleased to recognize the graduates of the Town's Community Academy-Local Governance 101 class.

The classes covered a variety of topics, including:

- Oro Valley history and how the town works
- The Town's vision for the future and our place in the regionl
- Conservation, sustainability and smart growth
- Municipal regulation and design excellence in the community
- Town finances and economic development
- Water and transportation: their role in the growth of the Town

The Community Academy provides residents with an opportunity to learn more about their community, including classes on Town organization, sustainability, and the role of citizens in the planning process. It serves to inform, educate, and engage residents to be active participants in building and sustaining their community. Members of the graduating class are listed in Attachment 1.

Specialized Community Academy classes for appointed Board and Commission members are tentatively scheduled to begin in the Spring.

Attachments

Attachment 1 - Graduate List

Fall, 2011 Community Academy-Local Governance 101 Graduates

Gil Alexander
Dave Atler
Nicky Baker
Sue Bishop
Kit Donley
Louis Farkas
Bill Leedy
Steve Leon
Carolyn Milkey
Mark Napier
Christina O'Callaghan
Patti Owen-Slater
William Rodman
Larry Ryan
Dino Sakellar
Michael Standish
Jeff Szafranski
Danielle Tanner
Don Taylor
Marthy Waters
Carol Wheeler

Town Council Regular Session **Item # A.**

Meeting Date: 12/07/2011

Requested by: Julie Bower, Town Clerk **Submitted By:** Mike Standish, Town Clerk's Office

Department: Town Clerk's Office

Information

SUBJECT:

Minutes - September 27, October 5, 2011

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

N/A

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (approve, approve with the following changes) the September 27 and October 5, 2011 minutes.

Attachments

9/27/11 Minutes

10/5/11 Minutes

MINUTES
ORO VALLEY TOWN COUNCIL
STUDY SESSION
September 27, 2011
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

STUDY SESSION

CALL TO ORDER

Mayor Hiremath called the meeting to order at 6:00 p.m.

ROLL CALL

PRESENT: Satish Hiremath, Mayor
Mary Snider, Vice Mayor
Barry Gillaspie, Councilmember
Joe Hornat, Councilmember
Steve Solomon, Councilmember
Lou Waters, Councilmember

EXCUSED: Bill Garner, Councilmember

1. **Discussion Regarding Oro Valley Town Centre PAD Amendment**

Planning Division Manager, David Williams gave an introduction of the case and displayed the location of where the construction would take place. The changes requested would affect Area 1 or 2 located on North Oracle Road near the intersection of First Avenue.

The primary issues:

- Apartment uses
- Convenience uses
- Main Street/Urban Design

Mr. Williams discussed the proposal regarding 275 apartment/multi-family units.

Councilmember Solomon confirmed that the existing PAD in Area 1 was for commercial use only.

Mr. Williams stated there was an active apartment market with about 93% occupancy.

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Mr. Williams continued with the proposed convenience uses which included gas stations, fast food, and car washes which were allowed with Town Council approval.

Councilmember Gillaspie confirmed there may need to be a revision to the conditional use permit (CUP) criteria for the proposal. Mr. Williams agreed that the criteria needed to be updated and that historically, CUP's had not been rejected.

Councilmember Solomon asked for clarification on the convenience use. Mr. Williams stated that as of today, no CUP's were required.

Discussion ensued amongst the Council and Mr. Williams regarding the proposed convenience uses.

Mr. Williams stated that the proposal was only for freestanding uses with drive thru accessibility.

Councilmember Waters requested a definition of mixed use and multiple use. Mr. Williams explained that staff was currently working on a definition but that right now the town must follow the general plan.

Councilmember Solomon requested clarification regarding what the developer proposed on changing from commercial to residential use.

Mr. Williams stated there was always a concern of losing commercial acreage to residential uses, however, if done correctly, it could benefit the community.

Councilmember Solomon asked if it was permissible to change the ordinance and put residential along with a mix of commercial uses.

Town Attorney Tobin Rosen responded that Council could tailor the PAD amendment to include the mix of uses that would be acceptable in the different areas.

Councilmember Solomon asked if there were any recommendations on how to achieve the mixed use.

Mayor Hiremath wanted to come to an understanding of what mixed use was to Oro Valley and discussed what would benefit the town during the current economic times.

Councilmember Hornat stated that Council could fill what was appropriate for that site but that multi-family apartments would overwhelm that area.

Councilmember Gillaspie wanted to integrate apartments, convenient uses, pedestrian uses and retail uses.

Councilmember Waters discussed the importance of this area because of the attractive location along the Oracle Road corridor.

Mayor Hiremath discussed how times had changed and that it was unfair to uphold a plan from over 10 years ago. He stated that the Town of Oro Valley could be built successfully and responsibly.

Councilmember Hornat stated he was open to negotiating but was not ready to allow apartments in that area.

Vice Mayor Snider reminded Council to focus on the identity of Oro Valley.

Councilmember Gillaspie wanted to work with the property owners but with the current configuration, he could not support the apartments and convenience uses and explained that Council needed to develop a vision for the future.

Mr. Williams proposed a compromise that would include the concept of both a Town Centre and multi-family use and wanted a commitment to mixed use which had been discussed with the developers.

Mr. Williams stated that staff recommended the apartments, three freestanding convenience uses and pedestrian scale development in proximity to Rooney Wash with pedestrian amenities.

Councilmember Waters asked if staff had weighed in on the conditional approval use with the Planning and Zoning Commission.

Senior Planner Matt Michels stated that negotiations with the applicant had been worked out.

Councilmember Hornat asked if there would ever be an opportunity to have some multi-family units located above retail space.

Councilmember Gillaspie stated it was time to talk about height restrictions if the Town wanted to create incentives for developers.

Councilmember Solomon said he was willing to look at other areas for reconsideration.

Vice Mayor Snider referred back to Councilmember Hornat's discussion about residential living over the retail space and thought it was an attractive option as long as there was a market to support it.

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Keri Silvyn, representing the developer, stated she understood what was being proposed and would like to meet with staff to work out some of the suggestions that were made.

Mayor Hiremath thanked Ms. Silvyn and the developers for the opportunity to ask questions and give staff direction. Council was committed to finding a balance between what residents were accustomed to and knowing what business development would do economically for Oro Valley.

FUTURE AGENDA ITEMS

No future agenda items were requested.

ADJOURNMENT

MOTION: A motion was made by Councilmember Waters and seconded by Councilmember Solomon to adjourn the meeting at 7:16 p.m.

MOTION carried, 6-0.

Prepared by:

_____
Sylvia Sepulveda
Licensing & Customer Service Representative

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 27th day of September 2011. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2011.

_____
Julie K. Bower, CMC-MMC
Town Clerk

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MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
October 5, 2011
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

REGULAR SESSION

CALL TO ORDER

Mayor Hiremath called the meeting to order at 6:00 p.m.

ROLL CALL

PRESENT:

Satish Hiremath, Mayor
Mary Snider, Vice Mayor
Bill Garner, Councilmember
Barry Gillaspie, Councilmember
Joe Hornat, Councilmember
Steve Solomon, Councilmember
Lou Waters, Councilmember

PLEDGE OF ALLEGIANCE

Mayor Hiremath led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

Communications Administrator Misti Nowak announced the upcoming Town meetings.

COUNCIL REPORTS

Councilmember Solomon reported that the first Coyote Run open house should be scheduled by the end of the month. The town should receive a significant seizure fund due to a large drug investigation which was coordinated with the Drug Enforcement Agency.

Vice Mayor Snider agreed to join the United Way Board of Directors. She thanked Oro Valley staff for making the National Night Out event a success.

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DEPARTMENT REPORTS

Parks, Recreation, Library & Cultural Resources Director Ainsley Legner said that the Town received notification that they would be receiving a $19,000 grant from the Tohono O'odham Nation. The grant would be used to support the Heritage Garden at Steam Pump Ranch.

ORDER OF BUSINESS

Mayor Hiremath stated that the order would stand as posted.

INFORMATIONAL ITEMS

1. Town Council Trip Report

2. Library Customer Feedback Forms

3. Police Department Appreciation Letters

CALL TO AUDIENCE

Director of Tucson Sports, Vince Trinidad, updated Council regarding the 2012 IronKids and Duathlon National Championship events and discussed the possibility of consolidating the two major events along with the Arizona Distance Classic.

Oro Valley resident Donald Bristow inquired as to when the proposed future agenda item regarding the formation of the Mayor's Ambassador program would be placed on a Council agenda.

CONSENT AGENDA

A. Minutes - May 11, 2011

B. Tucson Regional Economic Opportunities, Inc. Quarterly Report: April 1, 2011 - June 30, 2011

C. Appointments to the Corrections Officers Retirement Plan (CORP) Local Board

MOTION: A motion was made by Vice Mayor Snider and seconded by Councilmember Waters to approve items (A)-(C).

MOTION carried, 7-0.

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REGULAR AGENDA

1. PUBLIC HEARING: ORDINANCE NO. (O)11-24, AMENDING CHAPTER 28, SIGNS, SECTION 28.6, TEMPORARY SIGNS, OF THE ORO VALLEY ZONING CODE REVISED, TO INCREASE ON-SITE REAL ESTATE SIGNS TO A MAXIMUM OF SIX FEET IN HEIGHT

Planning Manager David Williams gave an overview of the on-site real estate signs amendment. He stated that the real estate industry requested a Code amendment that would allow six foot on-site real estate signs. This change would reflect current industry standards.

Councilmember Waters asked if there had been any real estate sign violations.

Inspections and Code Compliance Manager Chuck King replied that there had been a couple previous violations.

Mr. Williams clarified that riders/hangers would count against the sign height requirements.

Mayor Hiremath opened the public hearing.

Oro Valley resident and Director for Government Affairs for the Tucson Association of Realtors, Steve Huffman, stated that a six (6) foot height was an acceptable height for many jurisdictions. He said that the uniformity around the valley would be helpful for the real estate industry because agents would only have to purchase one sign for use in all communities.

Oro Valley resident Donald Bristow said that the existing signs under the current Code had fared well for years. The taller signs would pose visibility issues within the community. He opposed the on-site real estate sign height increase.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Solomon and seconded by Councilmember Hornat to adopt Ordinance No. (O)11-24, amending Chapter 28, Signs, Section 28.6, Temporary Signs, of the Oro Valley Zoning Code Revised, to increase on-site real estate signs to a maximum of six feet in height.

MOTION carried, 7-0.

2. REQUEST FOR APPROVAL OF CONCEPTUAL SITE PLAN AND ARCHITECTURE FOR CASA DE LA LUZ, A PROPOSED MEDICAL OFFICE USE LOCATED AT 7740 AND 7750 N. ORACLE ROAD

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Planning Manager David Williams gave an overview of the conceptual site plan and architecture for Casa de la Luz. He noted that the conceptual site design met the conceptual site design principles and generally met the design standards when the conditions were applied.

Overall, the CDRB supported the project design. Their main concerns consisted of the location of the refuse container and covered/screened pedestrian walkways. Staff added a condition to minimize lighting trespass at the eastern edge.

Staff recommended the following modifications to the Conditions:
- -1.a. - delete
- -1.c. - Replace with "Two shaded seating areas in the courtyard."
- -2. - Replace with "Provide updated parking information and layout."

Discussion ensued regarding the preferred location of the refuse container.

Mayor Hiremath opened the public hearing.

Oro Valley resident John Bellingham said that the garbage was usually picked up by 6:00 a.m. and that the dumpster location made it difficult to get in and out of.

Oro Valley resident Jennifer Becker said that there had been a long standing history of complaints from residents regarding early trash pick-up. She urged Council to place the refuse container as far away from residential homes as possible to mitigate the noise.

Builder and Developer Rob Caylor stated that he planned on creating a one way drive around the property which should help alleviate the noise from refuse pick-up. He agreed to hire a private trash service to pick up the refuse during normal business hours. Mr. Caylor clarified that note number three in Attachment #1 in the planning standards, regarding covered parking, should be deleted.

Mr. Williams clarified that the aforementioned note had been deleted.

Oro Valley resident Gil Alexander said that the trash collection enclosure was actually four sided.

Mr. Williams gave an overview of the proposed conceptual architecture. He noted that there were two single-story medical office buildings with approximate heights of 18 feet. The CDRB recommended approval with conditions listed in Attachment #1. He clarified that staff and the applicant agreed upon the following modifications to the conditions:
- -7. - Delete "such as piers or archways"
- -11. - Provide shade structures at project entries

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Mr. Caylor clarified that condition #11 stated that in lieu of covered walkways as discussed by CDRB, shade shall be provided in the courtyard areas. He opposed metal architecture shade structures because it would take away from the courtyard. He was concerned with condition #7 as it related to architectural elements at the entryway because a large monument would hide and take away from the openness of the entryway. Mr. Caylor requested the deletion of condition #7.

Councilmember Waters asked if there was any architectural common ground regarding condition #7.

Mr. Williams said that staff was trying to implement required standards regarding shade structures. Once a proposal was submitted, staff would work with the applicant to look at different shading options.

Discussion ensued amongst Council regarding shade structure locations and requirements.

MOTION: A motion was made by Councilmember Hornat and seconded by Councilmember Waters to approve, subject to conditions in Attachment #1, the conceptual site plan for Casa de la Luz and approve, subject to conditions in Attachment #1, the conceptual architecture for Casa de la Luz with the following exceptions: Conceptual Architecture condition #7 shall read - Architectural elements shall be added to help direct visitors toward the project entryways and shall enhance the public entryways of the new buildings.

Attachment #1
Conditions of Approval
Casa de la Luz

<u>CONCEPTUAL SITE PLAN: OV1211-02</u>

Engineering:

1. Address all redlined comments within the Conceptual Site Plan and Water Harvesting Plan.
2. Conceptual Site Plan, Sheet 2: The access drive along the north side of the site has been modified as a one-way access lane from the previous submittal. This creates a dead-end parking lot on the west end of the site for motorists entering from the south. As a result, please provide a turn-around area for motorists. This can be accomplished by striping out the last parking space.
3. Conceptual Site Plan, Sheet 2: Indicate that “ONE-WAY, DO NOT ENTER” Signage will be provided at the west end of the one-way access drive. Furthermore, it is recommended that the drive be narrowed to 20’-wide at this location to make it more obvious to motorists that the drive is for exiting one-way traffic only.
4. Rainwater Harvesting Plan: Verify the total volume of rainwater harvesting

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provided for this project. Sheet one indicates 536 cubic feet of volume will be provided but sheet 2 and the Drainage Report indicate that 500 cubic feet will be provided. Revise as necessary.

Planning:

1. Conceptual Site Plan, Sheet 2, must be revised to show:
    a. Final location of public artwork; a portion of public artwork shall be located in a high visibility and use area such as the courtyard (Design Standard 2.1.G.1.)
    b. Graphically define and label the required 959 square foot courtyard area.
    c. Two benches and an architecturally integrated shade structure in the courtyard.
2. Conceptual Site Plan, Sheet 1: Revise parking information to reflect the loss of one parking space in the front lot.
3. Conceptual Site Plan, Sheet 1: Revise to indicate 40 foot building setback and 30 foot parking shade structure setback at rear; 30 foot building setback at front; and delete 10 foot side yard setback. Add that a minimum 10 foot distance is required between buildings.
4. Any lighting proposed along the eastern edge of the parking area of northern Parcel will be lowered to prevent light trespass onto to residential properties to the east.
5. The comments in Pima County Addressing letter dated June 22, 2011 must be addressed.
6. Conceptual Site Plan must be revised to include changes indicated on Planning redlines (minor comments).

<u>CONCEPTUAL ARCHITECTURE: OV1311-13</u>

1. Revise S.1 Site Sections to indicate building heights so that parapet height of New buildings is varied, while also allowing for adequate parapet height to screen mechanical.
2. Clearly indicate proposed building heights around roofline on the elevations and sections.
3. Revise the architectural plans and site sections so that the building height information is consistent.
4. Provide scaled section drawings that show the sight line from residences to east and Oracle Road. Include mechanical equipment and show that the parapet height is sufficient to conceal the mechanical equipment and appurtenances from public streets and neighbors.
5. The final architectural plans shall include details for screening for refuse areas with a 6-foot opaque screen of materials and colors that match the buildings.
6. Revise the columns of the new buildings to match the columns on existing building.
7. Architectural elements such as piers or archways shall be added to help direct visitors toward the project entry ways, and massing elements shall be used

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to enhance the public entryways of the new buildings.

8. Massing elements and a third substantially different material shall be added to the western elevation of Building #1.
9. Color specifications must indicate light reflectivity value of rooftop material or color.
10. Final architectural plans shall indicate that each element of the architectural elevations has been identified with the colors and materials that are used.
11. In lieu of covered walkways as discussed by the CDRB, provide an architecturally integrated shaded structure at the project entries and the courtyard area (shade structure in courtyard area required under Conceptual Site Plan, Condition #1.c.)
12. Shade devices shall be incorporated above the windows on the western and southern elevations, and are recommended on the eastern elevations, of both buildings.

An amendment was made by Councilmember Gillaspie and agreed to by Councilmember Hornat and Councilmember Waters to strike Planning condition #3 on Attachment #1.

An amendment was made by Vice Mayor Snider and agreed to by Councilmember Hornat and Councilmember Waters to include the condition that refuse shall be picked up between the hours of 8:00 a.m. and 5:00 p.m. as indicated by the applicant through a contract arrangement with a refuse company.

An amendment was made by Councilmember Solomon and agreed to by Councilmember Hornat and Councilmember Waters to clarify that Conceptual Architecture condition #11 shall specify that there be one shaded structure at the west project entryway and courtyard area.

MOTION AS AMENDED carried, 7-0.

3. PUBLIC HEARING: ORDINANCE NO. (O)11-25, AMENDING THE ORO VALLEY ZONING CODE REVISED TO INCLUDE NEW PUBLIC ART CRITERIA BY AMENDING CHAPTER 22, REVIEW AND APPROVAL PROCEDURES, SECTION 22.9, DESIGN REVIEW AND CHAPTER 27, GENERAL DEVELOPMENT STANDARDS, SECTION 27.3, PUBLIC ARTWORK PROVISIONS

Planning Manager David Williams gave an overview of proposed Ordinance No. (O)11-25. The goal of the amendment was to expand principles beyond safety and location criteria and to address art composition and its relation to the proposed project and larger community context.

The components of the new art principles consisted of:

-The preamble statement had been expanded to better define the overarching

purpose of public art
-New principle #1 stated that public art should be designed as an integral and distinctive element of project design
-New principle #2 stated that public art should relate to the context and character of the project
-New principle #3 stated that public art should relate to the historical, cultural and natural context of the project area, neighborhood or Town
-New principle #4 would prohibit corporate advertising elements (symbols, logos, graphics and colors) as public art
-Existing principle relative to viewing area was removed, as it was duplicative of an existing Design Standard

The Planning and Zoning Commission recommended unanimous approval on July 5, 2011.

Councilmember Waters said that this item would expand the design standards to allow for more creativity for developers and artists as it related to public artwork.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Solomon and seconded by Vice Mayor Snider to adopt Ordinance No. (O)11-25, Amending the Oro Valley Zoning Code Revised to include new public art criteria as shown in Exhibit "A".

EXHIBIT "A"
ATTACHMENT 1
OV 711-008
AMENDMENTS TO SECTION 27.3.H, PUBLIC ART REVIEW CRITERIA

Amendments to original text as recommended by the Planning and Zoning Commission are shown in upper case and strike through.

H. REVIEW CRITERIA

PUBLIC ART IS AN INTEGRAL ELEMENT OF PROJECT DESIGN AND CONTRIBUTES TO THE OVERALL QUALITY OF LIFE FOR ORO VALLEY RESIDENTS AND VISITORS. ART ALSO CONTRIBUTES TO A SENSE OF PLACE AND COMMUNITY, DEFINES AND REINFORCES COMMUNITY IDENTITY AND REFLECTS THE UNIQUE CHARACTER OF THE TOWN.

APPROPRIATELY DESIGNED AND DISPLAYED PUBLIC ART CAN AND SHOULD SERVE AS A UNIFYING ELEMENT IN THE OVERALL DESIGN OF A

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PROJECT OR DEVELOPMENT. THE FOLLOWING PUBLIC ART PRINCIPLES ARE INTENDED TO PROVIDE DIRECTION AND DESIGN GUIDANCE FOR PUBLIC ART AND ITS INTEGRATION INTO THE OVERALL DEVELOPMENT CONTEXT.

In reviewing applications for conceptual public artwork, the Conceptual Design Review Board shall consider, but is not limited to the criteria described below and the Design Principles and Design Standards established in Section 22.9 ~~of this code and the adopted design standards in~~ Addendum A of the Zoning Code. The Board shall determine acceptability of individual applications based on their interpretation and judgment of fulfillment of these criteria.

1. PUBLIC ART SHALL REFLECT THE CONTEXT AND CHARACTER OF THE PROJECT. WHERE APPROPRIATE, ART AND ARTISTIC ELEMENTS SHOULD UTILIZE THEMES ASSOCIATED WITH THE FUNCTIONS OF THE BUSINESS.

2. PUBLIC ART SHOULD MORE GENERALLY REFLECT THE HISTORICAL, AND CULTURAL CONTEXT OF THE PROJECT AREA, THE NEIGHBORHOOD, AND THE TOWN.

3. PUBLIC ART SHALL NOT REFLECT CORPORATE ADVERTISING ELEMENTS OF A BUSINESS INCLUDING COLORS, GRAPHICS, SYMBOLS OR OTHER REPRESENTATIONS OF CORPORATE IDENTITY.

4. ~~Location:~~ Public artwork locations shall be integrated with the layout and hardscape components of the site. To the extent feasible, public artwork shall be placed in a highly visible and publicly accessible location.

5. ~~Material and Safety:~~ Proposed artworks shall be designed to prevent hazards to the public. Durability and safety of materials shall be considered including potential areas of excessive wear or damage, which shall be mitigated.

6. ~~Obstructions:~~ Potential future obstructions, including landscape materials at maturity or future construction, shall be considered when locating public art.

7. ~~Viewing Area:~~ Locations for artwork should include nearby accessible seating, when appropriate, from which the artwork can be easily viewed.

8. ~~Original Work:~~ The artwork shall be original and not duplicate existing artwork in the Town and shall conform to community standards.

AMENDMENTS TO SECTION 22.9.D.5, CONCEPTUAL DESIGN REVIEW

5. CONCEPTUAL DESIGN REVIEW PRINCIPLES AND TOWN ACTION

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C. CONCEPTUAL PUBLIC ART DESIGN

SEE SECTION 27.3 FOR PUBLIC ART DESIGN CRITERIA AND REQUIREMENTS.

~~C.~~ D. The Conceptual Design Review Board (CDRB) shall forward recommendations to the Town Council for conceptual design applications as provided in Subsection 4.a. The CDRB shall utilize the design principles in Section 22.9.d.5 and the Design Standards within the zoning code in evaluating conceptual design review applications.

~~D.~~ E. In accordance with Section 21.5.b. the CDRB may approve, with or without conditions, sign criteria, conceptual model home architecture, and tier ii minor communications facilities.

MOTION carried, 7-0.

4. DISCUSSION AND POSSIBLE ACTION REGARDING THE PLACEMENT OF A-FRAME SIGNS IN THE PUBLIC RIGHT-OF-WAY

Interim Development and Infrastructure Services Director Paul Keesler gave an overview of A-frame signs in the public Right-of-Way.

Mr. Keesler discussed the following proposed sign copy criteria:
- -Sign copy criteria would follow the manual on Uniform Traffic Control Devices
- -Sign copy must be easily readable by the passing driver to minimize driver distraction
- -Two separate criteria based on street posted speed
  - -45 mph and greater
  - -Less than 45mph

Mr. Keesler discussed the following placement criteria:
- -Sign placement must not interfere with or mimic any official traffic control devices/signage
- -Signs must be spaced adequately to minimize driver distraction
- -Town Engineer to determine minimum spacing requirements based on site specific parameters and posted speed limits

Mr. Keesler recommended optional cluster sign zones which would allow multiple businesses to place their signs near the driveway of their establishments. He noted that every situation posed its own unique challenges and therefore, the Town Engineer would have the ultimate say in where and how many signs could be placed at a specific location.

Mr. Keesler discussed the proposed street setbacks and said that placement of signs along arterial and collector streets would have a ten (10) foot setback and

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placement along local streets (25 mph & under) would require a five (5) foot minimum setback from the edge of the pavement.

Councilmember Waters inquired as to who would be allowed to use A-frames.

Mr. Keesler said that anyone who submitted an application would be allowed to place A-frames in the Right-of-Way.

Councilmember Waters was concerned that the town would become cluttered with signs.

Councilmember Solomon felt that a permit fee would be necessary to cover some of the expenses.

Mr. Keesler said that there would be a two-stage process. The first stage would consist of the sign review and the second stage would consist of placing the sign in the field. In total, it was estimated to cost the town $180 per year.

Councilmember Garner recommended that weighting standards (sand and/or water) should be added to the sign criteria.

Mr. Keesler said that weight standards would not be needed if the proposed set backs were utilized.

Councilmember Garner was concerned with high winds blowing signs over and potentially endangering residents.

Vice Mayor Snider recommended that A-frame signs should be weighted down for safety.

Councilmember Garner said that the A-frame fee schedule should not be altered since there already was a Right-of-Way permit for $1,000 a year.

Councilmember Waters asked if there would be aesthetic standards for A-frames.

Mr. Keesler said that there were proposed standards which required signs to be professionally designed and legible.

Mayor Hiremath opened the public hearing.

Oro Valley resident and President of the Northern Pima County Chamber of Commerce, Dave Perry, said that the business community would like to see signs in the Right-of-Way because it would help them in their ability to do business but he recognized the community concerns as well. He urged Council to approve the use of A-frames in Rights-of-way if they were comfortable with the

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decision but encouraged Council to continue with the process of public outreach if they were not ready to approve the use of A-frames in the Rights-of-Way.

Oro Valley resident Donald Bristow strongly opposed the placement of A-frame signs in the Right-of-Way. He said that all Right-of-Way signs created driver distractions regardless of size or content. He urged Council to consider the safety of all residents before making a decision.

Oro Valley resident Bill Adler opposed the use of A-frames in the Right-of-Way. He said that the management of temporary signs needed to be a partnership with the merchants and the Town. He recommended that the merchants should form merchant associations to manage the temporary sign locations, timing, enforcement, etc.

Oro Valley resident Gil Alexander recommended that A-frames should be weighted in order to prevent them from blowing into roadways but he preferred the use of monument signs instead of temporary A-frame signs.

Mayor Hiremath closed the public hearing.

Councilmember Solomon said that the use of A-frames in the Right-of-Way would create a burden on town staff. He recommended that local businesses should work with the Northern Pima County Chamber of Commerce to develop a proposal which could then be brought before Council for consideration and possible action.

Councilmember Hornat said that A-frames in the Right-of-Way were dangerous and added clutter to the community. He strongly opposed the use of A-frames in the Right-of-Way.

Councilmember Waters opposed the use of A-frames in the Right-of-Way.

Vice Mayor Snider supported the temporary use of A-frame signs inside of shopping centers but opposed the use of A-frames in the Right-of-Way.

Councilmember Garner opposed the use of A-frames in the Right-of-Way but supported the idea of merchants creating merchant associations to develop A-frame standards for shopping plazas.

Councilmember Gillaspie opposed the use of A-frames in the Right-of-Way.

No action was taken by Council.

Mayor Hiremath recessed the meeting at 8:01 p.m.

Mayor Hiremath reconvened the meeting at 8:14 p.m.

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5. AMENDMENT OF ORO VALLEY TOWN CENTRE AT ROONEY RANCH PLANNED AREA DEVELOPMENT

a. RESOLUTION NO. (R)11-66, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT ENTITLED ORO VALLEY TOWN CENTRE AT ROONEY RANCH PLANNED AREA DEVELOPMENT, ATTACHED HERETO AS EXHIBIT "A" AND FILED WITH THE TOWN CLERK

MOTION: A motion was made by Vice Mayor Snider and seconded by Councilmember Waters to approve Resolution No. (R)11-66.

MOTION carried, 7-0.

b. PUBLIC HEARING: ORDINANCE NO. (O)11-26, AMENDMENT OF ORO VALLEY TOWN CENTRE AT ROONEY RANCH PLANNED AREA DEVELOPMENT

Planning Manager David Williams gave an overview of the proposed amendment. The three main issues consisted of:

-Multi-Family Residential
-Convenience Uses (quantity)
-Main Street/Urban Design

Mr. Williams outlined the fifteen additional conditions that had been negotiated with the applicant. He noted that the applicant requested the PAD amendment to allow them more flexibility to develop now rather than continuing to hold the property for a possible main street design.

Councilmember Solomon asked how the density of the proposed apartment complex compared to typical apartment densities.

Mr. Williams responded that the density was right in the middle.

Mayor Hiremath opened the public hearing.

Oro Valley resident Donald Bristow was concerned with the quantity of proposed convenience stores and gas stations. He urged Council to consider the long-term implications of short-term development decisions.

Oro Valley resident Lloyd Johnson was concerned with the current demand for commercial buildings. He opposed gas stations and fast food restaurants. He recommended holding off on any new development at this time.

Oro Valley resident Fred Pfarrius was concerned with building heights reaching approximately sixty feet and obstructing the mountain views.

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Oro Valley resident Bill Adler said that market demand was not a tool for zoning. He stated that by the time any project was designed, built and occupied, the market would have changed. He recommended that the convenience uses should be developed along Oracle Road at either side of the entrance, thus leaving the interior of the project for the development of the Main Street concept.

Oro Valley resident Ethel Grayson settled in Oro Valley because of the beautiful environment but felt that it was on the verge of destruction with the proposed amendment. She preferred the idea of pedestrian shopping but opposed convenience uses such as gas stations and fast food restaurants.

Oro Valley resident Kurt Weirich was concerned with the proposed development of 275 apartment units. He stated that it would damage the quality of life in Oro Valley. He opposed convenience stores and gas stations but preferred high-quality, non-convenience use development.

Oro Valley resident Barbara Mostoff was concerned with losing the view of the mountains due to the development of tall buildings. She stated that people moved to Oro Valley to enjoy the mountains. She urged Council to protect the natural beauty of Oro Valley and plan carefully for future generations.

Mayor Hiremath closed the public hearing.

Keri Silvyn, representing the owners of the property, gave an overview of the proposed PAD amendment and stated that the owners were in full agreement of the proposed conditions. Ms. Silvyn covered the following main topics:

-Pedestrian Amenities
-Civic Use Area
-Proposed Height in PAD
-Convenience Uses
-Multi-Family Residential

Councilmember Solomon clarified that unless there was a guarantee or condition on the type of apartments that could be built, there was no guarantee that high-end apartments would ultimately be built.

Councilmember Solomon asked if the construction of the apartments was linked to the commercial development.

Ms. Silvyn replied "no".

Vice Mayor Snider asked if any consideration had been given to the possible market demand if other apartments would be built in Oro Valley.

Ms. Silvyn replied that had been taken into consideration and that there was an enormous demand for apartments in the area.

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Councilmember Garner suggested that the garages on the lower level could be replaced with convenience uses.

Councilmember Hornat preferred to see the apartments spread out instead of clumped together and that more streetscape items needed to be added in order to make it unique and inviting.

Councilmember Waters questioned why gas stations, car washes and fast food restaurants were included in the proposed development since these types of convenience uses already existed within close proximity of the development.

Ms. Silvyn said that the development plan was still unfinished and that it was difficult to market the site with the current entitlements. She said that they were looking for some flexibility but were willing to include additional language that would require specific amenities. Ms. Silvyn clarified that the intent had always been to create a space on the site that would include cafes and amenities while capitalizing on a pedestrian connection with the wash. The site would also include convenience uses off of Oracle Road.

Mayor Hiremath said that it was important to take a logical look at how society had changed because people were more transient in nature since the world operated in a global environment. He clarified that the height of the development wouldn't exceed the height of the homes at Rams Pass.

Mayor Hiremath stated that society today preferred conveniences. The demographics of Oro Valley had drastically changed from 1990 to present. In 1990, approximately 85% of residents were retired. Now, there were approximately 8,000 school kids, 45% of residents were middle-aged and another 45% were seniors.

MOTION: A motion was made by Mayor Hiremath to adopt Ordinance (O)11-26, amendment of Oro Valley Town Centre at Rooney Ranch Planned Area Development as shown in Exhibit A and subject to the conditions in Attachments #3 & #4.

MOTION failed due to lack of a second.

Councilmember Solomon was concerned with the use regarding the multi-family section and that the commercial section wouldn't develop the way it was envisioned.

MOTION: A motion was made by Councilmember Solomon and seconded by Councilmember Garner to deny Ordinance No. (O)11-26.

Councilmember Solomon made a motion to amend the original motion to continue Ordinance No. (O)11-26. This amendment was agreed to by

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Councilmember Garner.

MOTION AS AMENDED carried 6-1, with Councilmember Gillaspie opposed.

FUTURE AGENDA ITEMS

No agenda items were requested.

CALL TO AUDIENCE

Oro Valley resident Dick Johnson said that the University of Arizona woman's golf team invitational would be held in Oro Valley at Vistoso on February 5, 6 and 7th.

ADJOURNMENT

MOTION: A motion was made by Vice Mayor Snider and seconded by Councilmember Garner to adjourn the meeting at 9:36 p.m.

MOTION carried, 7-0.

Prepared by:

_____
Michael Standish, CMC
Deputy Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 5th day of October 2011. I further certify that the meeting was duly called and held and that a quorum was present

Dated this _____ day of _____, 2011

_____
Julie K. Bower, MMC
Town Clerk

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Town Council Regular Session **Item # B.**

Meeting Date: 12/07/2011

Requested by: Wendy Gomez **Submitted By:** Wendy Gomez, Finance

Department: Finance

Information

SUBJECT:

Fiscal Year 2011/12 Financial Update Through October 2011

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

General Fund

Attachment A shows General Fund revenues and expenditures through October as well as year-end estimates for each category. Through October, revenue collections, including transfers in, totaled $7,549,810, and expenditures, including transfers out, totaled $7,432,963.

The General Fund budget for FY 11/12 included $180,000 in unspent carryforward funds from the Capital Asset Replacement Fund (CARF) to be spent on computer network upgrades that are in process from last fiscal year. These unspent CARF funds were included in the General Fund beginning fund balance at July 1, 2011 and are expected to be fully spent during this fiscal year. This explains why the adopted budget column for the General Fund shows a planned $180,000 decrease in fund balance.

The estimated **year-end** projections in the General Fund are as follows:

Revenues	$25,006,895
Less:	
Expenditures	(25,611,731)
Plus:	
Other Financing Sources	410,074
Est. Decrease in Fund Balance	**($ 194,762)**

General Fund Revenues and Other Financing Sources

- Revenues through October total $7,301,873 which represents 29.2% of the budgeted FY 11/12 revenues.
- Revenues are estimated to come in slightly under budget at this point due to lagging construction sales tax collections.
- The year-end estimate for local sales taxes has been adjusted based on an analysis of collections through October.
- The estimated General Fund subsidy transfer from the Bed Tax Fund has also been reduced by $300,000, which is expected to be covered with vacancy savings.

- **Note that these are preliminary estimates. Staff will continue to monitor revenue collections and may further adjust year-end estimates based on actual trends.**
- Although the distribution by revenue category has changed, the total amount of General Fund revenues budgeted for this fiscal year is 10% below what was collected five years ago, in FY 06/07

General Fund Major Revenue Categories

Local Sales Tax

- Fiscal year to date General Fund collections are $3,473,649 (11% less than FY 10/11 through October). This is due primarily to the further decrease in construction sales tax collections, which are down 21% this year to date compared with last year to date. All other categories of tax collection are flat this year compared with last year to date.
- Total collections are estimated to come in 1.9% below budget, with certain categories (such as retail and restaurant) expected to bring in additional revenues, and other categories (such as construction and utilities) expected to come in slightly under budget

State-Shared Revenues

- Income Tax - fiscal year to date is $1,153,691 (9.7% decrease from FY 10/11 through October)
- Sales Tax - fiscal year to date is $1,020,539 (8.2% increase from FY 10/11 through October)
- Vehicle License Tax - fiscal year to date is $520,301 (1.4% decrease from FY 10/11 through October)

General Fund Expenditures

- Expenditures through October total $7,432,963, which represents 28.5% of the budgeted FY 11/12 expenditures
- Expenditures are estimated to come in under budget by about $479,000, or by about 1.8%
- Expenditure projection reflects Council-approved use of contingency funds of $30,000 as well as estimated vacancy savings (savings from positions that will remain unfilled or will be refilled at a later date). **Note that vacancy savings are estimates and are subject to change.**

See Attachment A for additional detail on the General Fund, and Attachments B and C for additional detail on the Highway Fund and Bed Tax Fund. See Attachment D for estimated vacancy savings. See Attachment E for a fiscal year to date consolidated summary of all Town funds.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

Information only.

Attachments

Attachment A - General Fund

Attachment B - Highway Fund

Attachment C - Bed Tax Fund

Attachment D - Vacancy Savings Report

Attachment E - Summary All Funds

ATTACHMENT A

October YTD Financial Status

FY 2011/2012

General Fund

% Budget Completion through October --- 33.3%

	Actuals thru 10/2011	Budget	% Actuals to Budget	Year End Estimate *	YE $ Variance to Budget	YE % Variance to Budget
REVENUES:						
LOCAL SALES TAX	3,473,649	12,401,316	28.0%	12,166,695	(234,621)	-1.9%
LICENSES & PERMITS	283,848	1,126,894	25.2%	1,126,894	-	0.0%
FEDERAL GRANTS	78,199	805,533	9.7%	805,533	-	0.0%
STATE GRANTS	156,905	288,500	54.4%	466,500	178,000	61.7%
STATE/COUNTY SHARED	2,694,531	8,187,264	32.9%	8,187,264	-	0.0%
OTHER INTERGOVERNMENTAL	30,000	591,160	5.1%	591,160	-	0.0%
CHARGES FOR SERVICES	415,376	1,237,851	33.6%	1,253,041	15,190	1.2%
FINES	67,073	190,000	35.3%	190,000	-	0.0%
INTEREST INCOME	26,152	22,000	118.9%	50,000	28,000	127.3%
MISCELLANEOUS	76,139	157,500	48.3%	169,808	12,308	7.8%
TOTAL REVENUES	**7,301,873**	**25,008,018**	**29.2%**	**25,006,895**	**(1,123)**	**0.0%**

	Actuals thru 10/2011	Budget	% Actuals to Budget	Year End Estimate *	YE $ Variance to Budget	YE % Variance to Budget
EXPENDITURES:						
COUNCIL	91,541	220,573	41.5%	220,573	-	0.0%
CLERK	101,346	456,089	22.2%	444,957	(11,132)	-2.4%
MANAGER	187,688	877,167	21.4%	727,321	(149,846)	-17.1%
HUMAN RESOURCES	141,613	482,649	29.3%	482,649	-	0.0%
FINANCE	220,984	722,199	30.6%	716,244	(5,955)	-0.8%
INFORMATION TECHNOLOGY	437,153	1,235,704	35.4%	1,235,704	-	0.0%
GENERAL ADMINISTRATION	366,649	2,141,767	17.1%	2,171,767	30,000	1.4%
LEGAL	223,108	841,832	26.5%	841,832	-	0.0%
COURT	198,697	781,625	25.4%	746,650	(34,975)	-4.5%
DEV & INFRASTRUCTURE SVCS	852,820	3,340,679	25.5%	3,135,934	(204,745)	-6.1%
PARKS, REC, LIBRARY, & CULT RSCS	998,447	2,876,702	34.7%	2,876,135	(567)	0.0%
POLICE	3,612,915	12,113,606	29.8%	12,011,965	(101,641)	-0.8%
TOTAL EXPENDITURES	**7,432,963**	**26,090,592**	**28.5%**	**25,611,731**	**(478,861)**	**-1.8%**
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	**(131,089)**	**(1,082,574)**		**(604,836)**	**477,738**	
TRANSFERS IN						
Bed Tax Fund - Gen Fund Allocation	183,330	675,000	27.2%	375,000	(300,000)	-44.4%
Bed Tax Fund - Transit Subsidy	64,607	450,926	14.3%	258,426	(192,500)	-42.7%
TRANSFERS OUT						
Debt Service Fund	-	(223,352)	0.0%	(223,352)	-	0.0%
TOTAL OTHER FINANCING SOURCES (USES)	**247,937**	**902,574**	**27.5%**	**410,074**	**(492,500)**	**-54.6%**
CHANGE IN FUND BALANCE	**116,847**	**(180,000)**		**(194,762)**	**(14,762)**	
BEGINNING FUND BALANCE **						
Assigned - CARF Carryforward		*180,000*		*180,000*	-	
Assigned - Comp. Absences & Unemploy Resrv		*1,598,407*		*1,598,407*	-	
Unassigned		*9,231,864*		*9,231,864*	-	
TOTAL BEGINNING FUND BALANCE		***11,010,271***		***11,010,271***	**-**	
ENDING FUND BALANCE **						
Assigned - CARF Carryforward		-		-	-	
Assigned - Comp. Absences & Unemploy Resrv		*1,598,407*		*1,598,407*	-	
Unassigned		*9,231,864*		*9,217,102*	*(14,762)*	
TOTAL ENDING FUND BALANCE		***10,830,271***		***10,815,509***	***(14,762)***	

* Year-end estimates are subject to further revision

** Fund balance amounts are unaudited estimates and are subject to further revision

ATTACHMENT B

October YTD Financial Status

FY 2011/2012

Highway Fund

% Budget Completion through October --- 33.3%

	Actuals thru 10/2011	Budget	% Actuals to Budget	Year End Estimate *	YE $ Variance to Budget	YE % Variance to Budget
REVENUES:						
LOCAL SALES TAX	101,492	367,400	27.6%	307,210	(60,190)	-16.4%
LICENSES & PERMITS	14,980	42,000	35.7%	42,000	-	0.0%
STATE GRANTS	60,557	487,000	12.4%	487,000	-	0.0%
STATE/COUNTY SHARED	751,330	2,376,464	31.6%	2,376,464	-	0.0%
CHARGES FOR SERVICES	3,750	15,000	25.0%	15,000	-	0.0%
INTEREST INCOME	436	10,700	4.1%	10,700	-	0.0%
MISCELLANEOUS	5,215	10,000	52.1%	10,000	-	0.0%
TOTAL REVENUES	**937,759**	**3,308,564**	**28.3%**	**3,248,374**	**(60,190)**	**-1.8%**

	Actuals thru 10/2011	Budget	% Actuals to Budget	Year End Estimate *	YE $ Variance to Budget	YE % Variance to Budget
EXPENDITURES:						
ADMINISTRATION	167,239	669,143	25.0%	651,203	(17,940)	-2.7%
TRANSPORTATION ENGINEERING	157,260	1,799,590	8.7%	1,799,590	-	0.0%
PAVEMENT MANAGEMENT	39,952	175,336	22.8%	121,390	(53,946)	-30.8%
STREET MAINTENANCE	204,748	840,753	24.4%	840,753	-	0.0%
TRAFFIC ENGINEERING	143,339	608,455	23.6%	608,455	-	0.0%
TOTAL EXPENDITURES	**712,537**	**4,093,277**	**17.4%**	**4,021,391**	**(71,886)**	**-1.8%**
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	**225,222**	**(784,713)**		**(773,017)**	**11,696**	
TRANSFERS IN	-	-	0.0%	-	-	0.0%
TRANSFERS OUT						
Twnwide Road Impact Fund - Lambert Ln	-	(400,000)	0.0%	(400,000)	-	0.0%
TOTAL OTHER FINANCING SOURCES (USES)	**-**	**(400,000)**	**0.0%**	**(400,000)**	**-**	**0.0%**
CHANGE IN FUND BALANCE	**225,222**	**(1,184,713)**		**(1,173,017)**	**11,696**	
BEGINNING FUND BALANCE **						
Assigned - Comp. Absences & Unemploy Resrv		*175,105*		*175,105*	-	
Committed		*3,479,843*		*3,479,843*	-	
TOTAL BEGINNING FUND BALANCE		***3,654,948***		***3,654,948***	**-**	
ENDING FUND BALANCE **						
Assigned - Comp. Absences & Unemploy Resrv		*175,105*		*175,105*	-	
Committed		*2,295,130*		*2,306,826*	*11,696*	
TOTAL ENDING FUND BALANCE		***2,470,235***		***2,481,931***	***11,696***	

* Year-end esimates are subject to further revision
** Fund balance amounts are unaudited estimates and are subject to further revision

October YTD Financial Status

FY 2011/2012

Bed Tax Fund

% Budget Completion through October --- 33.3%

	Actuals thru 10/2011	Budget	% Actuals to Budget	Year End Estimate *	YE $ Variance to Budget	YE % Variance to Budget
REVENUES:						
BED TAXES	196,810	899,626	21.9%	770,150	(129,476)	-14.4%
INTEREST INCOME	1,674	1,800	93.0%	5,000	3,200	177.8%
TOTAL REVENUES	**198,484**	**901,426**	**22.0%**	**775,150**	**(126,276)**	**-14.0%**

	Actuals thru 10/2011	Budget	% Actuals to Budget	Year End Estimate *	YE $ Variance to Budget	YE % Variance to Budget
EXPENDITURES:						
ECONOMIC DEVELOPMENT	55,295	235,981	23.4%	235,981	-	0.0%
TOTAL EXPENDITURES	**55,295**	**235,981**	**23.4%**	**235,981**	**-**	**0.0%**
EXCESS (DEFICIENCY OF REVENUES OVER EXPENDITURES	**143,189**	**665,445**		**539,169**	**(126,276)**	
TRANSFERS IN	-	-	0.0%	-	-	0.0%
TRANSFERS OUT						
General Fund Allocation	(183,330)	(675,000)	27.2%	(375,000)	300,000	-44.4%
Transit Subsidy - General Fund	(64,607)	(450,926)	14.3%	(258,426)	192,500	-42.7%
TOTAL OTHER FINANCING SOURCES (USES)	**(247,937)**	**(1,125,926)**	**22.0%**	**(633,426)**	**492,500**	**-43.7%**
CHANGE IN FUND BALANCE	**(104,747)**	**(460,481)**		**(94,257)**	**366,224**	
BEGINNING FUND BALANCE **						
Committed		*840,705*		*840,705*	-	
TOTAL BEGINNING FUND BALANCE		***840,705***		***840,705***	**-**	
ENDING FUND BALANCE **						
Committed		*380,224*		*746,448*	*366,224*	
TOTAL ENDING FUND BALANCE		***380,224***		***746,448***	***366,224***	

* Year-end estimates are subject to further revision
** Fund balance amounts are unaudited estimates and are subject to further revision

ATTACHMENT D

FY 11/12 Town Vacancy Report as of Oct 31, 2011

Fund	Vacant FTEs	Estimated FY 11/12 Savings
General Fund	9.51	663,217
Less Budgeted Vacancy Savings		*(154,356)*
Net General Fund		**508,861**
Highway Fund	1.75	92,808
Less Budgeted Vacancy Savings		*(20,922)*
Net Highway Fund		**71,886**
Water Utility Fund	–	33,095
Less Budgeted Vacancy Savings		*(25,599)*
Net Water Utility Fund		**7,496**
Stormwater Utility Fund	**0.25**	**24,930**

CONSOLIDATED YEAR-TO-DATE FINANCIAL REPORT THROUGH OCTOBER, 2011

ATTACHMENT E

Fund	Actual FY 11/12 Begin Bal. *	Revenue	Transfer In	Total In	Capital Leases/ Transfer Out	Personnel	O&M	Capital	Contingency	Debt Service	Total Out	Left in Accounts Thru Oct, 2011
General Fund - Unassigned	9,235,859	7,301,874	247,937	7,549,811	10,373	5,857,926	1,500,548	64,116	-	-	7,432,963	9,352,707
General Fund - Assigned	1,771,277											1,771,277
Highway Fund - Committed	3,479,843	937,759	-	937,759	-	596,575	112,876	3,087	-	-	712,537	3,705,065
Highway Fund - Assigned	175,105											175,105
Seizure & Forfeiture - State	168,592	9,997	-	9,997	-	-	4,334	-	-	-	4,334	174,255
Seizure & Forfeiture - Justice	457,506	72,946	-	72,946	-	-	7,673	12,476	-	-	20,149	510,304
Bed Tax Fund - Committed	840,705	198,484	-	198,484	247,937	4	55,291	-	-	-	303,232	735,957
RTA Fund	-	-	-	-	-	-	96	-	-	-	96	(96)
Impound Fee Fund	-	16,935	-	16,935	-	14,317	-	-	-	-	14,317	2,618
Municipal Debt Service Fund	1,501,084	74,757	-	74,757	-	-	2,173	-	-	464,386	466,559	1,109,282
Oracle Road Debt Service Fund	4,987	-	-	-	-	-	-	-	-	-	-	4,987
Alternative Water Resources Dev Impact Fee Fund	1,509,166	894,683	-	894,683	-	-	599	26,094	-	-	26,693	2,377,156
Potable Water System Dev Impact Fee Fund	7,295,885	210,963	-	210,963	-	-	-	279,660	-	-	279,660	7,227,187
Townwide Roadway Development Impact Fee Fund	2,496,546	374,166	-	374,166	-	-	-	362,562	-	115,467	478,029	2,392,683
Parks & Recreation Impact Fee Fund	323,843	47,767	-	47,767	-	-	-	-	-	-	-	371,610
Library Impact Fee Fund	83,211	12,288	-	12,288	-	-	-	-	-	-	-	95,499
Police Impact Fee Fund	73,379	9,704	-	9,704	-	-	-	-	-	-	-	83,084
General Government Impact Fee Fund	105,587	9,577	-	9,577	-	-	-	-	-	-	-	115,163
Naranja Park Fund	258,821	-	-	-	-	-	-	-	-	-	-	258,821
Water Utility	10,004,161	3,877,279	-	3,877,279	-	733,796	1,243,665	759,897	-	-	2,737,357	11,144,084
Stormwater Utility	368,172	227,152	-	227,152	1,781	74,889	67,973	101,830	-	-	246,473	348,851
Fleet Maintenance Fund	-	109,068	-	109,068	-	26,509	130,825	-	-	-	157,334	(48,266)
Total	**40,153,729**	**14,385,398**	**247,937**	**14,633,335**	**260,090**	**7,304,015**	**3,126,053**	**1,609,722**	**-**	**579,853**	**12,879,732**	**41,907,332**

* Beginning balances are unaudited estimates, subject to further revision.

Town Council Regular Session **Item # C.**

Meeting Date: 12/07/2011

Requested by: Amanda Jacobs **Submitted By:** Amanda Jacobs, Town Manager's Office

Department: Town Manager's Office

Information

SUBJECT:

Tucson Regional Economic Opportunities, Inc. Quarterly Report: July 1, 2011 - September 30, 2011

RECOMMENDATION:

This report is for information only.

EXECUTIVE SUMMARY:

The 2011/12 Financial Participation Agreement (FPA) between the Town of Oro Valley and Tucson Regional Economic Opportunities, Inc. (TREO) stipulates that a quarterly report be compiled by TREO and submitted to the Economic Development division and the Town Council. The enclosed reports satisfy the FPA requirement for the first quarter of FY 11/12.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

The FY 11/12 FPA between the Town of Oro Valley and TREO is in the amount of $41,011.

SUGGESTED MOTION:

This report is for information only.

Attachments

TREO FPA

TREO First Quarter Report

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

THIS AGREEMENT is made and entered into this 15th day of June, 2011, by and between the Town of Oro Valley, a municipal corporation, hereinafter called the "Town" and the **Tucson Regional Economic Opportunities, Inc.,** a non-profit corporation, hereinafter called the "Agency".

WITNESSETH

WHEREAS, it has been determined that the activities of Agency are in the public interest, and are such as to improve and promote the public welfare of the Town; and

WHEREAS, the Mayor and Council have determined that to financially participate in the promotion of the activities of Agency is a public purpose in that the activities confer direct benefit of a general character to a significant part of the public.

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto do mutually agree as follows:

Section 1: Statement of Purpose

Agency shall oversee the implementation of the Economic Blueprint for the region to ensure and improve the vitality of the larger community, including the Town, by complementing the community's economic development resources. Agency shall support the Town's goals as stated in its Community Economic Development Strategy (CEDS).

Section 2: Services to be Performed by Agency

Agency performance measures for Fiscal Year 2011/12 are as follows:

1) Facilitate High Wage Job Creation and Capital Investment
   Strategies:
   - Attend 2 sales mission/trade shows related to the bioscience and/or the aerospace defense industry.
   - Conduct 4 outreach meetings with regional primary employers to discuss current and future issues associated with operations, workforce, sales, local government, and other important matters. These meetings will focus on businesses within the four targeted industries and primary employers which produce goods and services in excess of what can be consumed by the local market.

2) National / International Marketing of Region
   Strategies:
   - Host 2 site selectors regionally, including presentation of Oro Valley.
   - Communicate with Oro Valley on TREO initiatives via the "Monday Memo" and monthly meetings with the Economic Development Manager.
   - Continue national public relations outreach to position TREO, and the region as a business center, by conducting 2 press trips, one out-bound and one in-bound.

3) Advocacy on Competitiveness Issues
   Strategies:
   - Update the regional Economic Blueprint and appoint one Town official to participate on the Steering Committee.
   - TREO will pay for one Town official's participation in any Leadership Exchange Trip conducted in FY 11-12.

Section 3: Services to be Provided by the Town

All funding is subject to the Town's budget appropriations. For this Agreement, up to Forty One Thousand and Eleven Dollars ($41,011) shall be allocated to Agency.

Section 4: Responsibility for Open Records

Agency agrees to open to the public all records relating to any funds directly received from the Town that Agency distributes to any organization and/or individual.

Section 5: Evaluation Criteria and Reporting

In order to assess the impact of Agency, the Town reserves the right to evaluate performance, and to have access to all pertinent information necessary to make evaluations.

A. Agency agrees to submit to the Town, through the Economic Development Division, quarterly reports addressing the progress of Agency in achieving its Program of Work. Reports shall be submitted within thirty (30) working days of the end of each calendar quarter.
B. Agency agrees to give explanations for any variance in the expected performance for each measure.
C. Agency agrees to give projected performance for each measure through the end of the fiscal year (June 30th).
D. Agency agrees to review and present such reports to the Town Council in open meetings on an "as requested" basis.

Section 6: Accountability

Agency shall maintain a true and accurate accounting system which meets generally accepted accounting principles, and which is capable of properly accounting for all expenditures and receipts of Agency on a timely basis. In addition, Agency shall maintain evidence of its compliance with the nondiscrimination provisions of this Agreement.

Agency's accounting system shall permit separate, identifiable accounting for all funds provided by the Town pursuant to this Agreement.

Agency shall provide the Finance Department of the Town, within four (4) months after the close of Agency's fiscal year, a copy of the financial audit of Agency's operations by an independent certified public accountant, along with any management letter and, if applicable, Agency's plan for corrective action.

If Agency does not have an audit, it shall submit within three (3) months after the close of its fiscal year, a complete accounting of Town funds received. This accounting must be approved by the Finance Department of the Town as sufficiently descriptive and complete.

If for good reason Agency cannot meet the times established for submission of financial reporting, Agency shall notify the Finance Department in writing the reason for the delay, provide an expected completion date and request a waiver of the due date.

At any time during or after the period of this Agreement, the Town Finance Department and/or a Town agent may audit Agency's overall financial operation or compliance with the nondiscrimination clause of this Agreement for the Agreement period. Agency shall provide any financial reports, nondiscrimination policies and procedures or other documentation necessary to accomplish such audits.

Section 7: Matching Grants

Agency agrees to obtain Mayor and Council approval prior to applying for any matching grants involving the commitment of Town funds.

Section 8: Nondiscrimination

Agency, in its employment policies and practices, in its public accommodations and in its provision of services shall obey all relevant and applicable, federal, state, and local laws, regulations and standards relating to discriminations, biases, and/or limitations, including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Arizona Civil Rights Act, the Arizonans with Disabilities Act, the Human Relations provisions of the Oro Valley Code, and the Mayor and Council policy adopted on September 25, 2000, prohibiting the direct or indirect grant of discretionary Town funds to organizations that have a policy of exclusionary discrimination on the basis of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status or marital status. See Administrative Guidance Re: Non-Discrimination Policy for Programs Funded by the Town of Oro Valley, attached and incorporated herein by this reference.

Section 9: Sub-recipient Funding Agreements

Agency agrees to include in all of its sub-recipient funding agreements the nondiscrimination provisions contained in Section 8 herein.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

Section 10: Term of Agreement

This Agreement shall be effective from July 1, 2011 through June 30, 2012. This Agreement may be extended at the sole option of the Town for additional fiscal year(s) only under the following conditions:

A. The Mayor and Council of the Town determine the services of Agency are in the public interest and allocate funds therefore; and
B. The parties mutually agree to a scope of services to be provided by Agency in any subsequent fiscal year.

Any extension of this Agreement shall be memorialized in writing and signed by the Parties.

Section 11: Payment Withholding, Reduction, or Termination

The Town may withhold whole or part of the scheduled payment, reduce, or terminate funding allocations to Agency if:

A. Services are not rendered.
B. Agency fails to supply information or reports as required.
C. Agency is not in compliance with agreed upon disbursement documentation and/or other project performance.
D. Agency fails to make required payments to subcontractors.
E. The Town has reasonable cause to believe Agency is not in compliance with the nondiscrimination clause of this Agreement.
F. The Mayor and Council fail to appropriate all or part of the funds for this Agreement.

Such payment reductions or payment termination may result in Agency receiving a lesser total Town allocation under this Agreement than the maximum funding allocated. If reasons for withholding payments other an non-appropriation of funds have been corrected to the satisfaction of the Town, any amounts due shall be processed.

The Town will be reimbursed for any funds expended for services not rendered. In addition, Agency shall return to the Town any Town funds provided pursuant to this Agreement that have not been expended by June 30, 2012.

Section 12: Termination of Agreement

This Agreement may be terminated at any time by mutual written consent, or by either party giving thirty (30) days written notice to the other party or at such time, as in the opinion of the Town, Agency's performance hereunder is deemed unsatisfactory.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

Section 13: Method of Payment

The parties have agreed that Agency will receive up to $41,011, which is based on the 2010 Census population for Oro Valley (41,011) and a per capita rate of $1. Disbursement of funds by the Town is subject to the annual appropriation by the Town Council and the limitations of the state budget law. Payments shall be made on a quarterly basis commencing July 1, 2011. Payments are to be made within forty (40) days after the close of each preceding quarter.

Section 14: Indemnification

Agency agrees to indemnify, defend and save harmless the Town, its Mayor and Council, appointed boards, committees, and commissions, officers, employees, and insurance carriers, individually and collectively, from all losses, claims, suits, demands, expenses, subrogations, attorney's fees, or actions of any kind and nature resulting from personal injury to any person, including employees of Agency or of any subcontractor employed by Agency (including bodily injury and death); claims based upon discrimination and/or violation of civil rights; or damages to any property, arising or alleged to have arisen out of the work to be performed hereunder, except any such injury or damages arising out of the sole negligence of the Town, its officers, agents, or employees. Workers' Compensation insurance and/or self-insurance carried by the Town do not apply to employees or volunteers acting in any capacity for Agency.

Section 15: Independent Contractor

The parties stipulate and agree that Agency is not an employee of the Town and is performing its duties hereunder as an Independent Contractor, supplying its own employees and maintaining its own insurance, workers' compensation insurance and handling all of its own internal accounting. The Town in no way controls, directs or has any responsibility for the actions of Agency.

Section 16: Insurance

Agency agrees to:

A. Obtain insurance coverage of the types and amounts required in this Section and keep such insurance coverage in force throughout the life of this Agreement. All policies will contain an endorsement providing that written notice be given to the Town at least thirty (30) calendar days prior to termination, cancellation, or reduction in coverage in any policy.

B. The Comprehensive General Liability Insurance policy will include the Town as an additional insured with respect to liability arising out of the performance of this Agreement.

C. Agency will provide and maintain minimum insurance limits as follows:

COVERAGE AFFORDED	LIMITS OF LIABILITY
1. Workers' Compensation	Statute
2. Employer's Liability	$100,000
3. Comprehensive General Liability Insurance -- Including: (1) Products and Completed Operations (2) Blanket Contractual	$1,000,000 - Bodily Injury and Combined Single Limit $100,000 Property Damage

D. Agency shall adequately insure itself against claims based upon unlawful discrimination and violation of civil rights. The cost of this insurance shall be borne by Agency.

Section 17. Use of the Town Logo

The Town Logo shall be used for the recognition of the Town's contribution to Agency only.

Section 18: Conflict of Interest

This Agreement is subject to the conflict of interest provisions of A.R.S. § 38-511, *et seq.*

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

TOWN OF ORO VALLEY, a municipal corporation

Dr. Satish I. Hiremath, as Mayor
and not personally

ATTEST:

Julie K. Bower, as Town Clerk
and not personally

Date: 6/21/11

APPROVED AS TO FORM:

Tobin Rosen, as Town Attorney
and not personally

Date: 6/15/11

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

TUCSON REGIONAL ECONOMIC OPPORTUNITIES, INC., a non-profit Corporation

_____
Agency Representative
and not personally

Title CEO / President

State of Arizona)
) ss.
County of PIMA)

On this 13 day of JULY, 2011, JOE SNELL, known to me to be the person whose name is subscribed to the within instrument, personally appeared before me and acknowledged that he/she executed the same for the purposes contained.

Given under my hand and seal on JULY 13, 2011.

_____
Notary

My Commission Expires: 11-29-11

OFFICIAL SEAL
PHYLLIS G. VERDUGO
NOTARY PUBLIC - ARIZONA
PIMA COUNTY
My Commission Expires November 29, 2011

Oro Valley Report
Activity for the Period
July 1-September 30, 2011

1) **Facilitate High Wage Job Creation and Capital Investment**

   Strategies:

   - Attend 2 sales mission/ trade shows related to the bioscience and/or the aerospace defense industry.
     - Several sales meetings were conducted in the Aerospace &Defense sector, including Northrop Grumman, Raytheon Missile Systems, and Lockheed Martin, while visiting Huntsville, AL.
   - Conduct 4 outreach meetings with regional primary employers to discuss current and future issues associated with operations, workforce, sales, local government, and other important matters. These meetings will focus on businesses within the four targeted industries and primary employers which produce goods and services in excess of what can be consumed by the local market.
     - Meeting conducted with representatives from Sanofi Aventis to discuss potential expansion plans.
     - Meeting with representatives from Hilton El Conquistador Hotel to discuss expansion plans and support for targeted industry prospects.
     - Meetings with representatives of Ventana Medical Systems regarding workforce training grants.

2) **National / International Marketing of Region**

   Strategies:

   - Host 2 site selectors regionally, including presentation of Oro Valley.
     - Project Memory: Site visit by site selector in Oro Valley with special interest in the Miller Ranch Property.
   - Communicate with Oro Valley on TREO initiatives via the "Monday Memo" and monthly meetings with the Economic Development Manager.
     - Monthly meeting held on 07/06/2011 Jacobs/Welsh
     - Monthly meeting held on 09/06/2011 Jacobs/Welsh
   - Continue national public relations outreach to position Tucson Region as a business center by conducting 2 press trips, one out-bound and one in-bound.

3) **Advocacy on Competitiveness Issues**

   - Update the regional Economic Blueprint and appoint one Town official to participate on the Steering Committee
   - TREO will pay for one Town official's participation in any Leadership Exchange Trip conducted in FY 11-12.

4) Additional Information: Support for the Aerospace & Defense Industry

TREO continues to facilitate meetings with members of the Chairman's Circle and Board of Directors with local, state and federal officials to stress the competiveness of the region and explore actions to improve that competitiveness. The dialogue has expanded to include working with both the Pima County administrator's office and Pima County Bond Advisory Council on developing economic development components for an anticipated bond election. The support of Raytheon Missile Systems and the entire Aerospace & Defense industry remains the primary focus with possible tools to include development of an industrial park, infrastructure investments, aesthetic improvements, and financial incentives.

Town Council Regular Session **Item # D.**

Meeting Date: 12/07/2011

Requested by: Amanda Jacobs **Submitted By:** Amanda Jacobs, Town Manager's Office

Department: Town Manager's Office

Information

SUBJECT:

Metropolitan Tucson Convention and Visitors Bureau Quarterly Report: July 1, 2011 - September 30, 2011

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

The 2011/12 Financial Participation Agreement (FPA) between the Town of Oro Valley and the Metropolitan Tucson Convention and Visitors Bureau (MTCVB) stipulates that a quarterly report be compiled by MTCVB and submitted to the Economic Development Division and Town Council. The enclosed report satisfies the FPA requirement for the first quarter of FY 11/12.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

The FY 2011/12 FPA between the Town of Oro Valley and MTCVB is $74,970.

SUGGESTED MOTION:

N/A

Attachments

MTCVB FPA

MTCVB First Quarter Report

RESOLUTION NO. (R)11-41

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING A FINANCIAL PARTICIPATION AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND THE METROPOLITAN TUCSON CONVENTION AND VISITORS BUREAU

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, pursuant to A.R.S. § 9-500.11, the Town may appropriate public monies for and in connection with economic development activities as long as there is adequate consideration; and

WHEREAS, the Town desires to continue to promote a business environment in Oro Valley that enhances economic vitality and improves the quality of life for its residents; and

WHEREAS, the Town of Oro Valley desires to enter into a Financial Participation Agreement with the Metropolitan Tucson Convention and Visitors Bureau (MTCVB); and

WHEREAS, it is in the best interest of the Town to enter into the Financial Participation Agreement with the MTCVB, attached hereto as Exhibit "A" and incorporated herein by this reference, to set forth the terms and conditions of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona, that:

SECTION 1. The Financial Participation Agreement between the Town of Oro Valley and the Metropolitan Tucson Convention and Visitors Bureau, attached hereto as Exhibit "A", is hereby authorized and approved.

SECTION 2. The Mayor and other administrative officials are hereby authorized to take such steps as necessary to execute and implement the terms of the Agreement.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona, this 15th day of June, 2011.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

Julie K. Bower, Town Clerk

Date: 6/21/11

APPROVED AS TO FORM:

Tobin Rosen, Town Attorney

Date: 5/18/11

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

THIS AGREEMENT is made and entered into this 15th day of June, 2011, by and between the Town of Oro Valley, a municipal corporation, hereinafter called the "Town" and the **Metropolitan Tucson Convention and Visitors Bureau**, a non-profit corporation, hereinafter called the "Agency".

WITNESSETH

WHEREAS, it has been determined that the activities of Agency are in the public interest, and are such as to improve and promote the public welfare of the Town; and

WHEREAS, the Mayor and Council have determined that to financially participate in the promotion of the activities of Agency is a public purpose in that the activities confer direct benefit of a general character to a significant part of the public.

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto do mutually agree as follows:

Section 1. Definitions

A. Tour Operator – a person who arranges and/or organizes groups of people to travel together to a destination and who also organizes tour packages and advertises them for people to buy.

B. Travel Agent Impressions – the number of travel agents who would likely read a tour brochure which a tour operator produced to promote tours that he or she organized.

Section 2. Statement of Purpose

Agency will initiate, implement and administer a comprehensive sales promotion and advertising program to attract an increasing number of convention delegates and vacationing tourists to the Town, thereby providing revenues to the community through transient rental and sales taxes, and contributing to the overall economic growth and continued viability of the tourism and hospitality industry.

Section 3. Services to be Performed by Agency

Agency performance measures for Fiscal Year 2011/12 are as follows:

Convention Sales

1. Generate 350 convention sales leads for Oro Valley properties.
2. Conduct 44 customer interaction/site inspections for Oro Valley properties.
3. Confirm 40 convention bookings for future dates.
4. Confirm convention bookings for future dates resulting in 15,000 room nights.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

Convention Services

1. Service a minimum of 30 Oro Valley meetings and conventions.

Travel Industry Sales

1. Generate 40 domestic and international tour program leads and services for Oro Valley properties/venues.
2. Promote Oro Valley as one of the world's top leisure destinations to 500 targeted tour operator clients.
3. Generate a minimum of 1 million tour operators and travel agent impressions via destination product offering in domestic and international tour operator catalogues.

Communications

1. Generate 31 travel articles about Oro Valley.
2. Reach a minimum of 2.5 million readers/viewers through editorial placement.
3. Generate publicity with an equivalent advertising value of at least $20,000.00.

Marketing

1. Generate no less than a total of 100,000 inquiries from high demographic customers in primary markets i.e. (Chicago, Los Angeles, New York) secondary markets (including Denver, San Diego, San Francisco) and Canada.
2. Generate a minimum of 2.5 million unique visitors to the MTCVB website (www.visitTucson.org).
3. Generate 10,000 unique visitors to the Town of Oro Valley's and Oro Valley properties website (www.orovalleyaz.gov) from the MTCVB website (www.visitTucson.org).

Section 4. Services to be Provided by the Town

All funding is subject to the Town's budget appropriations. For this Agreement, up to Seventy Four Thousand Nine Hundred Seventy Dollars ($74,970) shall be allocated to Agency, which equals ½ of 1% of Bed Tax.

Section 5. Responsibility for Open Records

Agency agrees to open to the public all records relating to any funds directly received from the Town that Agency distributes to any organization and/or individual.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

Section 6. Evaluation Criteria and Reporting

A. Agency agrees to submit to the Town, through the Economic Development Division, quarterly reports addressing the progress of the Agency in achieving its performance measures listed in Section 2. Reports shall be submitted to the Economic Development Manager within thirty (30) working days of the end of the calendar quarter.

B. Agency agrees to review and present such quarterly reports to the Town Council in open meetings on an "as requested" basis.

Section 7. Accountability

Agency shall maintain a true and accurate accounting system which meets generally accepted accounting principles, and which is capable of properly accounting for all expenditures and receipts of Agency on a timely basis. In addition, Agency shall maintain evidence of its compliance with the nondiscrimination provisions of this Agreement.

Agency shall provide the Finance Department of the Town, within four (4) months after the close of Agency's fiscal year, a copy of the financial audit of Agency's operations by an independent certified public accountant, along with any management letter and, if applicable, Agency's plan for corrective action.

If Agency does not have an audit, it shall submit within three (3) months after the close of its fiscal year, a complete accounting of Town funds received. This accounting must be approved by the Finance Department of the Town as sufficiently descriptive and complete.

If for good reason Agency cannot meet the times established for submission of financial reporting, Agency shall notify the Finance Department in writing the reason for the delay, provide an expected completion date and request a waiver of the due date.

At any time during or after the period of this Agreement, the Town Finance Department and/or a Town agent may audit Agency's overall financial operation or compliance with the nondiscrimination clause of this Agreement for the Agreement period. Agency shall provide any financial reports, nondiscrimination policies and procedures or other documentation necessary to accomplish such audits.

Section 8. Matching Grants

Agency agrees to obtain Mayor and Council approval prior to applying for any matching grants involving the commitment of Town funds.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

Section 9. Nondiscrimination

Agency, in its employment policies and practices, in its public accommodations and in its provision of services shall obey all relevant and applicable, federal, state, and local laws, regulations and standards relating to discriminations, biases, and/or limitations, including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Arizona Civil Rights Act, the Arizonans with Disabilities Act, the Human Relations provisions of the Oro Valley Code, and the Mayor and Council policy adopted on September 25, 2000, prohibiting the direct or indirect grant of discretionary Town funds to organizations that have a policy of exclusionary discrimination on the basis of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status or marital status. See Administrative Guidance Re: Non-Discrimination Policy for Programs Funded by the Town of Oro Valley, attached and incorporated herein by this reference.

Section 10. Sub-recipient Funding Agreements

Agency agrees to include in all of its sub-recipient funding agreements the nondiscrimination provisions contained in Section 8 herein.

Section 11. Term of Agreement

This Agreement shall be effective from July 1, 2011 through June 30, 2012. This Agreement may be extended at the sole option of the Town for additional fiscal year(s) only under the following conditions:

A. The Mayor and Council of the Town determine the services of Agency are in the public interest and allocate funds therefore; and
B. The parties mutually agree to a scope of services to be provided by Agency in any subsequent fiscal year.

Any extension of this Agreement shall be memorialized in writing and signed by the Parties.

Section 12. Payment Withholding, Reduction, or Termination

The Town may withhold whole or part of the scheduled payment, reduce, or terminate funding allocations to Agency if:

A. Services are not rendered.
B. Agency fails to supply information or reports as required.
C. Agency is not in compliance with agreed upon disbursement documentation and/or other project performance.
D. Agency fails to make required payments to subcontractors.
E. The Town has reasonable cause to believe Agency is not in compliance with the nondiscrimination clause of this Agreement.

F. The Mayor and Council fail to appropriate all or part of the funds for this Agreement.

Such payment reductions or payment termination may result in Agency receiving a lesser total Town allocation under this Agreement than the maximum funding allocated. If reasons for withholding payments other than non-appropriation of funds have been corrected to the satisfaction of the Town, any amounts due shall be processed.

The Town will be reimbursed for any funds expended for services not rendered. In addition, Agency shall return to the Town any Town funds provided pursuant to this Agreement that have not been expended by June 30, 2012.

Section 13. Termination of Agreement

This Agreement may be terminated at any time by mutual written consent, or by either party giving thirty (30) days written notice to the other party or at such time, as in the opinion of the Town, Agency's performance hereunder is deemed unsatisfactory.

Section 14. Method of Payment

A. The Town's Bed Tax rate is 6 percent (6%). The parties have agreed that Agency will receive ½ of 1% of the Bed Tax from the Town an amount not to exceed $74,970. Disbursement of funds by the Town is subject to the annual appropriation by the Town Council and the limitations of the state budget law. Payments shall be made on a quarterly basis commencing July 1, 2011. Payments are to be made within forty (40) days after the close of each preceding quarter.

B. It shall be the responsibility of the Agency to obtain funding from sources other than the Town. Financial participation agreements with other governments and government agencies, grants, donations, memberships and any other sources of funding as may become available from time to time shall be included as part of the annual budget submission.

Section 15. Indemnification

Agency agrees to indemnify, defend and save harmless the Town, its Mayor and Council, appointed boards, committees, and commissions, officers, employees, and insurance carriers, individually and collectively, from all losses, claims, suits, demands, expenses, subrogations, attorney's fees, or actions of any kind and nature resulting from personal injury to any person, including employees of Agency or of any subcontractor employed by Agency (including bodily injury and death); claims based upon discrimination and/or violation of civil rights; or damages to any property, arising or alleged to have arisen out of the work to be performed hereunder, except any such injury or damages arising out of the sole negligence of the Town, its officers, agents, or employees. Workers' Compensation insurance and/or self-insurance carried by the Town do not apply to employees or volunteers acting in any capacity for Agency.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

Section 16. Insurance

Agency agrees to:

A. Obtain insurance coverage of the types and amounts required in this Section and keep such insurance coverage in force throughout the life of this Agreement. All policies will contain an endorsement providing that written notice be given to the Town at least thirty (30) calendar days prior to termination, cancellation, or reduction in coverage in any policy.

B. The Comprehensive General Liability Insurance policy will include the Town as an additional insured with respect to liability arising out of the performance of this Agreement.

C. Agency will provide and maintain minimum insurance limits as follows:

COVERAGE AFFORDED	LIMITS OF LIABILITY
1. Workers' Compensation	Statute
2. Employer's Liability	$100,000
3. Comprehensive General Liability Insurance -- Including: (1) Products and Completed Operations (2) Blanket Contractual	$1,000,000 - Bodily Injury and Combined Single Limit $100,000 Property Damage

D. Agency shall adequately insure itself against claims based upon unlawful discrimination and violation of civil rights. The cost of this insurance shall be borne by Agency.

Section 17. Use of the Town Logo

The Town Logo shall be used for the recognition of the Town's contribution to Agency only.

Section 18. Conflict of Interest

This Agreement is subject to the conflict of interest provisions of A.R.S. § 38-511, *et seq.*

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

TOWN OF ORO VALLEY, a municipal corporation

Dr. Satish I. Hiremath, as Mayor
and not personally

ATTEST:

Julie K. Bower, as Town Clerk
and not personally

Date: 6/21/11

APPROVED AS TO FORM:

Tobin Rosen, as Town Attorney
and not personally

Date: 6/15/11

METROPOLITAN TUCSON CONVENTION AND VISITORS BUREAU, a non-profit Corporation

Agency Representative
and not personally

Title President & CEO

State of Arizona)
) ss.
County of)

On this 6 day of July, 2011, Jonathan Walker known to me to be the person whose name is subscribed to the within instrument, personally appeared before me and acknowledged that he/she executed the same for the purposes contained.

Given under my hand and seal on July 6, 2011.

Notary

My Commission Expires: March 23, 2012

RONDA THOMAS
NOTARY PUBLIC - ARIZONA
PIMA COUNTY
My Commission Expires
March 23, 2012

METROPOLITAN TUCSON CONVENTION AND VISITORS BUREAU
Oro Valley

QUARTERLY PERFORMANCE REPORT – First Quarter **July – September, 2011**

KEY MEASURES OF PERFORMANCE	ADOPTED FY 2012	CURRENT Quarter	YEAR TO DATE	COMMENTS
Convention Sales				
Sales Leads	350	92	92	All leads, sites & bookings, etc. are
Site Inspections	44	11	11	Distributed or sent to the Hilton
Future Bookings	40	6	6	El Conquistador Resort
Room Nights of future bookings	15,000	1,914	1,914	
Convention Services				
Meetings/Conventions serviced	30	7	7	
Travel Industry Sales				
Leads/Services	40	3	3	
Promote to targeted tour operator clients	500	266	266	
Impressions via tour operator catalogs	1,000,000	293,300	293,300	
Communications				
Travel Articles	31	9	9	
Readers/viewers through editorial placement	2.5 M	75,307	75,307	
Publicity Value	$20,000	$4,399	$4,399	
Marketing				
Generate Inquiries from primary markets	100,000	18,727	18,727	
Unique visitors to MTCVB website	2.5M	239,164	239,164	
Unique visitors to Oro Valley via MTCVB website	10,000	3,161	3,161	

Tucson
Real. Natural. Arizona.

October 19, 2011

To: Amanda Jacobs
Town of Oro Valley

From: Jonathan Walker, President & CEO

Re: 1st Quarter Performance Report

Tourism has started off in the new fiscal year in a positive way. Hotel occupancy for this region saw an increase in the first three months ending in September and the forecast for the rest of this year is for growth in the 2-4% range.

Vince Trinidad of Tucson Sports, a division of the MTCVB, was able to secure the US Triathlon Duathlon event for Oro Valley for 2012. The addition of the Sprint Triathlon should allow for even more participation in this event.

The MTCVB also joined with the Tucson Airport Authority to make presentations to several airlines to promote better airlift into our community.

100 South Church Avenue Tucson, Arizona 85701
520.624.1817 800.638.8350 f: 520.884.7804 www.visitTucson.org

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Get in touch with Tucson's Latin American side

By Nikki Gloudeman

During the All Souls Procession in Tucson each November, more than 20,000 people converge on the streets to celebrate the lives of lost loved ones. Participants wear the clothing of the deceased, don skeleton masks and carry urns filled with pieces of paper containing prayers. Amid the masses, some people teeter on towering stilts while others bang drums or perform a traditional dance. At dusk, an aerial circus and pyrotechnics show lights up the sky in a blazing tribute to mortality.

The festival is an homage to Dia de los Muertos, or Day of the Dead, a tradition that has been celebrated in Mexico and Latin America for thousands of years. And in spirit and character, it captures Tucson's vibrant ethnic flavor.

The city's Mexican and Spanish roots trace back to 1775, when Spanish explorers built a walled city in Arizona they called Presidio de San Agustin del Tucson. In 1821, Mexicans won their independence from Spain and took control of the area, which they relinquished to the U.S. in 1854.

Today, you'll find vibrant threads of this colorful heritage woven into everyday life, from cultural festivals and preserved historical artifacts to Mexican bakeries and Spanish tapas restaurants.

"Spanish and Mexican influences are seen in the city's art, culture, architecture and language," says Graeme Hughes, director of convention sales for the **Metropolitan Tucson Convention & Visitors Bureau** (visittucson.org). "We are located about 60 miles north of the international border and have a very large Mexican American population, with the arts and cuisine that come along with that. That cultural offering makes Tucson a unique venue for groups."

MAJOR MEETING VENUES

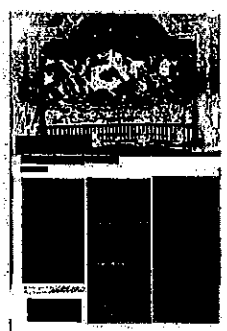
Every April, the **Tucson Convention Center** accommodates thousands of musicians bedecked in wide-brimmed hats and charro outfits during the International Mariachi Conference, a celebration of the famed Mexican musical genre. The convention center, which offers 205,000 sq. ft. of meeting space and three exhibit spaces totaling 89,760 sq. ft., easily accommodates the crowds—and after the sessions are over, participating musicians are known to spill out into the streets for a raucous celebration.

This conference is one of many that links Tucson's meeting spaces with its Latin American heritage. Another example is the **Hilton Tucson El Conquistador Golf & Tennis Resort**, a property whose very name pays homage to the city's lineage—conquistadors were Spanish and Portuguese soldiers, explorers and adventurers who took control of much of the Americas in the 15th and 16th centuries, including the Tucson area. In addition to this cultural tie, the resort also offers 45 holes of championship golf and 31 lighted tennis courts, as well as 428 guest rooms and more than 100,000 sq. ft. of meeting space.

The 575-room **JW Marriott Starr Pass Resort & Spa**, located just outside the city limits near majestic Tucson Mountain Park, is another property that offers a rich sense of the city's Hispanic roots. Every evening as the sun sets against the desert landscape, diners at Salud—one of the property's five restaurants—gather on a patio and partake in a legend of arriba, abajo tequila toast. The tradition is a nod to the Mexican legend of a man who asked his beloved's hand in marriage through her father. He refused but replied, "If you can drink more tequila than I can, then you may marry my daughter." This colorful tradition is coupled with an assortment of upscale features, from a 20,000-square-foot spa to 88,000 sq. ft. of meeting space, including several outdoor terraces framing Sonoran Desert panoramas.

One of the area's most historic properties, **Westward Look Resort** opened in the early 1900s and offers a true desert oasis experience. The property is home to the Sonoran Spa, which features treatments that incorporate natural desert botanicals, and the Tinaja Desert Gallery, where artifacts indigenous to the terrain—including a snakeskin and dried gourds—are on display. For groups, it provides 20,000 sq. ft. of meeting space and 244 guest accommodations.

Tucson's natural surroundings are also woven in at **The Westin La Paloma Resort**, which features a stunning lobby with three-story arched windows overlooking the Catalina Mountains and a spa with two outdoor treatment rooms. The property, which



includes 64,000 sq. ft. of indoor space and ample outdoor space, was utilized by Mary Hogue, executive director of the Sonitrol National Dealers Association, when she brought 200 attendees to the city in April.

"The service at The Westin was truly outstanding," she notes. "I felt like they were part of my staff and it was a true partnership. The [staff] was constantly making updates for me to accommodate my group, way beyond what they contractually had to." Hogue also singles out the efforts of the CVB. "I had not worked with a CVB before, and after this experience I can tell you—I will never go it alone again," she says.

Other luxury properties in the city include **The Ritz-Carlton, Dove Mountain**, situated on 850 acres of Sonoran Desert in the Tortolita Foothills, with 209 guest rooms, 44 suites and more than 44,000 sq. ft. of indoor and outdoor meeting space; **Loews Ventana Canyon**, with 37,000 sq. ft. of space and 398 rooms, each featuring a private balcony overlooking the desert mountains; and **Omni Tucson National Golf Resort & Spa**, with 167 rooms and more than 15,000 sq. ft. of indoor and outdoor space.

Tucson also touts several properties entrenched in the city's Native American roots. Among them is the Tohono O'odham Nation tribe's **Desert Diamond Casino & Hotel**. It features 146 guest rooms and more than 9,900 sq. ft. of meeting space.

UNIQUE VENUES & ATTRACTIONS

For a taste of Tucson's ethnic scene, groups can start their morning with a pilgrimage to a Mexican bakery, of which there are many situated on the city's South and West sides. There, they can sample sweet pig cookies, neon pink coconut balls and other South of the Border staples.

The city's Mexican heritage also lives on at the **San Pedro Chapel**, which was constructed in 1932 by migrants from Sonora, Mexico, who set up their community in an area they called "El Fuerte" (today known as the Old Fort Lowell Neighborhood). The 100-seat chapel was one of the community's most prominent touchstones. Planners can have the seats removed for group events, and the grounds also include an adobe house that seats up to 18.

An emblem of the city's Spanish lineage, the **Mission San Xavier del Bac** was originally established as a Catholic mission in 1692. The current church, completed in 1797, remains Arizona's oldest intact European-style structure and can serve as an appealing off-site venue.

Outside its Latin American scene, Tucson is rife with several other appealing group options. A standout is the **Arizona-Sonora Desert Museum**, a zoo, natural history museum and botanical garden with event venues including outdoor patios fronting the desert landscape.

Above: JW Marriott Starr Pass Resort & Spa; *below*: SR-71 Blackbird at Pima Air & Space Museum

Aviation buffs will appreciate the **Pima Air & Space Museum**, a venue stocked with more than 300 aircraft and spacecraft, including President John F. Kennedy's Air Force One, and such towering feats of aeronautical engineering as the rare World War II German V-1 buzz bomb. Groups can meet in five hangars totaling more than 177,000 sq. ft. of event space.

Or, to take advantage of Tucson's famously sunny climate, you can bring your group to **Saguaro National Park**, an oasis filled with 1.6 million giant saguaro cactus plants—one of the most iconic features of the ecosystem.

GROUP DINING

Fittingly, Tucson's culinary scene features myriad Spanish and Mexican outposts. A local favorite is **El Charro Café**, the country's oldest Mexican restaurant in continuous operation by the same family. The restaurant is famous for its salsa picante made with fresh ground chiletepin, also known as "the mother of all peppers." For corporate functions, it features options for set-up, décor, service and specialty services, and can also handle off-site catering. For an authentic Spanish experience, the CVB's Hughes recommends **Casa Vicente**, which serves such standbys as tapas and paella, and features weekly flamenco guitar performances and tango lessons. In addition to the indoor area, groups can utilize an outdoor patio.

Another favorite for groups is **La Parilla Suiza**, which offers space for groups on-site and does catering off-site. In addition to an assortment of spicy, flavorful Latin-American standards, the restaurant features mariachis and Spanish guitar music, with musicians who come to the table to perform intimate serenades.

on properties, venues and attractions in Tucson, visit smartmeetings.com/event-planning/tucson.

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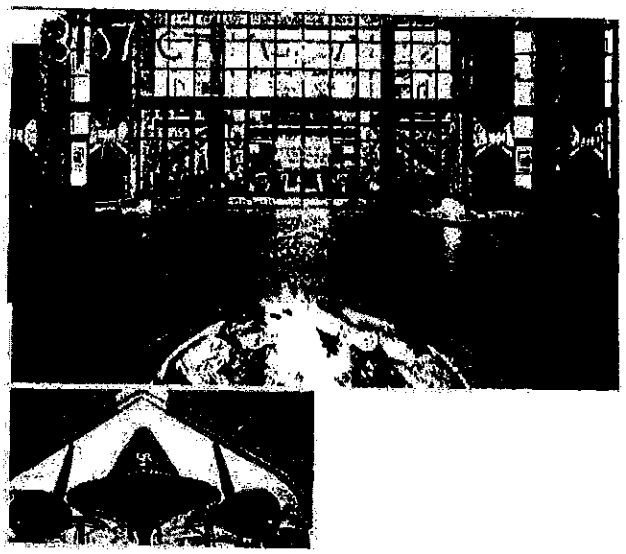
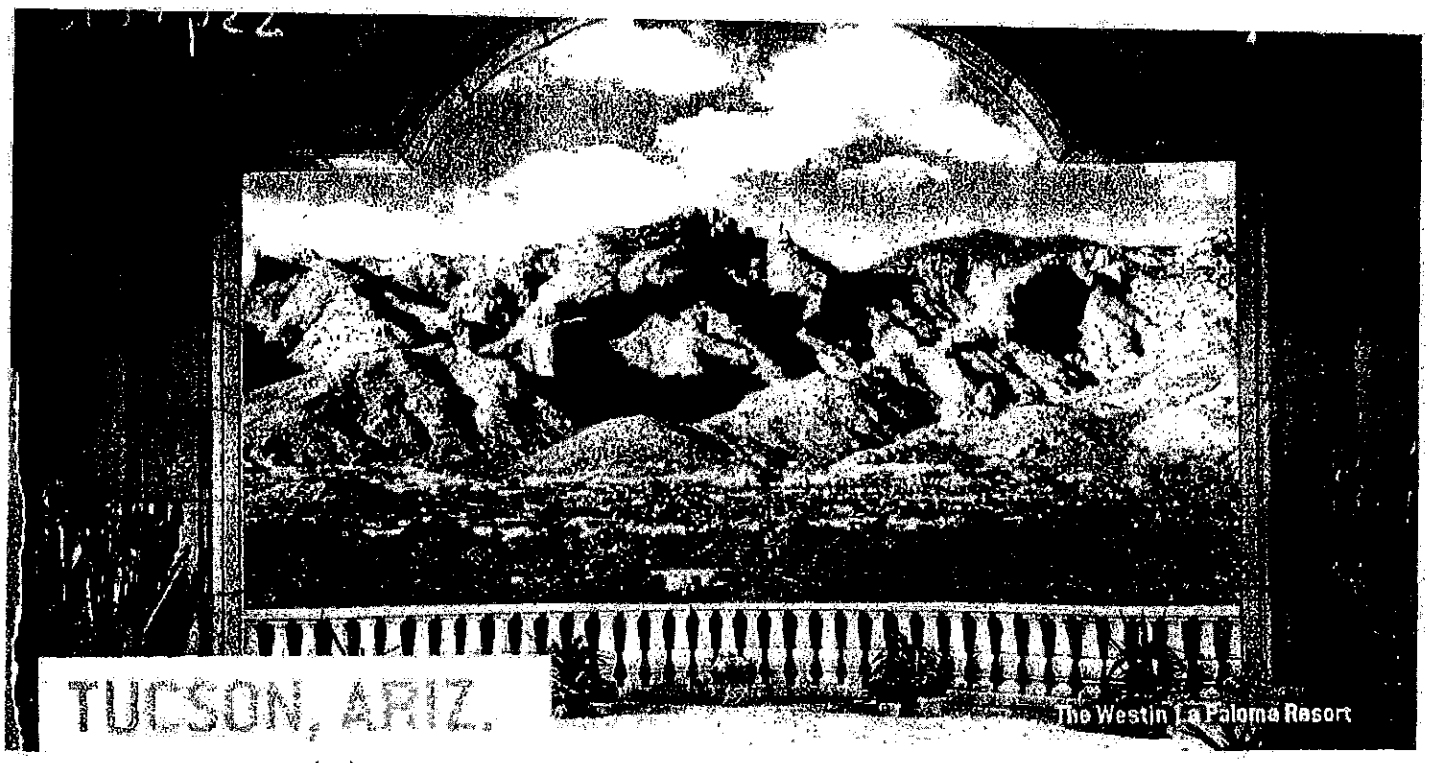
In November, the **Casino del Sol Resort, Spa and Conference Center**, a property under the auspices of the Pascua Yaqui Tribe, will debut with 215 guest rooms, more than 65,000 sq. ft. of indoor and outdoor function space, a pool bar, a spa, gaming and a fitness center.





The Westin La Paloma Resort

The **Tucson International Airport** (TIA) is located about 10 miles from downtown Tucson. It is served by 8 major airlines providing service to 15 destinations, including Los Angeles, San Francisco, Chicago and Atlanta.

Parks group seeks new volunteers

Posted: Wednesday, September 14, 2011 4:00 am

Western National Parks Association is recruiting volunteers to participate in its activities. The Oro Valley-based organization provides educational, financial and interpretive support to the National Parks Service through the operation and sale of retail items in visitor centers and its flagship store in Oro Valley.

Volunteers are needed in the following areas:

Publications Support: Conduct book and/or marketing research and promotion. Compose letters, compile lists, or contact third parties. Requirements include good writing and communication skills, and familiarity with Microsoft Word software.

Special Events: WNPA holds special programs Fridays and Saturdays once or twice each month October through February at its Oro Valley store that feature the sale of a special art or craft. Volunteers are needed to serve as cashier, pack purchases, greet customers, write ticket sales and show jewelry.

Community Events: WNPA plans to build a cadre of volunteers to staff booths at community events, such as Tour de Tucson, Tucson Meet Yourself, the Gem and Mineral show and the Tucson Festival of Books. They would also like to form a speakers bureau to talk to community and civic organizations.

Volunteers will receive training in order to represent and discuss WNPA, its mission and its achievements.

Leaders are needed to organize the program, and speakers and representatives are needed to market at events and present to organizations.

For more information, contact volunteer coordinator Nancy

Kroell at 622-1999, ext. 219.

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Tour the Tucson and Phoenix Arizona Opera and Arizona Attractions

Written by Editor on September 15, 2011 - 0 Comments
Categories: General Interest

There exist a lot of attractions to see and do while visiting Arizona! So explore out the new and exciting Arizona attractions when you travel in our vast state! Whether you enjoy – urban centers, vast lands, forests, or water, the State of Arizona provides incredible diversity of tourism attractions and activities. You can discover the ideal chance to slow down and escape from the hectic pace of life.

Tour Idea #1: Catalina State Park – Tucson, Arizona. Come and enjoy this scenic desert oasis at the base of the Santa Catalina Mountains. You can camp, hike, ride the equestrian trails, view the wide displays of natural plant and wildlife and enjoy a picnic.

As well as the historical Arizona tourist attractions, there are a diversity of many fun activities to experience and do. Do you remember camping when you were young? You can fish and enjoy an outdoor family adventure. Situated within just a short drive, you can enjoy a variety of attractions and natural wonders. Explore the natural wonders of the state and enjoy the outdoors. Whether it is exploring the nature trails or swimming or hiking, there are experiences for everyone. Here are simply a few of the activities you can enjoy, for more ideas, watch this Arizona attractions video.

Tour Idea #2: Camelmania – Camel Races for Hi Jolly – Quartzsite, Arizona. Legends are wonderful and the legend of Hi Jolly is one that attracts thousands of people to this community annually. Hi Jolly is Quartzsite's most famous citizen. He was a dreamer, adventurer and entrepreneur although he never achieved greatness with his visions.

Balancing the entertaining attractions with the more historical attractions will create a remarkable group vacation getaway. To make the best of your family vacation time, you may desire to consider one of the various vacation packages or tours. Most vacation packages bundle transporation, lodging, and car rentals or provide a educational tour. Many packages include activity or museum tickets, so you can choose packages interesting to everyone. If you are interested in antiques and heritage, there are various arts and heritage attractions, as well as museums of all kinds of themes.

Everyone can save money by following online travel guides. Many guides will describe the tourist attractions. Professional guides will share more information than just a brief paragraph or sentence. Enjoy your adventure and explore excitement about your Tucson AZ vacation. Enjoy your vacation escape and enjoy the opportunity to make family memories that will last a lifetime.

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Arizona restaurants featuring local ingredients

by Roger Naylor - Aug. 10, 2011 05:04 PM
Special for The Republic

In these days of uncertainty, it's nice to be sure of a few things. Such as where that meal you just ate came from. More and more chefs feel the same way. They're connecting with local farmers and ranchers to acquire the freshest, most healthful ingredients available. This practice, in turn, helps support local economies.

Here are six restaurants from around the state where you can enjoy a fantastic meal and know that most of the money you spend stays right here in Arizona. For locavore restaurants in the Valley, go to .

Arizona restaurants: Locavore dining

Flagstaff: Diablo Burger

Before you bite into Diablo's delicious beef patty, you may wonder why it's cradled in an English muffin. After much experimentation, Diablo Burger's cooks decided that the light, crisp muffin makes the perfect unobtrusive holder for the burger.

With meat this fresh and tender, you don't want distractions. All burgers are made with beef from open-range, antibiotic-free cattle raised on Diablo Trust ranches, southeast of Flagstaff. This arrangement supports the stewardship of nearly a half-million acres of local ecosystem.

The beef is about 95 percent lean, so try it medium rare. The standard burger starts at $8.75. Specialty burgers and build-your-own creations also are available. The veggie burger ($10.50) also is locally sourced. The cash-only policy keeps credit-card transaction fees from leaving the community.

Here's a tip: Put the lettuce between the tomato and the top of the English muffin. That will keep the moisture of the tomato from turning the muffin soggy.

Details: 120 N. Leroux St. 928-774-3274, www.diabloburger.com.

Flagstaff: Satchmo's

Specializing in barbecue and Cajun cooking, Satchmo's is pushing further into the local-food scene. Pecan wood for the smokers comes from Camp Verde, as do the pecans for the house-baked cookies. Free-range and antibiotic-free chicken also comes from the Verde Valley.

Produce comes from Flagstaff farmers markets, and soups and an all-local-ingredient chili will be added to the menu this fall. Starting in September, look for Trust

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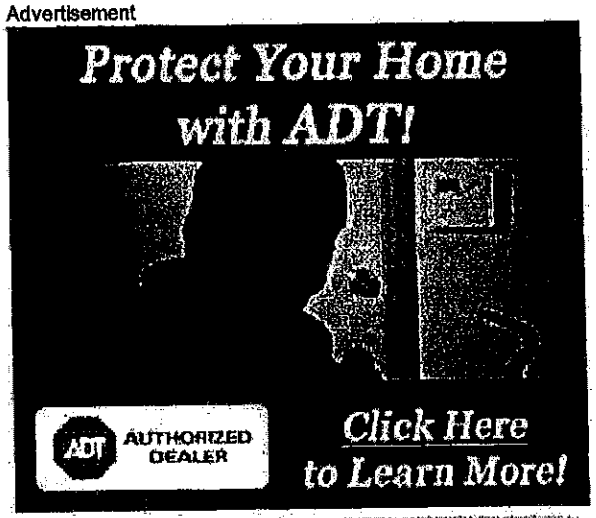

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chili, made with beef shank and ground beef from Diablo Trust ranches. It will cost $6.50 for a bowl, $3.50 for a cup.

Satchmo's serves slowly smoked barbecue on locally baked buns. For a Cajun-style meal, try a po'boy ($7.50). It's your choice of catfish, andouille sausage or shrimp, lightly blackened instead of deep-fried, so it's more healthful but just as down-home delicious. It's served with tomatoes and house-made slaw.

Details: 2320 N. Fourth St. 928-774-7292, www.satchmosaz.com.

Winslow: Turquoise Room

Housed in the elegant La Posada Hotel, the Turquoise Room dishes up world-class cuisine under the guidance of owner-chef John Sharpe, who was a James Beard Award nominee this year for best chef in the Southwest.

Sharpe uses natural regional ingredients, including some not often seen on menus. Mushrooms foraged in the San Francisco Peaks, Hopi piki bread from Second Mesa, reservation-grown tepary beans, veggies from local farmers, bison from Colorado and meats for slow-cooking from nearby Bar T Bar Ranch all find their way onto the menu.

"I cook with what nature presents me, no matter where I am," Sharpe says.

Locally harvested squash blossoms ($12) are the most popular appetizer. They arrive in May from the lower desert and, by August, f rom high-elevations farms. They're stuffed with sweet-corn tamale and Oaxaca cheese, dipped in beer batter, fried and served with a green-chile-tomatillo sauce on a bed of roasted corn.

For an entree, try the Churro Lamb Sampler Plate ($29) with a variety of cuts - shoulder, chops, shanks and ribs - each prepared with a different Southwestern flourish. The Churro sheep are a heritage breed raised on the Navajo Reservation. The Turquoise Room is the only restaurant serving Churro on a daily basis.

Details: 303 E. Second St. 928-289-2888, www.theturquoiseroom.net.

Sedona: ChocolaTree Organic Eatery

Don't be surprised if you place an order at the cafe in ChocolaTree, grab a seat in the shady garden, then see someone come out and pick ingredients for your meal. Yeah, it's that fresh.

ChocolaTree is a stress-quashing, organic vegetarian restaurant/orchard/garden, which is much less intimidating than it sounds. It grows apples, pears, figs, almonds, peas, peppers, corn, squash, zucchini and all manner of berries. Its shop sells heirloom seeds grown in Cornville as well as gemstones and jewelry. An on-site

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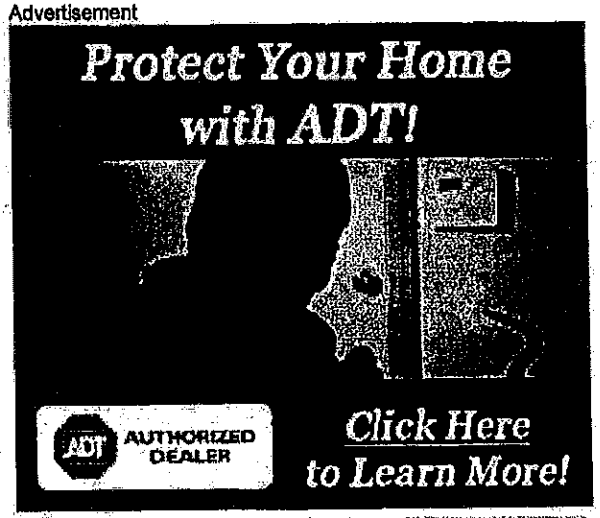

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chocolate factory makes raw cacao treats.

Try the breakfast menu for a tasty introduction. Chocolate Lovers pancakes are a double stack of homemade chocolate-chip flapjacks, served with vegan butter and chocolate agave syrup ($8). Sounds decadent, but it's surprisingly good for you. Raw chocolate is rich in magnesium and antioxidants.

The Viva Burrito ($9) is a sweet-spicy medley of fresh veggies, served in a homemade sun-dried-tomato wrap under dollops of guacamole and pico de gallo.

Details: 1595 W. Arizona 89A. 928-282-2997, www.chocolatreecafe.com.

Yuma: Market Wine Bar Bistro

If "Field of Dreams" were a movie about cooking instead of baseball, the Iowa setting would be replaced by Yuma. Chef Matt Alleshouse, formerly executive sous-chef at the Arizona Biltmore in Phoenix, has turned Market Wine Bar into an upscale but casual bistro that uses ingredients plucked from Yuma's vast agricultural fields.

"As a chef, this is like a playground here," Alleshouse says. "I'm driving by a field of asparagus, and there's a field of artichokes across the road, and I'm excited just knowing they'll be hitting my door."

Heirloom tomatoes and arugula come from local grower Hillside Farms. Tomatoes are held on the vine to the chef's specifications. Dates from nearby trees led to an intriguing spin on jalapeño poppers. The Market does Date Poppers, plump Medjool dates stuffed with chorizo, cream cheese and bacon ($8).

The menu changes seasonally. For a can't-beat bargain, try the Sunday Supper, a three-course meal of comfort food ($20). Add a glass of wine for $6.

Details: 1501 S. Redondo Center Drive (at the Yuma Radisson). 928-373-6574, www.marketwinebarbistro.com.

Tucson: Harvest Restaurant

If you had a wonderful dish in the spring at Harvest and you're dying to have it again, you may be out of luck. At least until next spring. The aptly named restaurant features seasonally inspired cuisine with ingredients offered only at their peak times. Even the daily menu undergoes regular tweaking depending on what's available.

Harvest gets all of its produce from local, family-owned sustainable farms. Beef comes from Double Check Ranch, about 60 miles north of Tucson, which raises open-range, grass-fed critters that are free of hormones and antibiotics. The meat is dry-aged for 18 days for full flavor.

When you bite into the elegant Double Check Ranch Burger, which comes with lettuce,

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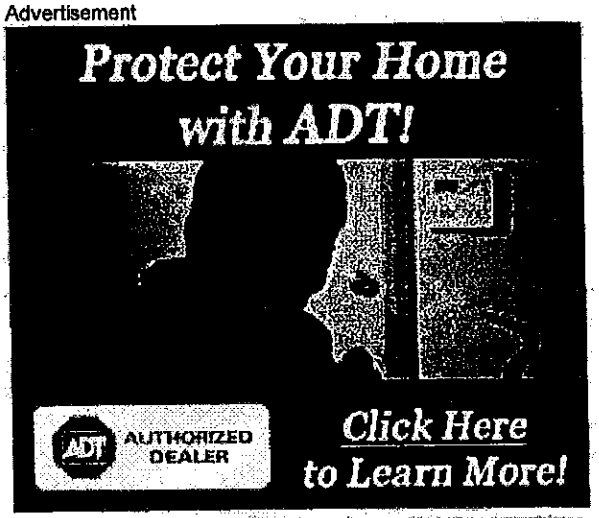

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tomato, roasted chiles and onion-garlic aioli ($13), everything from the patty to the fixings hale from just down the road. S easonal fresh soup ($5) is made daily and can be paired with a just-picked salad ($10).

Details: 10355 N. La Canada Drive. 520-731-1100, www.marketrg.com.

Find the reporter on Facebook. com/RogerNaylorinAZ. Follow him on Twitter: @AZRogerNaylor.

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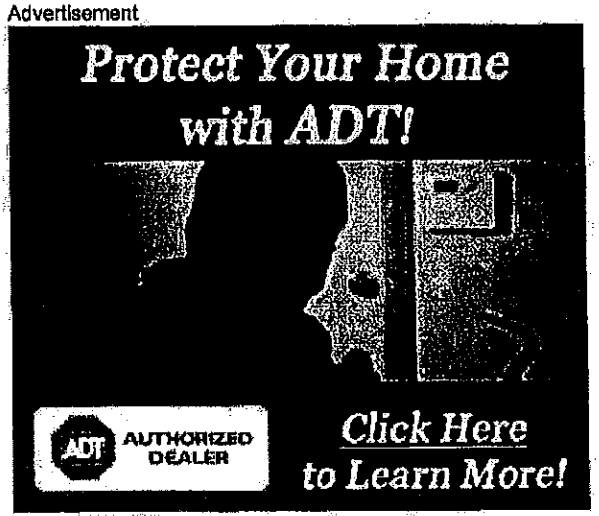

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Oro Valley hosts summer crafts fair

It's August, and it's Arizona. But that doesn't mean we have to give up crafts fairs.

The Oro Valley Indoor Summer Arts & Crafts Festival this weekend features hand-made artwork,

wine and acoustic music in the beautiful setting of the Hilton El Conquistador.

The festival is sponsored by the Southern Arizona Arts and Cultural Alliance.

Mary Josephs, chocolate artisan, will be there.

"Chocolate is my passion, and my passion led me to attend a French School where I earned my Chocolatier's Certificate," Josephs said.

Josephs participated in a Master Chocolatier's program at Valrhona in France and will be showcasing her delectable treats at festival.

"Valrhona is one of the largest and most prestigious chocolate manufacturers in Europe!" Josephs said. "My background in Art has enhanced my passion and I create beautiful and delicious truffles, bonbons and other chocolate delicacies."

Josephs' creations include dark chocolate with espresso/Kahlua and milk chocolate with brandy, mint and with orange flavored centers.

"From my kitchen to your taste buds, I strive to make my handmade chocolates a unique and satisfying experience," she said.

Hand-made jewelry, watercolor and acrylic paintings, woodwork and much more will also appear at the festival, presented by the artists who made the works, giving attendees a chance to meet the creative minds behind the artwork exhibited.

This inaugural event will feature acoustic music, kid's activities and regional artists, in the cool, air conditioned setting of the resort. The Hilton El Conquistador is set at the base of the majestic Pusch View Mountains in Oro Valley.

The festival is free to attend and open to the public.

The Southern Arizona Arts and Cultural Alliance (SAACA) is a not-for-profit organization that exists to ensure that, through engagement in arts and culture, communities produce strong, inspired citizens.

IF YOU GO

Oro Valley Indoor Summer Arts & Crafts Festival

When: Saturday and Sunday, Aug. 13-14, 10 a.m. to 5 p.m.

Where: Tucson Hilton El Conquistador Golf and Tennis Resort, 10000 N. Oracle Road.

Info: www.Orovalleyfestival.org

ARIZONA FAMILY RESTAURANT

Name:
Arizona Family Restaurant

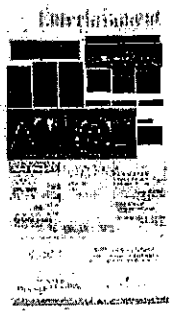
Address:
80 W. Esperanza Blvd.
Green Valley, AZ 85614

Hours:
6am - 10pm, 7 Day a week

Type of food:
American

Cost Range:
Spa: $5 - $20

Children's Menu?:



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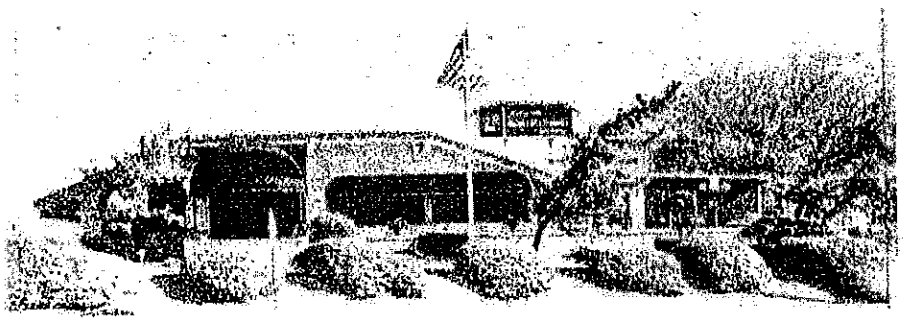
Yes.

Special Events: Great place to bring families together for all holidays—we decorate for all of them! Special Christmas events. Seating for large parties.

What makes you stand out? Daily Home Cooked Specials—Friday Fish Fry, All You Can Eat, "Easy Street Lounge." Breakfast any time.

We're a great place for: Friends to gather & to meet new friends. Good family food at a reasonable price.

"La Cocina" by Geri Bringman



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Arizona Hotel & Lodging Association Honors Hilton Tucson's Ericksen

August 01, 2011 11:10 PM

The Arizona Hotel & Lodging Association has named Lynn Ericksen, general manager of Hilton Tucson El Conquistador Golf and Tennis Resort, as Hoteller of the Year. Ericksen was among four hoteliers and industry professionals honored at the Special Tribute and Recognition (STAR) Gala during the annual Governor's Conference on Tourism.

Ericksen boasts a 25-year career in general manager positions for Hilton brands across the country. He is chairman of the Metropolitan Tucson Convention and Visitor's Bureau, treasurer of the Northern Pima County Chamber, secretary of AzHLA and board member of the Southern Arizona Lodging and Resort Association. In 2009, Ericksen and his Hilton Tucson El Conquistador team also received the AzHLA Stars of the Industry Award for Community Service. For more information, call 800-325-7832 or visit www.hiltonelconquistador.com. For more information on AzHLA, visit www.azhla.com.

Today's People Stories

Marriott Vacations Worldwide Selects Board of Directors

Delaware North Companies Names Gilbert VP, Sales and Marketing

New York's Peninsula Hotel Names Feurer Marketing Director

Lebua Hotels Names Sharma Regional Sales Director for Delhi Hotel

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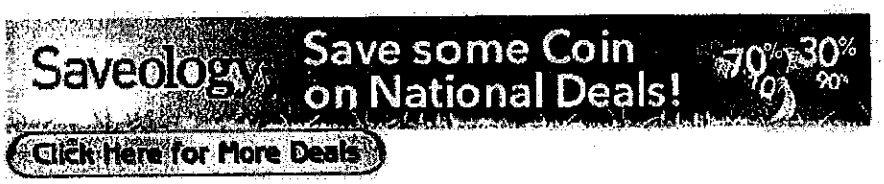

Labor Day 2011 at Metro Restaurants

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AdChoices

Posted on | August 31, 2011 | No Comments

Sorry! This deal has expired. If you subscribe to Tucson on the Cheap, you'll never

miss another deal!

Metro Restaurants celebrates Labor Day 2011 with BOGO (Buy One, Get One free) entree deals at all five restaurants. The deal is good from Saturday through Monday, with an exception or two as noted below. Excellent bargain here, Tucson, so call up to reserve your spot.

They want you to sign up for their e-mail list, so please do so. That's fair, ok? You can take advantage of these deals by either presenting the e-mail offer or mentioning the member's letter.

Be sure to call right away to make reservations.

Where:

- Old Pueblo Grille, 60 N. Alvernon Tucson, AZ (520) 326-6000
- Metropolitan Grill, Oracle & Magee Oro Valley, AZ (520) 531-1212
- Grill on the Green, 5800 S. Camino del Sol Green Valley, AZ 85614 (520) 393-1933.
- McMahon's, 2959 N. Swan Rd., Tucson AZ (520) 327-7463
- Abrego Grill, 3233 S. Abrego Drive (520) 625-9192

When: Saturday, September 3, 2011- Monday, September 5, 2011. Note: McMahon's only open for dinner on these dates. Abrego Grill open for brunch on 9/4/11 and lunch on 9/5/11. Others open lunch and dinner.

How much: Buy One entree and get the second (lesser of equal value) free. Cannot be used in conjunction with 3 course prime rib dinner at Metropolitan Grill. Must present or mention member's letter. Not valid for parties of eight or more. Read the rules!

–Posted by Hortense P. Tightwad

CISION Media Monitoring Print

Group Travel Leader

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Account: 441900
Date: 07/01/2011
Pub Num: 86A-810
Section/Page: 14
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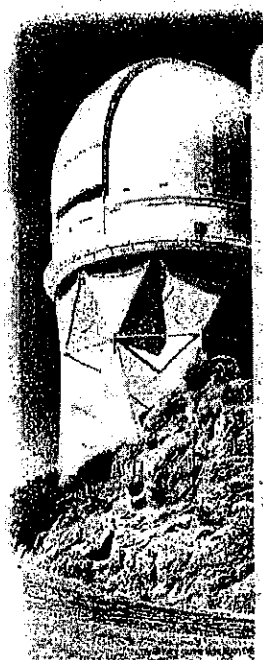
STELLAR!

DESTINATION DISCOVERY

Tucson's direct line to the stars is only one reason to visit

By Herb Sparrow



The Kitt Peak Observatory is one of several observatories that surround Tucson, revered for celestial research because of its clear skies.

In the real estate business, the mantra is "location, location, location." The same can be said about Tucson, Ariz.

"We are surrounded by five mountain chains. Everywhere you look, you see mountains and big sky," said Judy Wood, tourism sales manager for the Tucson Metro Convention and Visitors Bureau.

Tucson sits in the biologically diverse and rich Sonoran Desert valley, the only place in the world where the saguaro cactus, called "giants with arms," grows, and is surrounded by a national forest (Coronado), a state park (Catalina), a national monument (Ironwood Forest) and a national park (Saguaro).

Tucson owes what is above and below it. "We are considered an astronomy capital because of our night skies," said Wood. "Kartchner Caverns is one of the largest wet-cave formations in the Southwest. People marvel that there can be a wet cave in the desert."

The location of Kartchner Caverns, discovered by two spelunkers in 1974, was kept secret for 14 years to protect it from vandalism until it became part of the Arizona state parks system. The state spent $28 million to preserve it as a tour cave; its main features open to the public are two large rooms, including one with a 58-foot-high column called Kubla Khan.

"We have any kind of soft or hard outdoor adventure or nature anyone could want," said Wood.

Tucson combines its wealth of natural resources with a rich, multicultural history and heritage.

"We are the longest inhabited region in the Northern Hemisphere," said Wood. "We have an incredible history for folks to explore."

Although it's Arizona's second-largest city, Tucson's natural surroundings, long heritage and friendly residents give it a comfortable, small-town feel with big-city conveniences and a thriving cultural scene.

"The local people, whether they are in the tourism industry or not, embrace visitors," said Wood. "We want to share what we have."

And there is a lot to share.

A good place to start is the Arizona-Sonora Desert Museum, a combination zoo, natural history museum and botanical garden.

"Its exhibits include animals and landscapes of the desert," said Wood. "There are more than 300 animals species and 1,200 kinds of plants on 21 acres."

Two miles of paths take visitors through re-created natural desert landscapes and habitats, where they can see black bears, mountain lions, coyotes, bobcats and piglike javelinas; a wide variety of cactus and desert plants, such as soaptree yucca, desert marigold and fairy duster; and a wide collection of gems, minerals and fossils from the area.

"On any given day, there are probably 30 docents on the property," said Wood. "Everywhere you turn is a docent waiting to share an incredibly educational experience."

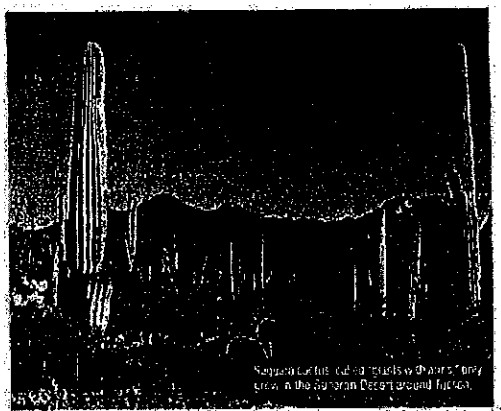
At Sabino Canyon, groups can take tram rides into the Coronado National Forest to the base of the Catalina Mountains.

"Folks who don't want to hike the trails can take the narrated ride that goes seven miles into the canyon and learn all about the natural habitat," said Wood.

Driving tours are also available through the saguaro cactus forest of the Saguaro National Park East.

For otherworldly views, groups can visit some of the observatories that ring the city. The clear night sky, aided by a city ordinance limiting artificial light, and the resources of the University of Arizona have made the area a center of stellar, solar and planetary research.

"Kitt Peak Observatory has one of the largest telescopes in the world; a lot of



Saguaro cactus, called "giants with arms," grow in the Sonoran Desert around Tucson.

Researching your trip

Tucson Metro Convention and Visitors Bureau
www.visittucson.org
800-638-8350

CISION Media Monitoring Print

Group Travel Leader

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Launch stop

Narrated tram tours take groups into Sabino Canyon, where they learn about the intriguing natural habitat of the Sonoran Desert.

"It brings the Cold War to a different reality," said Judy Wood, tourism sales manager for the Tucson Metro Convention and Visitors Bureau.

Wood was talking about the Titan Missile Museum, 25 miles south of Tucson, which is the only publicly accessible Titan II missile site in the nation.

Combined with the sprawling Pima Air and Space Museum and tours of the Aerospace Maintenance and Regeneration Group (AMARG) airplane Boneyard, the Titan Missile Museum gives the Tucson area a triple-header of distinctive sites dealing with the 20th century.

The one-hour guided tours of the Titan missile site begin with a short film, followed by a 35-foot descent into the underground missile complex. Visitors see the three-ton blast doors, the eight-foot-thick silo walls and a Titan II missile in the launch duct.

The tour concludes in the launch control center, where one person is selected to sit in the hot seat and push the button in a simulated launch.

"It's just fascinating to go down there and actually visit the control area," said Wood.

The Pima Air and Space Museum is one of the largest of its kind in the world. "We have 80 acres and 300 aircraft. There is a lot to see in terms of aircraft," said Elaine Nathanson, the museum's public relations director.

"There are lots of hands-on. You can pretty much touch everything in the museum; it is not just looking."

The museum's collection covers the entire scope of manned flight in military, commercial and civil aviation. "We go from the Wright brothers up to space modules," said Nathanson.

There is a full-scale replica of the first Wright Flyer, a B-29 Superfortress, a supersonic SR-71 Blackbird, presidential aircraft and spacecraft.

"The docents we have add a special touch to what you are experiencing," said Nathanson. "Many are standing next to planes they flew or built or maintained. The stories they tell are very personal."

Although several of the planes are outside, many are housed in five large hangars, including a new one that features planes used in Hollywood movies.

On the outdoor patio of the museum's Flight Grill, you can watch military planes take off and land at nearby Davis-Monthan Air Force Base.

The base is the site of the AMARG facility, known as the Boneyard, where more than 4,400 aircraft and 13 aerospace vehicles are stored after being retired from active use.

"We manage Boneyard tours, which is right across the street from the museum," said Nathanson. "They recycle them [retired aircraft]. They are held in storage in case they are needed, and they take parts off of them."

Visitors must stay on the bus during the hour-long tours through the highly secured area, the only one of its kind in the country.

"They are here because of the climate," said Nathanson of the Boneyard planes. "It is very high desert. They are sitting on the ground, which is almost like natural cement.

"It's overwhelming when you see all these planes."

www.titanmissilemuseum.org
www.pimaair.org

research goes on there," said Wood. "There also is an observatory through the university up on Mount Lemmon — the SkyCenter — and on campus there are three different telescopes."

Other observatories in the area that are open to visitors include Spencer's Observatory, The Smithsonian Institution's Fred Lawrence Whipple Observatory, the Mount Graham International Observatory and Discovery Park's Governor Aker Observatory.

The Steward Observatory Mirror Lab, under the university's football stadium, provides a behind-the-scenes look at the making of giant telescope mirrors, including constructing the molds, casting and polishing.

"It is a really interesting tour," said Wood. "They are grinding mirrors for telescopes used all over the world. Visitors can do a day of astronomy."

From the 21st century, groups can go back to Tucson's 18th-century beginnings at Mission San Xavier del Bac on the Tohono O'odham Indian Reservation. Built between 1783 and 1797, the mission is still an active parish administered by the Franciscans.

Known as the "White Dove of the Desert," the striking building is a graceful blend of Moorish, Byzantine and late Mexican Renaissance styles.

Architecture also plays a role in telling the city's history in its historic downtown area.

"The downtown area is a must-see to really understand the history of Tucson," said Wood. "The architecture ranges from adobe mud, which was the original, to bricks brought in by the railroad to wood. You can actually walk around our original presidio, or fort.

"Old Town Artisans is in an original stable of the presidio. It now has a wonderful outdoor-indoor cafe as well as local artisans. A half-stride down are the remains of parts of the walls of the presidio."

Another era in Tucson's history, the Wild West, is featured in Old Tucson Studio, where Western movies have been filmed since the 1930s.

"It started out as a movie set but is now a full-blown town people can poke around in," said Wood. "There are trail rides, a wonderful can-can show and cowboys shootouts.

"Western buffs can visit movie-filming sites where some of their favorite Westerns were filmed."

Tucson's sunny location has also helped make it a center for spas and resorts, including two destinations spas: Canyon Ranch and Miraval Arizona.

"We really are the authentic Southwest," said Wood.

The 18th-century Mission San Xavier del Bac, called the "White Dove of the Desert" for its stunning architecture, is still an active parish.

Save room for a Sonoran hot dog

Although Tucson has developed a cosmopolitan culinary scene with steakhouses, ethnic restaurants, James Beard Award-winning chefs and funky local cafes, one of its favorite foods is found at numerous corner stands — the Sonoran hot dog.

"People have to have Sonoran dogs," said Judy Wood, tourism sales manager for the Tucson Metro Convention and Visitors Bureau.

Wood said the ingredients are the key to the popularity of the Sonoran hot dogs, which begin with a bacon-wrapped hot dog in a soft Mexican roll.

"Then local ingredients go on, depending on how strong your stomach is," said Wood. "From the typical onions to hot peppers to cheeses to beans — you name it. You build it yourself.

"What makes it so special is they are family-run hot dog stands. You typically see not only families serving up the hot dogs, but [families] coming to sit at these portable tables under tents.

"It's quite a family event, and it brings together all of our different cultures. We all love our Sonoran hot dogs; they are our melting pot."

The real Southwest Tucson sampler

Day 1

Arizona-Sonora Desert Museum
www.desertmuseum.org

Old Tucson
www.oldtucson.com

Mission San Xavier del Bac

Day 2

Titan Missile Museum
www.titanmissilemuseum.org

Pima Air and Space Museum
www.pimaair.org

Davis-Monthan Air Force Base "Aircraft Boneyard"
www.dm.af.mil/units/AMARC.asp

Day 3

Tohono Chul Park
www.tohonochulpark.org

DeGrazia Gallery in the Sun
www.degrazia.org

Sabino Canyon Recreation Area Tram Ride
www.sabinocanyon.com

Day 4

Steward Observatory Mirror Lab, University of Arizona
http://mirrorlab.as.arizona.edu

UA Science: Flandrau
www.flandrau.org

Arizona State Museum
www.statemuseum.arizona.edu

Kitt Peak National Observatory
www.noao.edu

or

Mount Lemmon SkyCenter, University of Arizona
http://skycenter.arizona.edu

Town Council Regular Session **Item # E.**

Meeting Date: 12/07/2011

Requested by: Amanda Jacobs **Submitted By:** Amanda Jacobs, Town Manager's Office

Department: Town Manager's Office

Information

SUBJECT:

Council approval regarding Tucson Sports' request for In-Kind Support from the Town of Oro Valley for the USA Triathlon National Duathlon Championships

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The USA Triathlon National Duathlon Championships will be held April 27 - 28, 2012. Organizers estimate that this run-bike-run event will attract over 500 out of town athletes from across the country. Combined with the estimated 1,000 out of town visitors traveling with those athletes, the organizers expect over 1,500 out of town visitors. The estimated economic impact is $477,270 for this two day sports festival.

Once again, the Hilton El Conquistador Golf and Tennis Resort will be the host resort, with Fairfield Inn Marriott serving as the overflow hotel. Ventana Medical Systems will serve as the host site for all the competitions. As this is an open national championship, all residents of Oro Valley are invited to compete in this event. Based on the success of the 2011 event, USA Triathlon has agreed to extend the event contract to 2013. In addition, USA Triathlon is creating a "Sprint" Duathlon covering half of the overall distances to attract a greater base of athletes and potentially increase the number of local and out of town participants.

Tucson Sports will coordinate with Oro Valley businesses, the Northern Pima County Chamber of Commerce and area endurance providers to create a unique and memorable competition.

BACKGROUND OR DETAILED INFORMATION:

In fall 2010, Council expressed an interest in establishing a funding policy, apart from the Town's current Community Funding policy, for special events that stimulate local economic development. To address this request, staff enhanced the Town's existing Special Events Policy to include in-kind support requests from event coordinators up to 50%. Council directed staff to provide flexibility and 100% in-kind support requests for major/signature events that have a significant economic impact to Oro Valley.

FISCAL IMPACT:

The total in-kind support for the USA Triathlon National Duathlon Championships is estimated to be $21,580.

SUGGESTED MOTION:

I MOVE to (approve or deny) 100% in-kind support for the USA Triathlon National Duathlon Championships.

Attachments

Request for In-Kind Support and EEI Form

Estimated Economic Impact Form:

If you are requesting 100% in-kind support from the Town, please complete the section below and return to:

Town of Oro Valley
Attn: Amanda Jacobs, Economic Development Manager
11000 N. La Canada Drive
Oro Valley, Arizona 85737
Fax: (520) 297-0428

Name of Event: 2012 USA Triathlon National Duathlon Championships
Estimated Number of Attendees: 1,500

Host Resort: Hilton El Conquistador Tennis and Golf Resort

Overflow Hotels (if applicable): Fairfield Inn Oro Valley (formerly Holiday Inn Express)

Estimated Number of Room Blocks: 400 Room nights at Hilton El Conquistador

Estimated Economic Impact: $477,270.00 based on 500 out of town athletes and 1000 out of town travelers (1,500) over two days of competition.

Town Council Regular Session **Item # F.**

Meeting Date: 12/07/2011

Requested by: Town Council **Submitted By:** Julie Bower, Town Clerk's Office

Department: Town Clerk's Office

Information

SUBJECT:

Appointments to various Boards and Commissions

RECOMMENDATION:

Selection committees for the various Town boards and commissions recommend the following appointments:

Historic Preservation Commission
Reappointment of Ed Hannon for a term expiring 12/31/14

Municipal Property Corporation Board of Directors
Reappointment of Donald Taylor for a term expiring 12/31/14
Reappointment of Thomas Vetrano for a term expiring 12/31/14

Parks and Recreation Advisory Board
Reappointment of Sue Bishop to a term expiring 12/31/13

Planning and Zoning Commission
Reappointment of D. Alan Caine for a term expiring 12/31/13
Reappointment of Mark Napier for a term expiring 12/31/13
Reappointment of Robert Swope for a term expiring 12/31/13
Appointment of William Rodman to fill a term expiring 12/31/13
Appointment of Bill Leedy to fill an unexpired term ending 12/31/12

Water Utility Commission
Reappointment of Elizabeth Shapiro for a term expiring December 31, 2014
Reappointment of Robert Milkey for a term expiring December 31, 2014
Appointment of Richard Verlaque as an At Large representative for a term expiring December 31, 2014

EXECUTIVE SUMMARY:

The selection committess for each board and commission have conducted interviews and reviewed requests for reappointment.

BACKGROUND OR DETAILED INFORMATION:

The requests for reappointment and the applications for the prospective new board and commission members are attached.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE that the following appointments be made:

Historic Preservation Commission -
Reappoint Ed Hannon for a term expiring 12/31/14

Municipal Property Corporation Board of Directors -
Reappoint Donald Taylor for a term expiring 12/31/14
Reappoint Thomas Vetrano for a term expiring 12/31/14

Parks and Recreation Advisory Board -
Reappoint Sue Bishop to a term expiring 12/31/14

Planning and Zoning Commission -
Reappoint D. Alan Caine for a term expiring 12/31/13
Reappoint Mark Napier for a term expiring 12/31/13
Reappoint Robert Swope for a term expiring 12/31/13
Appoint William Rodman for a term expiring 12/31/13
Appoint Bill Leedy to fill an unexpired term ending 12/31/12

Water Utility Commission -
Reappoint Elizabeth Shapiro for a term expiring December 31, 2014
Reappoint Robert Milkey for a term expiring December 31, 2014
Appoint Richard Verlaque for a term expiring December 31, 2014

Attachments

Reappointment Requests
Applications & Recommendations

REAPPOINTMENT REQUESTS

From: Ed Hannon [mailto:edhannon@comcast.net]
Sent: Wednesday, September 21, 2011 10:07 AM
To: Tanner, Danielle
Subject: Re: HPC Reappointment

Hi Danielle,

So soon? Yes please, I would want to be considered for reappointment to the Historic Preservation Commission.

Thank you,
Ed Hannon

On Sep 20, 2011, at 10:43 AM, Tanner, Danielle wrote:

Hi Ed,
Your current term with the Historic Preservation Commission will expire at the end of December. Are you interested in being reappointed to the commission? Please respond to this email and let me know so that we have a record in writing.

Thank you!

Danielle Tanner
Senior Office Specialist

Town of Oro Valley
Parks Recreation Library
& Cultural Resources Department
Phone: (520) 229-5053
Fax: (520) 229-5075
dtanner@OroValleyAZ.gov
680 W. Calle Concordia
Oro Valley, AZ 85704
Follow us on Facebook and Twitter!

Bower, Julie

From: Taylordonnam@aol.com
Sent: Tuesday, October 11, 2011 10:22 PM
To: Bower, Julie
Subject: Re: Municipal Property Corporation Annual Meeting

Hi Julie, I will be able to attend the 10/24 meeting and I would like to be reappointed to the MPC. I will be attending the Fall Community Academy. Thanks.

Don Taylor
297-1413

From: Sue [mailto:sbishop1956@comcast.net]
Sent: Tuesday, September 20, 2011 11:29 AM
To: Tanner, Danielle
Subject: Re: PRAB Reappointment

Yes, I am interested in being reappointed to the PRAB after my term expires in December, 2011.
Thank you,
Sue Bishop

----- Original Message -----
From: Tanner, Danielle
To: 'Sue'
Sent: Tuesday, September 20, 2011 10:45 AM
Subject: PRAB Reappointment

Hi Sue,
Your current term with the Parks and Recreation Advisory Board will expire at the end of December. Are you interested in being reappointed to the board in January? Please respond to this email and let me know so that we have a record in writing.

Thank you!

Danielle Tanner
Senior Office Specialist

Town of Oro Valley
Parks Recreation Library
& Cultural Resources Department
Phone: (520) 229-5053
Fax: (520) 229-5075
dtanner@OroValleyAZ.gov
680 W. Calle Concordia
Oro Valley, AZ 85704
Follow us on Facebook and Twitter!

No virus found in this message.
Checked by AVG - www.avg.com
Version: 10.0.1410 / Virus Database: 1520/3908 - Release Date: 09/20/11

Bower, Julie

From: Gransie, Tracey
Sent: Friday, November 18, 2011 8:39 AM
To: Bower, Julie
Subject: FW: Reappointments

From: acaine@comcast.net [mailto:acaine@comcast.net]
Sent: Thursday, September 22, 2011 4:30 PM
To: Flores, Roseanne
Subject: Re: Reappointments

Hi Roseanne

I would like to continue serving on the Commission after December 31st, 2011.

Alan Caine

From: Flores, Roseanne
Sent: Wednesday, September 21, 2011 10:06 AM
To: mailto:acaine@comcast.net ; 'Mark Napier' ; mailto:bswope12@comcast.net
Subject: Reappointments

Your term of service with the Planning and Zoning Commission will be expiring on December 31, 2011. For reappointment consideration please let me know no later than Thursday, September 22, 2011 by 5:00 p.m.
Should you have any question please let me know.

Roseanne Flores
Office Specialist
Development & Infrastructure Services
11000 N. La Canada, Oro Valley, AZ 85737
520-229-4832 (direct) - 520-742-1022 (fax)

www.orovalleyDIS.com

"Caring for our heritage, our community, our future"

Bower, Julie

From: Gransie, Tracey
Sent: Friday, November 18, 2011 8:40 AM
To: Bower, Julie
Subject: FW: Reappointments

From: markdnapier@gmail.com [mailto:markdnapier@gmail.com] **On Behalf Of** Mark Napier
Sent: Wednesday, September 21, 2011 11:00 AM
To: Flores, Roseanne
Subject: Re: Reappointments

I would like to be reappointed.

Thank you.

Any word on the particulars for the Planning Conference? I have not received any confirmation of my attendance.

Thanks,

Mark

On Wed, Sep 21, 2011 at 10:06 AM, Flores, Roseanne <rflores@orovalleyaz.gov> wrote:
Your term of service with the Planning and Zoning Commission will be expiring on December 31, 2011. For reappointment consideration please let me know no later than Thursday, September 22, 2011 by 5:00 p.m.
Should you have any question please let me know.

Roseanne Flores
Office Specialist
Development & Infrastructure Services
11000 N. La Canada, Oro Valley, AZ 85737
520-229-4832 (direct) - 520-742-1022 (fax)

www.orovalleyDIS.com

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Bower, Julie

From: Gransie, Tracey
Sent: Friday, November 18, 2011 8:39 AM
To: Bower, Julie
Subject: FW: Reappointments
e

From: bswope12@comcast.net [mailto:bswope12@comcast.net]
Sent: Friday, September 23, 2011 4:14 PM
To: Flores, Roseanne
Subject: Re: Reappointments
Roseanne-- I have been out of town and have just had the opportunity to check my e-mail messages. Yes, I would like to be considered for reappointment. Just in case you need to contact me, I will be back in Oro Valley on October 7-- or just leave me a message at either home (575-9715) or cell (520-906-6108).

Thanks,

Bob

From: "Roseanne Flores" <rflores@orovalleyaz.gov>
To: "acaine@comcast.net" <acaine@comcast.net>, "Mark Napier" <mdnapier@comcast.net>, "bswope12@comcast.net" <bswope12@comcast.net>
Sent: Wednesday, September 21, 2011 2:06:45 PM
Subject: Reappointments

Your term of service with the Planning and Zoning Commission will be expiring on December 31, 2011. For reappointment consideration please let me know no later than Thursday, September 22, 2011 by 5:00 p.m.
Should you have any question please let me know.

Roseanne Flores
Office Specialist
Development & Infrastructure Services
11000 N. La Canada, Oro Valley, AZ 85737
520-229-4832 (direct) - 520-742-1022 (fax)

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"Caring for our heritage, our community, our future"

244 West Sacaton Canyon Drive
Oro Valley, Arizona 85755
September 29, 2011

Mr. Philip C. Saletta, P.E.
Water Utility Director
Town Of Oro Valley
11000 N. La Canada Drive
Oro Valley, AZ 85737

SUBJECT: Request for Reappointment to the Oro Valley Water Utility Commission

Dear Philip:

Please consider this letter as a request for the Town Council to consider my reappointment to the Oro Valley Water Utility Commission. I understand that my current term expires on December 31, 2011. It is also my understanding that I am eligible to serve another term on the Commission.

I am interested in continuing to serve on the Commission. I currently serve on the Water Conservation Subcommittee and I have met my training requirements. My involvement on the Commission has been both challenging and rewarding and I hope to be reappointed and participate in future activities.

Please let me know if there is any further information you need to process my request for reappointment to the Oro Valley Water Utility Commission. I look forward to hearing from you regarding my reappointment.

Sincerely,

Robert W. Milkey

Copies to be distributed by the Water Utility:

Dave Powell, Chair of the OVWUC
Greg Caton, Town Manager
Julie Bower, Town Clerk

Elizabeth Shapiro
8889 N. Carol Anne Drive
Tucson, AZ 85742

October 1, 2011

Mr. Philip C. Saletta, P.E.
Water Utility Director
Town Of Oro Valley
11000 N. La Canada Drive
Oro Valley, AZ 85737

SUBJECT: Request for Reappointment to the Oro Valley Water Utility Commission

Dear Philip:

Please consider this letter as a request for the Town Council to consider my reappointment to the Oro Valley Water Utility Commission. I understand that my current term expires on December 31, 2011. It is also my understanding that I am eligible to serve another term on the Commission.

I am interested in continuing to serve on the Commission. I currently serve on the Finance Subcommittee and I have met my training requirements. My involvement on the Commission has been rewarding and I hope to be reappointed and participate in future activities.

Please let me know if there is any further information you need to process my request for reappointment to the Oro Valley Water Utility Commission. I look forward to hearing from you regarding my reappointment.

Sincerely,

Elizabeth Shapiro

Elizabeth Shapiro

C: Dave Powell, Chair of the OVWUC
Greg Caton, Town Manager
Julie Bower, Town Clerk

APPLICATIONS & RECOMMENDATIONS

Planning and Zoning Commission Applications

OCT 4 11PM 3:37 TOV

ORO VALLEY VOLUNTEER APPOINTMENT APPLICATION

Dear Oro Valley Citizen:

We appreciate your interest in the Town of Oro Valley. This informational form, when completed, will allow us to quickly process your application by assisting us in understanding how we can best use your talents and experience. A list describing the Town's Boards and Commissions is attached for your reference. Information reflecting the procedures surrounding the appointment process to Boards is also attached. Your application will remain on file for two years from the date of receipt. We thank you kindly for volunteering to serve the Town!

Please note: No volunteer shall serve on more than one standing Board at any time.

Return this application to the Town Clerk's Office, 11000 N. La Cañada Drive, Oro Valley, Arizona 85737.

Name LEEDY (Last) BILL (First) _____ (Middle) _____ (Suffix)

Address 12222 N CLOUD RIDGE DR (Street) ORO VALLEY (City) AZ (State) 85755 (Zip)

Home Phone 344-9759 Business Phone _____ Cellular Phone 837-9468

Number of Years in Oro Valley 3 Email Address LEEDY-JR@YAHOO.COM

Signature [signature] Date 9/30/11

Please indicate the board or commission you wish to join: PLANNING AND ZONING

Please list your volunteer services in Oro Valley and with other organizations including any boards or commissions on which you have served: (board/commission, civic, educational, cultural, social, etc.)

SEE ATTACHED

How does your previous volunteer service prepare you for the board or commission appointment for which you have applied? Please describe an issue considered at a meeting of the Board or Commission for which you are applying.

SEE ATTACHED

Have you attended the Community Academy or CPI? NO What Year? _____ If not, are you willing to attend? YES ENROLLED FOR FALL '11

Briefly describe your educational/vocational background.

SEE ATTACHED

IF DESIRED, ADDITIONAL INFORMATION MAY BE ATTACHED

www.orovalleyaz.gov

2/23/11

ORO VALLEY APPOINTMENT APPLICATION
Response to Questions Supplement
Bill Leedy
September 30, 3011

1. Please list your volunteer services in Oro Valley and with other organizations including any boards or commissions on which you have served.

- I served on the Board of Mount de Sales Academy as the Vice President, Development.
- I served as the Assistant Scout Master and as a fund raising volunteer for the Boy Scouts of America.
- I currently volunteer for Arizona Public Media.
- I was selected for Young Men of America for my community service and leadership.
- I am a member of the 2011 class of Greater Tucson Leadership.

2. How does your previous volunteer service prepare you for the board or commission appointment for which you have applied? Please describe an issue at a meeting of the Board or Commission for which you are applying.

My wife and I moved to Tucson recently after I retired as a senior executive of Constellation Energy, a Fortune 150 company with headquarters in Baltimore Maryland. My responsibility at Constellation was for development of non-nuclear power plants most of which relied on renewable energy resources. A very significant part of my responsibility was community out-reach and working with planning and zoning and economic development departments in the many jurisdictions in which I successfully sited modern utility scale power generation facilities. I believe that my professional and community service experience qualifies me for a position on the Oro Valley Planning and Zoning Commission.

I have not yet attended an Oro Valley Board or Commission meeting.

3. Briefly describe your educational/vocational background.

- Bachelor of Science in Electrical Engineering
- Master of Business Administration
- Additional information can be found in my executive biography which is attached.

William (Bill) G. Leedy, Jr.

12222 North Cloud Ridge Drive
Tucson, AZ 85755-6559
520.344.9760 (W) - 520.837.9468 (M)
leedyjr@yahoo.com

Mr. Leedy is a high-energy results-oriented leader and articulate change agent. By blending his business and project management expertise with his team building skills, he has achieved dramatic growth in revenues and profits in a variety of organizational settings. Among the keys to his success are his well developed skills in strategic planning, project development, project management, sales, marketing and project financing. He has negotiated numerous strategic partnerships and cultivated them into profitable relationships. He has also created considerable value in startups, turnarounds, new projects and new products. While his experience is primarily in the power plant segment of the energy industry, he also has extensive experience with capital equipment manufacturers in the environmental management and heating and air conditioning industries. Throughout his career, he has worked closely with engineering consultants and construction firms.

Mr. Leedy has also demonstrated strong organizational leadership and mentoring skills. While a senior executive and corporate officer at Constellation Operating Services ("COSI"), a Constellation Energy subsidiary, he played a key leadership role in reviving and propagating the company's exceptionally effective work belief and hiring systems. These efforts fostered a highly motivated work force that tripled in size to nearly 1,000 employees during the five years Mr. Leedy was at COSI. Operating 26 energy facilities in nine states and two foreign countries, this work force consistently out-performed the competition as reported by independent industry analysts. His extraordinary business development achievements, grasp of commercial issues and leadership skills resulted in his selection as a candidate to succeed the President of COSI.

Mr. Leedy's management style is predominately collaborative. He has assembled and led numerous teams of diverse in-house and third party professionals and technicians. Collectively, these teams have (a) obtained permits with unprecedented conditions for a 600 MW, $500 million power plant, (b) negotiated a $200 million power plant major equipment supply contract at 15% below competitive market prices, (c) negotiated with state and local governments for economic development incentives with an estimated value of $15 million, (e) completed 16 successful strategic acquisitions, (f) negotiated 17 profitable long term multi-million dollar service contract orders, (g) won three of four competitive solicitations for the supply of hazardous waste to energy facilities, (h) permitted the first commercial hazardous waste treatment facility following the passage of tough new environmental laws and (i) permitted an advanced biotechnology wastewater treatment facility in the environmentally sensitive Chesapeake Bay water shed.

Mr. Leedy's technical versatility is illustrated by his success with heating and air conditioning equipment, electronic energy management systems, state of the art waste treatment technologies and nearly every traditional and renewable electric power generation technology except nuclear. His commitment to environmental stewardship is reflected in his more than 30

years of experience with renewable energy technologies, responsible waste management and energy conservation.

On numerous occasions, Mr. Leedy developed novel strategies and plans for successfully entering new markets in cutting edge industries. In one instance, he recognized the need for new more cost effective sources of capital to support the explosive growth of the wind energy industry. Based on his experience at Constellation Energy as a developer and investor in renewable energy projects, he created a new financing strategy for wind projects. Mr. Leedy was hired by Cielo Wind Power, a leading developer of wind projects that was eager to utilize his project financing expertise. Within three months of soliciting debt and equity financing proposals for a $278 million wind project, he had obtained commitments for 100% of the financing requirements. The terms of these commitments were projected to more than triple the profit margin percentage Cielo realized on its most recent project.

In addition to penetrating new or evolving markets, Mr. Leedy played a key role in a dramatic turnaround. Prior to joining Constellation Operating Services ("COSI"), revenues, profits and employee morale had been declining for more than two years. Shortly after joining COSI, Mr. Leedy conceived and implemented a new business development program which capitalized on the combination of COSI's historical excellence in power plant operations and maintenance with the tax efficient investment capital available from Constellation Energy, COSI's parent company. During the next five years, he led teams that negotiated 17 multi-million dollar multi-year service contracts and completed five strategic acquisitions. Largely because of his efforts, COSI's annual profits grew by 400% and their revenue backlog increased by 600%.

Mr. Leedy was a key player in growing a startup into a top ten industry leader. He worked closely with an internationally renowned management consultant to create the initial strategic plan for Constellation Energy's non-regulated business unit. Thereafter, he assembled and led teams that completed 11 successful power plant acquisitions with a combined value of $635 million. This accomplishment was a critical factor in making Constellation a top ten independent power industry leader during the late 80's and early 90's. Each of his acquisitions involved the negotiation of a strategic relationship. Many involved obtaining complex non-recourse financing. And one included the first use of a special allocation structure following the 1986 Tax Reform Act. For three of these acquisitions, he shared with Constellation's partner, management responsibility for asset management and P&L. He was recognized by the President of Constellation's independent power business as the most successful deal closer in the history of the company. By being the first to assume the role of General Manager for the development of a new project - a $145 million renewable energy project - he also paved the way for Constellation's evolution from a passive investor to a leading green-field developer of non-regulated electric power plants.

Capitalizing on another emerging market, Mr. Leedy created and implemented the initial sales and marketing plan for supplying chemical waste to energy treatment facilities using an advanced technology licensed by Environmental Elements, a subsidiary of a Fortune 500 Company. Over the next four years, he led teams that completed preliminary engineering, cost estimates and detailed facility supply proposals. He won competitive and negotiated procurement processes with commercial, industrial and government entities in the US and

Canada. These successes resulted in more than $150 million in revenues, including facilities supplied to PPG, WTI and the provincial government of Alberta, Canada. By winning all but one competitive process in which he participated, he made Environmental Elements an industry leader in the supply of chemical waste to energy treatment facilities. He also led the team that overcame intense public opposition and obtained the first US and Ohio hazardous waste facility permits issued under tough new environmental laws.

CAREER HISTORY

WG Leedy Consulting, LLC 2009-Present

After accepting an early retirement offer from Constellation Energy, Mr. Leedy formed his own consulting practice. The primary focus of this practice is to apply his extensive capabilities and experience in helping others achieve success in their energy and environmental projects. He also participates in other associations and joint ventures with similar capabilities and objectives.

Constellation Energy Group 1986-2000, 2003-2009

Vice President, Generation Plant Development 2008-2009
Executive Director, Generation Plant Development 2003-2008

Mr. Leedy was recruited to return to Constellation Energy as its senior leader with corporate level responsibility for non-nuclear generation plant development. In this capacity he managed teams of professionals and technicians that identified and assessed new plant development and existing plant expansion opportunities, and developed strategic responses to the emerging competitive electric power generation market during a period characterized as highly volatile and uncertain.

Vice President Business Development 1995 to 2000.

Mr. Leedy rebuilt and managed the business development function for Constellation Operating Services, Inc., a wholly owned Constellation Energy subsidiary providing operation and maintenance services for power plants and related facilities. He crafted and instituted a new sales and marketing program, led mergers and acquisitions and negotiated all contract services agreements. He also played a key role in strategic planning, shared company policy making responsibility, and created a full range of corporate collateral materials, including materials used in a direct mail marketing program he implemented.

Senior Business Development Manager, 1986 to 1995.

Mr. Leedy had a variety of project development, financing, asset management and operations responsibilities at Constellation Power, a new venture and wholly owned Constellation Energy subsidiary formed in late 1985 to capitalize on the deregulation of the electric power generation segment of the electric utility industry. Initially, he evaluated and terminated a previous company investment in a new transmission hardware plating technology. On loan to a real estate affiliate, he led a team that developed and

permitted an advanced technology biological wastewater treatment facility critical to a $100 million real estate investment made by an affiliate company. Primarily, Mr. Leedy was responsible for identifying, evaluating and acquiring power generation project investments. As part of this activity, he cultivated strategic relationships and negotiated financings. He also pioneered the company's transition from a passive investor to a leading green-field developer of power projects by becoming the company's first General Manager for development of a project – a $145 million renewable energy project.

Director of Finance, Cielo Wind Power 2002 to 2003.

Reporting directly to the President, Mr. Leedy directed the project financing activities for this privately owned Austin, Texas based wind project development company. He also played a key role in Cielo's other development activities including power sales agreement negotiations and risk mitigation. For a $278 million wind project, he created and implemented a financing plan based on the innovative financing strategy he developed while at Meridian Investments. He managed the $10 million financing budget for the project. In addition, he worked with the CFO on efforts to re-capitalize the company.

Senior Vice President, Meridian Investments 2000 to 2002.

Mr. Leedy was recruited to this Boston based privately held investment bank to grow their fledgling energy project investments practice. He structured and marketed a $500 million energy venture capital fund investment opportunity sponsored by a New York venture capital firm. He then cultivated a relationship with a leading wind project developer. After which he negotiated an engagement agreement to finance their $500 million portfolio of wind projects using an innovative lower cost financing structure he developed. Mr. Leedy participated in direct sales activities and coordinated the sales staff with respect to these two investment offerings. Each of these two engagements was expected to generate fee income for Meridian of $6M to $8M, more than a typical year's worth of fee income.

Manager, Development, Environmental Elements Corporation 1980 to 1986.

Mr. Leedy led the business and project development activities for the newly created Hazardous Waste Facilities Division of Environmental Elements Corporation, a heavy equipment manufacturer and subsidiary of a Fortune 500 Company. He directed the sales and marketing effort including the drafting of facility supply proposals and the coordination of preliminary site specific process and facility engineering. He also led the team that obtained the first Federal and Ohio permits issued for a commercial hazardous waste treatment facility after the enactment of tough new environmental protection laws. On loan to another newly created division, he played a key role in the negotiation of a $20 million contract for the upgrade and privatization of a municipal wastewater treatment facility, only the second such privatization in the US.

Early Career: Mr. Leedy began his career as an equipment salesman and applications consultant for Cuddeback Associates, a regional sales and service organization for the commercial equipment division of the Trane Company, a Fortune 500 heating and air conditioning equipment manufacturer. From there he moved to Energy Management Director of

HVAC Service, a Cuddaback affiliate. His next move was to Affiliate Sales Director for Conservation and Controls, also a Cuddaback Associates affiliate.

EDUCATION AND PERSONAL BACKGROUND

Loyola College awarded Mr. Leedy a Masters in Business Administration with a focus on Management. He received a Bachelor of Science in Electrical Engineering from Purdue University. Mr. Leedy held NASD Series 7 and Series 63 Securities Licenses.

He continued his education, completing the Leadership Development Program taught by the Center for Creative Leadership and the Program on Negotiation for Senior Executives conducted by the Harvard Law School. For his leadership in community service work, Mr. Leedy was elected to Outstanding Young Men of America. Mr. Leedy's tradition of high performance and excellence began at a young age when he became an Eagle Scout with the Boy Scouts of America.

Mr. Leedy and his wife, Marianne, currently reside in Tucson, Arizona. They have four grown children. In his free time, Mr. Leedy enjoys sailing, golf, swimming, cycling, canoeing, hiking and bridge. His hobbies include woodworking and traveling.

SEP 29'11AM 8:50 TOV

ORO VALLEY VOLUNTEER APPOINTMENT APPLICATION

Dear Oro Valley Citizen:

We appreciate your interest in the Town of Oro Valley. This informational form, when completed, will allow us to quickly process your application by assisting us in understanding how we can best use your talents and experience. A list describing the Town's Boards and Commissions is attached for your reference. Information reflecting the procedures surrounding the appointment process to Boards is also attached. Your application will remain on file for two years from the date of receipt. We thank you kindly for volunteering to serve the Town!

Please note: No volunteer shall serve on more than one standing Board at any time.

Return this application to the Town Clerk's Office, 11000 N. La Cañada Drive, Oro Valley, Arizona 85737.

Name RODMAN, WILLIAM
Last First Middle Suffix

Address 12150 N. CAMINO DEL FIERRO, ORO VALLEY, AZ 85755-9180
Street City State Zip

Home Phone 520-742-5871 Business Phone — Cellular Phone 312-593-5871

Number of Years in Oro Valley 5 years Email Address brodman22@gmail.com

Signature W M Rodman Date Sept 26, 2011

Please indicate the board or commission you wish to join: PLANNING AND ZONING

Please list your volunteer services in Oro Valley and with other organizations including any boards or commissions on which you have served: (board/commission, civic, educational, cultural, social, etc.)

SEE ATTACHED

How does your previous volunteer service prepare you for the board or commission appointment for which you have applied? Please describe an issue considered at a meeting of the Board or Commission for which you are applying.

SEE ATTACHED

Have you attended the Community Academy or CPI? NO What Year? ____ If not, are you willing to attend? YES

Briefly describe your educational/vocational background.

B.A. NORTHWESTERN UNIVERSITY, JURIS DOCTOR, NORTHWESTERN UNIVERSITY
M.A. HUMAN SERVICES ADMINISTRATION, SPERTUS COLLEGE, CHICAGO

IF DESIRED, ADDITIONAL INFORMATION MAY BE ATTACHED
www.orovalleyaz.gov

2/23/11

Addendum to Volunteer Appointment Application
William Rodman

The following were all in Chicago area before I moved to Oro Valley

- Member and President of the Glenview District 34 Elementary School Board of Education
- Member and President of Glenbrook District 225 High School Board of Education
- Member and President of Board of Directors of Rotary Club of Glenview
- Member and President of Board of Directors of the American Cancer Society, Glenview Chapter
- Board of Directors, Glenview Youth Services
- Glenview Citizen of the Year 1983
- Member and President of Board of Directors Glenview Chamber of Commerce

Having served on many Boards and Committees of those Boards, I have a great deal of experience in how these volunteer, governmental Boards function. I am very aware of how to work with the public in difficult situations where there is more than one side to an issue. I learned to do my homework, work with staff and listen carefully to all Commission members and public input before making my final decision.

In my private law practice, I represented numerous clients in front of Planning and Zoning Commissions as well as Town Councils. I believe this experience will help me be an effective Commission member.

The Planning and Zoning Commission considered and passed a rezoning of property from Church to Private School. This was the St. Mark's request. I was involved in this issue from the initial neighborhood meetings through the Planning and Zoning and the Town Council.

As evidenced by my volunteer experience, I believe very strongly in getting involved in my community. Our Town faces many challenges as we move forward in these difficult times. As residents of Oro Valley, it is our responsibility to contribute all we can to the betterment of our community.

Water Utility Applications

WATER UTILITY COMMISSION REAPPOINTMENTS AND APPOINTMENT

In accordance with Town Code – Water Code and using established procedures as outlined in the Town Council Policies and Procedures, the Water Utility Director, Philip Saletta, is recommending reappointment of Elizabeth Shapiro and Robert W. Milkey to the Water Utility Commission (WUC). These reappointments to the WUC will have a term effective from January 1, 2012 through December 31, 2014.

In addition, the Water Utility Commission Interview Committee Panel is recommending appointment of Mr. Richard M. Verlaque as an At-Large Representative to the Water Utility Commission. This appointment to the WUC will also have a term effective from January 1, 2012 through December 31, 2014.

Ms. Shapiro has served one full term on the WUC as the Countryside Water Service Area Representative. She also serves on the Finance Subcommittee. Her attendance, participation, and leadership have been excellent. Ms. Shapiro has met all training requirements. Attached is her letter request for reappointment.

Mr. Milkey has served one full term on the WUC as an At-Large Representative. He has also serves on the Water Conservation Subcommittee. His attendance, participation, and leadership have been excellent. Mr. Milkey has met all training requirements. Attached is his letter request for reappointment.

Mr. Verlaque was interviewed by the Interview Committee Panel consisting of Councilmember Barry Gillaspie, WUC Vice Chair Richard Davis and Water Utility Director Philip Saletta. The panel unanimously recommends Mr. Verlaque to serve on the Water Utility Commission. Mr. Verlaque is a retired CPA and has worked in both the private and public sectors. He is also very involved with water conservation for his HOA. Attached is his application and resume.

OCT 7'11AM11:11 TOV

ORO VALLEY VOLUNTEER APPOINTMENT APPLICATION

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Return this application to the Town Clerk's Office, 11000 N. La Cañada Drive, Oro Valley, Arizona 85737.

Name Verlague (Last) Richard (First) Matthews (Middle) _____ (Suffix)

Address 780 E. Camino Diestro (Street) Oro Valley (City) AZ (State) 85704 (Zip)

Home Phone 520-219-4866 Business Phone _____ Cellular Phone 520-289-3153

Number of Years in Oro Valley 11 Email Address Toller999@comcast.net

Signature Richard M. Verlague Date 10/7/11

Please indicate the board or commission you wish to join: Water Utility Commission

Please list your volunteer services in Oro Valley and with other organizations including any boards or commissions on which you have served: (board/commission, civic, educational, cultural, social, etc.)

Served on the Board of Directors for 5 years as Treasurer and Landscape Chair for the El Conquistador Resort Patio Homes HOA

How does your previous volunteer service prepare you for the board or commission appointment for which you have applied? Please describe an issue considered at a meeting of the Board or Commission for which you are applying.

Directed HOA Water Conservation Program since 2007.

Have you attended the Community Academy or CPI? NO What Year? _____ If not, are you willing to attend? YES

Briefly describe your educational/vocational background.

Please See attached

IF DESIRED, ADDITIONAL INFORMATION MAY BE ATTACHED

www.orovalleyaz.gov

2/23/11

Attachment to Oro Valley Volunteer Appointment Application

Re Richard M. Verlaque

Education / Vocational Back Ground

Bachelor of Science-New York University Accounting /Finance Major

Awarded CPA License--New York State

Work Experience--Private Sector

Arthur Andersen & Co.
Auditor -- Four years

Hertz Corporation
Assistant Controller/Audit Manager for US --Corporate --Two years

Controller of Hertz Truck Division for U. S. --Four years

Evergreen Air Center in Pinal County--

Vice President Finance & Administration --One Year

Executive Vice President--One Year

Work Experience-- Public Sector

New York State Metropolitan Transportation Authority
MTA Deputy Controller -- Nine years

Controller- New York City Transit Authority -- Four years

VP / Chief Financial Officer -- MTA Bridges & Tunnels -- Five years

Town Council Regular Session **Item # G.**

Meeting Date: 12/07/2011

Requested by: Town Clerk **Submitted By:** Julie Bower, Town Clerk's Office

Department: Town Clerk's Office

Information

SUBJECT:

Resolution No. (R)11-76, Authorizing and approving an Intergovernmental Agreement between the Town of Oro Valley and Pima County for Election Services

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The attached resolution authorizes and approves an IGA between the Town and Pima County for the Pima County Elections Department to provide election services for the Town's March 13, 2012 Primary Election and the May 15, 2012 General Election. Services provided by the Pima County Elections Department include voting equipment, ballots and vote tallying equipment.

BACKGROUND OR DETAILED INFORMATION:

ARS § 16-408(D) permits the governing body to enter into an agreement with the County Board of Supervisors and Recorder for election services.

FISCAL IMPACT:

$110,000 has been budgeted for the 2012 mail ballot primary and general elections in the General Fund, the Town Clerk's department budget - Elections.

SUGGESTED MOTION:

I MOVE to adopt Resolution No. (R)11-76, Authorizing and approving an Intergovernmental Agreement between the Town of Oro Valley and Pima County for Election Services.

Attachments

Reso 11-76

IGA

RESOLUTION NO. (R)11-76

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND PIMA COUNTY FOR ELECTION SERVICES

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, Pima County is authorized under Arizona Revised Statutes, Sections 16-205(C), 16-408(D), 16-450, 11-251(3) and 11-951 *et. seq*. to perform services for any political subdivision regarding elections; and

WHEREAS, the Town of Oro Valley, Arizona is authorized under Arizona Revised Statutes, Title 9, Title 11 and Title 16 to call for elections; and

WHEREAS, Pima County and the Town of Oro Valley have determined that the use by the Town of Oro Valley of the services of the Pima County Recorder for the conduct of elections is in the public interest and Pima County has agreed to provide said services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona that:

1. The Intergovernmental Agreement, attached hereto as Exhibit "A", between the Town of Oro Valley, Arizona and Pima County for Election Services is hereby approved.

2. The Mayor of the Town of Oro Valley and other administrative officials are hereby authorized to take such steps as necessary to execute and implement the terms of the Intergovernmental Agreement.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 7th day of December, 2011.

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Rosen, Town Attorney

Date: _____

EXHIBIT “A”

INTERGOVERNMENTAL AGREEMENT
For Election Services
Among the Town of Oro Valley and Pima County

This Intergovernmental Agreement (IGA) is by and among THE TOWN OF ORO VALLEY OF PIMA COUNTY, ARIZONA, a municipal subdivision of the State of Arizona (the "Town") and PIMA COUNTY, a political subdivision of the State of Arizona ("County"), on behalf of the PIMA COUNTY ELECTIONS DEPARTMENT (the "Elections Department").

WHEREAS, the County of Pima has a comprehensive voting system and certified elections officials;

WHEREAS, the Town of Oro Valley, an Arizona political subdivision, pursuant to A.R.S. §9-231 (A), is authorized to prepare for and conduct primary elections, general elections and special elections;

NOW, THEREFORE, IT IS AGREED by and between the County, on behalf of its Elections Department, and the Town, pursuant to A.R.S. §§ 16-205(C), 16-172, 11-251(3), 11-952, 16-450, 16-409 and 16-405 *et. seq.*, authorize County to perform election-related services for a political subdivision as follows:

1. **Purpose.** The purpose of this IGA is to set forth the duties and responsibilities of the Elections Department and Town with respect to any election to be held by Town of Oro Valley during the term of this IGA. These elections will be held in accordance with the provisions of all pertinent election statutes.

2. **Term.** The term of this IGA shall be from January 1, 2012 through December 31, 2016 provided that the term shall continue through final resolution of any legal challenge to the election. Any modifications or time extension of the IGA shall be by formal written amendment and executed by the parties.

3. **Elections Department Services.** The Elections Department shall:

   A. Make available support services, ballots, voting equipment, vote tallying equipment, precinct supplies, and such other election materials as may be required for proper conduct of the election.

   B. Provide County personnel necessary to effectively administer the election as set forth in this IGA.

   C. Provide final camera-ready ballot formats to the Town, including Spanish Language translations, no later than 55 days prior to each election. Upon written notice of a need for a change to the ballot format approved by the Town, the Elections Department shall, if possible,

arrange for the corrections to be made by the vendor. The Elections Department will inform Town of the additional charges incurred.

D. Provide a certified copy of the "Official Elections Returns" to the Town within ten (10) days after each election.

E. Store and dispose of election material as required by law.

F. Prepare and deliver an invoice to the Town for charges incurred by the Elections Department for each election. The invoice shall contain a detailed breakdown of all costs and be provided no later than forty-five (45) days after each election.

4. **Town Obligations. Town shall:**

A. Provide written notice to the Elections Department that election-related services are required for a consolidated election. Unless otherwise mutually agreed, notice shall be provided at least 120 days prior to the election date. Notice shall detail the election-related services required.

B. Make all submissions required under Section 5 of the Voting Rights Act to the Department of Justice and provide timely notice to County of any pre-clearances required under Section 5 of the Voting Rights Act.

C. Make arrangements with the County for any necessary translations as required by Section 203 of the Voting Rights Act.

D. Provide County Elections Department with the final certified copy of any ballot issue for a Town election at least 90 days prior to the election, unless a different timeframe is otherwise mutually agreed upon.

E. Review and approve the camera-ready ballot formats provided by the Elections Department no more than two (2) business days after receipt. Town must notify the Elections Department, in writing, of any required changes after the ballot format has been approved.

F. Be responsible for the preparation and distribution of publicity pamphlets, including, but not limited to, any requisite translation, printing and mailing.

G. Pay any and all charges for printing of ballot pages, sample ballots, ballot labels, or any other items by commercial means directly to the commercial vendor providing such services, unless alternate billing arrangements are agreed to by the County Director of Elections in writing.

H. Be solely responsible for defending, legally or otherwise, any election contest if an election is challenged or questioned for any reason whatsoever. This duty shall survive the expiration of

the IGA, provided that County shall cooperate with the Town in making relevant information and witnesses available upon reasonable request.

I. Be responsible for the security of all ballots tabulated by officials and vendors other than County's agents or employees and ensure that any functions performed by Town or its outside vendors comply with applicable law and the procedures of the Secretary of State.

J. Arrange for and publish any and all notices of each election as required by law.

K. Prepare and timely submit any reports required under A.R.S. § 16-409(B).

5. **Manner of Financing/Payment.**

A. Town will pay the Elections Department the costs of services and other costs incurred within thirty (30) days of the date of the invoice. Costs and fees due and owing will be those in effect at the time elections services are provided as established by Pima County ordinance. A copy of the Ordinance No. 2009-58 which sets forth the costs and fees in effect at the time this IGA is executed is attached hereto as Exhibit A.

B. Town will, within thirty (30) days of the date of the invoice, pay the Elections Department the actual costs for any changes to ballots incurred by the Elections Department.

C. Any amount invoiced by the County that is not paid thirty (30) days from the date of the invoice shall accrue interest at the rate of ten percent (10%) per annum until paid. The Town expressly acknowledges and agrees that the payments required to be made hereunder constitute valid, binding obligations and authorized debt of the Town.

6. **Hold Harmless Clause.** Each party (as Indemnitor) agrees to indemnify, defend and hold harmless the other party (as Indemnitee) from and against any and all claims, losses, liability, costs or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "claims") arising out of bodily injury or any person (including death) or property damage, but only to the extent that such claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees or volunteers.

7. **Compliance with Applicable Laws.** The parties shall comply with all federal, state and local laws, rules, regulations, standards and Executive Orders, without limitation to those designated within this IGA. The laws and regulations of the State of Arizona shall govern the rights of the parties, the performance of this IGA and any disputes hereunder. Any action relating to this IGA shall be brought in an Arizona court in Pima County. Any changes in the governing laws, rules and regulations during the terms of this IGA shall apply but do not require an amendment.

8. **Non-Discrimination.** Neither party will discriminate against the other party's employee, client or any other individual in any way involved with, the other party, because of that person's age, race, creed, color, religion, sex, disability or national origin in the course of carrying out Town's duties pursuant to this IGA. Both party's agree to comply with the provisions of A.R.S. §41-1463 and of Executive Order 75-5, as amended by Executive Order 2009-09, which are incorporated into this IGA by reference, as is set forth in full herein.

9. **Americans With Disabilities Act.** This IGA is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable Federal Regulations under the Act, including 28 CFR Parts 35 and 36.

10. **Severability.** If any provision of this IGA or any application thereof to the County, Town or any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this IGA which can be given effect, without the invalid provision or application and to this end the provisions of this IGA are declared to be severable.

11. **Conflict of Interest.** This IGA is subject to the cancellation for conflict of interest pursuant to A.R.S. § 38-511, the pertinent provisions of which are incorporated herein by reference.

12. **Non-Appropriation.** Notwithstanding any other provision in this IGA, this IGA may be terminated if for any reason the County Board of Supervisors or Town does not appropriate sufficient monies for the purpose of maintaining this IGA. In the event of such cancellation, County or Town shall have no further obligation other than for payment for services rendered prior to cancellation.

13. **Legal Authority.** Neither party warrants to the other its legal authority to enter into this IGA. If a court, at the request of a third person, declares that either party lacks authority to enter into this IGA, or any part of it, then the IGA, or parts of it affected by such order, shall be null and void, and no recovery may be had by either party against the other for lack of performance or otherwise.

14. **Worker's Compensation.** Each party shall comply with the notice of A.R.S.§ 23-1022(E). For purposes of A.R.S. § 23-1022, each party shall be considered the primary employer of all personnel currently or hereafter employed by that party, irrespective of the operations of protocol in place, and said party shall have the sole responsibility of the payment of Worker's Compensation benefits or other fringe benefits of said employees.

15. **No Joint Venture.** It is not intended by this IGA to, and nothing contained in this IGA shall be construed to, create any partnership, joint venture or employment relationship between the parties or create any employer-employee relationship between County and any Town employees, or between the Town and any County employees. Neither party shall be liable for any debts, accounts, obligations nor other liabilities whatsoever of the other party, including (without limitation) any other party's obligation to withhold Social Security and income taxes for itself or any of its employees.

16. **No Third Party Beneficiaries.** Nothing in the provisions of this IGA is intended to create duties or obligations to, or rights in, third parties not parties to this IGA, or to affect the legal liability of any party to the IGA by imposing any standard of care different from the standard of care imposed by law.

17. **Resolution of Conflicting Needs.** In the event conflict arises between the County and Town over the use of voting equipment, vote tallying equipment, or County elections personnel, County shall have priority, but shall make reasonable efforts to reconcile conflicts so that neither party will suffer as a consequence of conflict.

18. **Notice.** Any notice required pursuant to this IGA shall be given to:

County/Elections	Town
Brad R. Nelson	Julie K. Bower
Elections Director	Town Clerk, Town of Oro Valley
6550 S. Country Club	11000 N. La Canada Road
Tucson, AZ 85656	Oro Valley, AZ 85737
Phone: (520) 351-6830	Phone: (520) 229-4700
Fax: (520) 351-6870	Fax: (520) 297-0428

19. **Termination.** Either party may terminate this IGA at any time by giving written notice of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination. In the event of termination, any real or personal property belonging to either party and furnished pursuant to this IGA, shall be returned to the furnishing party. Any funds of Town paid to County in accordance with this IGA and not encumbered at the time of termination shall be refunded to Town and, if Town terminates, Town shall pay any and all costs of County incurred up to the date of termination or as a result of termination.

20. **Immigration.** A.R.S. § 41-4401 prohibits government entities from entering into an agreement with any other government entity contractor or subcontractor who fails, or whose subcontractors fail, to comply with A.R.S. § 23-214(A). Therefore, each party agrees that:

    1. Party and each subcontractor it uses warrants its compliance with all federal immigration laws and regulations that relate to its employees and its compliance with §23-214, subsection A.

    2. A breach of a warranty under paragraph 1 shall be deemed a material breach of the Agreement and is subject to penalties up to and including termination of the Agreement.

    3. Each Party retains the legal right to inspect the papers of the Party or subcontractor employee(s) who work(s) on this Agreement to ensure that Party or subcontractor is complying with the warranty under paragraph 1.

21. **Iran/Sudan Business Operations.** Pursuant to A.R.S. §§ 35-391.06 and 35-393.06, each Party certifies that it does not have a scrutinized business operation, as defined in A.R.S. §§ 35-391 and 35-393, in either Iran or Sudan.

22. **Entire IGA.** This document constitutes the entire agreement between the parties pertaining to the subject matter hereof, and all prior or contemporaneous agreements and understandings, oral or written, are hereby superseded and merged herein. This IGA shall not be modified, amended, altered or extended except through a written amendment signed by the parties.

IN WITNESS WHEREOF, the parties hereby have executed this Agreement on this _____ day of _____, 2011.

TOWN OF ORO VALLEY

By: _____
Mayor

ATTEST:

By: _____
Clerk

PIMA COUNTY BOARD OF SUPERVISORS

By: _____
Chair

ATTEST:

By: _____
Clerk of the Board of Supervisors

APPROVED AS TO CONTENT:

By: _____
Brad R. Nelson, Director, Pima County Elections Department

The foregoing Intergovernmental Agreement between the Town of Oro Valley and Pima County has been reviewed pursuant to A.R.S. § 11-952 by the undersigned, who have determined that it is in the proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Intergovernmental Agreement represented by the undersigned.

PIMA COUNTY

_____
Deputy County Attorney

TOWN OF ORO VALLEY

_____
Attorney for the Town of Oro Valley

RECORDED BY: LLW
DEPUTY RECORDER
1956 PE-2
P0230
PIMA CO CLERK OF THE BOARD
PICKUP

PAGE: 4351
NO. OF PAGES: 9
SEQUENCE: 20091230719
06/26/2009
ORDIN 18:00

PICKUP
AMOUNT PAID $ 0.00

EXHIBIT A

ORDINANCE NO. 2009-58

AMENDMENT OF THE PIMA COUNTY ELECTIONS DEPARTMENT FEE SCHEDULE

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA AMENDING FEES FOR ELECTION-RELATED SERVICES PROVIDED BY THE PIMA COUNTY ELECTIONS DEPARTMENT

WHEREAS, the Pima County Board of Supervisors is authorized, pursuant to A.R.S. §§ 11-251.08, 16-205, and 16-503, to charge for election-related services provided by the Pima County Elections Department; and,

WHEREAS, the Pima County Board of Supervisors has the authority under A.R.S. § 11-251.05 to adopt all ordinances necessary or proper to carry out the functions of the County.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

SECTION 1. Ordinance 2006-56 is hereby amended according to the attached schedule of prices.

SECTION 2. This Ordinance shall take effect thirty-one (31) days from the date of adoption.

PIMA CO. COURTS

215

SECTION 3. If any provision of this Ordinance, or the application thereof to any person or circumstance is invalid, the invalidity shall not affect other provisions or applications of this Ordinance, which can be given meaning without the invalid provision.

PASSED AND ADOPTED THIS 16th day of June, 2009.

PIMA COUNTY BOARD OF SUPERVISORS

Richard Elias, Chairman, Board of Supervisors

ATTEST:

Lori Godoshian, Clerk of the Board

APPROVED AS TO FORM:

Daniel Jurkowitz, Deputy County Attorney

REVIEWED BY:

Brad R. Nelson, Director of Elections

NUMBER 00000

LEVEL 1. FULL SERVICE ELECTION

1. Salaries/Benefits:

Permanent Employees:

Total hourly rate for all employees x the total number of hours = total cost. The total cost x 1.1011 = The Total Adjusted Cost. Total Adjusted Cost divided by the total number of registered voters for all jurisdictions = unit price. Unit price x total number of registered voters for each jurisdiction = total salaries and benefits per jurisdiction.

Temporary Employees:

Total hourly rate for all Temporary employees hired to work elections x total number of hours (regular & overtime @ time and one-half) = total cost. Total cost x 1.1011 = Total Adjusted Cost. Total Adjusted Cost divided by total number of registered voters for all jurisdictions = unit price. Unit price x total number of registered voters for each jurisdiction = total Temporary Employee cost.

Poll Worker pay:

Actual cost unless there is more than one election within a precinct. If more than one election is being held within a precinct the formula is as follows: Total Cost divided by the total number of registered voters for all jurisdictions = unit price. Unit price x the total number of registered voters in each jurisdiction = total cost per jurisdiction.

There are ~~6~~ 8 board members per board in each precinct.

1 – Inspector: $185.00
2 – Judge of the Opposite Party: $155.00
3 – Judge of the Same Party: ~~$140.00~~ $155.00
4 – Marshal: ~~$140.00~~ $155.00
5 – Clerks: $140.00 each (4 clerks per polling place)

Special training for certain or all Poll Workers may be necessary for training on new equipment, new legislation, new procedures, etc. - $50 per Poll Worker per day of training.

Law enforcement – (used at the discretion of the Pima County Election's Director) – actual cost

Technical Support Team – Actual Cost

Audit Board pay:

Audit Board members shall receive $75 per election.

Auditor pay:

Auditors (county employees) will receive $200 per election

Political Party Observers:

Political Party Observers shall receive $75 per election night

Receiving Board Members:

Receiving Board Members (county employees) $40 for class, $80 per election (past 10 PM $40 more)
Receiving Board Members (non county employees) $12 per hour

Inspection Board Members:

Inspection Board Members (county employees) $40 for class, $80 per election (past 10 PM $40 more)
Inspection Board members (non-county employees) $12 per hour

Logic and Accuracy Certification Board pay:

Logic and Accuracy certification board members shall receive $100 for their service in the conduct of the logic and accuracy test(s) and an additional $100 for their service on Election Day and post Election Day.

Overtime:

Total number of overtime hours worked at time and one-half. Total cost of overtime divided by the total number of registered voters in all jurisdictions = unit price. Unit price x total number of registered voters in each jurisdiction = total cost per jurisdiction.

~~Schedule of Prices~~
~~Full Service Election~~
~~Page: 2~~

2. Early Ballot & Provisional Ballot Processing expenses:

This cost will be implemented for any election with a combined total of 50,000 or more registered voters. This cost will be implemented at the discretion of the ~~Division of Elections~~ Pima County Elections Department.

1 – ~~$65.00~~ $75.00 minimum fee for 1 – 200 Early Ballots and Provisional Ballots
2 – Over 200 Early Ballots and Provisional Ballots – the cost is $.~~35~~ $.50 per ballot

3. Ballot Printing: Actual cost (includes early ballots and Election Day ballots).

4. Advertising: Actual cost if County submits the advertisement.

5. Professional Services:

Postage: actual cost.
Printing: actual cost.
Sort, label & mail: actual cost.
Translations: actual cost.

6. Computer:

Total number of hours x $65.00 = total cost of counting ballots (this includes early ballots, Election Day ballot results and provisional ballots)

Total cost divided by the total number of ballots cast for all jurisdictions = unit price. Unit price x total number of ballots cast for each jurisdiction = total cost per jurisdiction.

7. Building Rental: Actual cost of polling place and class instruction facilities.

8. Precinct package preparation fee:

$200.00 per box x total number of voting areas per jurisdiction. (Package includes supply box, Accu-vote and black ballot box.)

9. Other:

~~Signs - $15.00 per sign (preparation).~~
~~Polling Place Identification - $65.00 additional charge for modifications per sign.~~

Voting Booth Rental - $6.50 per booth.
Handicapped Booth - $8.00 per booth.
Steel Cage and Lock - $55.00 per cage
Misc. charges – Other charge(s) incurred related to the conduct of the election. Charges may include cost of mileage, vehicle rental, photo copies, maps, cellular phone call charges, etc.

10. Replacement Costs: Actual cost

Schedule of Prices

LEVEL 2. CONSOLIDATED ELECTIONS

Any jurisdiction may choose to have its election combined with any county wide election. A fee of ~~55~~ 75 cents* per registered voter will apply.

The ~~fifty-five~~ seventy-five cent fee covers the following services:

- Boardworker recruitment and training and service
- Polling Place acquisition and use
- Sample Ballot printing and postage
- Translation services
- Early and Provisional Ballot processing
- All supplies
- Supply delivery and pickup
- Law Enforcement
- Technical Support
- Election night processing and tabulation

If an election is held during a county wide primary election, the jurisdiction will pay actual cost of additional ballots needed. Any additional services requested by the jurisdiction are provided on actual cost basis.

*Any jurisdiction that has 300 or less registered voters will not be charged the fee for a consolidated election. If a water district that has 300 or less registered voters chooses to have a property owner ballot will pay the 75 cents fee plus the actual additional charges incurred with property owner ballots.

Schedule of Prices

LEVEL 3. SPECIFIC SERVICES FOR SUPPORT OF AN ELECTION

This option will allow jurisdictions to select only those supplies and services to be provided by the ~~Division of Elections~~ Pima County Elections Department:

Ballot layout & programming – per hour	~~$65.00~~ $120.00
Ballot printing	Actual Cost
Accu-Vote Unit* & Ballot Box – per voting area	$350.00
Accu-Vote Unit* with no Ballot Box	$250.00
Central Count Accu-Vote Unit*	$250.00
Accu-feed	$200.00 (each)
Touchscreen	$250.00
Secrecy booths	$6.50
Handicapped secrecy booths	$8.00
Ramps	$65.00
Steel Cage and Pad Lock	$55.00
Boardworker recruitment – per hour	~~$25.00~~ $30.00
Polling Place acquisition – per hour	~~$30.00~~ $60.00
Boardworker training – per class	~~$500.00~~ $750.00
Polling Place supplies – per voting area	$75.00
Early Ballots/Provisional Ballots processing:	
1 – 200	~~$70.00~~ $75.00
over 200	$ ~~.35~~ .50 per ballot
Postage	Actual Cost
Supply Delivery and Pick up – per voting area	~~$75.00~~ $100.00
Translation	Actual Cost
Trouble shooters – hourly per person	~~$25.00~~ $40.00
Tabulation	Actual Cost
Recount	Actual Cost
~~Disposition of Ballots (Treasurer's Vault)~~	~~1 – 100,000 reg voters – $ 500.00~~
	~~100,001 – 200,000 reg voters – $ 750.00~~
	~~200,001 – 400,000 reg voters – $1000.00~~

Repair Costs – The ~~Division of Elections~~ Pima County Elections Department will arrange for all repairs. The jurisdiction will be invoiced for the actual cost. The Jurisdiction will make no attempt to repair, replace or modify damages to any equipment.

Replacement Costs – Actual Costs (Includes supplies such as keys, key rings, ARS Books, adapters, phone cords, power cords or any other supplies requested by the jurisdiction.)

*Memory Cards for Accu-Vote and Touch Screen Voting Devices are for Pima County use only.

Schedule of Prices

LEVEL 4. NON-GOVERNMENTAL ELECTIONS

A non-governmental organization may have assistance from the ~~Division of Elections~~ Pima County Elections Departmentin conducting an election. A flat fee of $950 will apply. The ~~Pima County Division of Elections~~ Pima County Elections Department may provide services for Student Body Elections at no charge.

The $950 covers the following services:

Ballot Layout:

The organization must provide the ~~Division of Elections~~ Pima County Elections Department with ballot language no later than 45 days prior to the election. If the ballot language is not provided within 45 days, the ~~Division of Elections~~ Pima County Elections Department will not do the ballot layout. The organization is responsible for printing ballots. The ~~Division of Elections~~ Pima County Elections Department will provide a suggested printing company's name, telephone number and address at the request of the organization.

Sample Ballot & Publicity Pamphlet:

The jurisdiction is responsible for preparing and printing any sample ballot or publicity pamphlet.

Boardworker Acquisition & Training:

The ~~Division of Elections~~ Pima County Elections Department will not recruit boardworkers, nor will they staff a polling place. The ~~Division of Elections~~ Pima County Elections Department will train boardworkers, at the request of the organization. The ~~Division of Elections~~ Pima County Elections Department will supply lists of boardworkers in the area at the request of the organization. The jurisdiction is responsible for acquiring a facility for boardworkers training.

Ballot Tabulation:

The ~~Division of Elections~~ Pima County Elections Department will provide ballot tabulation during normal business hours at the ~~Division of Elections~~ Pima County Elections Department Office. Tabulation must be completed by the close of business.

Polling Place Facilities:

The jurisdiction is responsible for acquiring the facility for voting on election day. This includes setup and cleanup of facility.

Non-Governmental Elections will not include a Touch Screen Device

PRICE LIST

MAPS – ~~$8.00 per map printed at the Division of Elections Office~~
~~$10.00 per map printed at the Division of Elections Office that requires shipping and handling.~~
Maps printed by an outside printer will be sold at actual cost

PHOTO COPIES – Photo copies are $.10 per page. If a document is two sided and copies are two sided, the cost is $.10 per side.

RESEARCH FEES – A research fee will be assessed at the price of $25.00 per hour (one hour minimum) for any information more than two calendar years old.

ELECTION RESULTS – Election results are available on CD only and are $10.00 per CD.

Town Council Regular Session **Item # H.**

Meeting Date: 12/07/2011

Requested by: Phil Trenary **Submitted By:** Paul Jungen, Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

Resolution No. (R)11-77, Authorizing and approving drainage easements between the Town of Oro Valley and two homeowners along Lomas de Oro Wash for maintenance of the Channel Drainage Improvement Project

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Town has completed the construction of the Lomas De Oro drainage improvements. These improvements include the lining of the channel with gabion baskets, an all weather crossing at Lucero, and maintenance features to regularly clean the new box culvert.

In order to insure proper, routine maintenance of the $1.4M project; legal entry onto private property is required. Two drainage easements are required to accommodate this action.

BACKGROUND OR DETAILED INFORMATION:

The recommended drainage easements, for the two homeowners, are just south of Lucero Road outside the Town boundaries. The limits of the the recommended drainage easements coincide with the limits of the project improvements. The easements will allow the Town storm maintenance crews to routinely clean the limits of the newly constructed project.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)11-77, AUTHORIZING AND APPROVING DRAINAGE EASEMENTS BETWEEN THE TOWN OF ORO VALLEY AND TWO HOMEOWNERS ALONG LOMAS DE ORO WASH.

Attachments

Reso 11-77

Taylor DE

Taylor LD

Ricksecker DE

Ricksecker LD

RESOLUTION NO. (R)11-77

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING DRAINAGE EASEMENTS BETWEEN THE TOWN OF ORO VALLEY AND TWO HOMEOWNERS ALONG LOMAS DE ORO WASH FOR MAINTENANCE OF THE CHANNEL DRAINAGE IMPROVEMENT PROJECT

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, the Federal Emergency Management Agency (FEMA) project along the Lomas De Oro Wash that included repair and improvement of one-half mile of channel banks along the wash has been completed; and

WHEREAS, the Town requires two drainage easements, attached hereto as Exhibit "A" and incorporated herein by this reference, adjacent to the one-half mile of channel banks to provide routine maintenance of the channel; and

WHEREAS, it is in the best interest of the Town to approve the Drainage Easements from the two homeowners along the Lomas De Oro Wash in order allow the Town legal access to their properties to provide routine maintenance against future flooding events.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley that the Drainage Easements between the Town of Oro Valley and two homeowners along the Lomas De Oro Wash, attached hereto as Exhibit "A" and incorporated herein by this reference, are hereby authorized and approved.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 7th day of December, 2011.

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Rosen, Town Attorney

Date: _____

EXHIBIT “A’

When recorded send to:
Joseph N. Andrews
Chief Civil Deputy Town Attorney
Town of Oro Valley
11000 N. La Canada Drive
Oro Valley, Arizona 85737

DRAINAGE EASEMENT

Paul R. Taylor and Hortensia M. Taylor, Trustees ("Grantors") do hereby convey to the Town of Oro Valley, a municipal corporation of the State of Arizona ("Grantee"), an easement for the maintenance of a channel, including but not limited to, drainage improvements over and across the property described on the attached Exhibit "A" (the "Property").

The Grantee shall have the right to maintain improvements within the Property and to enter upon the Property for the purpose of maintaining the easement and its improvements located thereon.

Grantors agree that no buildings, structures, fences or trees shall be placed upon the Property and that the natural contours of the Property shall not be excavated, filled or altered without the prior written approval of the Grantee.

All grants, covenants and conditions of this easement shall inure to the benefit of and be binding upon the successors in interest to the Grantee and Grantors.

IN WITNESS WHEREOF, Grantors have executed this easement this __ day of _____, 2011.

GRANTORS

By: _____
Paul F. Taylor

By: _____
Hortensia M. Taylor

State of Arizona)
) ss.
County of Pima)

On this ___ day of _____, 20__, Paul F. Taylor and Hortensia M. Taylor, known to me to be the persons whose name is subscribed to the within instrument, personally appeared before me and acknowledged that they executed the same for the purposes contained.

Given under my hand and seal on _____ _____, 20__.

_____
Notary

My Commission Expires: _____

GRANTEE

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Rosen, Town Attorney

Date: _____

EXHIBIT “A”

October 19, 2011
Psomas # 06078-03

EXHIBIT A
LEGAL DESCRIPTION
DRAINAGE EASEMENT

A portion of that parcel described in Docket 9399, Page 278, Records of Pima County, located in the southwest one-quarter of Section 15, Township 12 South, Range 13 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

COMMENCING at the south one-quarter corner of said Section 15, monumented by a brass disk, marked "US, GLO, 1913, S15|S22", from which the southwest corner of said section, monumented by a brass disk marked "PCHD, S16/S21|S15/S22" bears South 89 degrees 23 minutes 12 seconds West (basis of bearing for this legal description) a distance of 2639.22 feet;

THENCE upon the south line of the southwest one-quarter of said Section 15, South 89 degrees 23 minutes 12 seconds West a distance of 1319.61 feet to the west line of the southeast quarter of the southwest one-quarter of said Section 15;

THENCE upon said west line, North 00 degrees 37 minutes 06 seconds West a distance of 362.21 feet to the **POINT OF BEGINNING**;

THENCE South 57 degrees 39 minutes 47 seconds West a distance of 14.66 feet;

THENCE North 31 degrees 43 minutes 27 seconds West a distance of 120.20 feet;

THENCE North 36 degrees 40 minutes 59 seconds West a distance of 103.06 feet;

THENCE North 31 degrees 43 minutes 22 seconds West a distance of 85.99 feet to the southerly right-of-way of West Lucero Road as shown in Book 19 of Maps and Plats at Page 11;

THENCE upon said southerly right-of-way, North 89 degrees 24 minutes 37 seconds East a distance of 75.15 feet;

THENCE South 30 degrees 04 minutes 38 seconds East a distance of 44.53 feet;

THENCE South 38 degrees 51 minutes 22 seconds East a distance of 105.39 feet;

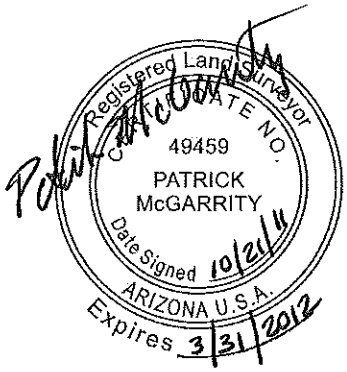
THENCE South 31 degrees 43 minutes 27 seconds East a distance of 33.65 feet to said west line of the southeast quarter of the southwest one-quarter of said Section 15;

THENCE upon said west line, South 00 degrees 37 minutes 06 seconds East a distance of 101.74 feet **POINT OF BEGINNING**.

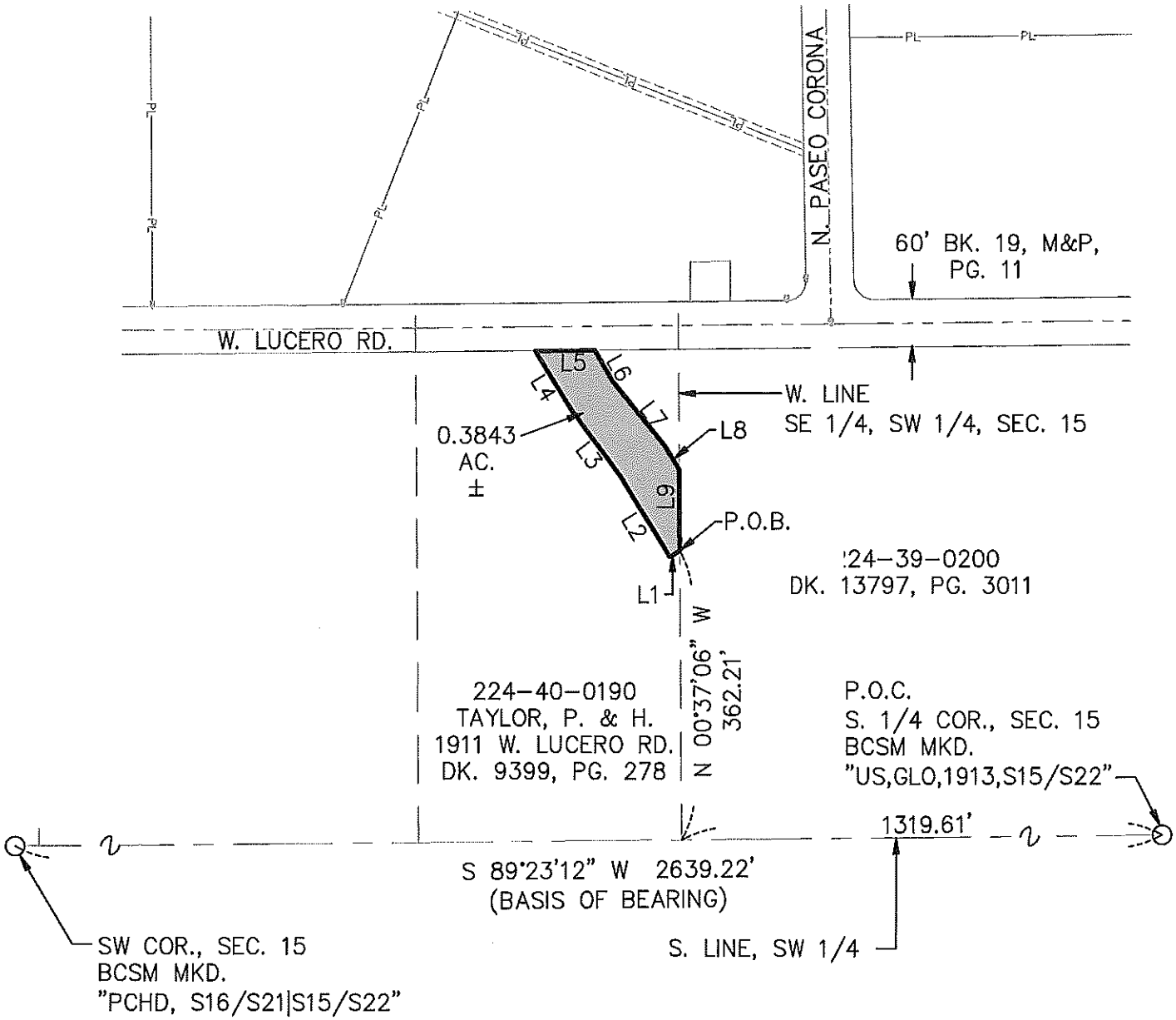
See Exhibit B attached hereto and made a part hereof.

Containing 16740 square feet of or 0.3843 acres of land, more or less.

Prepared for and on behalf of:
Psomas



Patrick McGarrity, AZ. R.L.S. 49459



LINE	BEARING	DISTANCE
L1	S 57°39'47" W	14.66'
L2	N 31°43'27" W	120.20'
L3	N 36°40'59" W	103.06'
L4	N 31°43'22" W	85.99'
L5	N 89°24'37" E	75.15'
L6	S 30°04'38" E	44.53'
L7	S 38°51'22" E	105.39'
L8	S 31°43'27" E	33.65'
L9	S 00°37'06" E	101.74'

EXHIBIT "B"

DRAINAGE EASEMENT

A PORTION OF DK. 9399, PG. 278
SECTION 15, T 12 S, R 13 E
GILA & SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

SCALE: 1" = 200'

PSOMAS
800 E. Wetmore Road, Suite 110, Tucson, AZ 85719
Tel (520) 292-2300 (800) 441-5875
Fax (520) 292-1290
www.psomas-psomas.com

06078-03

DATE: OCTOBER, 2011 • DRAWN BY: SM

E:\06078\03\Legals\Easement-1A_Taylor_Revised.dwg smorris Fri, 21 Oct 2011, 9:37am

When recorded send to:
Joseph N. Andrews
Chief Civil Deputy Town Attorney
Town of Oro Valley
11000 N. La Canada Drive
Oro Valley, Arizona 85737

DRAINAGE EASEMENT

Shawn L. Ricksecker and Jennifer L Huckins-Ricksecker, Trustees ("Grantors") do hereby convey to the Town of Oro Valley, a municipal corporation of the State of Arizona ("Grantee"), an easement for the maintenance of a channel, including but not limited to, drainage improvements over and across the property described on the attached Exhibit "A" (the "Property").

The Grantee shall have the right to maintain improvements within the Property and to enter upon the Property for the purpose of maintaining the easement and its improvements located thereon.

Grantors agree that no buildings, structures, fences or trees shall be placed upon the Property and that the natural contours of the Property shall not be excavated, filled or altered without the prior written approval of the Grantee.

All grants, covenants and conditions of this easement shall inure to the benefit of and be binding upon the successors in interest to the Grantee and Grantors.

IN WITNESS WHEREOF, Grantors have executed this easement this __ day of _____, 2011.

GRANTORS

By: _____
Shawn L. Ricksecker, Trustee

By: _____
Jennifer L. Huckins-Ricksecker, Trustee

State of Arizona)
) ss.
County of Pima)

On this ___ day of _____, 20__, Shawn L. Ricksecker and Jennifer L. Huckins-Ricksecker, Trustees, known to me to be the persons whose name is subscribed to the within instrument, personally appeared before me and acknowledged that they executed the same for the purposes contained.

Given under my hand and seal on _____ _____, 20__.

_____
Notary

My Commission Expires: _____

GRANTEE

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Rosen, Town Attorney

Date: _____

EXHIBIT “A”

October 19, 2011
Psomas # 06078-03

EXHIBIT A
LEGAL DESCRIPTION
DRAINAGE EASEMENT

A portion of that parcel described in Docket 13797, Page 3011, Records of Pima County, located in the southwest one-quarter of Section 15, Township 12 South, Range 13 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

COMMENCING at the south one-quarter corner of said Section 15, monumented by a brass disk, marked "US, GLO, 1913, S15|S22", from which the southwest corner of said section, monumented by a brass disk marked "PCHD, S16/S21|S15/S22" bears South 89 degrees 23 minutes 12 seconds West (basis of bearing for this legal description) a distance of 2639.22 feet;

THENCE upon the south line of the southwest one-quarter of said Section 15, South 89 degrees 23 minutes 12 seconds West a distance of 1319.61 feet to the west line of the southeast quarter of the southwest one-quarter of said Section 15;

THENCE upon said west line, North 00 degrees 37 minutes 06 seconds West a distance of 362.21 feet to the **POINT OF BEGINNING**;

THENCE continue upon said west line, North 00 degrees 37 minutes 06 seconds West a distance of 101.74 feet;

THENCE South 31 degrees 43 minutes 27 seconds East a distance of 86.55 feet;

THENCE South 57 degrees 39 minutes 47 seconds West a distance of 52.57 feet to the **POINT OF BEGINNING**.

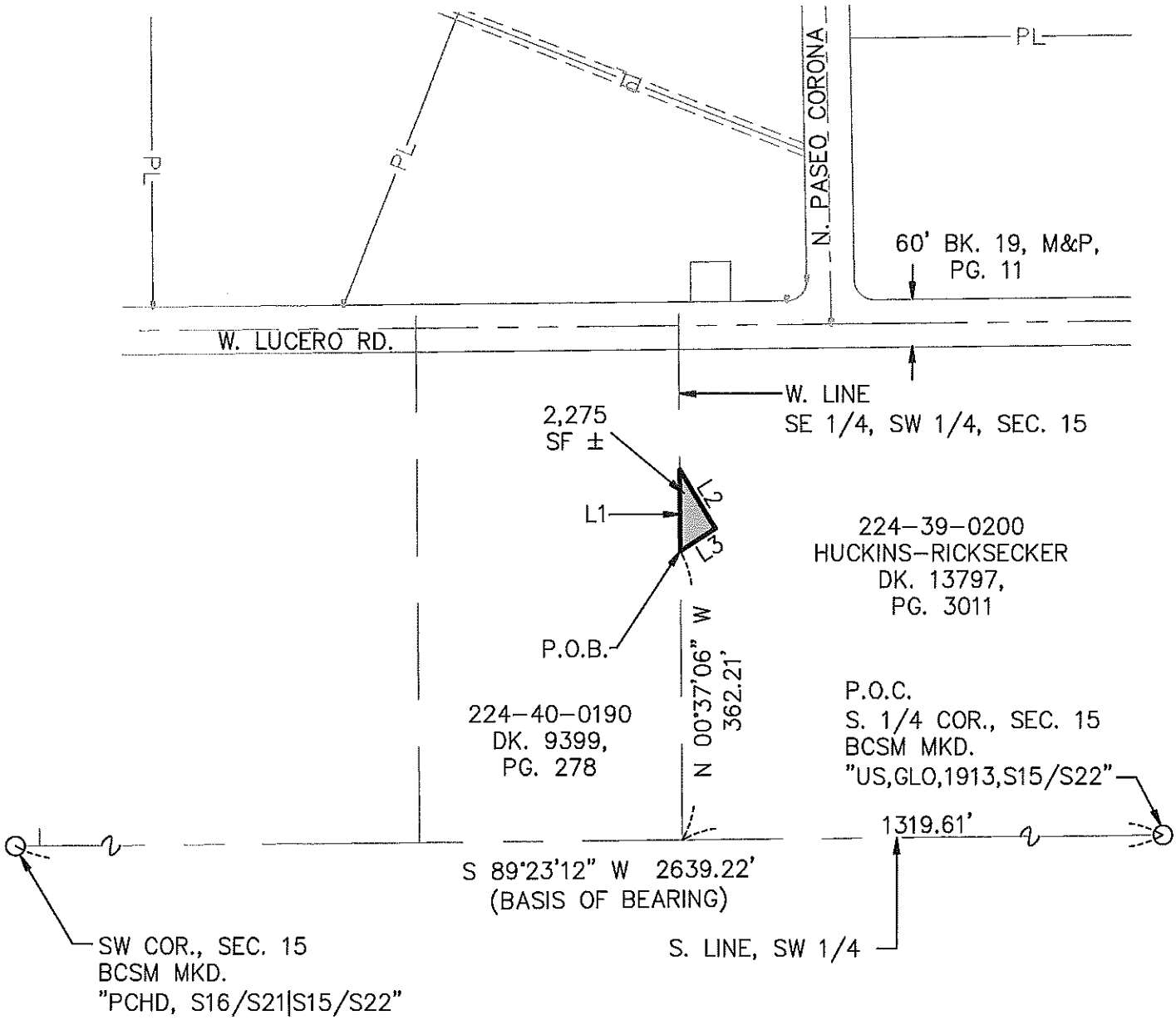
See Exhibit B attached hereto and made a part hereof.

Containing 2275 square feet of or 0.0522 acres of land, more or less.

Prepared for and on behalf of:
Psomas

Registered Land Surveyor
CERTIFICATE NO.
49459
PATRICK
McGARRITY
Date Signed 10/21/11
ARIZONA U.S.A.
Expires 3/31/2012

Patrick McGarrity, AZ. R.L.S. 49459



LINE	BEARING	DISTANCE
L1	N 00°37'06" W	101.74'
L2	S 31°43'27" E	86.55'
L3	S 57°39'47" W	52.57'

PSOMAS
800 E. Weimore Road, Suite 110, Tucson, AZ 85719
Tel (520) 292-2300 (800) 441-5875
Fax (520) 292-1290
www.psomas.com

EXHIBIT "B"

DRAINAGE EASEMENT

A PORTION OF DK. 13797, PG. 3011
SECTION 15, T 12 S, R 13 E
GILA & SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

SCALE: 1" = 200'

06078-03

DATE: OCTOBER, 2011 • DRAWN BY: SM

E:\06078\03\Legals\Easement-11_Huckins-Ricksecker_Revised.dwg smorris Fri, 21 Oct 2011, 10:00am

Town Council Regular Session **Item # I.**

Meeting Date: 12/07/2011

Requested by: Arizona Dept. of Emergency Management

Submitted By: Julie Bower, Town Clerk's Office

Department: Town Clerk's Office

Information

SUBJECT:

Resolution No. (R)11-78, Appointing the Interim Town Manager Greg Caton as Applicant Agent for the Federal Emergency Management Agency, Arizona Department of Emergency Management, Lomas De Oro Wash Project

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

FEMA/ADEM originally approved the Lomas De Oro channel stabilization project for study in 2006. Council appointed former Town Manager Jerene Watson as the Applicant Agent for the project on April 20, 2011. The project has been completed and ADEM has requested that the Town update its Applicant Agent to the current Town Manager for signatures on all remaining required paperwork (i.e. reimbursement requests, audit results, etc.). ADEM requires that the Town officially change the Applicant Agent by Resolution of the Town Council.

BACKGROUND OR DETAILED INFORMATION:

The Lomas De Oro channel stabilization project, a $1.85 million FEMA/ADEM project, was approved under a Presidential Disaster Declaration issued after the 2006 monsoon flooding in Pima County. The project included restoration of eroded wash banks, over 3,000 feet of rock gabion bank protection and the installation of an all weather access box culvert on Lucero Road.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (approve, deny) Resolution No. (R)11-78, Appointing the Interim Town Manager Greg Caton as Applicant Agent for the Federal Emergency Management Agency, Arizona Department of Emergency Management, Lomas De Oro Wash Project.

Attachments

Reso 11-78

Applicant Agent Form

RESOLUTION NO. (R)11-78

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, APPOINTING THE INTERIM TOWN MANAGER GREG CATON AS APPLICANT AGENT FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ARIZONA DEPARTMENT OF EMERGENCY MANAGEMENT, LOMAS DE ORO WASH PROJECT

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, the Federal Emergency Management Agency (FEMA) approved a $1.85 million project along the Lomas De Oro Wash that includes repair and improvement of one-half mile of channel banks along the wash; and

WHEREAS, the channel drainage improvement project (the "Project") along Lomas De Oro Wash is the result of damage that occurred during the monsoon floods in 2006 and should be completed in June 2011; and

WHEREAS, Mayor and Council appointed former Town Manager, Jerene Watson, as the Applicant Agent for the Project; and

WHEREAS, the Arizona Department of Emergency Management (ADEM) requested that the Town update its Applicant Agent for signatures regarding any remaining paperwork, reimbursement requests, reimbursement funds, inspection results or other necessary documents for the Project; and

WHEREAS, it is in the best interest of the Town to appoint Greg Caton, Interim Town Manager, as Applicant Agent for the Lomas De Oro Wash Project.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley that Greg Caton, Interim Town Manager, is hereby appointed Applicant Agent for signatures regarding any remaining paperwork, reimbursement requests, reimbursement funds, inspection results or other necessary documents submitted to the Town by the Arizona Division of Emergency Management for the Lomas De Oro Wash Project.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 7th day of December, 2011.

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Rosen, Town Attorney

Date: _____

ARIZONA DIVISION OF EMERGENCY MANAGEMENT
DESIGNATION OF APPLICANT'S AGENT FORM

The intent of this **DESIGNATION** is to appoint an **APPLICANT'S AGENT** for the following term:

☐ For PCA No. _____ only ☐ For the period of ____ to____ ☐ Until further notice

☐ Until further notice for HAZMAT incident

Applicant Name:_____

CERTIFICATION

I, _____, duly appointed and _____ of
(Authorizing Official's Name) (Title)

_____, do hereby certify that the information below is true
(Applicant Name)

and correct, based on a resolution passed and approved by the _____
(Governing Body)

of _____ on the _____ day of _____, _____.
(Applicant Name) (day) (month) (year)

_____ has been designated as the Applicant Agent
(Name of Designated Applicant Agent)

to act on behalf of _____ .
(Applicant Name)

_____ _____ _____
(Authorizing Official's Signature) (Title) (Date)

Designated Applicant's Agent

Name _____

Title/Official Position _____

Mailing Address _____

City, State, Zip _____

Daytime Telephone Number _____ Fax _____
(Please include area code and extension if not a direct number)

E-mail Address _____ Pager/Cell _____

For ADEM Use Only

Received By: _____ July 2000 Form # AZ PA 204-4
(Initials & Date)

Town Council Regular Session **Item # 1.**

Meeting Date: 12/07/2011

Requested by: Julie Bower, Town Clerk **Submitted By:** Mike Standish, Town Clerk's Office

Department: Town Clerk's Office

Information

SUBJECT:

PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR HARVEST RESTAURANT LOCATED AT 10355 N. LA CANADA DR. #141

RECOMMENDATION:

Staff recommends approval of this liquor license to the Arizona Department of Liquor Licenses and Control for the following reasons:

1. No protests to this license have been received.

2. The necessary background investigation was conducted by the Police Department.

3. The Police Department has no objections to the approval of the Series 12 Liquor License.

EXECUTIVE SUMMARY:

An application has been submitted by Ms. Lisa Shapouri for a Series 12 (Restaurant) Liquor License for Harvest Restaurant located at 10355 N. La Canada Drive #141. Agent/owner Ms. Lisa Shapouri has submitted all necessary paperwork to the Arizona Department of Liquor Licenses and Control and to the Town of Oro Valley and has paid all related fees associated with applying for the liquor license.

A Series 12 liquor license was originally applied for and approved by the Town Council on October 1, 2008 for Harvest Restaurant located at 10355 N. La Canada Drive #141. This interim/new liquor license was submitted due to a change in ownership from La Canada 141 LLC to Harvest OV, LLC.

BACKGROUND OR DETAILED INFORMATION:

In accordance with Section 4-201 of the Arizona Revised Statutes, the application was posted for 20 days on the premises of the applicant's property, ending November 9, 2011. No protests were received during this time period. Police Chief Daniel Sharp completed a standard background check on Harvest Restaurant and Owner/Agent Lisa Shapouri and Principals Kevin Fink and Matthew Firth and has no objection to the approval of the Series 12 (Restaurant) Liquor License.

Series 12 Liquor License Description: Allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (recommend, deny) approval of the issuance of the Series 12 Liquor License to the Arizona Department of Liquor Licenses and Control for Ms. Lisa Shapouri for Harvest Restaurant located at 10355 N. La Canada Drive #141, Oro Valley, AZ, 85737.

Attachments

Harvest Restaurant Liquor License

Oro Valley POLICE

DANIEL G. SHARP
CHIEF OF POLICE

ORO VALLEY ARIZONA FOUNDED 1974

TO: Mike Standish

FROM: Daniel G. Sharp

DATE: 27 October 2011

RE: Background Investigation, Application for Liquor License
Harvest
10355 N. La Canada #141

On 27 October 2011, the Oro Valley Police Department completed the standard background check on Harvest Agent Lisa L Shapouri and Principals Kevin Fink, and Matthew Firth.

The Oro Valley Police Department has no objection for the issuance of a liquor license to Harvest located at 10355 N. La Canada #141.

11000 N. La Cañada Drive • Oro Valley, AZ 85737
Phone 520-229-4900 • Fax 520-229-4979 • www.ovpd.org

No CUP Requirements For Planning + Zoning. Patty Hayes 10-19-11

Arizona Department of Liquor Licenses and Control
800 West Washington, 5th Floor
Phoenix, Arizona 85007
www.azliquor.gov
602-542-5141

OCT 17 AM 11:15 AM 10:21

OCT 18 11 PM 2:34 TOU

APPLICATION FOR LIQUOR LICENSE

TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

SECTION 1 This application is for a:

- ☐ MORE THAN ONE LICENSE
- ☒ INTERIM PERMIT *Complete Section 5*
- ☒ NEW LICENSE *Complete Sections 2, 3, 4, 13, 14, 15, 16*
- ☐ PERSON TRANSFER (Bars & Liquor Stores ONLY) *Complete Sections 2, 3, 4, 11, 13, 15, 16*
- ☐ LOCATION TRANSFER (Bars and Liquor Stores ONLY) *Complete Sections 2, 3, 4, 12, 13, 15, 16*
- ☐ PROBATE/WILL ASSIGNMENT/DIVORCE DECREE *Complete Sections 2, 3, 4, 9, 13, 16* (fee not required)
- ☐ GOVERNMENT *Complete Sections 2, 3, 4, 10, 13, 15, 16*

SECTION 2 Type of ownership:

- ☐ J.T.W.R.O.S. *Complete Section 6*
- ☐ INDIVIDUAL *Complete Section 6*
- ☐ PARTNERSHIP *Complete Section 6*
- ☐ CORPORATION *Complete Section 7*
- ☒ LIMITED LIABILITY CO. *Complete Section 7*
- ☐ CLUB *Complete Section 8*
- ☐ GOVERNMENT *Complete Section 10*
- ☐ TRUST *Complete Section 6*
- ☐ OTHER (Explain) _____

SECTION 3 Type of license and fees LICENSE #(s): 12104151

1. Type of License(s): #12 - REST.

N/A

2. Total fees attached: $ (Department Use Only)

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.

The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

SECTION 4 Applicant

1. Owner/Agent's Name: Mr. / Ms. SPOURI (Last) LISA (First) LOUISE (Middle)
(Insert one name ONLY to appear on license)

2. Corp./Partnership/L.L.C.: HARVEST OV, LLC
(Exactly as it appears on Articles of Inc. or Articles of Org.)

3. Business Name: HARVEST RESTAURANT
(Exactly as it appears on the exterior of premises)

4. Principal Street Location: 10355 N. LA CANADA #141 (Do not use PO Box Number) ORO VALLEY (City) PIMA (County) 85737 (Zip)

5. Business Phone: (520) 731-1100 Daytime Contact: (520) 275-2147

6. Is the business located within the incorporated limits of the above city or town? ☒ YES ☐ NO

7. Mailing Address: 10355 N. LA CANADA #141 (City) ORO VALLEY (State) AZ (Zip) 85737

8. Price paid for license only bar, beer and wine, or liquor store: Type N/A $ N/A Type N/A $ N/A

DEPARTMENT USE ONLY

Fees: 100.00 Application; 100.00 Interim Permit; _____ Agent Change; _____ Club; 72.00 Finger Prints $ 272.00 TOTAL OF ALL FEES

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? ☒ YES ☐ NO

Accepted by: AM Date: 10/17/2011 Lic. # 12104151

July 2010

***Disabled individuals requiring special accommodation, please call (602) 542-9027.**

License Type: Series 12 Restaurant

This non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement shall result in revocation of the license.

ADDITIONAL RIGHTS AND RESPONSIBILITIES: An applicant for a restaurant license must file a copy of its restaurant menu and Restaurant Operation Plan with the application. The Plan must include listings of all restaurant equipment and service items, the restaurant seating capacity, and other information requested by the department to substantiate that the restaurant will operate in compliance with Title 4. The licensee must notify the Department, in advance, of any proposed changes in the seating capacity of the restaurant or dimensions of a restaurant facility. Applicants, licensees, and managers must take a Title 4 training course (liquor handling, laws and regulations) prior to approval. An Employee Log must be kept by the licensee of all persons employed at the premises including each employee's name, date and place of birth, address and responsibilities. A pregnancy warning sign for pregnant women consuming spirituous liquor must be posted within twenty (20) feet of the cash register or at point of display. After one year of operation as a liquor-licensed establishment has been completed, the hotel/motel will be required to complete the Report prior to renewal. A restaurant licensee must maintain complete restaurant services continually during the hours of selling and serving of spirituous liquor, until at least 10:00 p.m. daily, if any spirituous liquor is to be sold and served up to 1:00 a.m. A hotel or motel with a Series 11 license may sell spirituous liquor in sealed containers in individual portions to its registered guests at any time by means of a minibar located in the guest rooms of registered guests. The registered guest must be at least twenty-one (21) years of age. Access to the minibar is by a key or magnetic card device and not furnished to a guest between the hours of 1:00 a.m. and 6:00 a.m. Monday through Saturday and 1:00 a.m. and 10:00 a.m. on Sundays. A licensee acting as a retail agent, authorized to purchase and accept delivery of spirituous liquor by other licensees, must complete a Certificate of Registration form. Bar, beer and wine bar, and restaurant licensees must pay annual surcharges of $85.00. The money collected from these licensees will be used by the Department for an auditor to review compliance by restaurants with the restaurant licensing provisions of ARS 4-205.02; enforcement programs, and neighborhood association liaison.

Town Council Regular Session **Item # 2.**

Meeting Date: 12/07/2011

Submitted By: Betty Dickens, Human Resources

Department: Human Resources

Information

SUBJECT:

DISCUSSION AND POSSIBLE ACTION REGARDING A ONE-TIME, MID-YEAR EMPLOYEE APPRECIATION PROGRAM THROUGH THE DISTRIBUTION OF OV DOLLARS GIFT CARDS TO TOWN EMPLOYEES

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

In an effort to show appreciation toward Town employees for their hard work and dedication in delivering excellent service to the community, Council asked that staff develop a one-time compensation program for consideration. This agenda item proposes a one-time program consisting of the immediate distribution of the new OV Dollars gift cards in the amount of $200 each for regular, benefit-eligible (twenty (20) hours or greater work week) employees and in the amount of $100 each for non-benefit eligible (less than twenty (20) hour work week) employees. These gift cards may be used by our employees to purchase items at any local Oro Valley participating business, resulting in further support of local businesses and a return of sales tax dollars to the Town.

BACKGROUND OR DETAILED INFORMATION:

The Town has not been positioned to grant annual merit-based pay increases over the last three fiscal years, including the current fiscal year 2011/2012. During this time, living expenses and some benefit costs have increased, leaving employees with less disposable income. In addition, as positions have remained unfilled as vacancies have occurred, employees are taking on increased workload to maintain excellent service delivery to the community. In recognition of employees' continued contributions to the Town, OV Dollars gift cards would be distributed to each Town employee under the following parameters:

• All regular, benefit-eligible employees (those who work 20 hours or more in a work week) would receive a $200 OV Dollars gift card

• All non-benefit eligible employees (those who work less than 20 hours in a work week) would receive a $100 OV Dollars gift card

If approved, these cards would be distributed to employees no later than December 16th, 2011. Per Internal Revenue Service (IRS) regulations, these gift cards will be subject to federal, state and social security/medicare tax withholding based on current exemptions on file and will be adjusted on the last paycheck of the year, December 23rd, for each employee.

FISCAL IMPACT:

The Town has an estimated 300 benefit-eligible employees, and an estimated 41 non-benefit eligible employees. Based on the card dollar amounts proposed, the estimated one-time cost impact to the Town is approximately $64,100. Since this is a one-time cost, it is recommended that contingency reserves of the General Fund, Highway Fund, Stormwater Fund and Water Utility Fund be used to fund this employee appreciation program.

SUGGESTED MOTION:

I MOVE to approve the use contingency funds in the amount of $64,100 for the distribution of OV Dollars gift cards to Town employees as a show of appreciation for their hard work and dedication to delivering excellent service to the community.

or

I MOVE to...

Town Council Regular Session **Item # 3.**

Meeting Date: 12/07/2011

Requested by: David Williams **Submitted By:** Chad Daines, Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: RESOLUTION NO. (R)11-79, AMENDING THE GENERAL PLAN TO EXPAND THE MUNICIPAL PLANNING AREA BOUNDARY WEST TO THORNYDALE ROAD AND SOUTH TO ORANGE GROVE ROAD, ENCOMPASSING APPROXIMATELY ELEVEN SQUARE MILES AND TO ASSIGN THIS AREA AN "UNDESIGNATED AREA"

RECOMMENDATION:

The Planning & Zoning Commission recommends approval of the proposed amendment.

EXECUTIVE SUMMARY:

The proposed Major General Plan Amendment entails a request filed by the Town of Oro Valley to expand the Municipal Planning Area (MPA) (Attachment 2). The intent of the amendment is to allow Oro Valley to take on a more significant role in regional planning for this area and to provide for enhanced regional coordination and service provisions when future development occurs within this area adjacent to the Town.

The Planning and Zoning Commission held two public hearings on the request; the first on November 1, 2011 and the second on November 15, 2011. Seven people spoke at the first hearing and one person spoke at the second hearing. In general, all speakers were concerned that approval of the amendment would be the first step toward annexation of their property. At each of the PZC public hearings, staff clarified that this is a general plan amendment regarding the Municipal Planning Area and not an annexation, or first step toward imminent annexation.

At the conclusion of the hearing on November 15, 2011, the Commission recommended approval of the request.

BACKGROUND OR DETAILED INFORMATION:

Site Conditions

The 11 square mile expansion area contains developed and undeveloped areas of differing land uses. A generalized description of key focal areas (Attachment 3) within the expansion area boundary are as follows:

To the east, the MPA boundary would be extended east of N. Christie Drive to include all properties within the Cobo Catalina Hills neighborhood association. This neighborhood association should be considered in its entirety by the Town's planning efforts. Currently, 12 parcels within the neighborhood

association lie outside the MPA boundary, a mapping error that will be corrected with this amendment.

To the west, the MPA boundary would be extended one mile, from Shannon Road to Thornydale Road. The Town is actively pursuing annexation of approximately one square mile of territory, roughly bounded by Tangerine Road to the north, Shannon Road to the east, Naranja Road to the south, and Thornydale Road to the west. The proposed amendment will facilitate annexation of this section of land, which is owned by the Arizona State Land Department. Although this area also lies within the Town of Marana MPA, Marana is aware of our intent to annex the property and has stated that they have no objection to our intent to annex this area.

To the north, the MPA boundary would be extended one half mile west along the Pinal County line to incorporate 160 acres of the Arroyo Grande planning area inadvertently excluded during the 2008 Arroyo Grande general plan amendment. The Town of Oro Valley and Pima County are actively pursuing acquisition of land in this area for urban open space conservation.

To the south, the MPA boundary would be extended one mile, from Ina Road to Orange Grove Road. Tres Rios del Norte, the name given to the confluence of the Canada del Oro with the Rillito River and the Santa Cruz River, is located in the vicinity of Orange Grove Road near Interstate-10. The junction of these regional watersheds provides a natural boundary for regional planning efforts. This natural confluence is also where the municipal boundaries of the City of Tucson and the Town of Marana currently meet.

Annexation

It should be noted that although the Town of Oro Valley has some strategic economic development objectives for specific properties in the expansion area, the goal of the amendment is not intended to signal imminent annexation of the entire area within the expanded boundary. The General Plan is not a future annexation map and serves other purposes and functions for a Town such as regional planning and enhanced voice in land uses occurring adjacent to corporate limits. As stated previously, the overarching intent of the amendment is for the Town to assume a more significant role in regional planning and to provide for enhanced regional coordination when development occurs within this area adjacent to the existing Town boundary.

As information, any future annexation process would involve significant participation by property owners in an area proposed to be annexed. State Law requires the approval of more than half of both the property owners by number, as well as the owners of more than half of the assessed valuation of a proposed annexation area. As such, individual property owners retain significant control with regard to annexation of their property.

Undesignated Area

As this area would remain under jurisdiction of Pima County, it is intended that the area would be assigned as “Undesignated Area” in the Oro Valley General Plan for the short term. This designation would avoid establishing a different land use designation than what current exists under Pima County and development would continue to be guided by Pima County land use designations. It is intended that specific land use designations would be developed and assigned during the next overall General Plan Update, which needs to be completed by 2015. This future effort to assign specific land use designations will involve assessment of existing land use, existing zoning and the future land use designation under Pima County’s Comprehensive Plan. Additionally, this overall General Plan Update will need to involve significant public participation to develop the future land uses ultimately adopted for a particular area.

Analysis of Proposed Amendment

Staff’s analysis of the proposal is based on the following:

I. General Plan amendment criteria contained in the Zoning Code
II. General Plan vision, goals and polices
III. Public comments, including neighborhood meetings and correspondence

Please refer to the November 1, 2011 Planning and Zoning Commission report (Attachment 4) for a detailed analysis of the General Plan amendment criteria and the General Plan vision, goals and policies.

Public Comment

Three neighborhood meetings were held. The first meeting was held on September 26th, 2011. No residents or interested parties attended the meeting. A second neighborhood meeting was held October 25th with approximately 9 interested parties in attendance. An informal meeting with approximately 4 interested parties was held October 12th. The main focus of discussion at all neighborhood meetings was the residents' perception that the Town of Oro Valley was pursuing annexation of the entire expansion area. Other concerns expressed at the meetings included:

- Loss of rural character in the event residential areas are annexed.
- Concern with overall intensity of future development on the State Land parcel
- Desire to preserve significant open space on the State Land parcel

The summary notes from the September 26th and October 25th meeting are included as Attachments 5 and 6.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (adopt OR deny] Resolution No. (R)11-79, AMENDING THE ORO VALLEY GENERAL PLAN TO EXPAND THE MUNICIPAL PLANNING AREA BOUNDARY WEST TO THORNYDALE ROAD AND SOUTH TO ORANGE GROVE ROAD, ENCOMPASSING APPROXIMATELY ELEVEN SQUARE MILES AND TO ASSIGN THIS AREA AN “UNDESIGNATED AREA”.

Attachments

Reso 11-79

Attachment 2 - Application Narrative and Exhibit

Attachment 3 - General Plan Focal Areas

Attachment 4 - Planning and Zoning Commission Report

Attachment 5 - September 26 - Neighborhood Meeting Notes

Attachment 6 - October 25 - Neighborhood Meeting Notes

RESOLUTION NO. (R)11 -79

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE ORO VALLEY GENERAL PLAN TO EXPAND THE MUNICIPAL PLANNING AREA BOUNDARY WEST TO THORNYDALE ROAD AND SOUTH TO ORANGE GROVE ROAD, ENCOMPASSING APPROXIMATELY ELEVEN SQUARE MILES AND TO ASSIGN THIS AREA AN "UNDESIGNATED AREA"

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, the Town of Oro Valley residents ratified the General Plan on November 8, 2005; and

WHEREAS, the Town desires to amend the Oro Valley General Plan to expand the Municipal Planning Area boundary west to Thornydale Road and south to Orange Grove Road, encompassing approximately eleven (11) square miles and to assign this area an "Undesignated Area"; and

WHEREAS, amending the General Plan to expand the Municipal Planning Area boundary will allow the Town to take a more significant role in regional planning for this area and to provide for enhanced regional coordination and service provisions for future development within this area adjacent to the existing municipal planning area boundary; and

WHEREAS, pursuant to A.R.S. § 9-461, *et seq*. and OVZCR, Section 22.2, the Planning and Zoning Commission held two (2) duly noticed public hearings, the first on November 1, 2011, and the second on November 15, 2011, at which the Planning and Zoning Commission recommended approval to expand the Municipal Planning Area boundary west to Thornydale Road and south to Orange Grove Road, encompassing approximately eleven (11) square miles and to assign this area an "Undesignated Area", as depicted on Exhibit "A"; and

WHEREAS, pursuant to Oro Valley Zoning Code Revised, Section 22.1, General Plan Amendment Procedures, upon recommendation by the Planning and Zoning Commission of any amendment to the General Plan, a public hearing before the Mayor and Council shall be scheduled; and

WHEREAS, Mayor and Council duly considered the proposed Oro Valley General Plan Amendment to expand the Municipal Planning Area boundary west to Thornydale Road and south to Orange Grove Road, encompassing approximately eleven (11) square miles and to assign this area an "Undesignated Area" at a public hearing on December 7, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Oro Valley that:

SECTION 1. The Mayor and Council hereby adopts the Oro Valley General Plan amendment to the expand the Municipal Planning Area boundary west to Thornydale Road and south to Orange Grove Road, encompassing approximately eleven (11) square miles and to assign this area an "Undesignated Area", as depicted on Exhibit "A".

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of the resolution or any part of the General Plan Amendment adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 7th day of December, 2011.

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

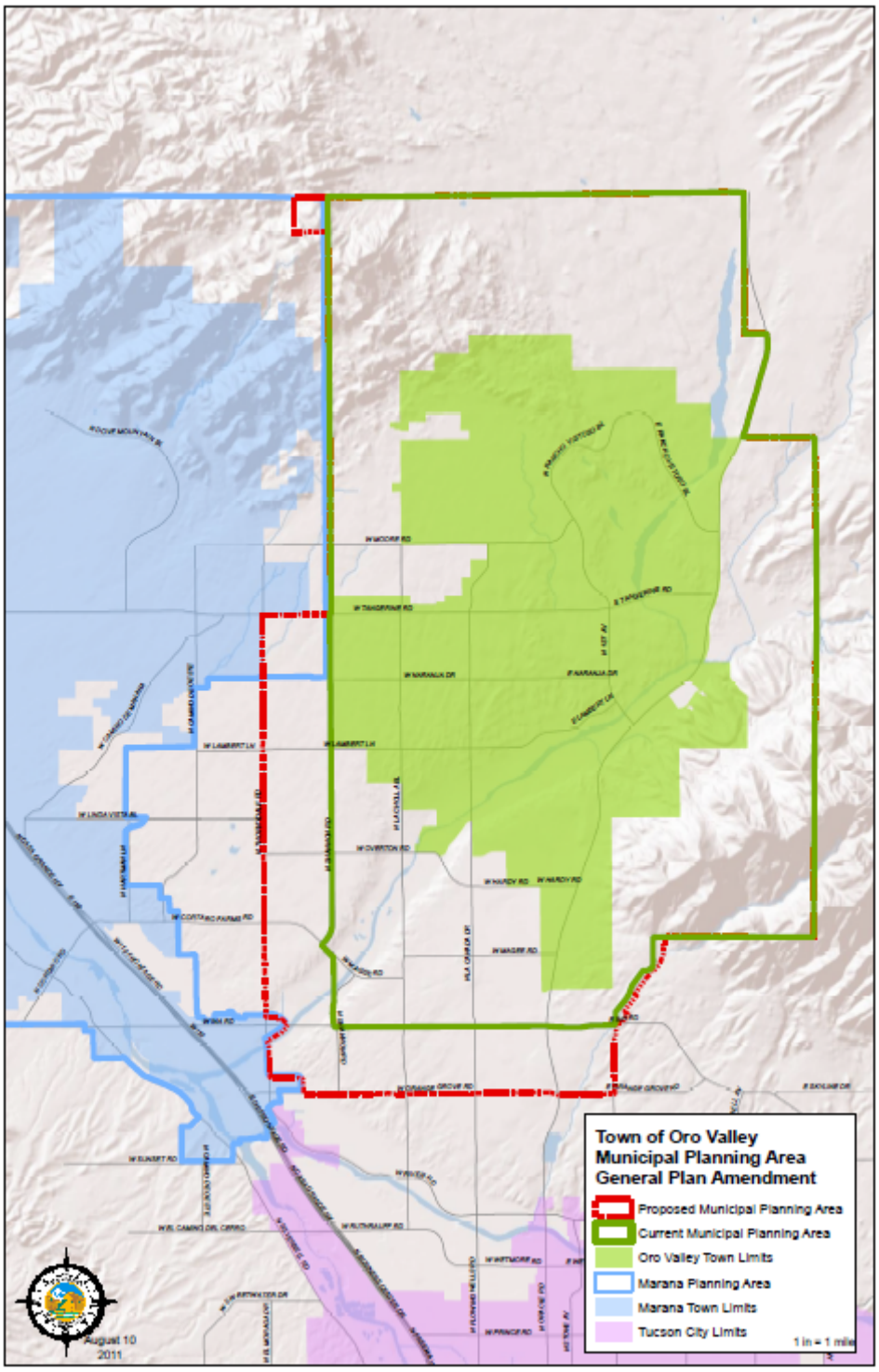
Date: _____

APPROVED AS TO FORM:

_____
Tobin Rosen, Town Attorney

Date: _____

EXHIBIT "A"


Town of Oro Valley
Municipal Planning Area
General Plan Amendment
Proposed Municipal Planning Area
Current Municipal Planning Area
Oro Valley Town Limits
Marana Planning Area
Marana Town Limits
Tucson City Limits
1 in = 1 mile
August 10
2011

Town of Oro Valley Planning Boundary General Plan Amendment

Purpose
The Town of Oro Valley proposes an extension of the Municipal Planning Area boundary beyond that established by the voter-approved Focus 2020 General Plan in 2005.

The proposed general plan amendment reflects the desire of the Town Council to pursue annexation as an economic development strategy. While expanding the Municipal Planning Area does not signify that areas within the boundary will be annexed, it does indicate the Town's intention to take on a more significant role in regional planning and the provision of urban services to northwest area residents.

Description
A Municipal Planning Area (MPA) is defined as the geographic area in which the jurisdictional planning process must be carried out. It includes, but is not necessarily limited to, the incorporated territory of the city or town, as well as unincorporated areas identified by the municipality as being within its area of future interest. Simply stated, the MPA defines the geographic area of interest to the community.

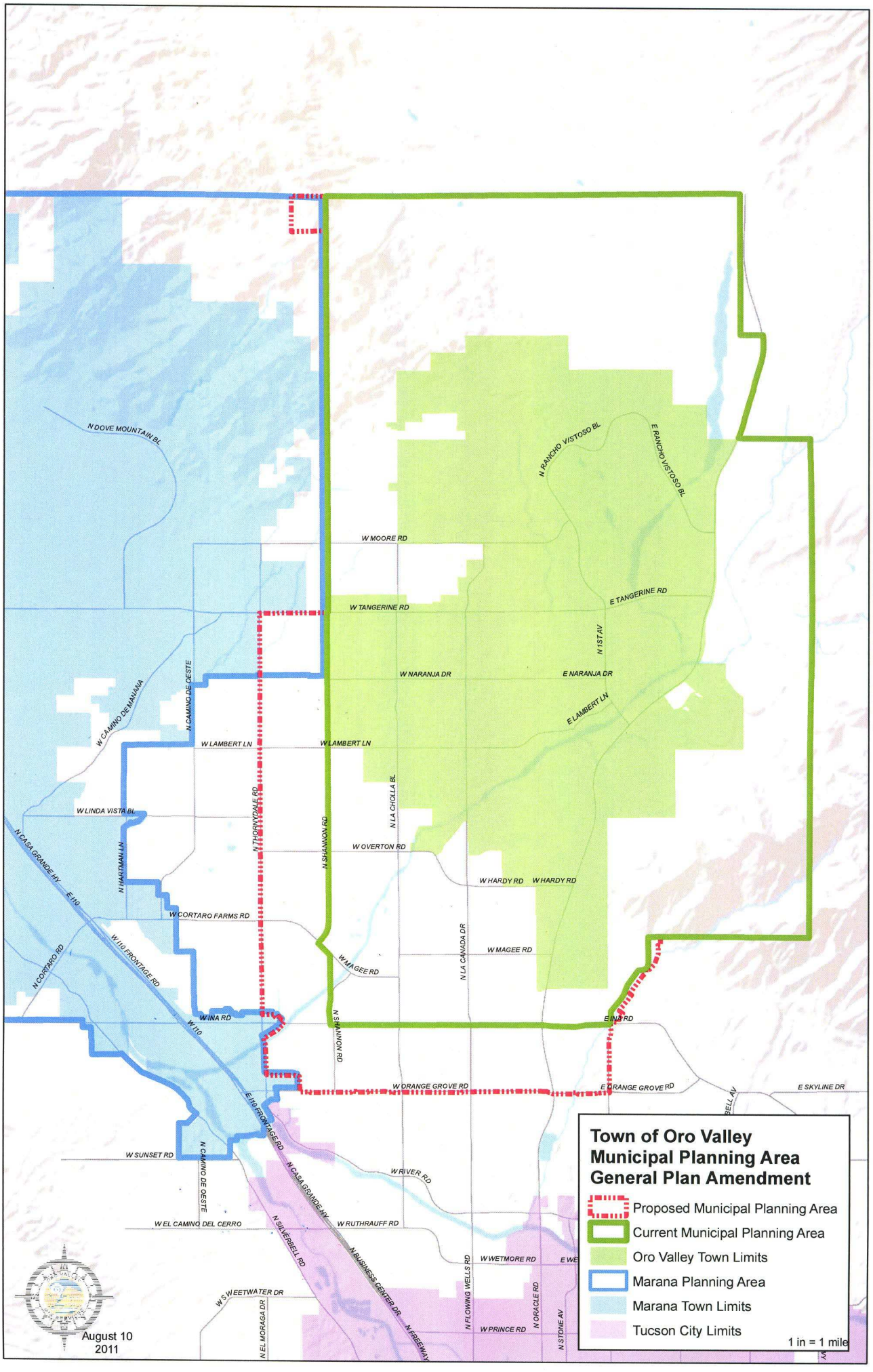
The proposed general plan amendment would expand the MPA by approximately 11 square miles. This territory would remain under the jurisdiction of Pima County and would be assigned as "Undesignated Area" in the General Plan. Specific land use designations would then be assigned in the context of the next General Plan update, and approved by Town of Oro Valley voters.

To the east, the MPA boundary would be extended east of N. Christie Drive to include all properties within the Cobo Catalina Hills neighborhood association. This neighborhood association represents a community of interest and should be considered in its entirety by the Town's planning efforts. Currently, 12 parcels within the neighborhood association lie outside the MPA boundary, a mapping error that will be corrected with this amendment.

To the west, the MPA boundary would be extended one mile, from Shannon Road to Thornydale Road. The Town is actively pursuing annexation of approximately one square mile of territory, roughly bounded by Tangerine Road to the north, Shannon Road to the east, Naranja Road to the south, and Thornydale Road to the west. The proposed amendment will facilitate annexation of this section of land, which is managed by the Arizona State Land Department. Although this area also lies within the Town of Marana MPA, Marana is aware of our intent to annex the property and has formally stated that no conflict exists in this area.

To the north, the MPA boundary would be extended one half mile west along the Pinal County line to incorporate 160 acres of the Arroyo Grande planning area inadvertently excluded during the 2008 Arroyo Grande general plan amendment. The Town of Oro Valley and Pima County are actively pursuing acquisition of land in this area for urban open space conservation.

To the south, the MPA boundary would be extended one mile, from Ina Road to Orange Grove Road. Tres Rios del Norte, the name given to the confluence of the Canada del Oro with the Rillito River and the Santa Cruz River, is located in the vicinity of Orange Grove Road near Interstate-10. The junction of these regional watersheds provides a natural boundary for Town planning efforts. This natural confluence is also where the municipal boundaries of the City of Tucson and the Town of Marana currently meet.


Town of Oro Valley
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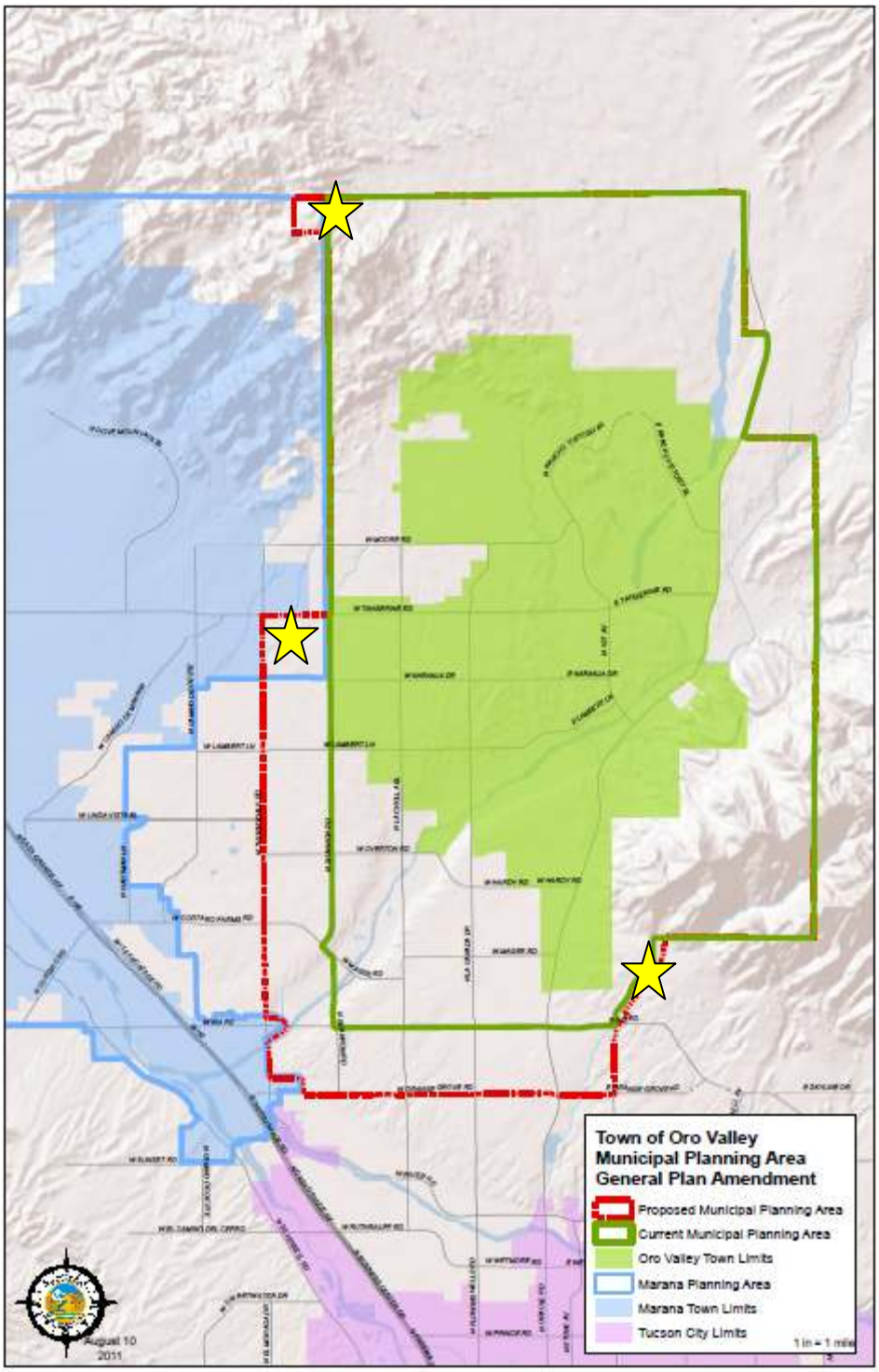
August 10
2011
N DOVE MOUNTAIN BL
N RANCHO VISTOSO BL
E RANCHO VISTOSO BL
W MOORE RD
W TANGERINE RD
E TANGERINE RD
N 1ST AV
W NARANJA DR
E NARANJA DR
E LAMBERT LN
W CAMINO DE MANANA
N CAMINO DE OESTE
W LAMBERT LN
W LAMBERT LN
N LA CHOLLA BL
W LINDA VISTA BL
N THORNYDALE RD
N SHANNON RD
W OVERTON RD
N CASA GRANDE HY
E I10
N HARTMAN LN
W HARDY RD
W HARDY RD
W CORTARO FARMS RD
N CORTARO RD
W I10 FRONTAGE RD
W MAGEE RD
W MAGEE RD
N LA CANADA DR
W INA RD
W I10
N SHANNON RD
E INA RD
W ORANGE GROVE RD
E ORANGE GROVE RD
E SKYLINE DR
E I10 FRONTAGE RD
W SUNSET RD
N CAMINO DE OESTE
W RIVER RD
N CASA GRANDE HY
W RUTHRAUFF RD
W EL CAMINO DEL CERRO
N SILVERBELL RD
N BUSINESS CENTER DR
N FREEWAY
W WETMORE RD
N FLOWING WELLS RD
N ORACLE RD
W SWEETWATER DR
N EL MORAGA DR
W PRINCE RD
N STONE AV



Attachment 3

TOWN OF ORO VALLEY

PLANNING & ZONING COMMISSION **MEETING DATE: November 1, 2011**

TO: **PLANNING & ZONING COMMISSION**

FROM: **David A. Williams, AICP, Planning Division Manager**

SUBJECT: **Public Hearing:** Town of Oro Valley. Request to amend the Oro Valley General Plan to expand the Municipal Planning Area boundary west to Thornydale Road and south to Orange Grove Road, encompassing approximately 11 square miles and assign this area an "Undesignated Area" designation, OV1111-004

SUMMARY

The proposed Major General Plan Amendment entails a request filed by the Town of Oro Valley to expand the Municipal Planning Area (MPA) (Attachment 1). The intent of the amendment is to allow Oro Valley to take on a more significant role in regional planning for this area and to provide for enhanced regional coordination and service provisions when future development occurs within this area adjacent to the existing municipal planning area boundary.

BACKGROUND

Amendment Request

The process for a major General Plan Amendment entails public participation through neighborhood meetings, public notification, and two public hearings before the Planning and Zoning Commission. The Town Council will hold a public hearing to evaluate the proposal and has the final decision-making authority.

The General Plan provides a blueprint for future growth and development in the Town. The General Plan is intended to be used as the primary basis for land use decisions and zoning. It is important to note that the General Plan is a guideline reflecting the Town's vision and plan for growth of the community.

Site Conditions

The 11 square mile expansion area contains developed and undeveloped areas of differing land uses. A generalized description of key focal areas (Attachment 2) within the expansion area boundary are as follows:

To the east, the MPA boundary would be extended east of N. Christie Drive to include all properties within the Cobo Catalina Hills neighborhood association. This neighborhood association should be considered in its entirety by the Town's planning efforts. Currently, 12 parcels within the neighborhood association lie outside the MPA boundary, a mapping error that will be corrected with this amendment.

To the west, the MPA boundary would be extended one mile, from Shannon Road to Thornydale Road. The Town is actively pursuing annexation of approximately one square mile of territory, roughly bounded by Tangerine Road to the north, Shannon Road to the east, Naranja Road to the south, and Thornydale Road to the west. The proposed amendment will facilitate annexation of this section of land, which is owned by the Arizona State Land Department. Although this area also lies within the Town of Marana MPA, Marana is aware of our intent to annex the property and has formally stated that they have no objection to our intent to annex this area.

ATTACHMENT 4

To the north, the MPA boundary would be extended one half mile west along the Pinal County line to incorporate 160 acres of the Arroyo Grande planning area inadvertently excluded during the 2008 Arroyo Grande general plan amendment. The Town of Oro Valley and Pima County are actively pursuing acquisition of land in this area for urban open space conservation.

To the south, the MPA boundary would be extended one mile, from Ina Road to Orange Grove Road. Tres Rios del Norte, the name given to the confluence of the Canada del Oro with the Rillito River and the Santa Cruz River, is located in the vicinity of Orange Grove Road near Interstate-10. The junction of these regional watersheds provides a natural boundary for regional planning efforts. This natural confluence is also where the municipal boundaries of the City of Tucson and the Town of Marana currently meet.

Annexation

It should be noted that although the Town of Oro Valley has some strategic economic development objectives for specific properties in the expansion area, the goal of the amendment is not intended to signal imminent annexation of the entire area within the expanded boundary. As stated previously, the overarching intent of the amendment is for the Town to assume a more significant role in regional planning and to provide for enhanced regional coordination when development occurs within this area adjacent to the existing Town boundary.

As information, any future annexation process would involve significant participation by property owners in an area proposed to be annexed. State Law requires the approval of more than half of the property owners by number, representing more than half of the assessed valuation of a proposed annexation area. As such, individual property owners retain significant control with regard to annexation of their property.

Undesignated Area

As this area would remain under jurisdiction of Pima County, it is intended that the area would be assigned as "Undesignated Area" in the Oro Valley General Plan. This designation would avoid establishing a different land use designation than what current exists under Pima County and property would continue to be guided by Pima County land use designations. It is intended that specific land use designations would be developed and assigned during the next overall General Plan Update in 2015. This future effort to assign specific land use designations will involve assessment of existing land use, existing zoning and the future land use designation under Pima County's Comprehensive Plan. Additionally, this overall General Plan Update will need to involve significant public participation to develop the future land uses ultimately adopted for a particular area.

Process to Date and Projected Schedule

- Application Received August, 2011
- First Neighborhood Meeting September 26th
- Second Neighborhood Meeting: October 25th
- First P&ZC Public Hearing November 1, 2011
- Second P&ZC Public Hearing November 15, 2011
- TC Public Hearing December, 2011

ANALYSIS OF PROPOSED AMENDMENT

Staff's analysis of the proposal is based on the following:

I. General Plan amendment criteria contained in the Zoning Code
II. General Plan vision, goals and polices
III. Public comments, including neighborhood meetings and correspondence

Following is an analysis of each element:

I. SECTION 22.2.D.3 GENERAL PLAN AMENDMENT CRITERIA

The Oro Valley Zoning Code states that "the disposition of the General Plan amendment proposed shall be based on consistence with the vision, goals, and policies of the General Plan, with special emphasis on the following criteria. Please note that the applicant for the amendment shall have the burden of presenting facts and other materials to support these criteria in writing, prior to any public hearings. The applicant's response to each of the criteria is attached for your reference (see Attachment #2). Following is staff's analysis of each criterion:

1. *The proposed change is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification.*

The amendment is related to the overall growth of the community and providing for regional planning and coordination over the expansion area. Changes which have occurred which require the amendment relate to overall growth within the region. Growth of neighboring communities Tucson and Marana have resulting in increased growth pressures within the expansion area and necessitate cooperative regional planning in the expansion area adjacent to the existing Oro Valley Municipal Planning Area.

A significant change which justifies the amendment is the more proactive Town management policy which has evolved and includes open space management, service provision and infrastructure and growth/planning management. Overall, the Town desires to influence growth and infrastructure service provision in areas adjacent to the existing Town boundary which have a direct impact on our residents.

2. *The proposed change is sustainable by contributing to the socio-economic betterment of the community, while achieving community and environmental compatibility.*

Regional planning contributes to the socio-economic betterment of the community through enhancing Oro Valley's influence over areas which impact the existing residents of Oro Valley. Additionally, the Town of Oro Valley seeks to pursue annexation of the square mile of State Trust land at Thornydale and Tangerine Road which will contribute to the economic vitality of the Town of Oro Valley through enhanced future sales tax revenues. The amendment also seeks to extend planning authority over the 160 acres of land adjacent to Arroyo Grande along the Pima/Pinal County line. The Town of Oro Valley and Pima County are actively pursuing acquisition of land in this area for urban open space conservation which addresses the above criteria in terms of environmental compatibility.

3. *The proposed change reflects market demand which leads to viability and general community acceptance.*

In strategic locations, the Town of Oro Valley seeks to expand our revenue base through strategic annexations of future commercial areas. Enhancement to services and revenues through future commercial development will lead to a viable and balanced community for future residents. Future revenue enhancement will provide for the maintenance and expansion of Oro Valley's high quality services such as police protection, parks and recreation improvements and other community services

4. *The amendment will not adversely impact the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development processes.*

The expansion of regional planning and influence will have a positive impact on the community as a whole through better coordination of planning and reduction of impacts from unplanned development immediately adjacent to our boundary. The amendment would allow a greater level of consideration to Oro Valleys concerns in the expansion area if the area was added to the Municipal Planning Area.

II. GENERAL PLAN VISION, GOALS AND POLICY CONFORMANCE

This amendment proposal has been reviewed in light of the General Plan Vision and all applicable General Plan goals and policies. The following Goals and Policies are notable for this application. Each General Plan goal/policy is shown in italics followed by staff's commentary:

General Plan Vision

To be a well planned community that uses its resources to balance the needs of today against the potential impacts to future generations. Oro Valley's lifestyle is defined by the highest standard of environmental integrity, education, infrastructure, services, and public safety. It is a community of people working together to create the Town's future with a government that is responsive to residents and ensures the long-term financial stability of the Town.

Policy 1.2.2 The Town shall coordinate with Pima County and other jurisdictions to ensure that development proposals in the Planning Area are compatible with the character of Oro Valley.

The proposed amendment would enhance coordination with Pima County and other jurisdictions and ensure that development proposals are compatible with the character of Oro Valley.

Policy 3.1.2. The Town shall continue to strive for a diverse economic base that will reduce Oro Valley's dependence on revenue derived from growth related sources…

Expanding the MPA to support future strategic economic development annexations supports this policy and will result in a diversification of our economic base.

Policy 3.1.10. The Town shall support annexations that are economically beneficial to the Town…

As outlined earlier in this report, the focus area along Tangerine Road will provide future revenues which will be economically beneficial to the town and off-set future service delivery costs for public services.

III. PUBLIC NOTICE AND COMMENT

This project has been noticed in accordance with Town procedures, which includes the following:

- Notification of all adjoining Municipal and County Jurisdictions
- Homeowners Association mailing
- Notice in The Daily Territorial and Arizona Daily Star newspaper
- Post at Town Hall and on website

To date, one official neighborhood meeting has been held. This first meeting was held on September 26th, 2011. No residents or interested parties attended the meeting. A second neighborhood meeting is scheduled for October 25th. The Commission will be verbally updated regarding the result of this meeting. An informal meeting with approximately 4 interested parties was held October 12th. The main focus of discussion at the meeting was the overall intent of the amendment and a detailed discussion concerning the fact that the Town of Oro valley is not imminently pursuing annexation of the entire expansion area. Oro Valley does have intention of pursuing annexation of the focal areas identified on Attachment 2 to resolve boundary issues and pursue strategic economic development objectives.

The summary notes from the first neighborhood meeting are attached for your reference (Attachment 3).

RECOMMENDATION

The proposed amendment is consistent with the general plan amendment evaluation criteria and applicable General Plan policies. Staff recommends approval of the proposed expansion of the municipal planning area as the expansion will provide for enhanced regional coordination and service provisions when future development occurs within this area.

SUGGESTED MOTION

The Planning & Zoning Commission may wish to consider one of the following suggested motions:

I move to [recommend approval, OR denial] of the request to amend the Oro Valley General Plan to expand the Planning Area Boundary west to Thornydale Road and south to Orange Grove Road, encompassing approximately 11 square miles and assign this area a “Undesignated Area” designation.

1. Application and exhibits
2. Focus Areas
3. September 26, 2011, Neighborhood Meeting Summary

cc: Project Manager: Chad Daines, AICP, Principal Planner

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_____

David A. Williams, AICP, Planning Division Manager

Municipal Planning Area Expansion
General Plan Amendment OV 1111-04
Neighborhood Meeting

September 26, 2011, 6:00 pm
Hopi Conference Room

Meeting Summary

1. Welcome, Ground Rules and Introductions

   David Williams, Planning Division Manager, introduced himself as Facilitator and reviewed ground rules. Chad Daines, Principal Planner, is Project Manager. The request for the General Plan Amendment is submitted by the Town of Oro Valley. Kevin Burke, Assistant to the Town Manager, is coordinating the request on behalf of the Town.

   Council Member Hornat, Commissioner Cox, and two participants attended.

2. Chad Daines, Project Manager, provided a brief presentation on the following:

   - Purpose of Neighborhood Meeting
   - Project Context & Overview
   - General Plan Goals and Policies
   - Town Review Process

3. Questions and Discussion

   Mr. Williams provided background to the Town's request:

   - Area shares common features with Town
   - Will be considered for possible annexation
   - Indicates Town's intention to take on a more significant planning role in the area

   Council Member Hornat asked if the request has been communicated to area residents.

   Mr. Williams responded yes, and noted the region does not have an established process for this, such in Maricopa County.

   Mr. Hornat noted the amendment informs area residents of the potential opportunity to receive Town services. He asked if the designation has zoning implications.

   Mr. Williams responded that if the amendment is approved, the area would be included in next General Plan update, and General Plan Land Use designations would be assigned to the area. It will be undesignated area until then. The Town may conduct planning for the area, but cannot zone land until it is annexed.

ATTACHMENT 5

Development and Infrastructure Services Department

Oro Valley Neighborhood Meeting Notes

Municipal Planning Area OV 1111-04

October 25, 2011

9 interested parties were in attendance.

Chad Daines, Principal Planner provided and overview and presentation on the following:

- Amendment Overview
- Current General Plan
- Proposed Amendment
- General Plan amendment Criteria
- General Plan Amendment Process

Kevin Burke, Assistant Director DIS, added clarification regarding the overall intent of the amendment and answered questions concerning the annexation of the State Land parcel at Tangerine and Thornydale.

Issues discussed at the meeting included:

1. Concern that amendment would annex their property

2. Use and development of State Trust Land

3. Open Space preservation

4. Change in rural character

5. Planning process for State Lands

ATTACHMENT 6

Town Council Regular Session **Item # 4.**

Meeting Date: 12/07/2011

Requested by: David Williams **Submitted By:** Chad Daines, Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: RESOLUTION NO. (R)11-80, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL/OFFICE TO MEDIUM DENSITY RESIDENTIAL FOR A 13 ACRE PARCEL LOCATED ONE QUARTER MILE SOUTH OF TANGERINE ROAD ON THE WEST SIDE OF LA CHOLLA BOULEVARD

RECOMMENDATION:

The Planning & Zoning Commission recommends approval of the proposed amendment.

EXECUTIVE SUMMARY:

The proposed Major General Plan Amendment (GPA) entails amending the land use designation from Neighborhood Commercial / Office (NC/O) to Medium Density Residential (MDR) for the purpose of constructing a 50 lot single-family residential subdivision on a larger 19 acre property which is comprised of the subject 13 acre property and the adjoining 6 acres to the west (Attachment 2). As information, the adjoining 6 acres to the west is already designated MDR and the request would establish the MDR designation on the entire property proposed for development. The applicant has concurrently filed an application to rezone the entire 19 acre property from Single-Family Residential R1-144 to Single-Family Residential R1-7.

The Planning and Zoning Commission held two public hearings on the request; the first on November 1, 2011 and the second on November 15, 2011. One resident spoke at the first hearing and no residents spoke at the second. The resident who spoke, lived directly south of the property and generally supported the change from commercial to residential, but felt that the density requested was too abrupt of a transition from the large 4 acre lots to the south and additionally was concerned with the impact on property values.

At the conclusion of the hearing on November 15, 2011, the Commission recommended approval of the proposed amendment.

BACKGROUND OR DETAILED INFORMATION:

Site Conditions

- Property is 13 acres
- General Plan designation is Neighborhood Commercial / Office (NC/O)
- Zoning is R1-144
- Property is currently vacant

Approvals to Date

There have been no approvals to date on the subject property. The R1-144 zoning was established with the overall general area and was not associated with a specific development proposal.

Surrounding General Plan Designations (Attachment 3) & Land Uses (Attachment 4)

Direction	General Plan Designation	Land Use
North	Neighborhood Commercial /Office NC/O	Vacant (State Land)
South	Rural Low Density (0 to 0.3 du/ac.)	Rural Large Lot Single-family Residential
East	Low Density (1.3 – 2.0 du/ac.)	Planned Residential – Rancho de Cobre
West	Medium Density Residential (2.1–5 du/ac)	Wilson Middle School

Existing and Proposed General Plan Land Use Designations

The General Plan defines the land use categories for the amendment area as follows:

Neighborhood Commercial and Office (NCO) This designation denotes commercial and office areas located with good arterial access (i.e. at the intersections of arterial streets or along Oracle Road) that are close to residential areas. Within these areas, uses such as grocery stores, drugstores, and offices tend to serve the surrounding neighborhoods and are integrated with those neighborhoods. Offices include professional offices, tourism-related businesses, and services. The recommended Floor Area Ration (FAR) in the NC/O designation is that of the C-1 zoning district.

Medium Density Residential (MDR 2.1 – 5.0 du/ac) This designation is where single-family detached, townhouse, or patio home development is suitable, ranging from 2.1 to 5.0 dwelling units per acre. These areas should be located close to schools, shopping and employment.

Analysis of Proposed Amendment

Staff analysis of the proposal is based on the following:

I. General Plan Amendment criteria contained in the Zoning Code
II. General Plan Vision, Goals and Policies
III. Public comments, including neighborhood meetings and correspondence

Please refer to the November 1, 2011, Planning and Zoning Commission report (Attachment 5) for a detailed analysis of the General Plan amendment criteria and General Plan vision, goals and policies.

Public Comment

Two neighborhood meetings were held. The first meeting was held on September 14, 2011. Approximately 6 residents and interested parties attended the meeting. A second neighborhood meeting was held on October 3, 2011. Two (2) residents and interested parties attended the meeting. A number of issues were discussed at each meeting, including the following:

Drainage impacts
Type and price of homes
Compatibility of the smaller lot sizes in relation to larger lots in the vicinity
Access to subdivision
Variety of lot sizes within the subdivision

The summary notes from both meetings are attached as Attachment 6 and 7.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (adopt OR deny) Resolution No. (R)11-80, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL/OFFICE TO MEDIUM DENSITY RESIDENTIAL FOR A 13 ACRE PARCEL LOCATED ONE QUARTER MILE SOUTH OF TANGERINE ROAD ON THE WEST SIDE OF LA CHOLLA BOULEVARD.

Attachments

Reso 11-80

Attachment 2 - Application and Exhibits

Attachment 3 - General Plan Map

Attachment 4 - Aerial Location Map

Attachment 5 - Planning and Zoning Commission Report

Attachment 6 - September 14 Neighborhood Summary Notes

Attachment 7 - October 3 Neighborhood Summary Notes

RESOLUTION NO. (R)11-80

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL/OFFICE TO MEDIUM DENSITY RESIDENTIAL FOR A 13 ACRE PARCEL LOCATED ONE QUARTER MILE SOUTH OF TANGERINE ROAD ON THE WEST SIDE OF LA CHOLLA BOULEVARD

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, the Town of Oro Valley residents ratified the Oro Valley General Plan on November 8, 2005; and

WHEREAS, Thomas Levitt ("Applicant"), represented by the CPE Consultants, filed an application in August 2011 requesting a General Plan Amendment to change the Land Use Designation from Neighborhood Commercial/Office to Medium Density Residential for a 13 acre parcel located one quarter mile south of Tangerine Road on the west side of La Cholla Boulevard; and

WHEREAS, pursuant to A.R.S. § 9-461, *et seq*. and OVZCR, Section 22.2, the Planning and Zoning Commission held two (2) duly noticed public hearings, the first on November 1, 2011, and the second on November 15, 2011, at which the Planning and Zoning Commission recommended approval of the application requesting an Amendment to the General Plan to change the Land Use Designation for a 13 acre parcel located one quarter mile south of Tangerine Road on the West side of La Cholla, as depicted on Exhibit "A", attached hereto and incorporated herein by this reference; and

WHEREAS, pursuant to Oro Valley Zoning Code Revised, Section 22.1, General Plan Amendment Procedures, upon recommendation by the Planning and Zoning Commission of any amendment to the General Plan, a public hearing before the Mayor and Council shall be scheduled; and

WHEREAS, Mayor and Council duly considered the proposed General Plan Amendment to change the Land Use Designation from Neighborhood Commercial/Office to Medium Density Residential for a 13 acre parcel located one quarter mile south of Tangerine Road on the west side of La Cholla Boulevard at a public hearing on December 7, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Oro Valley that:

SECTION 1. The Mayor and Council hereby adopts the General Plan Amendment to change the Land Use Designation from Neighborhood Commercial/Office to Medium Density Residential for a 13 acre parcel located one quarter mile south of Tangerine Road on the west side of La Cholla Boulevard as depicted on Exhibit "A".

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of the resolution or any part of the General Plan Amendment adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 7th day of December, 2011.

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

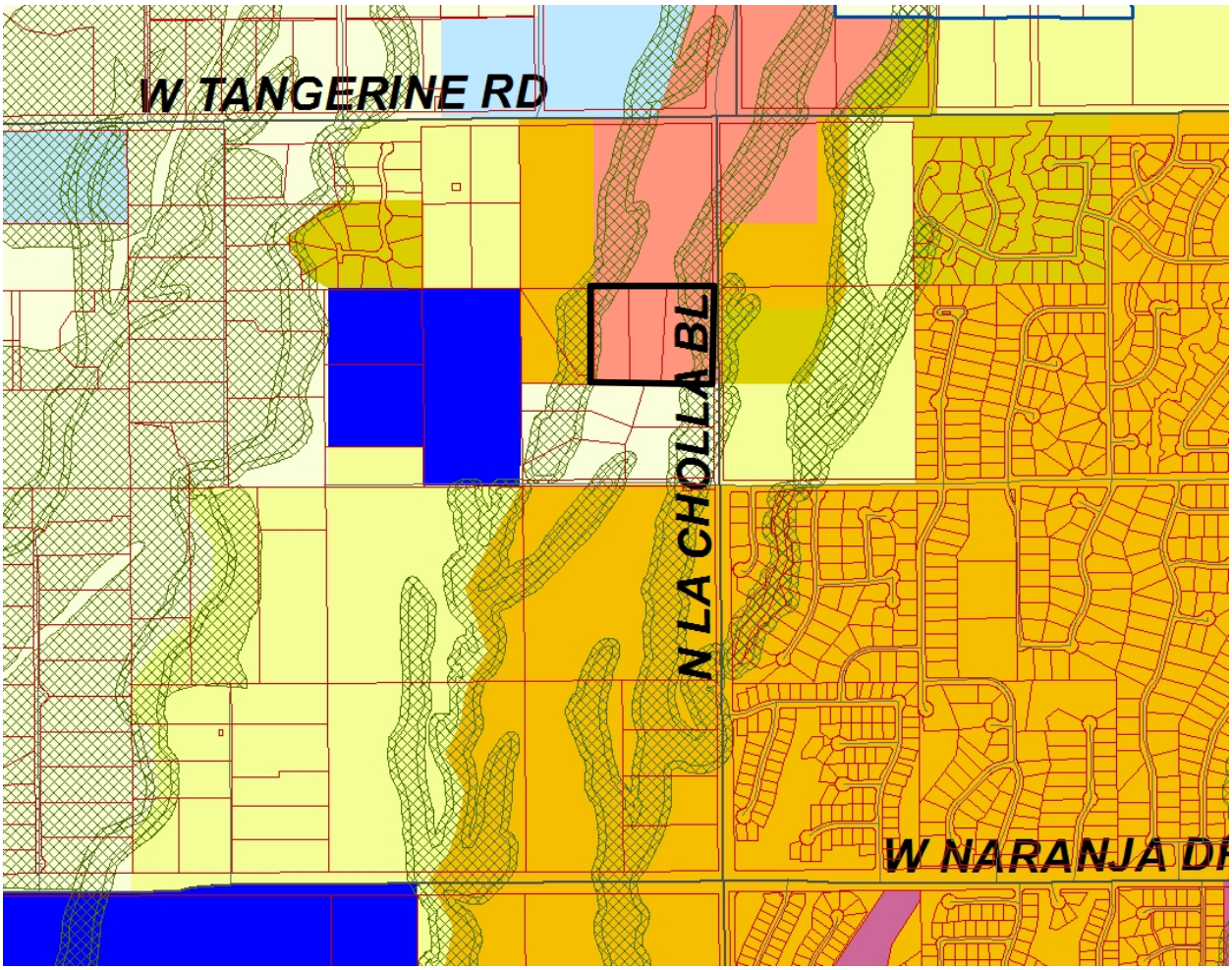
Date: _____

APPROVED AS TO FORM:

_____
Tobin Rosen, Town Attorney

Date: _____

EXHIBIT “A”



TOWN OF ORO VALLEY, PLANNING AND ZONING
11000 N. LA CANADA DRIVE, ORO VALLEY AZ 85737
PHONE: (520) 229-4800 FAX: (520) 742-1022
www.orovalleyaz.gov

APPLICATION FORM
OV Case # (Office Use Only): OV1111-001

Application Type/Reason for request: MAJOR GENERAL PLAN AMENDMENT

A. Applicant
Name: RON ASTA
Engineering Firm: CPE CONSULTANTS LLC
Address: 378 N MAIN AVE
City: TUCSON **State:** AZ **Zip:** 85711
Telephone: 520 545 7001 **Fax:** 545-7003 **Email:** ron.asta@cpeconsultants.com

B. Property Owner (s), if more than one owner, attach list
Name: ESTATE OF THOMAS W. LEVITT
Firm: NA
Address: PO BOX 414740
City: KANSAS CITY **State:** MO **Zip:** 64141
Telephone: 570.529.3800 **Fax:** 529.8110 **Email:** mike@carlisecompany.com

C. Subject Property
Parcel/Tax Code: 224.11.034A THRU 034E
Legal Description/Property Address: N2 SE4 NE4 SEC 4-12S-13E

Area of property: 19.45 ACRES
Existing Zoning: RL-144 **Proposed Zoning:** R1-7
Is Proposed Zoning in conformance with General Plan designation? [ ] N/A [ ] Yes [X] No
General Plan Designation: MDR & NC/O
Existing Land Use: UNIMPROVED **Proposed Land Use:** SFR SUBDIVISION

D. Previous Applications Relating To This Property

Condition Use Permit NA **Rezoning** NA
Board of Adjustment NA **GP Amendment** NA
Plat/Development Plan NA **Architecture** NA

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

7/21/11
Date

Signature

ATTACHMENT 2

July 8, 2011

Oro Valley Planning Division
Attention: Chad Daines
Development and Infrastructure Services Dep't.
11000 N. La Canada Dr.
Oro Valley, Arizona 85737

JUL 22 2011

RE: **RANCHO DE PLATA PLAN AMENDMENT AND REZONING/ 19.45 ACRES WEST SIDE OF LA CHOLLA BLVD. ¼ MILE SOUTH OF TANGERINE RD.**

Dear Mr. Daines:

This letter is to authorize CPE Consultants, LLC to file an application for: (a) a major plan amendment from MDR & NC/O to MDR, and (b) a rezoning from R1-144 to R1-7. In addition, we authorize CPE Consultants, LLC to actively engage in the plan amendment and rezoning processes including staff review as well as public hearings by the Planning Commission and Mayor & Council.

The Estate of Thomas W. Levitt owns the 19.45 acre property located in the N2 SE4 NE4 Sec. 4-12S-13E further identified by APN 224-11-034A thru 034E.

Thank you.

Estate of Thomas W. Levitt

Molly G. Levitt, Personal Representative 7/7/2011

Signature & Title Date

CPE CONSULTANTS

AT THE OWL'S CLUB

JUL 22 2011

PLAN AMENDMENT NARRATIVE
RANCHO DE PLATA
MDR & NCO TO MDR

"A PLAN AMENDMENT THE PROVIDES A MEDIUM DENSITY RESIDENTIAL TRANSITION BETWEEN LOW DENSITY RESIDENTIAL ON THE SOUTH TO COMMERCIAL ACTIVITY ON THE NORTH AT THE TANGERINE CORRIDOR."

The Tangerine Corridor is targeted for commercial activity in the area of La Cholla Blvd. and will soon become a reality. The widening of Tangerine Rd. from I-10 to La Canada Blvd. is currently in the design stage for a 4-lane divided roadway. Construction is scheduled to begin in calendar year 2016.

The Town's General Plan (GP) proposes considerable commercial development at Tangerine's intersection with La Cholla Blvd. In most cases, the commercial areas are buffered by medium density residential (MDR) which represens good planning. An exception is the project site known as Rancho de Plata.

Rancho de Plata is currently planned NCO over the eastern 2/3 of its acreage that extends 2,000' north to Tangerine. However, Plata's NCO is located adjacent to low density rural lands on the south and low density residential on the east. A modification of the GP to designate the entire Rancho parcel as MDR would serve to provide an effective buffer from future commercial acitivity on the north.

In addition, the planned commercial acreage on the Rancho de Plata site effectively has no frontage. Along La Cholla Blvd. there exists an extensive riparian area, designated by the Town as a Critical Resource, that extends 155' to 215'' into the site from this major arterial. A more modest access to a

378 N. Main Avenue
Tucson, Arizona 85701
Phone: 520.545.7001 • Fax: 520.545.7003

residential subdivision would preserve some 95% of this high density vegetation. For purposes of buffering then and for preservation of a quality desert corridor, the entire Rancho site should be planned for a medium density residential subdivision.

There are additional benefits as well. It is a stated goal of the Town of Oro Valley to provide for commercial, industrial and professional office employment that is self sustaining. A good place for additional employment is along the Tangerine Corridor. Its commercial activity will require rooftops, such as Rancho de Plata, to become an economic contributor to the Town.

Finally, it is important to look at the state of the market. It is fair to say that the custom home market in the northwest is soft at this time. There is construction activity, however, for high end production housing. Current develoment at Sky Ranch, the Peserve at Dove Mountain, Tangerine Crossing and Willow Ridge on Cortaro Farms Road serve as examples of this activity. This will be the market for Rancho de Plata.

In summary, Rancho de Plata plans to build a 50 lot subdivision in a location that will act to provide a land use transition between low density residential uses on the south and future commercial activity on the north. Rancho de Plata's plans are supported by the current market and will add the population necessary to support commercial activity within the Town's western boundaries.

378 N. Main Avenue
Tucson, Arizona 85701
Phone: 520.545.7001 · Fax: 520.545.7003

GENERAL PLAN AMENDMENT EVALUATION
#OV1111-001 Rancho de Plata

Section 22.2.D.3

Criteria a. The proposed change is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification.

> **Response:** There are 2 changes that merit consideration for support of this plan amendment – Tangerine Rd. and the ESL Ordinance. The **Tangerine Corridor** is targeted for commercial activity and will soon become a reality. The widening of Tangerine Rd. from I-10 to La Canada Blvd. is currently in the design stage for a 4-lane divided roadway. Construction is scheduled to begin in calendar year 2016. This road widening will accelerate commercial development.
>
> It is timely, therefore, to modify the General Plan now to provide a medium density residential transition between low density residential uses to the south of Rancho de Plata and commercial activity to the north at Tangerine.
>
> The current plan designates the Plata property as NC/O adjacent to low density rural lands on the south and low density residential on the east. This plan amendment request, therefore, represents good planning and repeats a pattern at the Tangerine/ La Cholla intersection that buffers commercial lands to low density lands with medium density residential in between.
>
> It is within this spirit that this GPA amendment request conforms to General Plan policy 4.1A that declares: "Protect the integrity and aesthetic context of existing neighborhoods through the use of appropriate buffers."
>
> The **Environmentally Sensitive Lands Ordinance** is so new that it was not available for publication on the Town's web site this past summer. And Rancho de Plata is the first rezoning case to be governed by its rules and, therefore, it represents a real change to "conditions in the community".

For instance, the currently planned commercial acreage on the Rancho de Plata site effectively has no frontage. This is because there exists an extensive riparian area along the La Cholla Blvd. frontage that has been designated by the Town as a Critical Resource. This Critical Resource corridor extends some 155' to 215' into the site from this major arterial and must be 95% preserved according to the terms of the ESL. Therefore, there would be low visibility from La Cholla Blvd. to a neighborhood shopping center on the other side of the open space. And high visibility is key to a successful commercial project.

So the current NC/O designation is not workable unless it was assembled into the 30 acre planned commercial property directly north and, then, would probably be used for storage, refuse containers and loading bays – uses that are normally associated with the "back end" of shopping centers.

Criteria b. The proposed change is sustainable by contributing to the socio-economic betterment of the community, while achieving community and environmental compatibility.

Response: General Plan Goal 1.1 calls for the **preservation** of Oro Valley's natural Sonoran Desert environment. The proposed site plan for Rancho de Plata allocates 38% of its area to ESL open space including half a football field of scenic, high density vegetation along La Cholla Blvd.

General Plan policy 4.2A encourages the provision of a variety of housing choices matched to employees within a reasonable proximity to **employment** sites. Rancho de Plata is located ¼ mile from Tangerine Road. The Tangerine Corridor is widely accepted as a future employment area for the Town of Oro Valley. So much so that a separate zone – the Tangerine Corridor Overlay District – has been adopted by the Town to emphasize quality development for projected employment and shopping centers.

The success of the Tangerine Corridor is dependent upon rooftops to generate both employees and customers in close proximity. Plata will help serve that need. This plan amendment, therefore, also satisfies

Policy 1.2A: "Encourage the location of neighborhoods close to activity centers to minimize travel times."

General Plan policy 4.2A also encourages the provision of a **variety** of housing choices. In the area of Rancho de Plata there is very little planning for MDR. For example, the community directly south has been developed to rural low density residential standards (0 – 0.3 DU/AC). South of Glover Rd., the Saguaros Viejos tentative plat is planned at 0.9 DU/AC which conforms to the OVGP designation of low density residential (0.4 – 1.2 DU/AC).

Moving east a final plat has been recorded on the eastside of La Cholla Blvd. across the street from Plata called Rancho Del Cobre. This final plat provides 20,000 sq. ft. lots over 68 acres again falling into the OVGP designation of low density residential. Even east of Del Cobre, there are existing subdivisions all platted at densities substantially less than 0.8 DU/AC. They include Copper Ridge, Naranja Ranch, Ironwood Ranch, Mera Vista and Desert Vista. Finally, Sunset Canyon Estates is located NW of Rancho de Plata, and if offers a residential density of 0.8 DU/AC.

There is a need, therefore, for Plata's density of 2.6 DU/AC to further the General Plan's policy to provide for a variety of housing choices.

Criteria c. The proposed change reflects **market** demand which leads to viability and general community acceptance.

Response: It is fair to say that the custom home market in the northwest is "soft" at this time. There is construction activity, however, for high end production housing. Current development at Sky Ranch, the Preserve at Dove Mountain, Tangerine Crossing and Willow Ridge on Cortaro Farms Rd. serve as examples of this activity. This will be the market for Rancho de Plata.

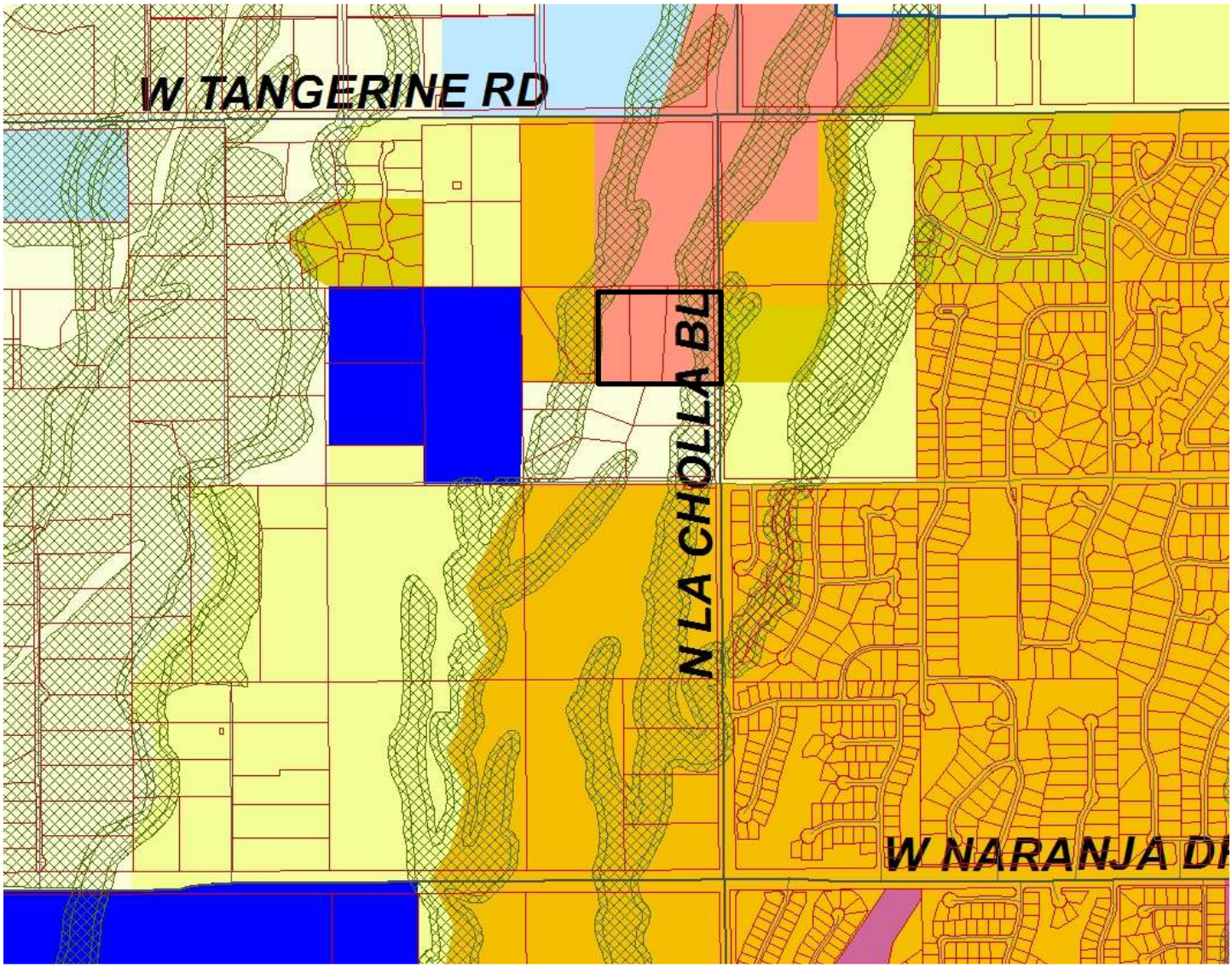
With the development of the Tangerine Corridor, there will be a demand for employees of various skills and income levels for residential housing. Rancho de Plata will provide housing choices in the $250,000 to $300,000 price ranges.

Criteria d. The amendment will not adversely **impact** the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development processes.

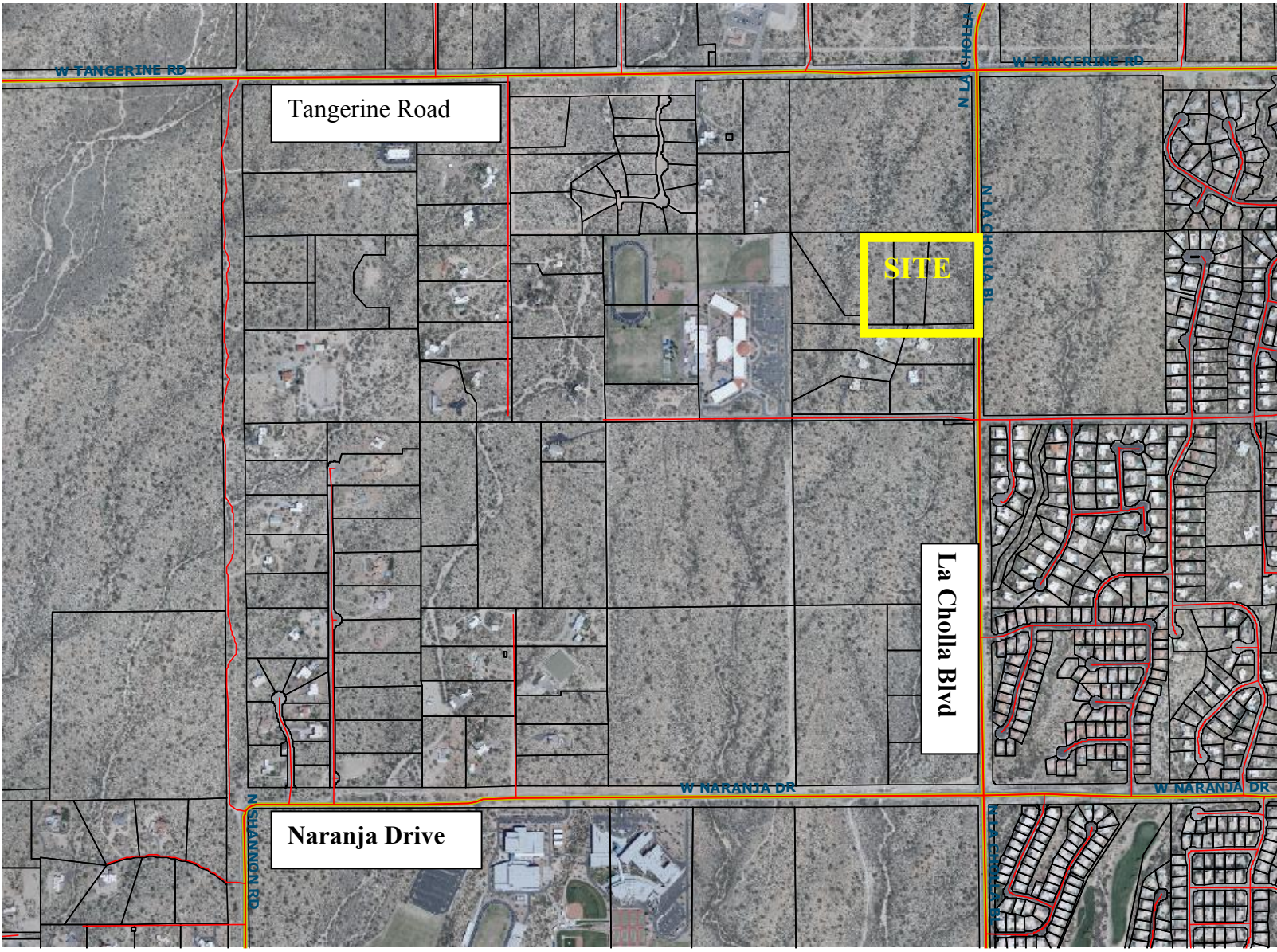
Response: The following benefits will flow to the community through this plan amendment:

- Removal of commercial land located directly on the north boundary of a 3.3 acre lot neighborhood as well as a 20,000 sq. ft. lot subdivision directly "across the street".
- The creation of a medium density residential transition between low density residential on the south and east to commercial activity on the north at the Tangerine Corridor.
- A natural desert bufferyard of 30'-90' on the south boundary of the proposed Rancho de Plata subdivision that will be re-vegetated with on-site plants to transform the buffer from medium density to high density vegetation.
- An on-site pedestrian/ bicycle pathway with a direct connection to Wilson School avoiding additional travel through the traffic signal at Glover Rd.
- Maintenance of the scenic viewshed along La Cholla Blvd.
- Preservation of 2 major riparian areas on-site that create an area of openness within the proposed housing development.
- Provision of another housing choice that will generate employees and customers (rooftops) for the Tangerine Corridor, only ¼ miles away.

These benefits comply with OVGP policy 1.1C that fosters the preservation of significant, passive natural open space within residential neighborhoods. In addition, these benefits all support the previous goals and policies cited earlier in this report.



Attachment 3



Attachment 4

TOWN OF ORO VALLEY

PLANNING & ZONING COMMISSION **MEETING DATE: November 1, 2011**

TO: **PLANNING & ZONING COMMISSION**

FROM: **David A. Williams, AICP, Planning Division Manager**

SUBJECT: **Public Hearing:** Rancho De Plata. Request to amend the Oro Valley General Plan for a 13 acre parcel located 1/4 mile south of Tangerine Road on the west side of La Cholla Blvd. from Neighborhood Commercial / Office (NC/O) to Medium Density Residential (MDR 2.1 – 5.0 du/ac), OV1111-001.

SUMMARY

The proposed Major General Plan Amendment (GPA) entails amending the land use designation from Neighborhood Commercial / Office (NC/O) to Medium Density Residential (MDR) for a 13 acre parcel located 1/4 mile south of Tangerine Road on the west side of La Cholla Blvd. for the purpose of constructing a single-family residential subdivision (Attachment 1). The applicant has concurrently filed an application to rezone the property from Single-family Residential R1-144 to Single-Family Residential R1-7 which will be forwarded for Commission consideration at the November 15th meeting.

BACKGROUND

Major General Plan Amendment Background

The State's Growing Smarter/Plus statutes [ARS §9-461.06.G] defines *"major amendment" as a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element*. The Town of Oro Valley has established criteria which define an amendment as major or minor. Redesignation of property from NC/O to any other land use classification meets the criteria for a major amendment as defined in the Town's *General Plan Amendment Matrix.*

The process for a Major General Plan Amendment entails significant public participation through neighborhood meetings, public notification, and two public hearings before the Planning and Zoning Commission. The Town Council will hold a final public hearing to evaluate the proposal and has the final decision-making authority.

The General Plan land use designations provide a blueprint for development in the Town. The General Plan is intended to be used as the primary basis for land use decisions and guidance on the zoning for property. It is important to note that the General Plan land use designation is *not* an entitlement, but rather a policy reflecting the Town's vision and plan for future land use on a property. As the proposed rezoning of the property to a single-family residential zoning district is not consistent with the current NC/O land use designation, an amendment to the General Plan is required.

Site Conditions

- Property is 13 acres
- General Plan designation is Neighborhood Commercial / Office (NC/O)
- Zoning is R1-144
- Property is currently vacant

Approvals to Date

There have been no approvals to date on the subject property. The R1-144 zoning was established with the overall general area and was not associated with a specific development proposal.

Attachment 5

Surrounding General Plan Designations (Attachment 2) & Land Uses (Attachment 3)

Direction	General Plan Designation	Land Use
North	Neighborhood Commercial /Office NC/O	Vacant (State Land)
South	Rural Low Density (0 to 0.3 du/ac.)	Rural Large Lot Single-family Residential
East	Low Density (1.3 – 2.0 du/ac.)	Planned Residential – Rancho de Cobre
West	Medium Density Residential (2.1–5 du/ac)	Wilson Middle School

Process to Date and Projected Schedule

- Application Received — August
- First Neighborhood Meeting — September 14th
- Second Neighborhood Meeting: — October 3rd
- First P&ZC Public Hearing — November 1st
- Second P&ZC Public Hearing — November 15th
- Town Council Public Hearing — December

Existing and Proposed General Plan Land Use Designations

The General Plan defines the land use categories for the amendment area as follows:

Neighborhood Commercial and Office (NCO) This designation denotes commercial and office areas located with good arterial access (i.e. at the intersections of arterial streets or along Oracle Road) that are close to residential areas. Within these areas, uses such as grocery stores, drugstores, and offices tend to serve the surrounding neighborhoods and are integrated with those neighborhoods. Offices include professional offices, tourism-related businesses, and services. The recommended FAR in the NC/O designation is that of the C-1 zoning district.

Medium Density Residential (HDR 2.1 – 5.0 du/ac) This designation is where single-family detached, townhouse, or patio home development is suitable, ranging from 2.1 to 5.0 dwelling units per acre. These areas should be located close to schools, shopping and employment.

ANALYSIS OF PROPOSED AMENDMENT

Staff's analysis of the proposal is based on the following:

I. General Plan Amendment criteria contained in the Zoning Code
II. General Plan Vision, Goals and Policies
III. Public comments, including neighborhood meetings and correspondence

Following is an analysis of each element:

I. SECTION 22.2.D.3 GENERAL PLAN AMENDMENT CRITERIA

The Oro Valley Zoning Code states that decisions on amendments shall be based on consistency with the vision, goals, and policies of the General Plan, with special emphasis on the criteria listed below. The

applicant has the burden of presenting facts and other materials to support these criteria. The applicant's response to each of the criteria is provided on Attachment 4. Staff analysis of the request in relation to each criterion is as follows:

1. *The proposed change is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification.*

The applicant's response indicates that several factors have changed in the community which support the amendment. The first change noted by the applicant is the on-going planning for the widening of Tangerine Road. In summary, the applicant suggests that land use planning along this road corridor should be considered to provide for appropriate land use transitions for future land uses.

Tangerine Road is a State Route and a regionally significant east-west corridor from Oro Valley, through Marana to I-10. Construction on the first phase of improvements is anticipated to begin in 2016. The scope of the project is to expand the roadway to a four lane divided roadway with landscaped median and resolve the numerous drainage and wildlife crossings from I-10 to its terminus at Oracle Road.

The applicant indicates that the road widening will accelerate commercial development along this corridor and the proposed medium density residential subdivision will provide a logical transition from the planned commercial to the north to the rural residential homes to the south.

In staffs view, Tangerine Road has long been a regionally significant transportation route and the improvements anticipated to the roadway do not necessarily constitute a change in conditions which directly support the amendment. Staff would agree that improvement of Tangerine Road will stimulate commercial development along this corridor, particularly at arterial intersections such as La Cholla/Tangerine, ¼ mile to the north. The southwest corner of this intersection is currently planned for Neighborhood Commercial / Office in the General Plan, which extends south and includes the subject property. The applicant's contention that the amendment would provide an appropriate land use transition is supported by several policies in the General Plan as identified under Section II below.

The second change identified by the applicant as justification for the amendment is the adoption of the Environmentally Sensitive Lands (ESL) ordinance in July of this year. Specifically, the applicant contends that the ESL ordinance requires preservation of the large wash along the La Cholla frontage which creates low visibility to this property and impacts its viability as a commercial shopping center. This large wash is a 100 year floodplain and has been designated a riparian overlay area prior to adoption of ESL. Additionally, the wash is designated as a Significant Resource Area on the General Plan. As a riparian area and Significant Resource Area, the wash would have needed to be preserved and adoption of the ESL does not constitute a change in conditions. Staff would agree that the location of this large wash corridor along La Cholla has a significant impact on visibility of the property and its viability for commercial use. This issue is covered further in Section II below.

2. *The proposed change is sustainable by contributing to the socio-economic betterment of the community, while achieving community and environmental compatibility.*

The applicant's response identifies the large amount of natural open space to be preserved with the development plan as meeting this second evaluation criteria for general plan amendments. Staff agrees that the proposed development plan meets the general plan policies concerning preservation of the scenic and natural environment as further covered in Section II.

The applicant's response indicates that the amendment contributes to the socio-economic betterment of the community by providing needed residential uses to support nearby neighborhood commercial areas, achieving a balance between commercial and residential land uses. Staff agrees that the amendment is sustainable by providing adjacent residential uses to support the planned commercial areas to the north. The amendment does reduce the amount of land designated for future commercial uses, which in general is not supported by the policies in the General Plan as it reduces future revenue generating uses for the community. However, the location and characteristics of this property are better suited for residential uses given the distance from the intersection, adjacent single-family areas, and large wash corridors which traverse the site. This issue is further analyzed in Section II below.

3. *The proposed change reflects market demand which leads to viability and general community acceptance.*

The applicant's response indicates that the market for custom homes in the northwest region of Tucson is soft at this time. The applicant indicates that there is market demand for high end production housing and the response identifies a number of projects in the northwest area as examples of this market demand. The applicant further states that the location of the project in relative proximity to the medical and bio-tech employment center to the east additionally contributes to the viability of the proposed development. Staff believes the applicant has adequately demonstrated compliance with this criteria.

4. *The amendment will not adversely impact the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development processes.*

The applicant's response identifies numerous mitigation measures proposed as part of the development application to reduce any negative impacts of the development on the adjacent residential areas. As previously stated, the applicant has concurrently submitted a rezoning application which will be forwarded for Commission consideration on November 15th. The rezoning application provides a greater level of detail than normally available with only a general plan amendment application. Staff has reviewed this application and concurs that the development will employ appropriate mitigation measures to lessen the impact on adjacent residential areas. These measures include elimination of commercial land directly north of the existing rural residential area, inclusion of a natural buffer yard ranging from 30 to 90 feet along the southern boundary of the development, providing a pedestrian connection directly to Wilson Middle School to the west, and preservation of the natural wash corridors which traverse the property.

II. GENERAL PLAN VISION, GOALS AND POLICY CONFORMANCE

This amendment proposal has been reviewed in light of the General Plan Vision and all applicable General Plan goals and policies. The following Goals and Policies are notable for this application. Each General Plan goal/policy is shown in italics followed by staff's commentary:

General Plan Vision

To be a well planned community that uses its resources to balance the needs of today against the potential impacts to future generations. Oro Valley's lifestyle is defined by the highest standard of environmental integrity, education, infrastructure, services, and public safety. It is a community of people working together to create the Town's future with a government that is responsive to residents and ensures the long-term financial stability of the Town.

The vision statement from the General Plan emphasizes the need to carefully balance land use decisions which respond to a current conditions, against the long term impact to the community. In general, reduction of commercially designated land has a negative effect on the long term viability of the community and care should be exercised in converting commercially designated land to respond to current market conditions. However, the applicant has made a compelling argument which questions the appropriateness of this property as a future commercial use. Staff is in agreement that the distance of this property from the intersection and the large wash corridor along the frontage significantly impacts the viability of the property as a future commercial site.

The application has been reviewed against notable General Plan policies as follows:

Goal 1.1 To preserve Oro Valley's natural Sonoran Desert environment and the scenic resources that are an important part of the community's quality of life.

The proposed development plan submitted as part of the rezoning application depicts appropriate preservation of the natural resources present on the property. This development application is the first application in Oro Valley to require full compliance with the newly adopted Environmentally Sensitive Lands ordinance which requires comprehensive analysis and preservation of the wash corridors and native plant species which exist on the property.

Policy 1.1.1 The Town shall promote clustering of development to protect environmentally sensitive area and to preserve significant, passive use, natural open space within residential neighborhoods…

The applicant's proposal for smaller residential lots creates the opportunity to concentrate the developed areas of the property to preserve the natural wash and native vegetation on the property. This development proposal is consistent with this policy.

Policy 1.1.3 The Town shall continue to avoid development encroachments into washes, riparian areas, designated natural open space and environmentally sensitive lands…

The proposed development plan for the property maintains and preserves the natural wash corridors. The proposed subdivision layout provides additional open space areas adjacent to the wash corridor to prevent encroachment of the development areas into these natural washes. The development meets the requirements under ESL to preserve 95% of the Critical Resource Areas (wash corridors), and 25% of the Resource Management Areas (balance of the property) in natural open space.

Policy 1.4.8. The Town shall continue to require adequate buffering of commercial and employment uses from adjacent neighborhoods, with special consideration being given to placing office or other less intensive uses adjacent to residential areas.

The applicant's proposal would eliminate the planned commercial area north of the existing residential area and provide a more logical land use transition from the rural residential area to the south to the planned commercial on the southwest corner of Tangerine and La Cholla. The proposed development plan incorporates enhanced buffer areas along the south boundary line to establish an appropriate transition to the medium density residential development proposed with this application.

Policy 1.5.4. The Town shall ensure that areas appropriately zoned and planned for neighborhood commercial use are developed.

As previously indicated, commercial areas in appropriate locations should be retained for the future fiscal benefit of the community. However, the applicant has identified a number of conditions present on the property which negatively impact the viability of this property as a future commercial development. These factors include the impact of the natural washes on the site, the distance of the property from the arterial intersection ¼ mile to the north, and the visibility limitations created by the natural vegetation along La Cholla. Staff is in agreement that these specific conditions may limit development of the site as a viable commercial development in the future.

Policy 7.2.2. The Town shall encourage a variety of residential building types consistent with the General Plan and in accordance with the Town's zoning and subdivision design standards.

Development of the property at a medium residential density is consistent with this policy by providing smaller lot residential development which expands the variety of choices available in this area. Existing residential uses in this area include ½ to 3 acre residential lot sizes and the location of the proposed medium density subdivision as a transition to the more intense uses along Tangerine Road is consistent with this policy.

Engineering Comments

A site analysis and tentative site plan shall be provided during the rezoning. The site analysis and tentative site plan shall contain all the standard elements as determined by the Town Engineer and Planning and Zoning Administrator

III. PUBLIC NOTICE AND COMMENT

This project has been noticed in accordance with Town procedures, which includes the following:

- Notification of all property owners within 1,000 feet
- Homeowners Association mailing
- Notice in The Daily Territorial and Arizona Daily Star newspapers
- Post on property
- Post at Town Hall and on website

Two neighborhood meetings were held. The first meeting was held on September 14, 2011. Approximately 6 residents and interested parties attended the meeting. A second neighborhood meeting was held on October 3, 2011. Two (2) residents and interested parties attended the meeting. A number of issues were discussed at each meeting, including the following:

Drainage impacts
Type and price of homes
Compatibility of the smaller lot sizes in relation to larger lots in the vicinity
Access to subdivision
Variety of lot sizes within the subdivision

The summary notes from both meetings and are attached for your reference (Attachment 5 and 6).

SUMMARY/CONCLUSION

The proposed amendment has been evaluated using the general plan amendment criteria and applicable General Plan goals and policies as well as neighborhood and outside agency input. Following is a summary of the factors for and against the proposal:

Factors for:

1. The proposed development will provide a logical transition in land use intensity from the rural residential use to the south and the planned commercial to the north.

2. The use of the property for small lot clustered single-family residential is better suited based on the significant natural washes which traverse the site.
3. The sites' environmentally sensitive resources will be preserved.

Factors Against:

1. The property may be viable for future NC/O service commercial or office development which does not require typical retail commercial visibility. As such, the proposed amendment may represent a loss of non-residential acreage.

RECOMMENDATION

The proposed amendment is in general conformance with the General Plan amendment criteria and applicable General Plan policies. Specifically, the amendment will preserve significant natural resources, utilize a clustered development approach to protect environmentally sensitive areas and serve as an appropriate buffer to the more intense commercial uses to the north. Staff recommends approval of the proposed General Plan Amendment.

SUGGESTED MOTION

The Planning & Zoning Commission may wish to consider one of the following suggested motions:

I move to [recommend approval OR denial] of the request for approval of a General Plan amendment for a 13 acre parcel located 1/4 mile south of Tangerine Road on the west side of La Cholla Blvd. from Neighborhood Commercial-Office (NCO) to Medium Density Residential (MDR 2.1 – 5.0 du/ac)

1. Application and Exhibits
2. General Plan Land Use Map
3. Aerial Map
4. Applicant's response to GP amendment criteria
5. September 14, 2011, Neighborhood Meeting Summary
6. October 3, 2011, Neighborhood Meeting Summary

cc: Project Manager: Chad Daines, AICP, Principal Planner

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David A. Williams, AICP, Planning Division Manager

Development and Infrastructure Services Department

Oro Valley Neighborhood Meeting Notes

Rancho de Plata OV 1111-01

September 14, 2011

Approximately 6 residents were in attendance.

Chad Daines, Principal Planner provided and overview and presentation on the following:
- Project Overview
- Current General Plan
- Proposed Amendment
- General Plan amendment Criteria
- General Plan Amendment Process

Ron Asta, CPE Consultants provided and overview of the development project and proposed general plan amendment.

Issues discussed at the meeting included:

1. No cookie cutter homes.

2. Tangerine Road improvement timeline

3. La Cholla improvement timeline

4. Traffic turning movements on la Cholla

5. Building heights

6. Limitations to single-story

7. Buffer along La Cholla

8. Looped Water System

9. Home Prices

10. House Style

Attachment 6

Development and Infrastructure Services Department

Oro Valley Neighborhood Meeting Notes

Rancho de Plata OV 1111-01

October 3, 2011

2 residents / interested parties were in attendance.

Chad Daines, Principal Planner provided and overview and presentation on the following:

- Project Overview
- Current General Plan
- Proposed Amendment
- General Plan amendment Criteria
- General Plan Amendment Process

Ron Asta, CPE Consultants provided and overview of the development project and proposed general plan amendment.

Issues discussed at the meeting included:

1. Amount of vegetative cover preserved under ESL.

2. Concern with concurrent submittal of GPA and rezoning applications

3. Larger lots would also provide an adequate buffer

4. Conformance with criteria in GPA

5. Building heights

6. Neighbor doesn't care for commercial

7. Shared well. Impact of development on well.

8. Suggestion for a mixture of lot sizes

9. Home prices and style

10. Washes in conservation easement.

Attachment 7

Town Council Regular Session **Item # 5.**

Meeting Date: 12/07/2011

Requested by: David Williams **Submitted By:** Matt Michels, Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: RESOLUTION NO. (R)11-81, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM COMMERCE OFFICE PARK TO HIGH DENSITY RESIDENTIAL FOR A FIFTEEN ACRE PARCEL LOCATED AT THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO COMMERCE LOOP

RECOMMENDATION:

The Planning & Zoning Commission recommends denial of the proposed amendment.

EXECUTIVE SUMMARY:

The proposed major General Plan (GP) Amendment (GPA) entails amending the GP land use category from Commerce Office Park (COP) to High Density Residential (HDR) for Rancho Vistoso Parcel 2-E for the purpose of building an apartment complex of approximately 256 units. If approved, a subsequent rezoning process to Rancho Vistoso HDR and a full design review process would be required.

The Planning and Zoning Commission (PZC) held two public hearings--the first on November 1, 2011, and the second on November 15, 2011. There were a number of speakers at each hearing. The primary concerns were:

- Traffic and circulation
- Crime/safety
- Noise, light, view impacts
- Proximity to crematorium
- Water supply concerns
- Aesthetic concerns
- Effects on property values
- Ensuring project is high end
- Market viability
- HDR provides a better transition between Single-Family residential and Commerce-Office Park

The PZC discussed the factors for and against the proposal, with emphasis on the General Plan Amendment criteria contained in the Zoning Code. Their conclusion was that, while the project seems well conceived and there is a demonstrable need for additional multi-family housing in the Rancho Vistoso Area, the loss of a viable COP employment site, which is in conflict with the Community Economic Development Strategy (see Attachment #6) outweighs the benefits associated with building apartments on the site. The PZC recommends denial of the proposed GP Amendment.

BACKGROUND OR DETAILED INFORMATION:

Site Conditions

• Property is 15.23 acres
• General Plan designation is Commerce Office Park (COP)
• Zoning is Rancho Vistoso Campus Park Industrial (CPI)
• Property is currently vacant
• Approved uses include manufacturing, office, and associated uses

Approvals to Date

• March 13, 2008—Town Council approval of Innovation Commerce Campus Office/Industrial development plan
• April 13, 2009—Town Council approval of final plat for Innovation Commerce Campus
• December 2, 2009—Town Council denial of request for development plan time extension

Existing and Proposed General Plan Land Use Designations

The General Plan defines the land use categories for the amendment area as follows:

• Commerce/Office Park (COP)

This designation denotes areas where commercial, office, and/or light manufacturing can occur. These uses can occur in a planned business park-type of environment with clustered buildings and inward focused activity. Commerce parks often include a mix of light industrial, professional office, office/showroom, office/warehouse, retail services, and related uses. The specific zoning district will be determined based upon site use, adjacent land use impact, and intensity of development. The recommended maximum Floor Area Ration (FAR) in the COP designation is that of the Technological Park zoning district.

• High Density Residential (HDR 5.1+ du/ac)

This land use designation denotes areas where single-family attached, mobile or manufactured housing (within the existing Highlands subdivision), townhouse, patio home, condominium, and apartment development is appropriate. These areas should be located close to arterial access and shopping and employment opportunities. High traffic volume impacts on local, lower density residential streets are discouraged.

ANALYSIS OF PROPOSED AMENDMENT

Staff analysis of the proposal is based on the following:

I. General Plan amendment criteria contained in the Zoning Code
II. General Plan vision, goals and polices
III. Public comments, including neighborhood meetings and correspondence

Please refer to the November 1, 2011 Planning and Zoning Commission report (Attachment #4) for a detailed discussion of the General Plan amendment criteria and General Plan vision, goals and policies. Please refer to the Multi-Family Housing overview (Attachment #5) for additional background regarding the Town's existing inventory of existing, planned, and zoned multi-family property. Also, please refer to the applicant's conceptual plans and narrative (Attachments #2 and #3) for additional information regarding the proposed development.

PUBLIC COMMENT

Two neighborhood meetings were held. The first meeting was held on September 20, 2011.

Approximately 35 residents and interested parties attended the meeting. A second neighborhood meeting was held on October 10, 2011. Approximately 60 residents and interested parties attended the meeting. A number of issues were discussed at each meeting, which are summarized in the attached summary notes (see Attachment #7 and #8).

In addition, approximately 27 letters and e-mails have been received, both in opposition and in support of the proposal. They are attached for your reference (Attachment #9).

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (adopt OR deny) Resolution No. (R)11-81, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM COMMERCE OFFICE PARK TO HIGH DENSITY RESIDENTIAL FOR A FIFTEEN ACRE PARCEL LOCATED AT THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO COMMERCE LOOP.

Attachments

Reso 11-81

Attachment 2 - Application Materials

Attachment 3 - Applicant Narrative

Attachment 4 - November 1, 2011 PZC Report

Attachment 5 - Multi-Family Residential Overview

Attachment 6 - Community Economic Development Strategy

Attachment 7 - Sept 20 Neighborhood Mtg Summary

Attachment 8 - Oct 10 Neighborhood Mtg Summary

Attachment 9 - Letters and Emails

RESOLUTION NO. (R)11-81

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM COMMERCE OFFICE PARK TO HIGH DENSITY RESIDENTIAL FOR A FIFTEEN ACRE PARCEL LOCATED AT THE NORTHEAST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO COMMERCE LOOP

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, the Town of Oro Valley residents ratified the Oro Valley General Plan on November 8, 2005; and

WHEREAS, Beztak Company, ("Applicant"), filed an application in August 2011 requesting a General Plan Amendment to change the Land Use Designation from Commerce Office Park to High Density Residential for a fifteen (15) acre parcel located at the northeast corner of Rancho Vistoso Boulevard and Vistoso Commerce Loop; and

WHEREAS, pursuant to A.R.S. § 9-461, *et seq*. and OVZCR, Section 22.2, the Planning and Zoning Commission held two (2) duly noticed public hearings, the first on November 1, 2011, and the second on November 15, 2011, at which the Planning and Zoning Commission recommended approval of the application requesting an Amendment to the General Plan to change the Land Use Designation for a fifteen (15) acre parcel located at the northeast corner of Rancho Vistoso Boulevard and Vistoso Commerce Loop from Commerce Office Park to High Density Residential, as depicted on Exhibit "A"; and

WHEREAS, pursuant to Oro Valley Zoning Code Revised, Section 22.1, General Plan Amendment Procedures, upon recommendation by the Planning and Zoning Commission of any amendment to the General Plan, a public hearing before the Mayor and Council shall be scheduled; and

WHEREAS, Mayor and Council duly considered the proposed General Plan Amendment to change the Land Use Designation from Commerce Office Park to High Density Residential for a fifteen (15) acre parcel located at the northeast corner of Rancho Vistoso Boulevard and Vistoso Commerce Loop at a public hearing on December 7, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Oro Valley that:

SECTION 1. The Mayor and Council hereby adopts the Oro Valley General Plan Amendment to change the Land Use Designation from Commerce Office Park to High Density Residential for a fifteen (15) acre parcel located at the northeast corner of Rancho Vistoso Boulevard and Vistoso Commerce Loop, as depicted on Exhibit "A".

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of the resolution or any part of the General Plan Amendment adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 7th day of December, 2011.

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

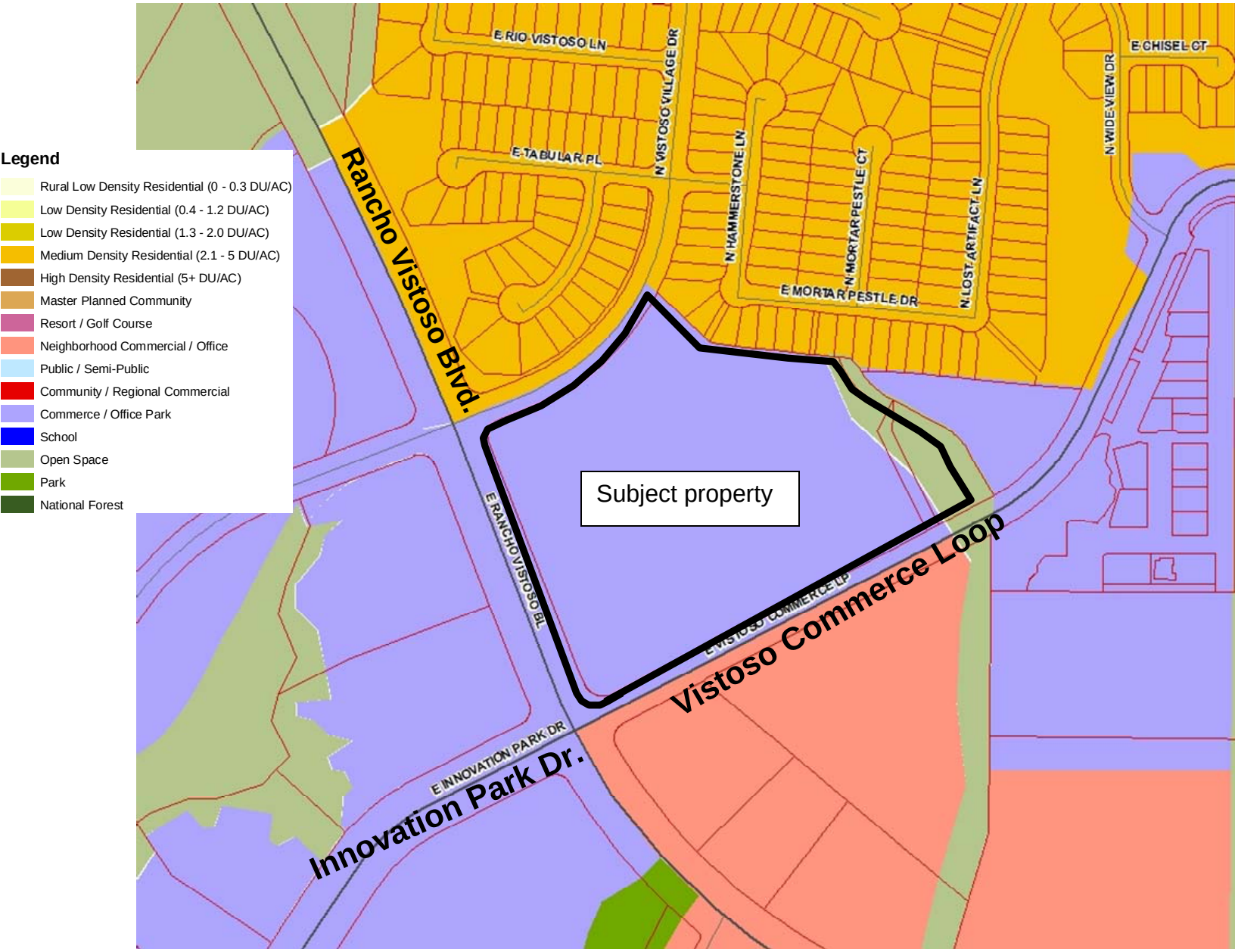
Date: _____

APPROVED AS TO FORM:

_____
Tobin Rosen, Town Attorney

Date: _____

EXHIBIT "A"


Legend
Rural Low Density Residential (0 - 0.3 DU/AC)
Low Density Residential (0.4 - 1.2 DU/AC)
Low Density Residential (1.3 - 2.0 DU/AC)
Medium Density Residential (2.1 - 5 DU/AC)
High Density Residential (5+ DU/AC)
Master Planned Community
Resort / Golf Course
Neighborhood Commercial / Office
Public / Semi-Public
Community / Regional Commercial
Commerce / Office Park
School
Open Space
Park
National Forest
E RIO VISTOSO LN
N VISTOSO VILLAGE DR
E CHISEL CT
N WIDE VIEW DR
E TABULAR PL
N HAMMERSTONE LN
N MORTAR PESTLE CT
N LOST ARTIFACT LN
E MORTAR PESTLE DR
Rancho Vistoso Blvd.
Subject property
E RANCHO VISTOSO BL
E VISTOSO COMMERCE LP
Vistoso Commerce Loop
E INNOVATION PARK DR
Innovation Park Dr.

TOWN OF ORO VALLEY, PLANNING AND ZONING
11000 N. LA CANADA DRIVE, ORO VALLEY AZ 85737
PHONE: (520) 229-4800 FAX: (520) 742-1022
www.orovalleyaz.gov

APPLICATION FORM
OV Case # (Office Use Only): OV1111-002

Application Type/Reason for request: MAJOR AMENDMENT TO GENERAL PLAN

A. Applicant
Name: BEZTAK LAND COMPANY - SAM BEZNOS
Engineering Firm:
Address: 31731 NORTHWESTERN HWY SUITE 250 W
City: FARMINGTON HILLS State: MI Zip: 48334
Telephone: 248.855.5400 Fax: 248.851.4744 Email: SBEZNOS@BEZTAK.COM

B. Property Owner (s), if more than one owner, attach list
Name: INNOVATION COMMERCE CAMPUS LLC
Firm: ARIZONA EQUITIES GROUP INVESTORS LLC
Address: 1600 N. KOLB ROAD SUITE 118
City: TUCSON State: AZ Zip: 85715
Telephone: 520.886.1226 Fax: 520.886.1294 Email: DDESSY@ANTHEM-EQUITY.COM

C. Subject Property
Parcel/Tax Code: 223-02-014G9
Legal Description/Property Address: 2105 E. RANCHO VISTOSO BLVD.
PARCEL 2E OF RANCHO VISTOSO PAD
Area of property: 15.23 AC.
Existing Zoning: CP1 Proposed Zoning: HDR (17 DU/AC)
Is Proposed Zoning in conformance with General Plan designation? [ ] N/A [ ] Yes [X] No
General Plan Designation: COMMERCE/OFFICE PARK
Existing Land Use: VACANT Proposed Land Use: LUXURY APARTMENTS

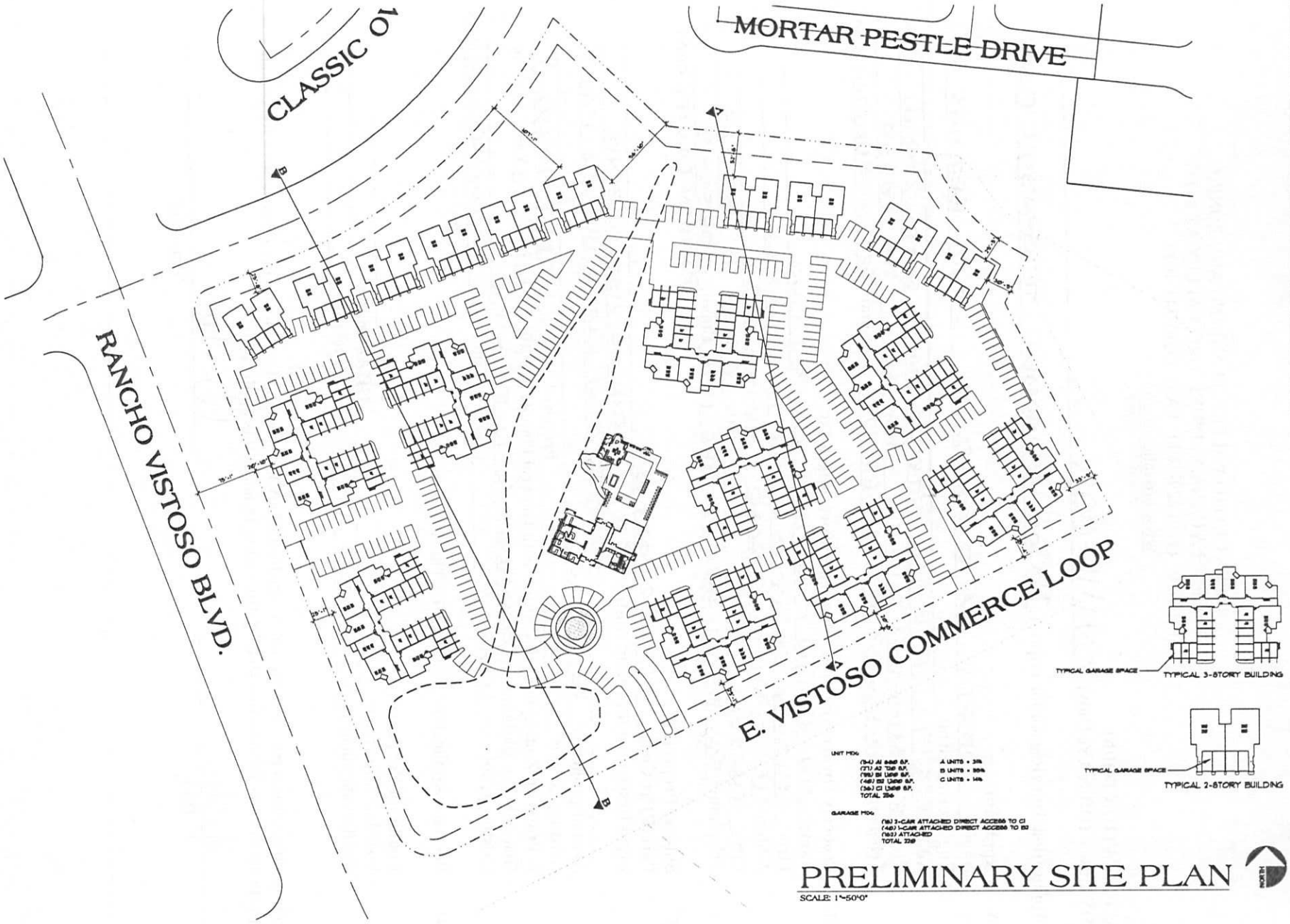
D. Previous Applications Relating To This Property

Condition Use Permit _____ Rezoning _____
Board of Adjustment _____ GP Amendment _____
Plat/Development Plan _____ Architecture _____

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

8/15/11
Date

Signature



PRELIMINARY SITE PLAN

SCALE: 1"=50'0"

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SITE PLAN

Scale: 1" = 50'0"

AS1

L.R. Niemiec Architects

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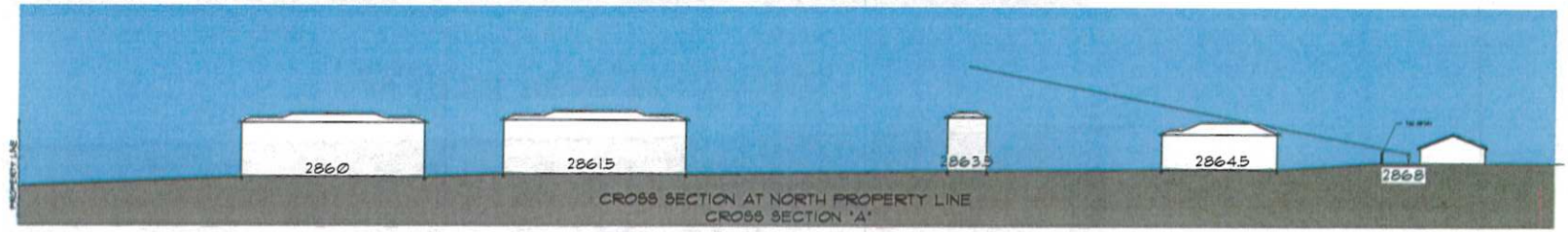
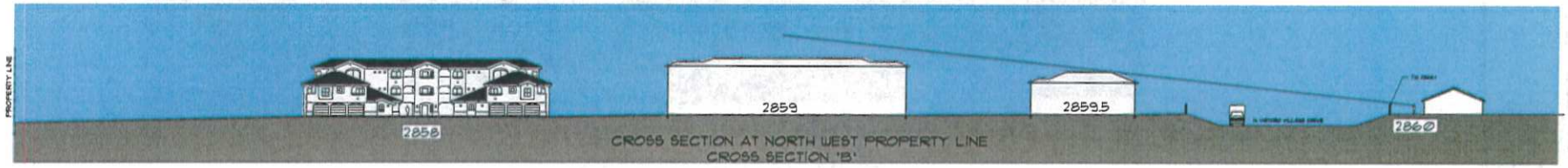


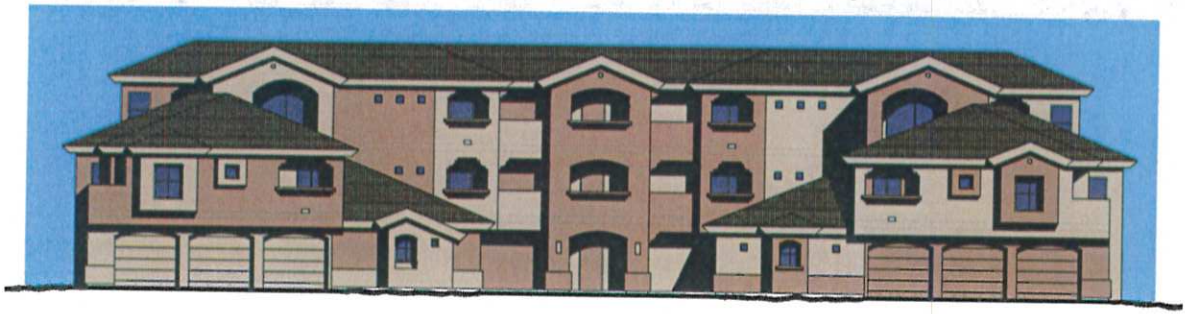
CROSS SECTION AT NORTH PROPERTY LINE
CROSS SECTION 'A'



CROSS SECTION AT NORTH WEST PROPERTY LINE
CROSS SECTION 'B'

4 PLEX REAR ELEVATION
SCALE 1/8"=1'0"

24 PLEX REAR ELEVATION
SCALE 1/8"=1'0"



24 PLEX FRONT ELEVATION
SCALE 1/8"=1'0"

Contractor must verify all dimensions at project before proceeding with this work. Do not reproduce these drawings & specifications without the written permission of the Architect. The drawings and specifications are instruments of service and remain the property of the Architect whether the project for which they are made is executed or not. These drawings & specifications are not to be used by the owner or others on other projects or for additions to this project, or for completion of this project by others except by the express written permission of the Architect.

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ELEVATIONS
Scale: 1/8" = 1'0"

A2

L.R. Niemiec Architects

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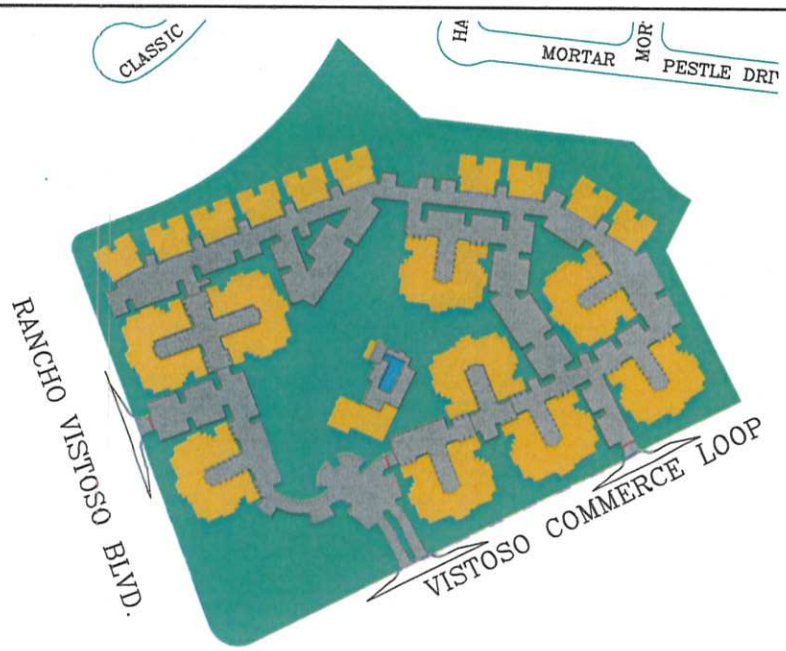

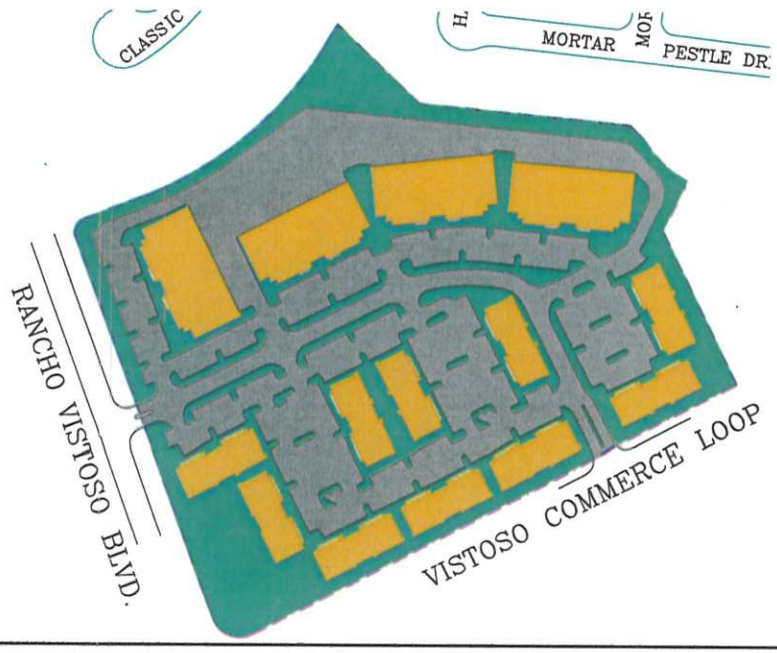

Amending the General Plan and Rezoning Parcel 2E from CPI to HDR and developing luxury apartments will benefit property owners and residents, local businesses and the community

Benefit of Reduced Visual Impact

- Adjacent homes see the "finished" sides of luxury apartments, not industrial loading areas.
- Areas residents see apartment buildings that are significantly smaller than CPI buildings.
- Area residents see larger landscaped and open space areas.
- Area residents see less pavement and less total building area.
- Adjacent homes see low-intensity decorative lighting, not high-intensity wall packs near them.
- Adjacent homes see the smallest apartment building, not the largest industrial building near them

Benefit of Reduced Traffic & Infrastructure Impact

- Area roads receive fewer vehicle trips per day from apartments than from industrial buildings.
- Area roads receive fewer peak hour vehicle trips from apartments than from industrial buildings.
- Area roads receive much less truck traffic from apartments than from industrial buildings.
- Demand on the water supply system is up to 60% less from apartments than from industrial uses.
- Local drainage systems receive less storm water runoff from apartments than from industrial use.

Benefit of Increased Business Support

- Large businesses and medical facilities have access to convenient corporate and visitor housing
- Local service and retail businesses will have the support of a larger customer base from apartments.
- Demand for expanded or new service and retail businesses increases with a larger customer base.

Benefit of Development in the Community

- There is demand for new apartments to be developed now, but not new industrial space.
- Building apartments provides community revenues now, not possible future industrial revenue.
- Building apartments generates $3.4 million (est.) in planning/construction fees now, not in the future.
- Developing now means workers and building materials are needed now, not in the future
- Developing now means workers will buy food, fuel, etc. from local businesses now, not in the future.

Comparison of Impacts - CPI versus HDR

Based on the Innovation Commerce Campus plan (ICC) and our Preliminary Site Plan.

	CPI use	HDR use	%Difference
Building Height	36'	3 stories/34'	0.05% less
Setbacks	25' f, 20' s, 30' r	30' f, 30' s, 45' r	varies
Bldg Separation	10'	20'+	100% more
Bldg Coverage	153,870 sf	122,633 sf	20% less
Lndscp/Open Area*	4.10 ac	7.32 ac.	78.5% more
Water/Sanitary	240,000 gpd	95,340 gpd	60.3% less
Parking (inc. garage)	485 spaces	495 spaces	0.06% more
Pavement Area	8.59 ac.	5.09 ac.	40.7% less
Total Impervious	12.12 ac	7.90 ac	34.8% less

* = all landscape, open space and buffer areas (non-impervious)

Site Research and Preliminary Project Plan for

Parcel 2E, Rancho Vistoso PAD
Town of Oro Valley, Arizona

Prepared June 14, 2010 by

AUG 15 2011

The Beztak Companies
31731 Northwestern Highway
Suite 250W
Farmington Hills, MI 48334
Telephone: 248-855-5400
Facsimile: 248-851-4744
Website: www.beztak.com

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4. Executive Summary

5. Site Research
   - HDR Site Analysis
   - CPI/C-1 Vacant Parcel Analysis
   - Parcel 2E Review
   - General Plan Amendment & Rezoning

8. Project Information
   - Project Summary
   - Site Design & Layout
   - Rezoning Reasons & Community Benefits
   - Building Types & Unit Mix

11. Research and Project Attachments
   - Vacant HDR Site Analysis Spreadsheet
   - Map of HDR Sites Researched
   - Vacant CPI/C-1 Site Analysis Spreadsheet
   - Map of CPI/C-1 Sites Researched/Reviewed
   - Preliminary Site Plan for HDR Use
   - Previous Site Plan for CPI Use
   - Preliminary Exterior Elevation – 4 Unit Building
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20. Current Arizona Apartment Properties
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   - Oro Vista
   - Sage

36. The Beztak Companies
   - Corporate Brochure

EXECUTIVE SUMMARY

The Beztak Companies develop, own and operate our properties. We currently own and operate Golf Villas Apartment Homes, Oro Vista Luxury Apartments and Oro Vista Shops in Oro Valley, and Sage Luxury Apartment Homes in Phoenix. We have been active in Oro Valley since the early 1990's. Given the growth in the northwest Tucson area, and particularly around Ventana Medical, we believe that there is a strong demand for luxury apartment homes are needed in northern Oro Valley, and have been researching sites in that area.

We looked at vacant High Density Residential sites, vacant CPI/C-1 sites and similarly zoned parcels in the Rancho Vistoso area, using parcel information from Oro Valley and Pima County websites. Almost all the vacant parcels are deemed not feasible due to density concerns, access road type, public visibility, distances to public transportation, employment centers and services, and other design, development and marketing factors. Our research shows Rancho Vistoso Parcel 2E as a site well suited for a high-density multi-family use. It is zoned CPI, not HDR, so an amendment to the Oro Valley General Plan and Rancho Vistoso PAD (rezoning) will be necessary to develop Parcel 2E as luxury apartment.

Rezoning Parcel 2E will not negatively impact Oro Valley's economic plans. Parcel 2E is less than 7% of the vacant CPI/C-1 acreage in this area and 206 acres of CPI/C-1 land would remain for future development. Based on our research, discussions with brokers, projected demand for CPI/C-1 space, and the amount of available existing space, 206 acres is sufficient to meet development demand for 7-10 years or more.

Once the General Plan amendment and parcel rezoning are complete, we propose to develop approximately 258 luxury apartment homes, ranging from 680 sf 1-bedroom units to 1300 sf 3-bedroom units, attached garages, clubhouse and pool. The site and buildings design will minimize impacts to the land, area infrastructure, and adjacent residents, and will benefit the community. Our plan maintains an on-site wash and has large open spaces and setbacks. Buildings adjacent to existing single-family homes are smaller to reduce their visual impact. Compared to a CPI use, our apartment plan has 20% less building coverage and much smaller building footprints, 75% more open space/landscape area, 35% less impervious area, 60% less water/sewer demand, less vehicular traffic and significantly less truck traffic. Luxury apartments on Parcel 2E provides convenient corporate housing for companies considering Innovation Park, adds demand for goods and services which will support existing businesses and draw new businesses to nearby commercial centers. Developing luxury apartments on Parcel 2E will also generate about $3.4 million in development and impact fees, plus fees for a General Plan amendment, rezoning, site plan review, architectural and civil plan review and construction inspections.

We hope the following research and project plan is helpful as you consider our request.

Sincerely,

Mark Highlen
Land Development Project Manager
The Beztak Companies

SITE RESEARCH

HDR Site Analysis

When researching sites for potential development as luxury apartments, we look at the following criteria that, in part, determine the feasibility of a multi-family development:

- Acreage/Density – Site size and allowed density sets the maximum unit count.
- Zoning – Setbacks, adjacent uses, building height, ..., can reduce the unit count.
- Estimated Units – Likely number of units after all zoning issues are addressed.
- Road Type – Multi-family uses are preferred on higher-traffic arterial roads.
- Visibility to Non-Local Traffic – Sites on local streets are seen by people who already live nearby. Sites on "through-roads" are seen by potential residents.
- Distance to Public Transportation – Close proximity to public transportation can reduce traffic from a site. Driving to a bus stop still generates local traffic.
- Distance to Employment Center – Close proximity to employment opportunities makes walking or riding a bike to work possible.
- Distance to Services - Close proximity to stores, banks, doctors, etc., makes walking or riding a bike to run errands possible.

Seven (7) High Density Residential (HDR) sites in the Rancho Vistoso PAD and nearby areas were reviewed (see attached Parcel 2E & Vacant HDR Site Analysis). Some of the concerns found during the review of theses sites are: 6 are on local roads and for 3 of them the local road has not been built; 5 have density and or zoning issues that result in too few potential units; None are easily visible from non-local traffic routes; None are within walking distance of public transportation; 6 are not within walking distance of significant employment opportunities; 6 are not within walking distance of significant services. None of the HDR sites met enough of the review criteria to be deemed feasible.

CPI / C-1 Vacant Parcel Analysis

We researched seven (7) Non-HDR sites for potential development as luxury apartments, including Rancho Vistoso parcels 2E 5U, 3S, 3T and 3U, and lots 1-8 of Oro Valley Marketplace. These sites were reviewed using the same feasibility criteria noted above, with the understanding that a rezoning to HDR would be required. Of the Non-HDR sites, Parcel 2E best met all the criteria for development as luxury apartments. As part of our site research, we contacted Oro Valley's Planning Staff to discuss our project. Staff was helpful and informative, but hesitant to encourage our plan to rezone Parcel 2E because Oro Valley's economic development plans include the creation new businesses on CPI/C-1 parcels.

To alleviate concerns about the potential future economic impact of rezoning Parcel 2E, we reviewed the 22 vacant CPI and C-1 parcels in Innovation Park, Parcel 2E and the area east of Parcel 2E. The parcels ranged in size from 0.97 acres to 35.7 acres, with a total of 221.71 acres. Parcel 2E is 15.23 acres, which is less than 7% of the vacant CPI/C-1 acreage in this area. 206 acres of CPI/C-1 land would remain when Parcel 2E is rezoned. There are larger and smaller vacant parcels, so the rezoning will not reduce the range of acreages available to

future CPI/C-1 developments, and adjacent vacant parcels can be combined and reconfigured to create similar sized parcels if needed.

Based on our research, discussions with brokers, projected demand for new CPI/C-1 space, and the amount of available existing CPI/C-1 floor space, 206 vacant acres is sufficient to meet demand for 7-10 years or more. Rezoning a CPI parcel will not negatively impact Oro Valley's economic plan.

Parcel 2E Review

Parcel 2E 15.23 acres located on the northeast side of Rancho Vistoso Boulevard, between East Vistoso Commerce Loop and Vistoso Village Drive, with frontage on all 3 roads. Vistoso Village Drive is a collector street serving a residential area. Proposing access from this site to Vistoso Village Drive is not recommended. Rancho Vistoso Boulevard and East Vistoso Commerce Loop are arterial streets serving a large area of the PAD and adjacent communities.

Parcel 2E is zoned CPI. To the northeast is open space. To the north and northwest is medium-density residential single-family subdivision. To the west is open space. To the southeast is C-1 commercial and to the south and southwest is CPI. According to the Land Use Summaries in the PAD, there are no residential uses in Neighborhood 2. Parcels D, F, G and H are all identified as CPI in the tables, but shown as medium-density residential on the zoning map, so there is likely a previous amendment for rezoning CPI in Neighborhood 2.

Multi-family housing is not permitted in a CPI district under in the PAD, so a rezoning to High Density Residential will be required. Multi-family housing is a widely accepted land use to buffer single-family uses from more intense commercial uses. High density residential is a reasonable zoning amendment to request for this site as it will serve as buffer between the medium density residential to the north and the C-1/CPI to the south of this site.

The PAD's policy for high-density residential identifies an average density of 14.5 units per acre and a maximum density of 21 units per acre. Midway between 14.5 and 21 is 17 units per acre, and HDR in adjacent neighborhoods allow up to 17 units per acre. At 17 units per acre, this 15.23 acre site will be limited to 258 apartments (17x15.23=258.91).

The high-density residential section of the PAD states that such uses "should be located adjacent to large expanses of open space…". There is open space adjacent to the northeast, plus the easterly corner of a very large open space is across the street from the westerly corner of this site.

The site elevations rise slightly from the Rancho Vistoso Boulevard right-of way at the south to the northerly edge of the site, along the single family residential district. The shape of the rear property line appears to follow the southerly edge of the small wash within a designated open space area. There is also a small wash running north to south through the center of the parcel. There is no federally designated floodplain associated with this wash, and it does not appear that this wash would adversely

affect development on this site. Adequate on-site detention can be provided near/in the lowest portion of the on-site wash, adjacent to Rancho Vistoso Blvd. It appears that the site can be graded to accommodate numerous large buildings with no grade breaks in any single building floor elevation. It also appears that the site can be graded to meet federal ADA accessibility requirements.

General Plan Amendment & Rezoning

According to discussions with Oro Valley Planning Staff, rezoning Parcel 2E from CPI to HDR will require a Major Amendment to the Town of Oro Valley General Plan and an amendment to the Rancho Vistoso PAD.

The General Plan amendment is necessary to establish High Density Residential as an acceptable use for the parcel. Approval of the General Plan amendment does not guarantee approval of the HDR rezoning, it only gives the Town the ability to consider approving and HDR zoning designation for this site.

Once the General Plan is amended, Oro Valley can consider amending the Rancho Vistoso PAD. The PAD amendment is essentially a parcel rezoning so it is referred to as a rezoning in this document. After reviewing the rezoning request for Parcel 2E, Oro Valley may, based on its findings, approve the parcel rezoning with the proposed density or approve the parcel rezoning with a lower density, and include review process or design stipulations to any approval. The Town may also deny the parcel rezoning.

The General Plan amendment and PAD amendment can run somewhat concurrently, but the PAD amendment cannot be approved until after the General Plan is amended.

PROJECT INFORMATION

Project Summary

In order to develop Parcel 2E as multi-family apartment homes, we must:

1. Amend the General Plan to allow for Multi-Family Residential uses on this site
2. Amend the Rancho Vistoso PAD to rezone parcel 2E from CPI to HDR, with a 17 unit per acre density designation.
3. Obtain Site Plan Approval to develop up to 258 luxury apartments on the site, plus a clubhouse, pool, other amenities, utilities, etc.
4. Obtain all necessary construction plan approvals and associated permits.

Items 1 & 2 may run concurrently at the applicant's request and consent of the Town.

Site Design & Layout

The following are design criteria we used to determine the preliminary site layout. Some are ordinance requirements and some we established to address obvious concerns of adjacent residents and the community. The items in italics are the criteria or concerns, and immediately following is a description of how each are addressed.

- *Minimum HDR yard setbacks are 20' front, 5' side and 5' rear.*
  - Plan shows larger yard setbacks of 30'+ front, 30'+ side and 30'-50'+ rear.
- *Developments must contain 30% of gross acreage as "meaningful" open space.* Our
  - Plan shows over 35% of meaningful open space.
  - Use larger perimeter setbacks.
  - Maintain existing on-site wash a place pool adjacent to it.
  - Create site lines into and through parcel.
- *Parcel must have 2000 sq.ft. per unit gross land area.*
  - Site contains over 2500 sf per unit (15.32ac. x 43560sf/ac / 258 units = 2571 sf/unit)
- *Building height is 34'/3 stories maximum.*
  - 2 story and 3 story buildings will be designed to meet PAD height requirements.
- *Minimize visual impact on neighboring single family residential.*
  - Place 2-story buildings along residential perimeter
  - 2 story building have 4 units, so building mass is similar to single family home
  - 2 story buildings screen the line of site to the 3-story buildings
  - Use larger setbacks than standard multi-family zoning
  - Use irregular building placement to create site lines through the site
- *Optimize unit views east to Santa Catalina Mountains and west to open space.*
  - Buildings are oriented (where possible) so unit window have east or west view.
- *Minimize physical impacts on area infrastructure.*
  - Drive access to arterial roads only. No drive access to Vistoso Village Drive.
  - Buildings to be designed for energy efficiency and low water usage
  - Xeriscape landscaping will be installed. Turf use will be very limited.
- *Parcel is within the Oracle Road Scenic Corridor Overlay District.*
  - Viewshed analysis, preservation plan & corridor compliance plan w/ site plan.
  - Design/place buildings to relate to scenic background view from Oracle Road.

Rezoning Reasons & Community Benefits

Rezoning Parcel 2E from CPI to HDR, and the subsequent development of luxury apartment homes, will benefit area residents, local businesses and the community.

- Provides convenient corporate housing for existing and potential Innovation Park businesses.
- Provides convenient housing for medical professionals working at area facilities.
- Adds patrons to support existing services/businesses in local shopping centers.
- Adds demand for new services/businesses in local shopping centers.
- Reduces visual impact on the adjacent residential properties.
  The adjacent homes will not be looking at loading areas and the rear of buildings.
  All sides of the apartments are equally "finished" and visually interesting.
  The apartment building footprints are significantly smaller than CPI buildings.
  our plan places 2 story, 4-unit apartments adjacent to the single family homes.
  Apartments have street/porch lighting, not wall pack loading area lighting.
- Has less impact on area infrastructure.
  Apartments have less vehicle trips per day, peak time trips, and truck traffic
  The CPI plan uses 240,000 gallons of water per day. Our apartments use 95,340 gallons of water per day.
  Has less impervious surface than CPI, and generate less storm water runoff.
- Our development will generate $3.4 million (est.) in development/impact fees, plus General Plan amendment, rezoning and site plan review fees, and construction plan review, building permit and inspection fees.

And the rezoning is acceptable from a planning standpoint because:

- Multi-family is a widely accepted buffer between single family and commercial/industrial/office uses.
- Results in a minor reduction to land (less than 7%)
- Does not reduce the range of acreages available for C-1/CPI developments
- Demand for new CPI development is low
- There is a surplus of existing C-1/CPI floor space

Comparison of Impacts – CPI versus HDR

Based on the Innovation Commerce Campus plan (ICC) and our Preliminary Site Plan.

	CPI use	HDR use	%Difference
Building Height	36'	3 stories/34'	0.05% less
Setbacks	25' f, 20' s, 30' r	30' f, 30' s, 45' r	varies
Bldg Separation	10'	20'+	100% more
Bldg Coverage	153,870 sf	122,633 sf	20% less
Lndscp/Open Area*	4.10 ac	7.32 ac.	78.5% more
Water/Sanitary	240,000 gpd	95,340 gpd	60.3% less
Parking (inc. garage)	485 spaces	495 spaces	0.06% more
Pavement Area	8.59 ac.	5.09 ac.	40.7% less
Total Impervious	12.12 ac	7.90 ac	34.8% less

* = all landscape, open space and buffer areas (non-impervious)

Building Types & Unit Mix

The preliminary site plan shows 256 luxury apartment units containsed in ten (10) 2-story, 4 unit buildings with attached garages, and nine (9) 3-story, 24 unit buildings with attached garages, plus a clubhouse and pool house.

The tentative unit mix is as follows:

Qty	Type	Area	% of Total
One Bedroom Units			
54	A1	680 SF	21%
27	A2	780 SF	10%
Two Bedroom Units			
99	B1	1,100 SF	39%
40	B2	1,200 SF	16%
Three Bedroom Units			
36	C1	1,300 SF	14%

RESEARCH & PROJECT ATTACHMENTS

12. Preliminary Site Plan for HDR Use
13. Preliminary Plat for CPI Use
14. Preliminary Façade for 2 Story, 4 Unit Apartment Building
15. Preliminary Façade for 3 Story, 24 Unit Apartment Building
16. Vacant HDR Site Analysis
17. Vacant CPI / C-1 Site Analysis
18. Map of HDR Sites
19. Map of CPI / C-1 Sites

GENERAL NOTES:

1. GROSS AREA OF COMMERCIAL SUBDIVISION DEVELOPMENT IS 15.23 ACRES. NET BUILDING AREA OF DEVELOPMENT IS 165,000 S.F.
2. THE EXISTING ZONING IS RANCHO VISTOSO PAD, CAMPUS PARK INDUSTRIAL (CPI).
   OFFICE: 74,690 S.F.
   INDUSTRIAL: 79,180 S.F.
3. NUMBER OF RESIDENTIAL LOTS: 0
   NUMBER OF COMMERCIAL UNITS: 14
4. APPROXIMATE AREA OF NON-RESIDENTIAL USES IS AS FOLLOWS:
   COMMON AREA 'A': DRAINAGE/OPEN SPACE/BUFFERYARD=114,563 SF (2.63 AC)
   COMMON AREA 'B': STREETS/PARKING=330,620. SF (7.59 AC)
5. EXTERIOR ELEVATIONS WILL BE SUBMITTED FOR EACH BUILDING PRIOR TO ISSUANCE OF BUILDING PERMITS BY THE TOWN ENGINEER AND/OR BUILDING OFFICIAL.
6. PARKING CALCULATIONS:
   REQUIRED (OFFICE) (1/250 S.F. X 74,690 S.F.) = 299 SPACES
   REQUIRED (INDUSTRIAL) .75 PER EMPLOYEE, 248 X .75 = 186 SPACES
   TOTAL REQUIRED = 485 SPACES
   TOTAL PROVIDED = 485 SPACES
   MOBILITY IMPAIRED REQUIRED = 9 SPACES
   MOBILITY IMPAIRED PROVIDED = 13 SPACES (2 VAN ACCESSIBLE SPACES)
   BICYCLE PARKING REQUIRED= 26 SPACES
   BICYCLE PARKING PROVIDED= 28 SPACES (3 CLASS I SPACES)
7. DEVELOPMENT STANDARDS (CPI):
   MAXIMUM BUILDING HEIGHT = 36 FEET
   SETBACKS: FRONT YARD = 25 FEET
   SIDE YARD = 20 FEET OR COMMON WALL
   REAR YARD = 30 FEET
   MINIMUM DISTANCE BETWEEN BUILDINGS = 10 FEET.
   LANDSCAPING REQUIREMENT (15% OF NET AREA) 0.15 X 15.23 = 2.29 ACRES / 99,752 SF
   LANDSCAPING PROVIDED = 4.41 ACRES / 192,100 SF
   LANDSCAPED COURTYARD REQUIREMENT (2% OF NET AREA) .02 X 15.23= 0.31 ACRES OR 13,503 SF.
   LANDSCAPED COURTYARD PROVIDED = .38 ACRES OR 16,645 SF.
8. THE BASIS OF BEARING: THE CENTERLINE OF RANCHO VISTOSO BOULEVARD AS RECORDED IN RANCHO VISTOSO BOULEVARD RIGHT-OF-WAY DEDICATION, DOCKET 7868, PAGE 1456, ACCORDING TO FOUND MONUMENTS SHOWN HEREIN BETWEEN VISTOSO COMMERCE LOOP AND VISTOSO VILLAGE DRIVE, SAID BEARING BEING S 20°52'33" E.
9. THE BASIS OF ELEVATION FOR THIS PROJECT IS THE FOUND 3" ADOT AC IN NORTH CL MEDIAN IN BULLNOSE, ORACLE HIGHWAY AND RANCHO VISTOSO BOULEVARD STAMPED "1989 ELEV. 2841.44".
   SITE BENCHMARK – FOUND 2" BCSM ON CENTERLINE OF VISTOSO COMMERCE LOOP, APPROXIMATELY 2000'± NORTH EASTERLY OF RANCHO VISTOSO BOULEVARD. ELEV. 2861.14'.
10. DEVELOPER WILL CONVENANT TO HOLD TOWN OF ORO VALLEY, ITS SUCCESSORS AND ASSIGNS, HARMLESS IN THE EVENT OF FLOODING.
11. DRAINAGE WILL NOT BE ALTERED, DISTURBED OR OBSTRUCTED WITHOUT THE APPROVAL OF THE ORO VALLEY TOWN COUNCIL.
12. DRAINAGE FACILITIES SHALL BE CONSTRUCTED ACCORDING TO APPROVED PLANS PRIOR TO THE ISSUANCE OF ANY PERMITS FROM THE TOWN ENGINEER AND/OR BUILDING OFFICIAL.
13. A PROPERTY OWNERS ASSOCIATION WILL BE FORMED TO ACCEPT RESPONSIBILITY FOR MAINTENANCE, CONTROL, SAFETY AND LIABILITY OF PRIVATE DRAINAGEWAYS, PRIVATE SEWERS, DRAINAGE EASEMENTS AND COMMON AREAS.
14. ACCESS ACROSS FLOOD PRONE AREAS TO BUILDING SITES WILL BE APPROVED BY THE TOWN ENGINEER AND SHALL BE THE RESPONSIBILITY OF THE DEVELOPER.
15. THE DESIGN VEHICLE FOR THIS PROJECT IS SU-30 WITH A DESIGN SPEED OF 25 MPH. P.A.A.L. SPEED: 15 MPH
16. MATERIAL WITHIN THE SIGHT VISIBILITY TRIANGLES SHALL BE PLACED SO AS NOT TO INTERFERE WITH A VISIBILITY PLANE DESCRIBED BY TWO HORIZONTAL LINES LOCATED 30 INCHES AND 72 INCHES ABOVE FINISHED GRADE OF THE ROADWAY SURFACE.
17. APPROVED IMPROVEMENT PLANS AND APPROVED ASSURANCES WILL BE REQUIRED PRIOR TO ISSUANCE OF GRADING PERMITS.
18. THE PROPERTY OWNER, HIS SUCCESSORS OR ASSIGNS, AGREE TO, 1) KEEP ALL REQUIRED LANDSCAPED AREAS MAINTAINED IN A WEED FREE, TRASH FREE CONDITION, 2) REPLACE ANY DEAD PLANT MATERIALS WITHIN 90 DAYS AND, 3) MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER.
19. THE OWNER SHALL BE RESPONSIBLE FOR ALLOCATING 1% OF THE COST OF ALL PRIVATE PROJECTS TO PROVIDE FUNDING FOR PUBLIC ART.
20. ALL BUILDINGS SHALL BE EQUIPPED WITH AUTOMATIC SPRINKLER SYSTEM.
21. FIRE HYDRANTS CONNECTED TO AN APPROVED WATER SUPPLY OF 1500 GPM OR FIRE PROTECTION SHALL BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE. TEMPORARY CONSTRUCTION OFFICE TRAILERS ARE CONSIDERED COMBUSTIBLE MATERIAL.

PSOMAS
800 E. Wetmore Road, Suite 110
Tucson, AZ 85719
(520) 292-2300 (520) 292-1290 fax
www.psomas.com

PSOMAS JOB 06131-01-23

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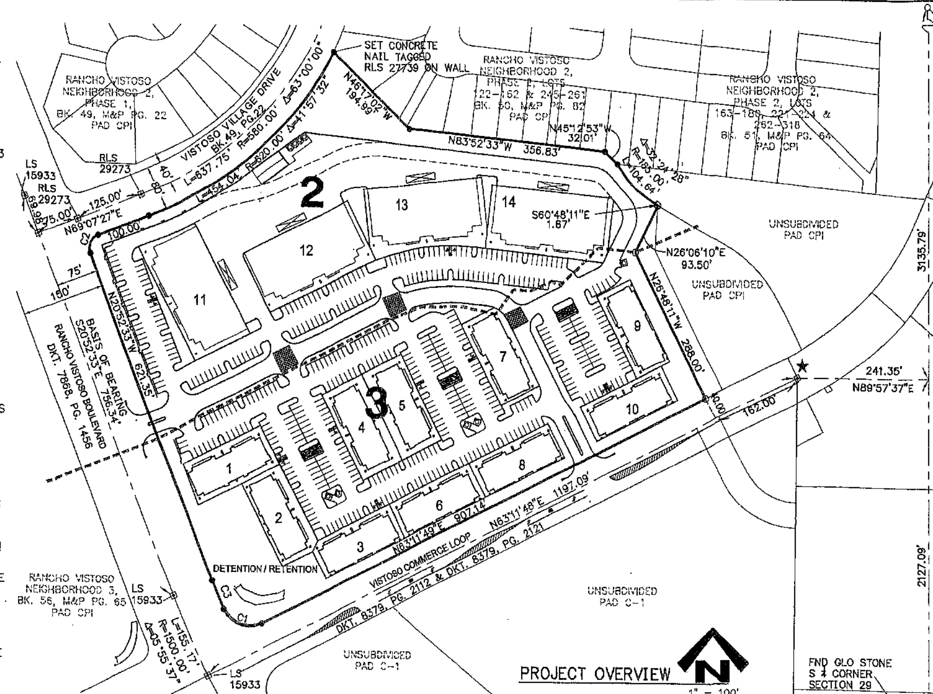


GENERAL NOTES CONTINUED:

22. ANY WASTEWATER DISCHARGED INTO THE PUBLIC SANITARY SEWERAGE SYSTEM SHALL MEET THE REQUIREMENTS OF THE INDUSTRIAL WASTE ORDINANCE (PIMA COUNTY ORDINANCE NO. 1991-140, AS AMENDED).
23. THE WATER DISTRICT FOR THIS DEVELOPMENT IS THE TOWN OF ORO VALLEY WATER UTILITY. THE PROJECT WILL BE SERVED BY AN EXISTING 8" MAIN.
24. ON-SITE SANITARY SEWERS, EXCEPT PUBLIC SEWERS WITHIN PUBLIC SEWER EASEMENTS OR RIGHTS-OF-WAY, WILL BE PRIVATE AND WILL BE CONSTRUCTED, OPERATED AND MAINTAINED ON A PRIVATE BASIS. THE LOCATION AND METHOD OF CONNECTION TO AN EXISTING PUBLIC SANITARY SEWER IS SUBJECT TO REVIEW AND APPROVAL BY THE PIMA COUNTY WASTEWATER MANAGEMENT DEPARTMENT AT THE TIME OF SUBMITTAL OF PLUMBING OR BUILDING PLANS.
25. ALL RIPRAP MATERIAL IN THE BASINS AND CHANNELS SHALL BE NATIVE STONES SIMILAR TO THAT FOUND ON THE SITE.
26. ANY RELOCATION, MODIFICATION, ETC., OF THE EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS REQUIRED BY THIS DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.
27. A PROJECT CONSTRUCTION PERMIT MUST BE SECURED FROM PIMA COUNTY WASTEWATER MANAGEMENT DEPARTMENT BEFORE BEGINNING ANY WORK ON THIS PROJECT.
28. THE REQUIRED OFF-SITE PUBLIC SANITARY SEWER LINE WILL BE DESIGNED AND CONSTRUCTED TO PIMA COUNTY WASTEWATER MANAGEMENT DEPARTMENT STANDARDS.
29. THIS PROJECT WILL HAVE 0 EXISTING AND 500 PROPOSED WASTEWATER FIXTURE UNIT EQUIVALENTS PER TABLE 13.20.045(E)(1) IN PIMA COUNTY CODE 13.20.045(E).
30. APPROVED FIRE APPARATUS ACCESS ROADS SHALL BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE.
31. ALL STRUCTURES UNDER CONSTRUCTION SHALL BE CLEARLY IDENTIFIED WITH AN APPROVED ADDRESS.
32. THE PROPERTY IS WITHIN THE ORACLE ROAD SCENIC CORRIDOR OVERLAY DISTRICT (ORSCOD) AND SHALL ABIDE BY ALL APPLICABLE REQUIREMENTS.
33. ANY LIGHTS TO ILLUMINATE PARKING SPACES AND DRIVES SHALL BE DESIGNED IN ACCORDANCE WITH ALL APPLICABLE OVZCR STANDARDS AND SHALL BE FULLY SHIELDED DOWNWARD LIGHTS. LIGHTING IN THE REAR OF THE INDUSTRIAL BUILDINGS ADJACENT TO THE LOADING ZONES BE LIMITED TO NINE FEET (9') IN HEIGHT, PER THE OVZCR AND AS A NEIGHBORHOOD MITIGATION TACTIC.

BOUNDARY CURVE DATA

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT
C1	50.00'	81.81'	93°45'07"	53.39'
C2	25.00'	39.27'	90°00'00"	25.00'
C3	1425.00'	54.07'	02°10'26"	27.04'

SHEET INDEX

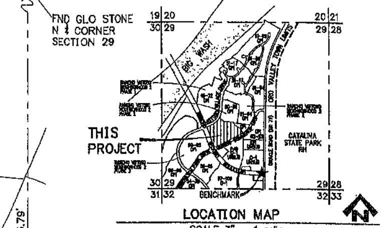
SHEET 1 COVER & COMPOSITE MAP
SHEET 2-3 PLAN SHEETS
SHEET 4-6 DETAIL SHEETS
SHEET 7 LOT ANNOTATION

OWNER

INNOVATION COMMERCE CAMPUS LLC
ATTN: ROGER FORD
1600 N KOLB ROAD, SUITE 118
TUCSON, AZ 85715
(520) 886-1226

DEVELOPER

ACORN ASSOCIATES ARCHITECTURE
ATTN: KIM ACORN
4400 E BROADWAY BLVD, SUITE 505
TUCSON, AZ 85711
(520) 881-0731



A PORTION OF THE SW 1/4 OF SECTION 29, T-11-S, R-14-E, G&SRM, ORO VALLEY, PIMA COUNTY, ARIZONA

LEGEND

FOUND 2" BCSM STAMPED AS NOTED
FOUND ½" REBAR TAGGED 'RLS 25405'
SET ½" REBAR TAGGED 'RLS 27739' OR AS NOTED
C3 CURVE NUMBER – SEE CURVE DATA TABLE
3 UNIT NUMBER
KEYNOTE
SIGHT VISIBILITY TRIANGLE
SECTION LINE
TIE DOWN LINE
EXISTING 100 YEAR FLOODPLAIN LIMITS
PAAL/ROAD CENTERLINE
EASEMENT
EXISTING SIDEWALK
PROPOSED SIDEWALK
PROPOSED ACCESS RAMP
PROPOSED CROSSWALK
PROPOSED TEXTURED PAVEMENT
PROPOSED STOP SIGN
NUMBER OF PARKING STALLS
PROPOSED FIRE HYDRANT
PROPOSED STORM DRAIN
8"S NEW MANHOLE AND SEWER LINE
S EXISTING MANHOLE AND SEWER LINE
8"W NEW 8" WATER
W EXISTING WATER
OS-2 OFFSITE CONCENTRATION POINT
3 CONCENTRATION POINT
PRIMARY BUILDING ENTRY
BENCHMARK
BCS BUILDING CONNECTION SERVICE
BOW BOTTOM OF WALL
℄ CENTER LINE
EP EDGE OF PAVEMENT
FL FLOW LINE
FFE FINISHED FLOOR ELEVATION
FPE FINISHED PAD ELEVATION
FS FIRE SERVICE
GB GRADE BREAK
HP HIGH POINT
LP LOW POINT
TB TOP OF BANK
TC TOP OF CURB
TOW TOP OF WALL
WS WATER SERVICE

OV 12-07-01

DEVELOPMENT PLAN / PRELIMINARY PLAT
FOR
INNOVATION COMMERCE CAMPUS
UNITS 1-14
COMMON AREAS 'A'(DRAINAGE/OPEN SPACE/BUFFERYARD) AND COMMON AREAS 'B'(STREET/PARKING)

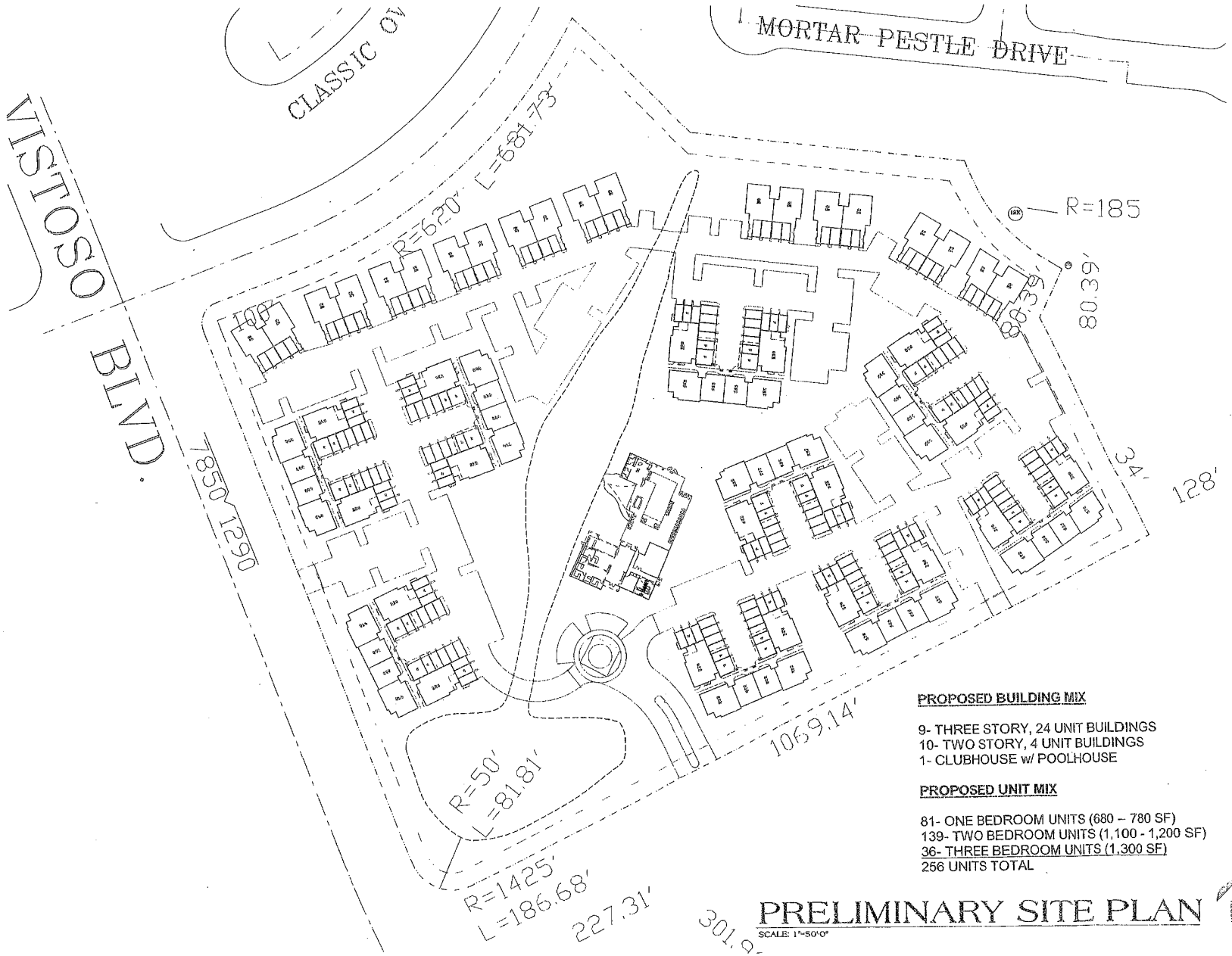
BEING A COMMERCIAL CENTER SITUATED IN THE SW 1/4 OF SECTION 29, T-11-S, R-14-E, G&SRM, ORO VALLEY, PIMA COUNTY, ARIZONA

REGISTERED PROFESSIONAL ENGINEER (CIVIL) CERTIFICATE NO. 42751 ERIN E. LOUDERMILK 01/10/08 ARIZONA

DATE: NOVEMBER 2007 SCALE: 1" = 100' SHEET 1 OF 7

FOR CPI USE

13



PROPOSED BUILDING MIX

9- THREE STORY, 24 UNIT BUILDINGS
10- TWO STORY, 4 UNIT BUILDINGS
1- CLUBHOUSE w/ POOLHOUSE

PROPOSED UNIT MIX

81- ONE BEDROOM UNITS (680 – 780 SF)
139- TWO BEDROOM UNITS (1,100 - 1,200 SF)
36- THREE BEDROOM UNITS (1,300 SF)
256 UNITS TOTAL

PRELIMINARY SITE PLAN

SCALE: 1"=50'0"

SITE PLAN
Scale: 1" = 50'0"

AS2

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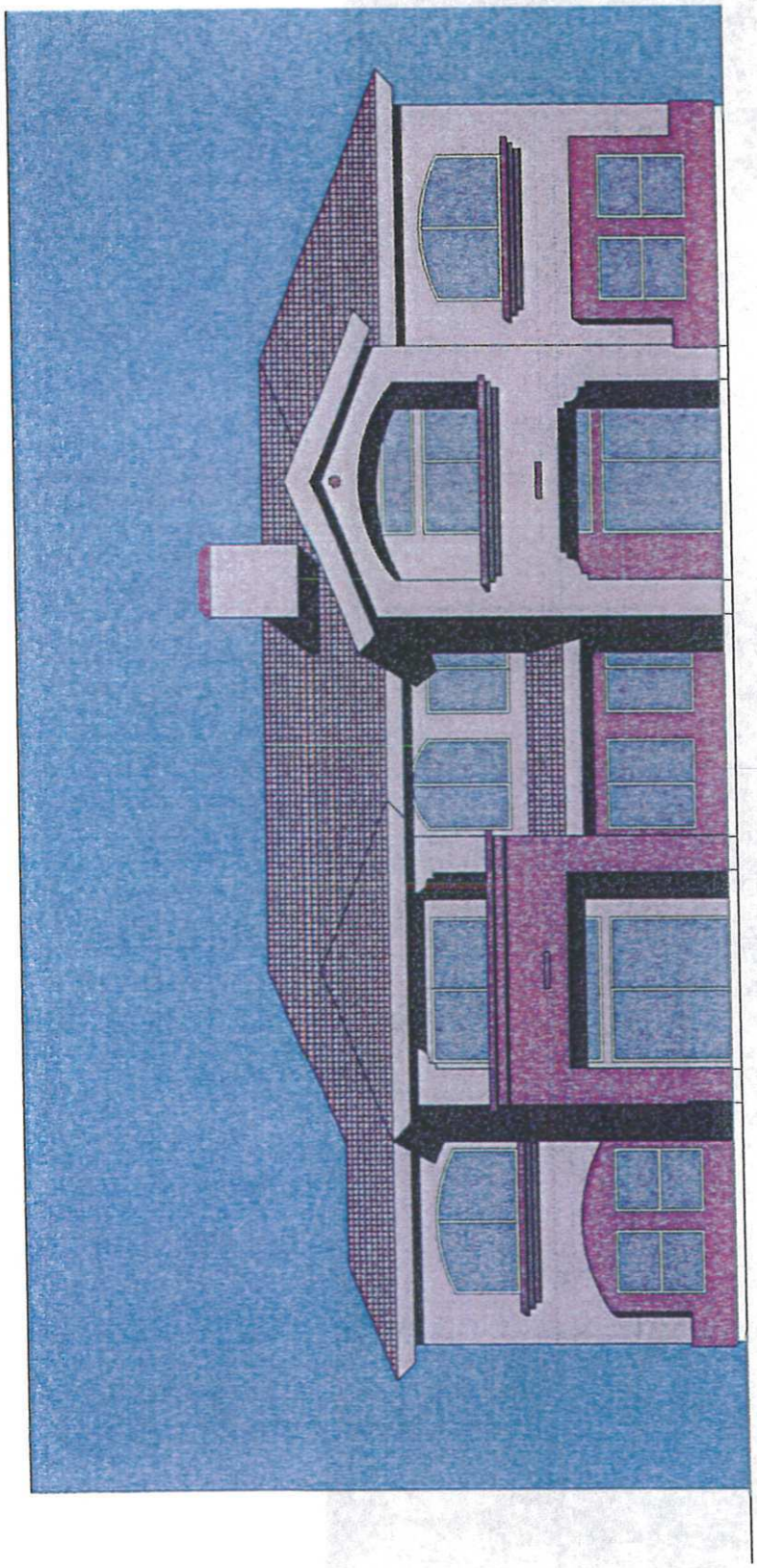
L.R. Niemiec Architects
L.R. NIEMIEC ARCHITECTS/PLANNERS, INC. • 8585 EAST HARTFORD DRIVE, SUITE 155 • SCOTTSDALE ARIZONA 85255 • (480) 998-7576



EXTERIOR ELEVATION

SCALE: 1/4"=1'0"

A1

ELEVATION

Scale: 1/4" = 1'0"

L.R. Niemiec Architects

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Preliminary Façade for 2 Story, 4 Unit Apartment Building

Preliminary Façade for 3 Story, 24 Unit Apartment Building

Vacant HDR Site Analysis

Rancho Vistoso - Parcel 2E & Vacant HDR Site Analysis Date: 5-19-11 By MRH

Parcel	Acres Developable	Zoned	Adjacent Zoning	Density	Max. Units	Building Ht. (stories)	Estimated Units	Road Type	Miles to Arterial Road	Visible to Thru-traffic Route	Miles to Employ. Ctr. & Services	Miles To Public Transportation	Feasible?
Rancho Vistoso 10AK	14.60	HDR	MDR,MHDR	8.2U/Ac	120	3	120	Local	0.5 mi	No	4.0	4.0	No
Rancho Vistoso 10AL	12.42	HDR	MDR,MHDR	8.2U/Ac	102	3	102	Local	0.5 mi	No	4.0	4.0	No
Rancho Vistoso 10W(?)	10.00	HDR	MDR,MHDR	8.2U/Ac	82	3	82	Local	0.3 mi	No	4.0	4.0	No
Rancho Vistoso 5F	28.50	HDR	HDR,OS	20.0U/Ac	570	3	456	Min.Arter.	0.0 mi	No	3.5	3.5	No
Section 6, Parcel 0010	10.00	R6	R36	12.4U/Ac	124	1	100	Local	0.5 mi	No	0.5	0.5	No
Section 24, Parcel 229A	42.66	R6	R144,R36	12.4U/Ac	529	1	427	Local	0.7 mi	No	4.0	4.0	No
Section 24, Parcel 228A	12.41	R6	R144,R36	12.4U/Ac	154	1	124	Local	0.5 mi	No	4.0	4.0	No
Rancho Vistoso 2E	15.23	CPI	MDR,CPI	17U/Ac	259	3	256	Min.Arter.	0.0 mi	Yes	0.0	0.1	Yes

Notes:

Parcel 5F is the only HDR site on a Minor Arterial Road, however, it is larger than the preferred acreage and unit count, it is not visible to a road with traffic passing through the area (to or from other regions), it is too far from bus service, not within walking distance of a large employment area, and not within walking distance of necessary services (bank, groceries, cleaners, etc.

In addition to meeting our criteria for size, visibility and access, Parcel 2E will also meet the needs of existing and future area businesses by providing corporate housing for companies in Innovation Park and providing added demand for retail and service companies in the nearby shopping center and commercial sites.

Rancho Vistoso Area CPI/C-1 Vacant Site Analysis

Date: 5-19-11 By MRH

Parcel	Acres		% of Total
Rancho Vistoso 2 (14E)	0.97		0.44%
Innovation Park L12	1.80	(1)	0.81%
Innovation Park DD	2.10		0.95%
Innovation Park B3	2.30		1.04%
Innovation Park B2S	2.50		1.13%
Rancho Vistoso 2 (17P)	3.26		1.47%
Innovation Park L1	3.90	(1)	1.76%
Innovation Park L11	3.90	(1)	1.76%
Innovation Park B5	4.30		1.94%
Innovation Park HH	6.30	(3)	2.84%
Innovation Park II	7.00	(3)	3.16%
Innovation Park GG	7.70	(2)	3.47%
Rancho Vistoso 2 (17E)	8.45		3.81%
Innovation Park B2N	9.20		4.15%
Innovation Park JJ	10.00	(3)	4.51%
Innovation Park KK	10.60	(3)	4.78%
Innovation Park B4	15.00		6.77%
Rancho Vistoso 2E (14G)	15.23		6.87%
Innovation Park CC	18.20		8.21%
Innovation Park AA	21.30		9.61%
Innovation Park FF	32.00	(2)	14.43%
Innovation Park BB	35.70		16.10%
Vacant C-1/CPI Acreage	221.71		100.00%
- Parcel 2E	-15.23		6.87%
Prop. Vacant CPI Acreage	206.48		93.13%

Notes:

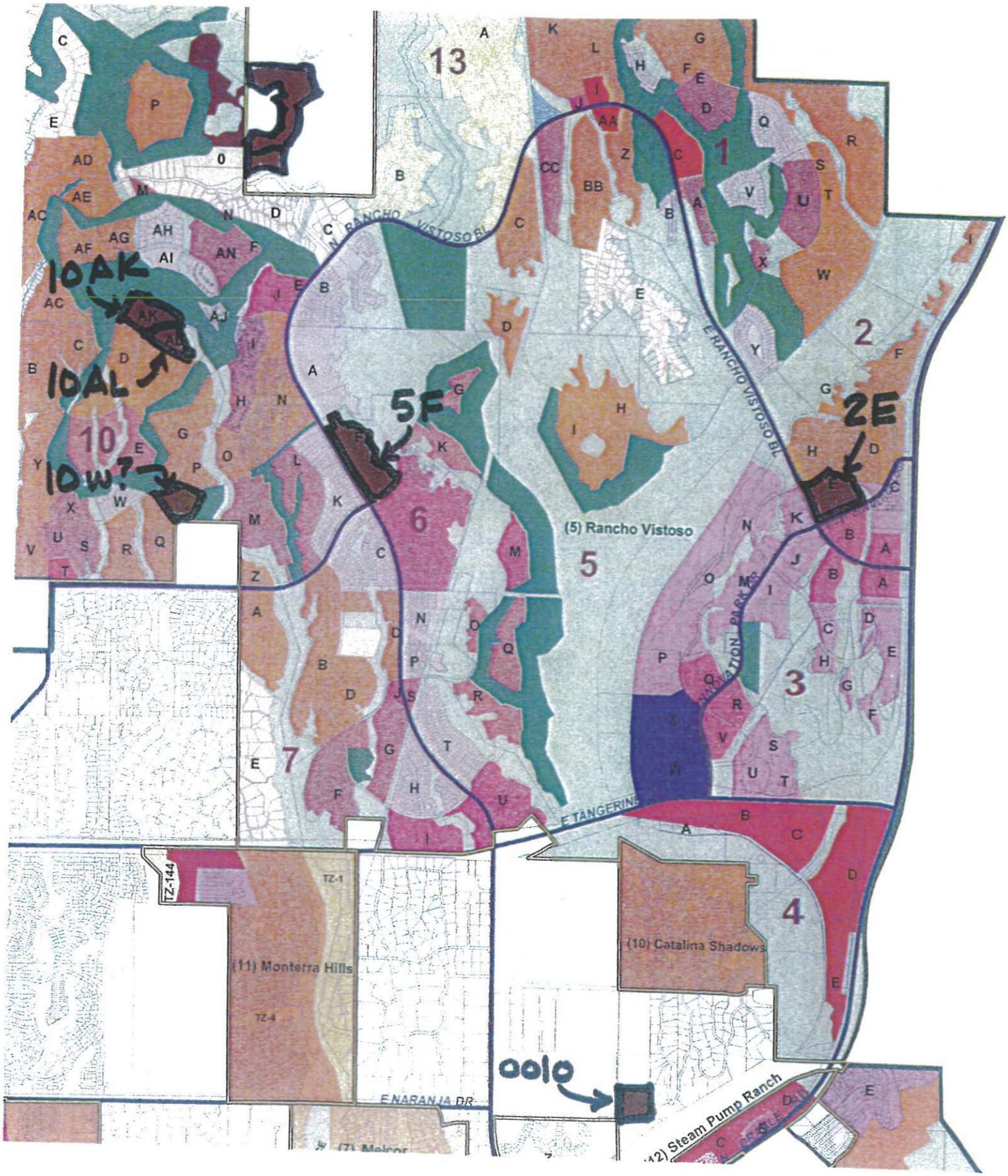
A) Adjacent parcels can be combined to create larger sites

(1) = Adjacent Parcels	9.60	total
(2) = Adjacent Parcels	39.70	total + row
(3) = Adjacent Parcels	33.90	total + row

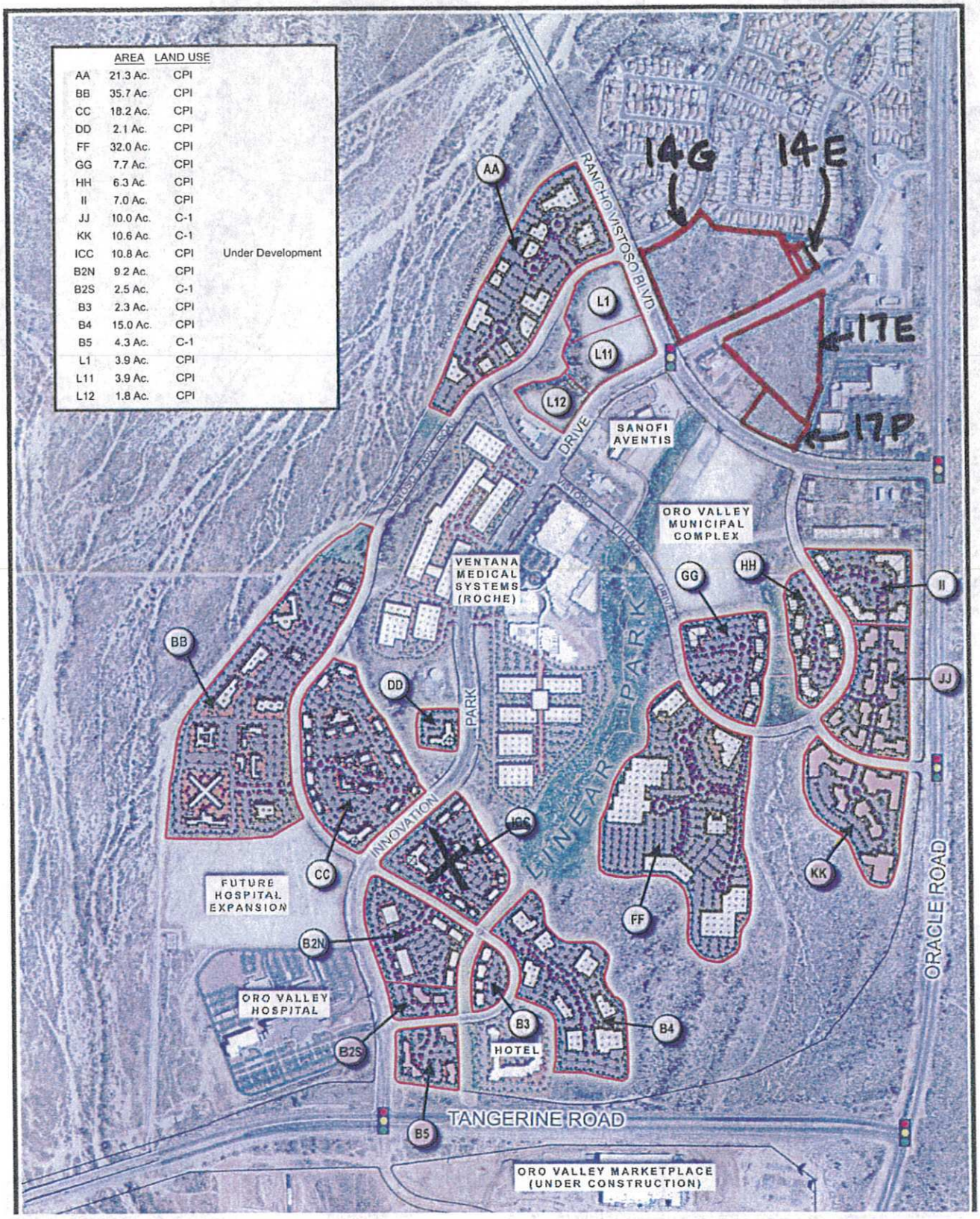
B) Rezoning 2E results in a minor loss in vacant C-1/CPI and a significantly smaller loss in total C-1/CPI acreage

C) There are parcels larger and smaller than 2E, so rezoning does not reduce the range of available parcel sizes

Vacant CPI / C-1 Site Analysis



Map of Vacant HDR Sites



Map of Vacant CPI / C-1 Sites

CURRENT ARIZONA APARTMENT PROPERTIES

21-25. Golf Villas at Oro Valley, Town of Oro Valley

26-30. Oro Vista Luxury Apartments, Town of Oro Valley

31-35. Sage Luxury Apartment Homes, City of Phoenix

OFFICE HOURS

Mon/Wed/Fri: 9:00 am - 6:00 pm
Tue/Thur: 9am - 7pm
Sat : 10:00 am - 6:00 pm
Sun: 10:00am-6:00pm

- Air Conditioning
- Assigned parking
- 9' ceilings
- Full sized washer and dryer
- Gourmet Kitchens w/Cust. Maple Cabinets
- Huge floorplans
- Large verandas with breathtaking views
- Large walk-in closets
- Breathtaking Mountain Views
- Alarm System
- Patio or Balcony
- Spacious kitchens

DRIVING DIRECTIONS

From Interstate-10, take the Ina Road exit and go east five miles to La Canada Drive. Take La Canada Drive north to just one quarter mile past Lambert. The Golf Villas will be on the right.

FLOOR PLANS

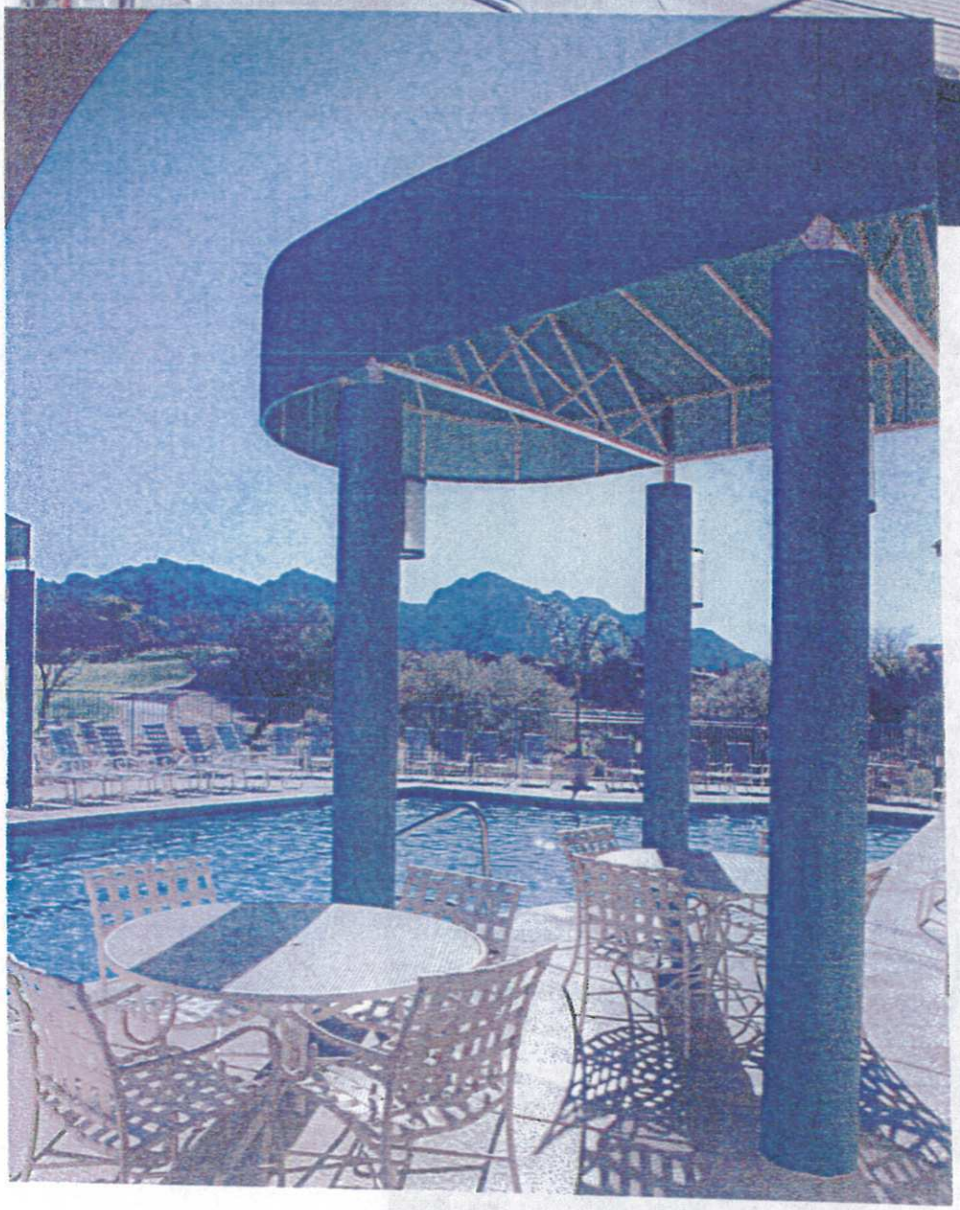
Name	Beds	Baths	Sq Ft.	Rates
Sunrise	1	1.0	809 - 809	$789 - $989
Sunset	2	2.0	1039 - 1039	$949 - $973
Catalina	2	2.0	1145 - 1145	$947 - $1121
Desert Suite	3	2.0	1368 - 1368	$1123

prices subject to change

COMMUNITY FEATURES

- State of the art Fitness Center
- Discounted golf available
- Sparkling Pool and Spa
- Business Center
- Convenient to shops & entertainment
- Close to Catalina State Park
- Spacious Split Floorplans
- Located in prestigious Oro Valley
- Flexible Lease Terms

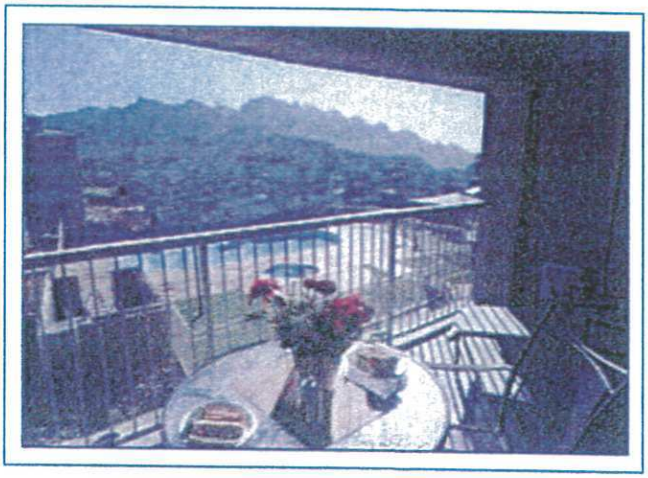
Golf Villas Apartments | 10950 North La Canada Drive | Tucson, AZ 85737
Phone: (866) 725-1689 | Fax: (520) 498-5150
Email: golfvillasleasing@beztak.com
http://www.golfvillasapts.com



Oro Vista
LUXURY APARTMENTS
ORO VALLEY

OFFICE HOURS

Mon/Wed/Fri: 9:00 am - 6:00 pm
Tue/Thur: 9:00 am-7:00 pm
Sat : 10:00 am - 6:00 pm
Sun: 10:00 am - 6:00 pm



DRIVING DIRECTIONS

From Ina Road, travel north on Oracle Road 4.5 miles to Pusch View Lane. Turn left at light; road merges into Lambert Lane. Drive 2.3 miles to Oro Vista Apartments northern entrance just one block east of La Canada. Turn left into Oro Vista to the leasing office and clubhouse.

FLOOR PLANS

Name	Beds	Baths	Sq Ft.	Rates
La Plata	1	1.0	800 - 800	$733 - $884
El Oro	2	2.0	1125 - 1125	$969 - $994
El Platino	2	2.0	1130 - 1130	$999 - $1099
El Diamante	3	2.0	1300 - 1300	$1249 - $1249

prices subject to change

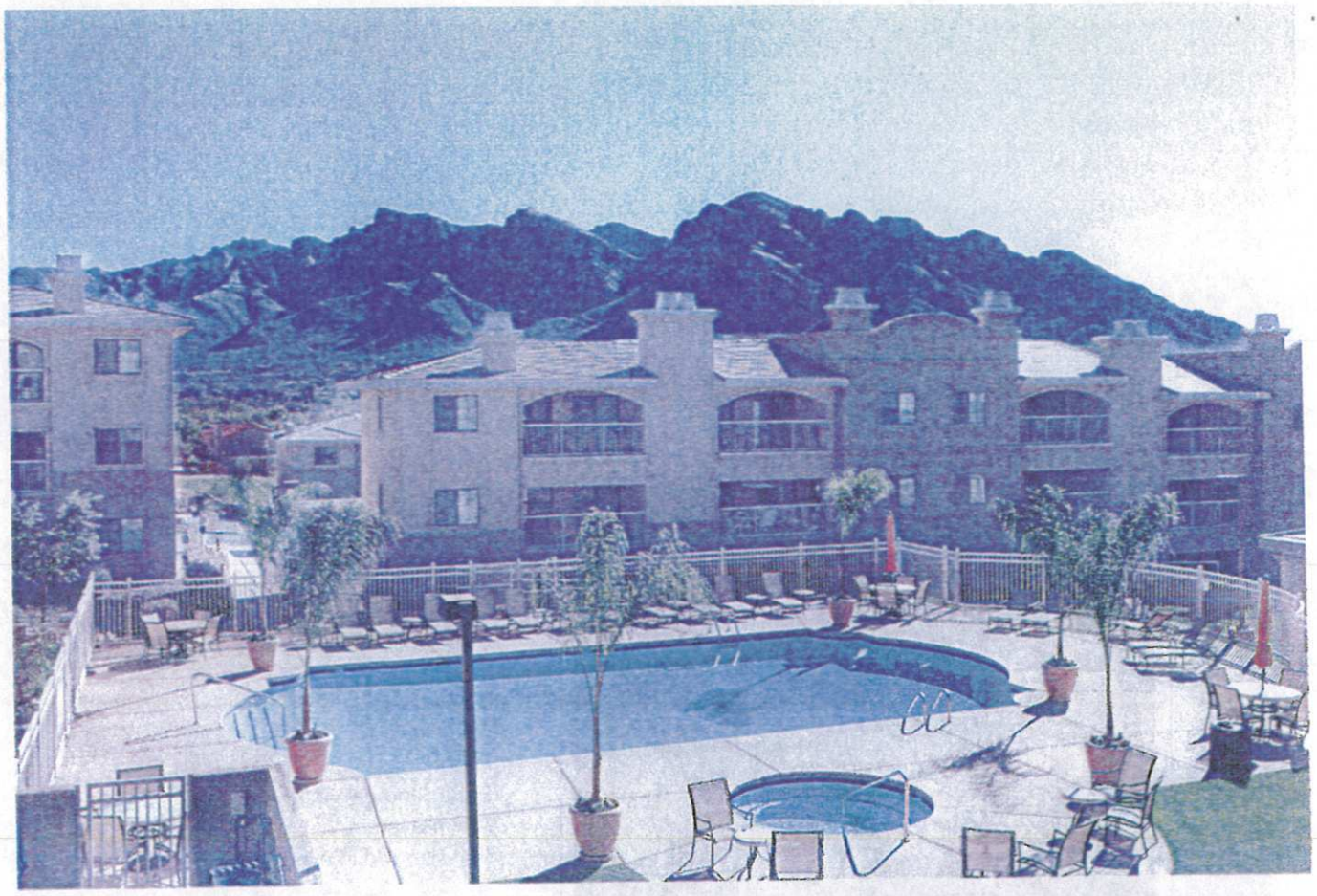
APARTMENT HOME COMFORTS

- Air Conditioning
- Full pantry
- Fireplace (in select units)
- Dramatic 9 ft ceilings
- Walk-In Closets
- Ceramic tile entryways
- Patio Or Balcony
- Extra Storage
- Alarm System
- Full-size w/d in every apt. home

ORO VISTA COMMUNITY FEATURES

- Through-unit style floor plans
- Tantalizing heated pool
- Relaxing spa
- Spectacular views
- Interior fire-sprinkler system
- Complimentary reserved covered parking
- Controlled Access community
- State-of-the-art fitness center
- Business center
- Clubhouse veranda with fireplace
- 24 hour emergency maintenance service
- Attached garages on select two-bedroom apts

Oro Vista Luxury Apartments | 1301 West Lambert Lane | Tucson, AZ 85737
Phone: (866) 977-4423 | Fax: (520) 498-3962
Email: orovistaleasing@beztak.com
http://www.orovistaapts.com



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OFFICE HOURS

Mon, Wed, Fri: 9:00 am - 6:00 pm
Tues & Thurs: 9:00 am - 7:00 pm
Sat & Sun: 10:00 am - 6:00 pm

DRIVING DIRECTIONS

Located off the I-17, just 4 miles north of the 101. Exit Jomax Road and travel north on the frontage road. We are directly on the right side about 3/4 mile up on the right-hand side.

FLOOR PLANS

Name	Beds	Baths	Sq Ft.	Rates
Salvia	1	1.0	810 - 810	$699 - $819
Sedona	2	2.0	1079 - 1079	$824 - $959
Spirit Dancer	2	2.0	1187 - 1187	$908 - $1050
Windrose	3	2.0	1390 - 1390	$1200 - $1274

prices subject to change

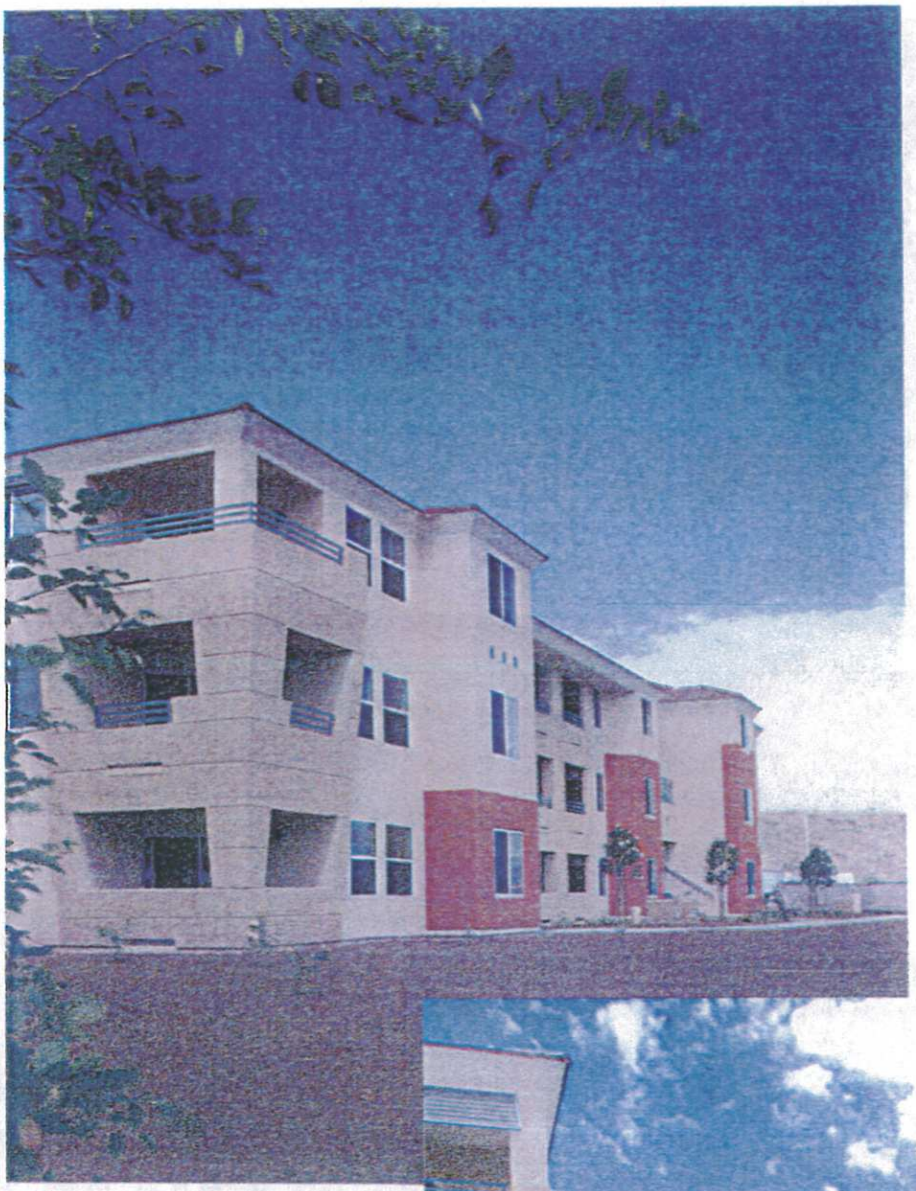
COMMUNITY FEATURES

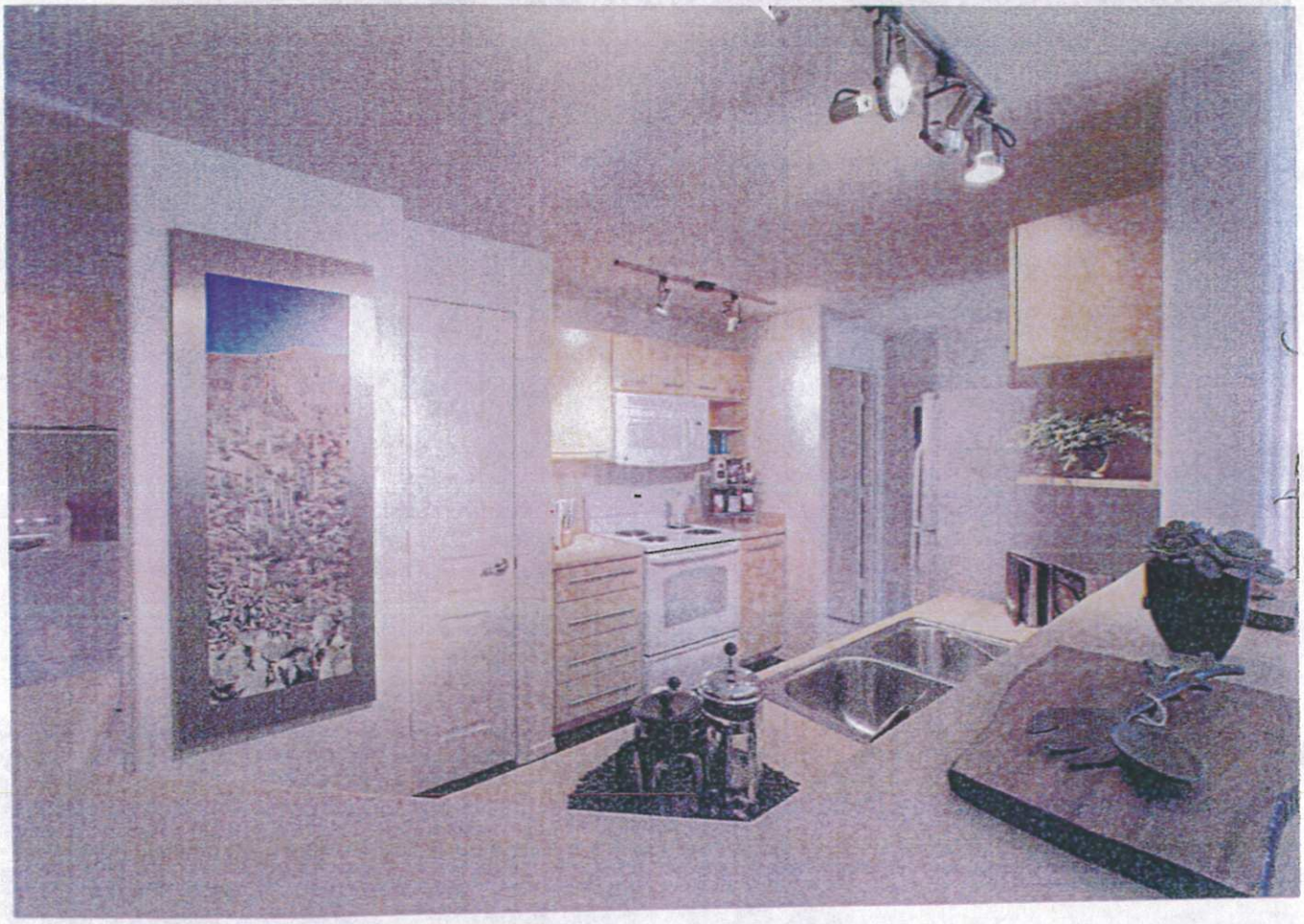
- Monitored 24-hour gated community
- Innovative 2-story community center with elevator and rooftop solarium with stainless steel gas barbeque grills
- Professionally equipped health club with Precor equipment
- Beautifully designed saltwater swimming pools
- Custom designed 6-foot horizontal fireplace with cozy seating area in our expansive clubhouse
- Executive conference center with 2 Mac computers, printer, copier, fax, and flat screen TV
- Individual workstations in conference center
- 7,000 sq. ft. unique on-site desert scape throughout community
- Charcoal barbeque grills
- Breathtaking mountain views

INTERIOR FEATURES

- Exquisite European-style, gourmet kitchens
- Recessed microwave ovens with turntables
- 9-foot ceilings and dual sinks in the master bathrooms
- Huge walk-in closets on select floorplans
- Full-size washer and dryer in every residence
- Ceramic tile bath with white porcelain, above-counter sinks
- High-tech wiring and networking capability
- Intrusion alarm in each apartment home
- Standup showers and Roman tubs available
- Linen closets and full-size kitchen pantries

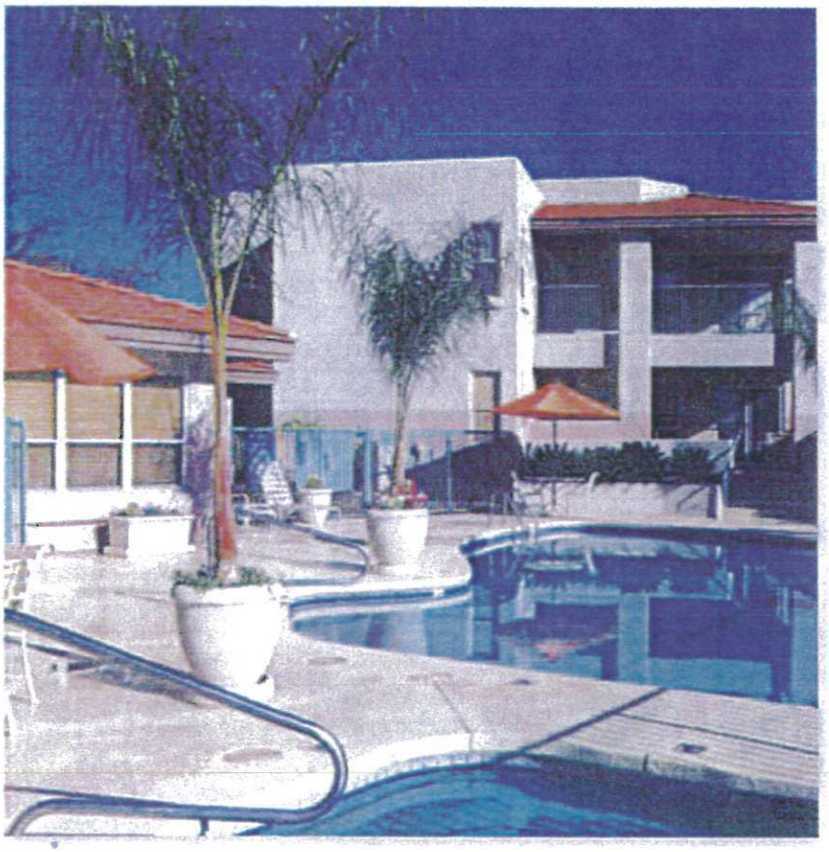
Sage Apartment Homes | 28425 N. Black Canyon Hwy. | Phoenix, AZ 85085
Phone: (866) 894-2519 | Fax: (623) 587-4748
Email: sageleasing@beztak.com
http://www.sageapthomes.com





BEZTAK

Michigan Corporate Offices
31731 Northwestern Highway, Suite 250W
Farmington Hills, Michigan 48334
Telephone: (248) 855-5400 • Fax: (248) 851-4744
www.beztak.com



BEZTAK COMPANIES

By means of the most advanced computer technology, financial control of all facets of the business, from construction to management, remain under daily supervision of principal executives.

The Beztak organization has assembled a development and management team whose combined expertise and reputation in their respective field of specialty compliments the Beztak commitment to excellence in the development and management of its outstanding communities. Beztak values strong partnerships with key vendors to stay ahead of the competition with innovative approaches and creative solutions to everyday challenges.

Beztak is a highly centralized organization with corporate offices in Farmington Hills, Michigan and regional offices in Boca Raton, Florida and Phoenix and Tucson, Arizona. With a thorough and extraordinarily well-trained and experienced staff, Beztak oversees on-site activity and personnel. By means of the most advanced computer technology, financial control of all facets of the business, from construction to management, remain under daily supervision of principal executives.

RESIDENTIAL MANAGEMENT SERVICES

EXPERIENCE, PHILOSOPHIES AND RESULTS

At Beztak properties, we have been acquiring, managing and investing in real estate for over sixty years. We offer a full range of third-party management services:

- Multi-family Residential Property Management
- Office, Commercial and Retail Management
- Asset Management Services
- Due Diligence and Brokerage Assistance for Acquisitions and Dispositions
- Referral Network of Experienced Local Real Estate Services Providers
- Project Development, Property Repositioning and Lease Up Marketing
- Construction and Development Services
- Marketing and Business Plans
- Investment Analysis

"We are so confident in our ability to improve property performance that we will guarantee it by structuring our management fee to the performance of the asset."

Beztak has developed a total of 15,000 single and multiple family residences for the upper middle and ultra-luxury consumer. Ranging in size from 160 units to almost 1,500 units, Beztak communities are known for their strong aesthetic appeal, innovative interior and exterior design and progressive marketing.

Curbside, the typical Beztak development is very alluring; estate-like entry gate houses manned 24 hours a day, truly resort like swimming pools, recreational facilities, sports facilities, even private lending libraries. These are the kinds of glamorous amenities that Beztak incorporates into carefully planned multifamily housing developments in order to attract the most discriminating customers.

As a sales and customer service oriented company, our clients know the importance we place on maximizing the value of each property we manage. We align our interests with our clients, and offer a competitive management fee structure based on results. By putting our customers first, we consistently outperform each metric in the apartment industry for our clients. We are so confident in our ability to improve property performance that we will guarantee it by structuring our management fee to the performance of the asset.

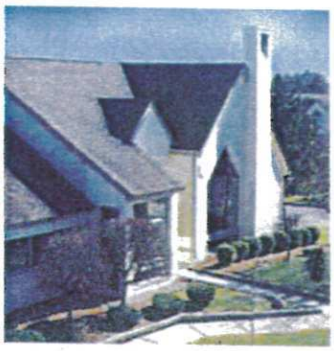
Time and again, Beztak has shown how cost saving features can be treated as promotional and aesthetic components of good design. Our volume allows a reduction of costs to our clients due to in-house services, the ability to leverage our size and our preferred vendor relationships. Various revenue sharing opportunities based on our volume, give you an immediate impact to your bottom line.

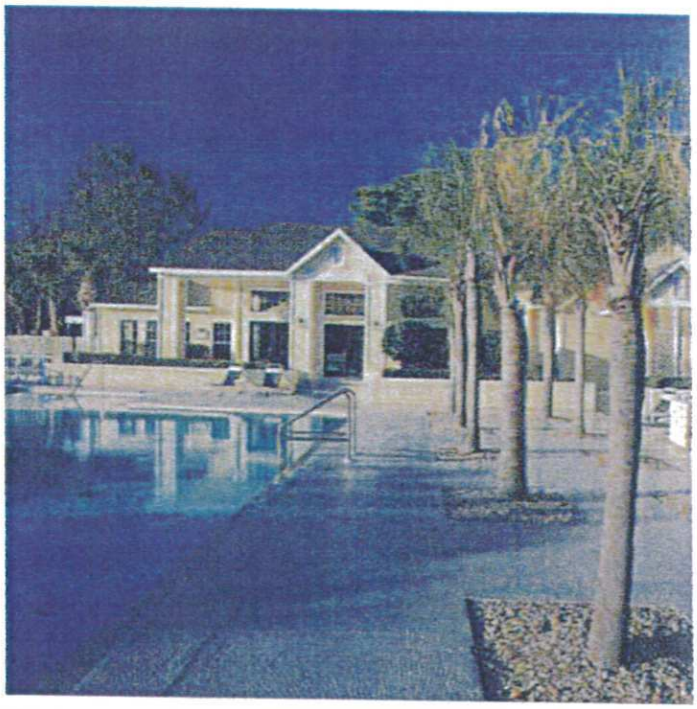
Beztak Properties

PROPERTIES	UNITS
ALDINGBROOKE - *Phase I* West Bloomfield, Michigan	280
ALDINGBROOKE - *Phase II* West Bloomfield, Michigan	270
ALDINGBROOKE - *Phase III* West Bloomfield, Michigan	30
ALDINGBROOKE RESERVE West Bloomfield, Michigan	87
ALL SEASONS OF ROCHESTER HILLS Rochester Hills, Michigan	144
BLAIR PARK Jackson, Michigan	100
BRIAR COVE – *Phase I* Ann Arbor, Michigan	168
BRIAR COVE – *Phase II* Ann Arbor, Michigan	104
BRIER CREEK TERRACES Raleigh, North Carolina	410
BRISTOL COURT Flint, Michigan	200
BROOKDALE South Lyon, Michigan	264
CASCADES Anaheim, California	292
CEDAR BLUFF Knoxville, Tennessee	192
CITATION CLUB - *Phase I* Farmington Hills, Michigan	252
CITATION CLUB - *Phase II* Farmington Hills, Michigan	150
CITATION CLUB - *Phase III* Farmington Hills, Michigan	198
CITATION CLUB Delray Beach, Florida	404
CITATION CLUB Sarasota, Florida	320
CITATION WAY Coral Springs, Florida	272
COLONNADES Plantation, Florida	230
FAIRMONT PARK - *Phase I* Farmington Hills, Michigan	220
FAIRMONT PARK - *Phase II* Farmington Hills, Michigan	156
FARMINGTON OAKS Farmington, Michigan	106
KENSINGTON MANOR Farmington, Michigan	160
GATEWAY APARTMENTS I&II Farmington Hills, Michigan	228

Beztak Properties

PROPERTIES	UNITS
GOLF VILLAS AT ORO VALLEY - *Phase I* Oro Valley, Arizona	51
GOLF VILLAS AT ORO VALLEY - *Phase II* Oro Valley, Arizona	130
IVY CHASE APARTMENTS Raleigh, North Carolina	250
LAKESIDE TERRACES - *Phase I* Sterling Heights, Michigan	256
LAKESIDE TERRACES - *Phase II* Sterling Heights, Michigan	128
LAKESIDE TERRACES - *Phase III* Sterling Heights, Michigan	114
LA PRIVADA Scottsdale, Arizona	350
LEGACY PLACE APARTMENTS Palm Beach Gardens, Florida	384
MILLER CREST Johnson City, Tennessee	120
MISSION PALMS Tucson, Arizona	360
MUIRWOOD - *Phase I-IV* Farmington Hills, Michigan	1,172
MUIRWOOD - *Phase V* Farmington Hills, Michigan	100
MUIRWOOD RESERVE Farmington Hills, Michigan	72
ORACLE VILLA Tucson, Arizona	365
ORO VISTA Oro Valley, Arizona	138
SADDLE CREEK - *Phase I* Novi, Michigan	220
SADDLE CREEK - *Phase II* Novi, Michigan	180
SAGE APARTMENTS - *Phase I* Phoenix, Arizona	304
SONORAN TERRACES Tucson, Arizona	374
UPTOWN Canton, Michigan	278
WALDEN WOOD Southfield, Michigan	210
WAVES - *Phase I* Plantation, Florida	280
WAVES - *Phase II* Plantation, Florida	208
WINNERS CIRCLE Parkland, Florida	396
THE WOODS Austin, Texas	278
TOTAL UNITS:	**11,955**





COMMERCIAL/OFFICE/RETAIL MANAGEMENT SERVICES

When it comes to commercial development, the Beztak qualities of careful planning, excellence and flexibility resulted in the creation of unique shopping experiences in highly desirable neighborhoods. Recognizing a growing public resistance to huge malls, Beztak focused on smaller, upscale neighborhood shopping centers with unique speciality stores. This vision paid off as these centers became recognized as destinations in their own rite and realized great success. Beztak takes an active role in the tenant mix knowing that the right combination exceeds neighborhood needs and draws a larger segment of the shopping population.

Our multi-faceted Management Approach is innovative and promotes your growth and success. We will work with you to:

- Develop an in-depth understanding of your retail business goals and objectives
- Provide an independent, experienced and informed viewpoint that will add critical perspective to the planning, execution and evaluation process
- Identify, quantify and prioritize the short and long term goals for your portfolio
- Add our key business relationships and partnerships with retailers, brokers, suppliers and industry experts to the success equation
- Focus the substantial resources at our disposal on delivering outstanding performance to your assets
- Always work from an owners mind set, resulting in asset enhancing strategies to meet your business goals

"Beztak takes an active role in the tenant mix knowing that the right combination exceeds neighborhood needs and draws a larger segment of the shopping population."

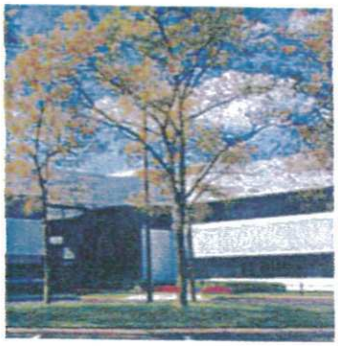
With over 30 years of experience in commercial and retail development and management, you can expect many benefits for your retail assets:

- Generate higher revenues from your existing portfolio
- Improve the overall financial performance
- Ensure long term value enhancements
- Meet and exceed your predetermined goals and objectives

OFFICE & RETAIL

PROPERTIES DEVELOPED OR MANAGED

PROPERTIES	SQ. FT.
APPLEGATE SQUARE *(Shopping)* Southfield, Michigan	54,196
BAYSHORE GARDENS *(Shopping)* Bradenton, Florida	126,295
BOARDWALK *(Shopping)** West Bloomfield, Michigan	40,000
BROOKDALE SQUARE *(Shopping)** South Lyon, Michigan	51,500
BUHL BUILDING *(Office)* Detroit, Michigan	422,000
CARREFOUR *(Office)** Farmington Hills, Michigan	78,700
CENTURY PLAZA *(Shopping)* Troy, Michigan	36,135
FARMINGTON OAKS *(Office)* Farmington, Michigan	10,000
CORP. PARK OF FARMINGTON *(Office)* Farmington Hills, Michigan	65,000
HILLS TECH PARK *(Office)** Farmington Hills, Michigan	68,500
KERCHEVAL *(Shopping)* Grosse Point, Michigan	7,500
MUIRWOOD SQUARE *(Shopping)** Farmington Hills, Michigan	61,454
NOTTINGHILL VILLAGE *(Shopping)** Shelby Township, Michigan	14,000
SUGAR TREE SQUARE *(Shopping)** West Bloomfield, Michigan	38,102
THE SHOPS AT ORO VISTA *(Shopping)** Oro Valley, Arizona	30,000
TRI-ATRIA *(Office)* Farmington Hills, Michigan	240,000
TRI-ATRIA SHOPPING CENTER* Farmington Hills, Michigan	15,250
TROYPOINTE *(Shopping)** Troy, Michigan	24,637
TROYWOOD *(Shopping)** Troy, Michigan	14,712
UPTOWN *(Shopping)** Canton, Michigan	20,926
VENTURE PLAZA *(Office)* Troy, Michigan	65,000
VERO BEACH SHOPPING CENTER* Vero Beach. Florida	110,000
WATERFORD PLAZA *(Shopping)** Waterford, Michigan	42,728
TOTAL SQ.FT:	**1,636,635**



*Currently Owned and Managed

MISCELLANEOUS

PROPERTIES	SQ. FT.
GRISWOLD/LARNED LOT Detroit, Michigan	49,788
GRISWOLD PARKING GARAGE Detroit, Michigan	201,600
SHELBY LOT Detroit, Michigan	4,800
TOTAL SQ.FT:	**256,188**

PROJECTS CURRENTLY **UNDER DEVELOPMENT OR CONSTRUCTION** INCLUDE:

OFFICE & RETAIL

PROPERTIES	SQ. FT.
NOVIPLEX *(Office)* Novi, Michigan	245,000
TOTAL SQ.FT:	**245,000**

CONTACTS

Let our references speak for us. A business can be measured by the success and happiness of their clients. Please feel free to contact the following individuals to learn about their experience with the Beztak Companies.

WARREN ROSE
EDWARD ROSE AND SON
30057 Orchard Lake Road
Farmington Hills, MI 48334
Phone: 248-539-2255
Email: warren_rose@edwardrose.com

GARY SHIFFMAN
SUN COMMUNITIES
27777 Franklin Road #200
Southfield, MI 48034
Phone: 248-208-2500
Email: gshiffman@sunproperties.com

Qualification Criteria for the proposed General Plan Amendment of Parcel 2E

Rancho Vistoso PAD, Town of Oro Valley, Arizona

Prepared October 10th, 2011 by

Beztak Land Company
31731 Northwestern Hwy, Ste. 250W
Farmington Hills, MI 48334
Telephone: 248-855-5400
Facsimile: 248-851-4744
Website: www.beztak.com

GENERAL PLAN AMENDMENT QUALIFICATION CRITERA

Amendments to the General Plan shall be consistent with the vision, goals, and policies of the General Plan, and shall be compliant with the following criteria:

A. The amendment is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification.

Demand for speculative office/commercial/industrial development is low due, in part, to the large surplus of vacant industrial, office and commercial space (approx. 1,823,000sf in NW market w/ 487,000sf in OV) that is available at reasonable lease rates. Also, in the immediate area there are approximately 221 acres of vacant CPI/C-1 land, which is sufficient to meet demand for 7-10 years or more.

Demand for new single-family home construction is low due, in part, to the large surplus of existing homes for sale at reduced prices, and slow growth in the new-housing market is projected.

The population of Oro Valley is growing and, along with it, the demand for new apartments, as indicated by the other multi-family developments proposed in the area.

B. The amendment is sustainable by contributing to the socio-economic betterment of the community, while achieving community and environmental compatibility.

A high-density residential development brings more residents to the area, which translates to more customers for local businesses and services, and more demand for new businesses and services. Our luxury apartments have the added benefit of attracting higher-income long-term residents.

Multi-family is compatible with single-family uses in this context. Multi-family is a widely accepted buffer between single family residences and commercial, industrial and office uses. Well-designed, well-kept apartments with large buffers will have less impact on an adjacent homeowner's quality of life and home values than a office/industrial complex with truck loading areas next to a residential yard.

This site's close proximity to public transportation, employment opportunities and commercial services (stores, banks, etc) creates an opportunity for less vehicle travel when residents go to work or run errands.

A multi-family development on this site will provide convenient corporate housing for existing and potential Innovation Park businesses, and housing for medical and corporate professionals working at area facilities.

Amending the General Plan to allow multi-family housing will reduce the environmental impact of this site. There will be less impervious surfaces and more open space, so the site will generate less storm water runoff. Calculated water and sewer usage for our multi-family use is less than the CPI use. The smaller

building footprints and larger open spaces of the multi-family use will reduce the necessary amount of site grading and potential for erosion. The smaller building footprints, larger open spaces and larger setbacks will allow some of the existing mature vegetation to remain undisturbed.

Amending the use of this site to HDR results in a minor reduction to the acreage available for C-1/CPI developments (less than 7%) and does not reduce the range of CPI parcel sizes available.

C. The amendment reflects market demand, which leads to viability and general community acceptance.

Apartment occupancy in the area is at approximately 93%. Our existing apartments, Golf Villas and Oro Vista, are at 92% occupancy. Our criteria for accepting new tenants is very stringent, otherwise our occupancy rate would likely be higher.

We will offer a variety of apartments sizes in 2 building types/sizes. We will offer garages attached to the apartment buildings, and many of the garages have direct access to a unit. Garages are desirable and not available in significant quantity, especially with direct access, at other apartments. Our proposed apartment community will be gated, which provides a higher level of safety and increases demand.

Developing new industrial/office/commercial space, or new single family homes, would only create more surplus in those markets. The existing businesses and neighborhoods do not need more competition.

D. The amendment will not adversely impact the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development processes.

Rancho Vistoso Neighborhood 2 is part of a Planned Area Development. The PAD was approved and the area infrastructure was designed in anticipation of all parcels in the neighborhood being developed. Parcel 2E was zoned for CPI uses from the beginning, and the impact on the neighbors and community was inevitable. The high-density residential use we propose for this site will have and impact too, but significantly less impact than a CPI use.

Our HDR will have less impact than CPI because:

HDR will have more open space and greater setbacks
HDR buildings will have smaller footprints, greater separation, and less coverage
HDR will have a shorter maximum building height
Smaller buildings and less coverage means less impact on neighbors' views
HDR buildings will be more visually appealing than CPI buildings
HDR uses will generate primarily car traffic, and will not include the CPI truck traffic
HDR use does not have truck docks/loading areas
HDR use needs less water and generates less effluent than industrial uses.
HDR use has less impervious area and generates less storm water runoff

HDR use can have design criteria and quality assurances contingencies added during the necessary rezoning process. CPI is the existing designation, so rezoning is not needed and there is less opportunity to add design requirements

In addition, the proposed amendment is consistent with the General Plan. the Rancho Vistoso PAD, and previous GP amendments because:

There is open space adjacent to the northeast, plus the easterly corner of a very large open space is across the street from the westerly corner of this site. The high-density residential section of the PAD states that HDR uses "should be located adjacent to large expanses of open space...".

The unit density we propose for this site is within the limits set by the Rancho Vistoso PAD, and the same as the HDR density allowed in adjacent neighborhoods.

There was no residential land in Neighborhood 2 in the original PAD. The current neighborhoods were originally designated as CPI parcels. A previous amendment changed the use of much of the area to residential, and this amendment would extend the residential use to East Rancho Vistoso Boulevard and create a good buffer between single family and CPI/C-1 uses.

TOWN OF ORO VALLEY

PLANNING & ZONING COMMISSION **MEETING DATE: November 1, 2011**

TO: **PLANNING & ZONING COMMISSION**

FROM: **David A. Williams, AICP, Planning Division Manager**

SUBJECT: **Public Hearing: Request to amend the Oro Valley General Plan** for a 15 acre parcel located at the northeast corner of Rancho Vistoso Blvd and Vistoso Commerce Loop from Commerce Office Park (COP) to High Density Residential (HDR 5.1 + du/ac), OV1111-002

SUMMARY

The proposed major General Plan (GP) Amendment (GPA) entails amending the GP land use category from Commerce Office Park (COP) to High Density Residential (HDR) for Rancho Vistoso Parcel 2-E for the purpose of building an apartment complex of approximately 250 units. If approved, a subsequent rezoning to Rancho Vistoso HDR and a full design review process would be required.

BACKGROUND

Amendment Request

Per the General Plan and the State's Growing Smarter/Plus statutes [ARS §9-461.06.G], *"major amendment" means a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element*. This proposal meets the criteria for a major amendment as defined in the Town's *General Plan Amendment Matrix.*

The process for a major General Plan Amendment entails public participation through neighborhood meetings, public notification, and two public hearings before the Planning and Zoning Commission. The Town Council will hold a public hearing to evaluate the proposal and has the final decision-making authority.

The GP land use designations provide a blueprint for development in the Town. The GP is intended to be used as the primary basis for land use decisions and zoning. It is important to note that the General Plan land use designation is *not* an entitlement, but rather a guideline reflecting the Town's vision and plan for appropriate development types and land uses. This GP amendment is considered a precursor to a future Planned Area Development (PAD) Amendment to the Rancho Vistoso PAD to permit high density residential development.

Site Conditions

- Property is 15.23 acres
- General Plan designation is Commerce Office Park (COP)
- Zoning is Rancho Vistoso Campus Park Industrial (CPI)
- Property is currently vacant
- Approved uses include manufacturing, office, and associated uses

Approvals to Date

- March 13, 2008—Town Council approval of Innovation Commerce Campus Office/Industrial development plan
- April 13, 2009—Town Council approval of final plat for Innovation Commerce Campus
- December 2, 200—Town Council denial of request for development plan time extension

Surrounding General Plan Designations & Land Uses (see Attachment #2)

Direction	General Plan Designation	Land Use
North	MDR (Med. Density Residential)	Single-Family Residential
South	NCO (Neighborhood Commercial-Office)	Vistoso Memorial Chapel
East	OS (Open Space)/COP(Commerce-Office Park)	Open Space/Medical Offices
West	COP (Commerce-Office Park)	Vacant

Process to Date and Projected Schedule

- Application Received August, 2011
- First Neighborhood Meeting September 20, 2011
- Second Neighborhood Meeting: October 10, 2011
- First P&ZC Public Hearing November 1, 2011
- Second P&ZC Public Hearing November 15, 2011
- TC Public Hearing December, 2011

Existing and Proposed General Plan Land Use Designations

The General Plan defines the land use categories for the amendment area as follows:

- Commerce/Office Park (COP)
  This designation denotes areas where commercial, office, and/or light manufacturing can occur. These uses can occur in a planned business park-type of environment with clustered buildings and inward focused activity. Commerce parks often include a mix of light industrial, professional office, office/showroom, office/warehouse, retail services, and related uses. The specific zoning district will be determined based upon site use, adjacent land use impact, and intensity of development. The recommended maximum FAR in the COP designation is that of the Technological Park zoning district.

- High Density Residential (HDR 5.1+ du/ac)
  This land use designation denotes areas where single-family attached, mobile or manufactured housing (within the existing Highlands subdivision), townhouse, patio home, condominium, and apartment development is appropriate. These areas should be located close to arterial access and shopping and employment opportunities. High traffic volume impacts on local, lower density residential streets are discouraged.

ANALYSIS OF PROPOSED AMENDMENT

Staff's analysis of the proposal is based on the following:

I. General Plan amendment criteria contained in the Zoning Code
II. General Plan vision, goals and polices
III. Public comments, including neighborhood meetings and correspondence

Following is an analysis of each element:

I. SECTION 22.2.D.3 GENERAL PLAN AMENDMENT CRITERIA

The Oro Valley Zoning Code states that "the disposition of the General Plan amendment proposed shall be based on consistence with the vision, goals, and policies of the General Plan, with special emphasis on the following criteria. Please note that the applicant for the amendment shall have the burden of presenting facts and other materials to support these criteria in writing, prior to any public hearings. The applicant's response to each of the criteria is attached for your reference (see Attachment #3). Following are staff's analysis of the criteria:

1. *The proposed change is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification.*

The May, 2011, *Community Economic Development Strategy* (see Attachment #4) includes a goal of increasing employment opportunities, especially in technology related areas (e.g. bioscience, optics). This type of development is reserved for specific areas designated in the General Plan as Commerce-Office Park (COP). The associated zoning categories are Rancho Vistoso Campus Park Industrial (CPI) or Technology Park (TP) in the Town Zoning Code. The primary COP area in the Town is Innovation Park, which includes Sanofi-Aventis, Ventana-Roche, and the Oro Valley Hospital and associated medical offices.

While there are currently approximately 200 acres of vacant COP land in Innovation Park, many of these sites currently lack necessary roadways and infrastructure to be considered "shovel ready". Many businesses seek out "shovel ready" properties when evaluating sites for new facilities or relocation. In fact, the Tucson Regional Economic Opportunities (TREO) has created a Shovel Ready program to assist site selectors in finding properties that have development entitlements and infrastructure in place to expedite the development process.

Parcel 2-E has existing roadways and availability of infrastructure to be considered "shovel ready". The property was previously approved as the Innovation Commerce Campus, a 14-building, 156,000 square foot industrial/office campus (see Attachment #5). While the proposed footprint and scale of this development is markedly smaller than Ventana-Roche or Sanofi-Aventis, the Town lacks adequate "incubator space" to house start-ups and smaller technology firms, many of which support the larger industries with supplies and equipment. These firms typically wish to be in close proximity to other technology industries that they can support and collaborate with, creating a cluster, or critical mass, of technology companies. Currently, the Foothills Business Park on the east side of Oracle Road is the only area with smaller space available for these smaller firms.

There are several parcels within Rancho Vistoso with HDR zoning, which enables apartment development. These parcels are generally located along Rancho Vistoso Boulevard north of Moore Road. Please refer to Attachment #8 for the locations of the HDR zoning, shown in orange on the map.

In sum, while a demonstrated market for apartment units exists, there is a greater long-term need to preserve COP land as primary employment sites. There are other available sites in the Town for apartments that would not result in the loss of future employment base.

2. *The proposed change is sustainable by contributing to the socio-economic betterment of the community, while achieving community and environmental compatibility.*

While the proposed change helps to meet market demand for apartments which, in turn, increases the population and taxable sales for the Town, the "socio-economic" betterment resulting from new apartments is less than would be associated with creating high paying primary jobs on the same property.

Apartments would be a "transitional" use between the single-family neighborhoods to the north and the commercial and tech park uses to the south. From a land use standpoint, High Density Residential is more appropriate adjacent to Medium Density Residential (MDR) single-family residential than light industrial or office park (CPI zoning). However, many residents are concerned the overall impacts of apartments would be greater (e.g. apartments are a "24-7" use that generates noise, traffic, etc.) than an industrial or office park that would typically operate during normal business hours.

As shown in the following table, the overall intensity of apartment development is somewhat less than Campus Park-Industrial.

Zone	Max Bldg Height	Max Lot Coverage/Density	Open Space Required
CPI	36'	50%	15% (landscaped OS)
HDR	34'	2,000 s.f./unit (21 du/ac)	30% (meaningful OS)

Under either scenario, the negative impacts of the development can be mitigated. The overall environmental disturbance associated with campus park-industrial is typically somewhat greater than for high-density residential.

3. *The proposed change reflects market demand which leads to viability and general community acceptance.*

Staff has surveyed apartment complexes in the Town and has determined that the current occupancy rate is approximately 93% (see Attachment #6). This indicates that strong demand may exist for apartments and that additional units are warranted. Further, there is an unfulfilled demand for "corporate housing" (i.e. short term lease apartments for employees of firms such as Ventana-Roche) and for more upscale "Class A" apartments, which are large complexes in favorable locations featuring many amenities. There are currently no apartment complexes in the Innovation Park area. There may be pent up demand for an apartment complex in the area. There are currently several proposals for new apartments in the vicinity, including Rancho Vistoso Parcel 7-I at the northwest corner of Tangerine and Rancho Vistoso Boulevard, as well as potential apartments at the Oro Valley Town Centre at Oracle and First Avenue.

Rancho Vistoso is predominated by single-family detached housing and lacks housing variety, overall. Many parcels planned for high density residential in the original Rancho Vistoso PAD have been developed at significantly lower densities than originally intended, resulting in a minimal amount of multi-family development in Rancho Vistoso to meet market demand. Of the 13,862 dwelling units planned for Rancho Vistoso, only 6,715 (or approximately 48.4%) have been built.

4. *The amendment will not adversely impact the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development processes.*

The adverse impacts of apartment development, including traffic, noise, light, view impacts, and privacy and security concerns, can all be adequately mitigated through rezoning conditions and the Design Review process. Mitigation can be achieved through strategies such as landscaped bufferyards, reduced light pole height, location and orientation of buildings, and transportation improvements (i.e. turn lanes, additional traffic lanes, and/or signalization, as warranted).

The Amphitheater School District has expressed concern regarding student capacity issues at Painted Sky Elementary School, but has since proposed a "pocket boundary" to allow students to be bussed to other schools, if necessary.

II. GENERAL PLAN VISION, GOALS AND POLICY CONFORMANCE

This amendment proposal has been reviewed in light of the General Plan Vision and all applicable General Plan goals and policies. The following Goals and Policies are notable for this application. Each General Plan goal/policy is shown in italics followed by staff's commentary:

General Plan Vision

To be a well planned community that uses its resources to balance the needs of today against the potential impacts to future generations. Oro Valley's lifestyle is defined by the highest standard of environmental integrity, education, infrastructure, services, and public safety. It is a community of people working together to create the Town's future with a government that is responsive to residents and ensures the long-term financial stability of the Town.

There is an emphasis on balancing the "needs of today against the potential impacts to future generations". This necessitates that we take a long-term view of all land use decisions and favor future benefits over short term expediency. In this case, there is a trade off involved by using COP land for residential use. While a mix of housing types is needed, including apartments, the availability of viable, "shovel ready" property is essential to attracting desirable industries and employers. Attracting high-quality employment to the town, while not a direct revenue generator like retail sales, has a multiplier effect by creating additional service-sector jobs and increasing sales for existing businesses in the Town.

Goal 1.3, *Promote a compatible mix of land uses through the Oro Valley Planning Area.*

As discussed, apartment development is a more appropriate land use transition between single-family residential and CPI than single-family directly adjacent to CPI. Since there are no apartment complexes north of Tangerine Road or east of Rancho Vistoso Boulevard, there likely exists a need for additional multi-family housing choices in the area (see Attachment #7).

Policy 1.3.2, *Encourage new development to locate uses that depend on convenient transportation access (e.g. higher density residential and commercial) near major arterial streets.*

This property is located on Rancho Vistoso Boulevard, a major arterial roadway, and Innovation Commerce Loop, a collector street. It is a viable location from a transportation standpoint. However, improvements may be required to Innovation Commerce Loop to maintain level of service on the roadway. This would be determined during the rezoning and design review phases.

Policy 1.4.7, *Ensure that increased densities approved for high density residential projects are based on reducing the negative impacts on adjacent lower density residential projects and providing additional landscaping, open space, and other amenities.*

The proposed apartment complex will have measurable impacts on adjacent homes. However, as discussed, these impacts can be mitigated and significantly reduced through sensitive design. For example, the placement of smaller, reduced height buildings near the single-family neighborhood would soften the impact of the development on the existing neighborhood. In addition, the Zoning Code and recently adopted Design Standards contain standards and guidelines to help ensure that the development

provide adequate buffering and screening, as well as contextually sensitive and appropriate site and building design.

Policy 4.2A, *Encourage the provision of a variety of housing choices matched to employees within a reasonable proximity to employment sites.*

The property is located within easy walking or bicycling distance from several major employers, including Sanofi-Aventis, Ventana-Roche, the Oro Valley Hospital, and the Oro Valley Marketplace. The area is predominately single-family homes with no apartments available north of Tangerine or east of Rancho Vistoso Boulevard. The applicant has stated that local employers, including Ventana-Roche have expressed a need for high quality corporate housing in the area.

Policy 4.1A, *Protect the integrity and aesthetic context of existing neighborhoods through the use of appropriate buffers.*

The Zoning Code requires landscaped bufferyards between multi-family and single-family development, as well as appropriate screening. The Design Standards require the architecture to be appropriate for the context and environment.

Policy 3.1*, "To ensure long-term financial and economic sustainability for the Town of Oro Valley"*

As discussed, the availability of industrial/office park land is crucial for the long-term financial and economic sustainability of the Town. The near term reality is that the market for this type of development is slow and that there is a great interest in apartment development—based both on market demand and on the availability of financing for new apartment projects. In the long-term, however, the Town has expressed a strong commitment to the recruitment and retention of high paying, technology-related industries and businesses. In the hierarchy of land use, the COP designation is more valuable to achieve this objective than any other designation.

In the past, over 100 acres of PAD-designated CPI land immediately north of the subject property were allowed to develop as single-family subdivisions. Rancho Vistoso Neighborhood 2 was never intended to have residential development. The argument can be made that allowing apartments next to single-family residential is more appropriate than a "standalone" 15 acre piece of CPI property. On the other hand, it may also be argued that conversion of the property from CPI to apartments only further perpetuates the "decommissioning" of CPI that compromises the Town's long-term ability to grow our high tech employment base.

Policy 7.1.3, *The Town shall continue to require apartment and condominium developments to incorporate recreational facilities and other amenities to serve residents.*

A high quality apartment complex requires recreational facilities and other amenities. The Zoning Code and Design Standards require recreational facilities and encourage a highly amenitized project.

Policy 7.2.1, *The Town shall encourage the development of a variety of types of homes to accommodate the varied needs of residents, including single-family attached and detached, townhomes, small apartments (3-4 units), condominiums…*

The provision of higher-density multi-family housing options is supported by several factors, including a demonstrated change in demographics and market preference. While some of the market shift is fueled by the current downturn in the economy, there are indications that certain populations, including young

adults and empty nesters are increasingly looking at highly amenitized multi-family housing as an alternative to single-family detached homes. This is a long-term trend that will likely increase in the future. Further, densification of the Town's housing is necessary to create a built environment that is more economically and environmentally sustainable.

Policy 7.3.1, *To the extent feasible, given the high land costs, the Town shall encourage the development of a variety of residential choices consistent with the Land Use Element to meet the housing needs of employees of existing and future Oro Valley employers.*

As discussed, local employers have expressed a need for additional "corporate housing" to house current and future employees. Further, there is an increased need for "workforce housing" to provide affordable housing options for employees in the service, government, and education industries. There is currently a high "jobs-housing" imbalance as much of Oro Valley's workforce commutes from more affordable areas. This contributes to traffic congestion, air pollution, and additional infrastructure construction and maintenance costs for the community.

III. PUBLIC NOTICE AND COMMENT

This project has been noticed in accordance with Town procedures, which includes the following:

- Notification of all property owners within 1,000 feet
- Homeowners Association mailing
- Notice in The Daily Territorial and Arizona Daily Star newspapers
- Post on property
- Post at Town Hall and on website

In addition, two neighborhood meetings were held. The first meeting was held on September 20, 2011. Approximately 35 residents and interested parties attended the meeting. A second neighborhood meeting was held on October 10, 2011. Approximately 60 residents and interested parties attended the meeting. A number of issues were discussed at each meeting, including the following:

- Traffic, ingress, and egress impacts
- Crime, safety, and security impacts
- Compatibility with neighborhood and mitigation strategies
- Development process and timeline
- Demonstration of market for apartments and availability of financing
- Assurance that development will be high quality
- Site design issues, including view impacts, buffering, etc.

The summary notes from both meetings and are attached for your reference (see Attachment #9 and #10). The applicant has provided written responses to neighborhood meeting issues (see Attachment #11).

A number of letters and e-mails have been received in opposition to the proposal. They are attached for your reference (see Attachment #12).

SUMMARY/CONCLUSION

The proposed amendment has been evaluated using the amendment criteria, General Plan goals and policies as well as neighborhood and outside agency input. Following is a summary of the factors for and against the proposal:

Factors for:

1. There appears to be a market for new apartment development.
2. Multi-family residential is a typical transitional land use next to single-family residential and may be more compatible with single-family residential than light industrial or office park.
3. There are no apartment complexes north of Tangerine Road and east of Rancho Vistoso Boulevard.
4. The apartments would be in close proximity to employment and activity centers.
5. Apartments will likely have a smaller footprint on the site than CPI and will result in less grading, more open space, and less impervious surface on the property.
6. Apartments would not generate truck traffic as CPI does or require loading docks.
7. Many parcels planned for high density residential in the original Rancho Vistoso PAD have been developed at lower densities, resulting in an overall lack of multi-family development in Rancho Vistoso.
8. The site is in proximity to major arterial roadways.
9. The negative impacts of the proposal can be substantially mitigated through sensitive design and buffering.

Factors Against:

1. The loss of COP land is not supported by the Community Economic Development Strategy.
2. The property is viable for future CPI development which creates primary jobs.
3. The property could be used to house smaller, start-up tech companies. With the exception of the Foothills Business Park, there is no “incubator space” available in the Town.
4. The apartments will be in close proximity to Sanofi-Aventis and the future Warehouse/Logistics Center on the southwest corner of Innovation Park Drive and Rancho Vistoso Boulevard. This may have negative impacts on residents in the apartment complex and may be an area of concern for nearby industries from a safety and security standpoint.
5. The impacts of CPI are generally during business hours while apartments have a “24-7” impact.
6. Residents have expressed objections to the proposal.

RECOMMENDATION

A site analysis and tentative site plan containing all standard elements, as determined by the Town Engineer and Planning and Zoning Administrator, will be required during the rezoning.

The proposed amendment conforms with many applicable General Plan policies and the amendment criteria. The proposal will provide an opportunity to develop an apartment complex in an area that currently has no apartments. The impacts of the development, including noise, light, and traffic, can be sufficiently mitigated and would not likely result in greater impacts on the neighborhood than CPI development.

However, as mentioned, the Town strives to support the growth of employment base through the attraction of high paying, technology-related industries. The property, while too small to accommodate a large-scale industrial tenant such as Ventana-Roche, is well suited for smaller-scale industry, including “incubator space” for smaller

firms and start-ups. Based on this loss of potential "value added" development, staff does not support approval of the proposed General Plan Amendment.

SUGGESTED MOTION

The Planning & Zoning Commission may wish to consider one of the following suggested motions:

I move to [recommend approval OR denial] of the request for approval of a major amendment to the Oro Valley General Plan for a 15 acre parcel located at the northeast corner of Rancho Vistoso Blvd and Vistoso Commerce Loop from Commerce Office Park (COP) to High Density Residential (HDR 5.1 + du/ac).

ATTACHMENTS

1. Application, executive summary, and preliminary site plan
2. General Plan future land use map
3. Qualification Criteria for proposed GP Amendment (applicant's response)
4. Community Economic Development Strategy
5. Innovation Commerce Campus development plan
6. Table of Oro Valley Apartment Occupancy Rates
7. Map of Existing Apartments
8. Map of Vacant High Density Residential Land
9. September 20, 2011, Neighborhood Meeting Summary
10. October 10, 2011, Neighborhood Meeting Summary
11. Applicant's response to neighborhood issues
12. Letters and e-mails from residents

cc: Mark Highlen, MHighlen@beztak.com
Sam Beznos, sbeznos@beztak.com

Project Manager: Matt Michels, AICP, Senior Planner

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Multi-Family Housing Overview

Housing Types – Single Family

- **Single Family Detached –** Dwelling units are physically separated from the units immediately adjacent to them

- **Single Family Attached –** Dwelling units share common walls with units laterally adjacent (Townhomes)

Source: Planning and Urban Design Standards

Housing Types – Multi-Family

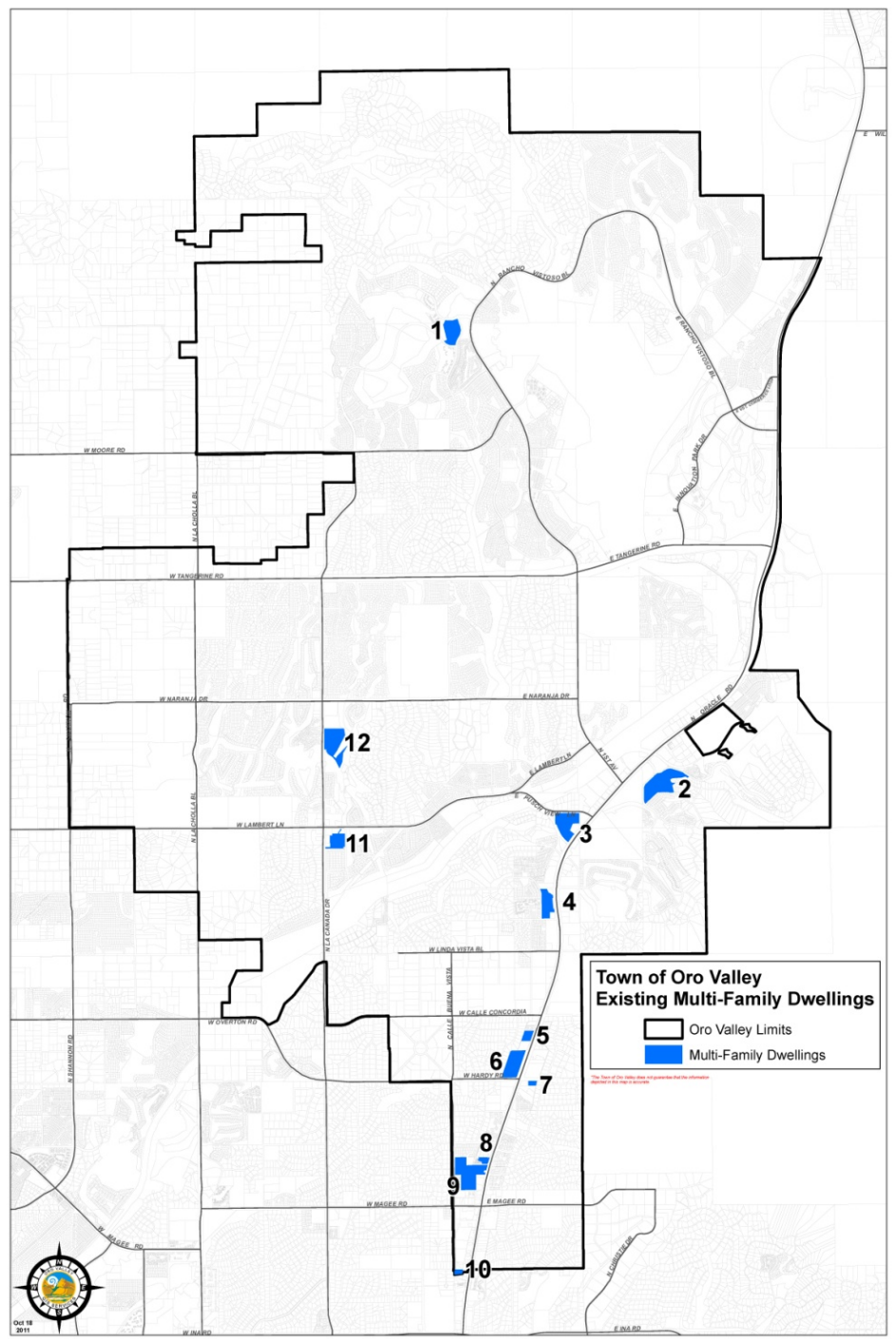
- **Multi-Family Housing –** Dwelling units share common walls with the units that are laterally and vertically adjacent.

Source: Planning and Urban Design Standards

Multi-Family – Existing Sites

- **Existing Multi-Family Sites –** Multi-family dwellings that have been built in the Town of Oro Valley.

Multi-Family Existing Sites



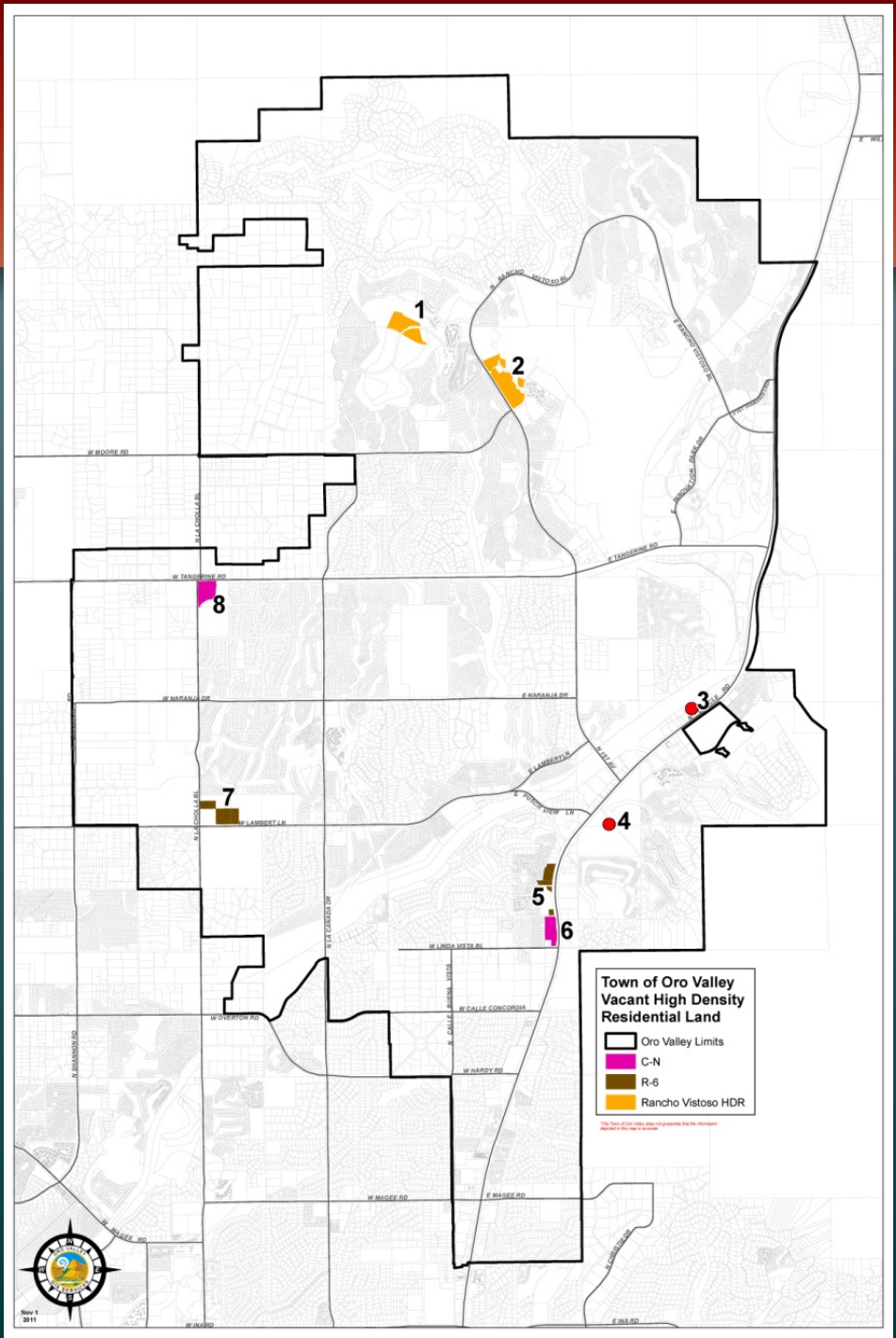
Multi-Family – Existing Sites

Project Name	Units	Acres	Density (DU/AC)
1. Vistoso Vacation Rentals	111	13.3	8
2. The Boulders at La Reserve	480	26.6	18
3. Rock Ridge Apts	319	17.6	18
4. Pusch Ridge Apts	144	11.6	12
5. Catalina Crossing	97	3.7	26
6. The Overlook at Pusch Ridge	424	15.9	27
7. Sunnyslope Apts	41	1.5	28
8. Sundown Village	61	2.2	27
9. Saddle Ridge	248	24.1	10
10. Desert Aire Lodge	6*	1.5	4
11. Oro Vista Apts	138	8.7	16
12. Golf Vistas at Oro Valley	281	20.3	14
TOTAL	**2,350**	**147.1**	

Multi-Family – Zoned Sites

- **Zoned Multi-Family Sites –** Vacant lands that have been zoned for Multi-Family Housing

Multi-Family Zoned Sites



Multi-Family – Zoned Sites

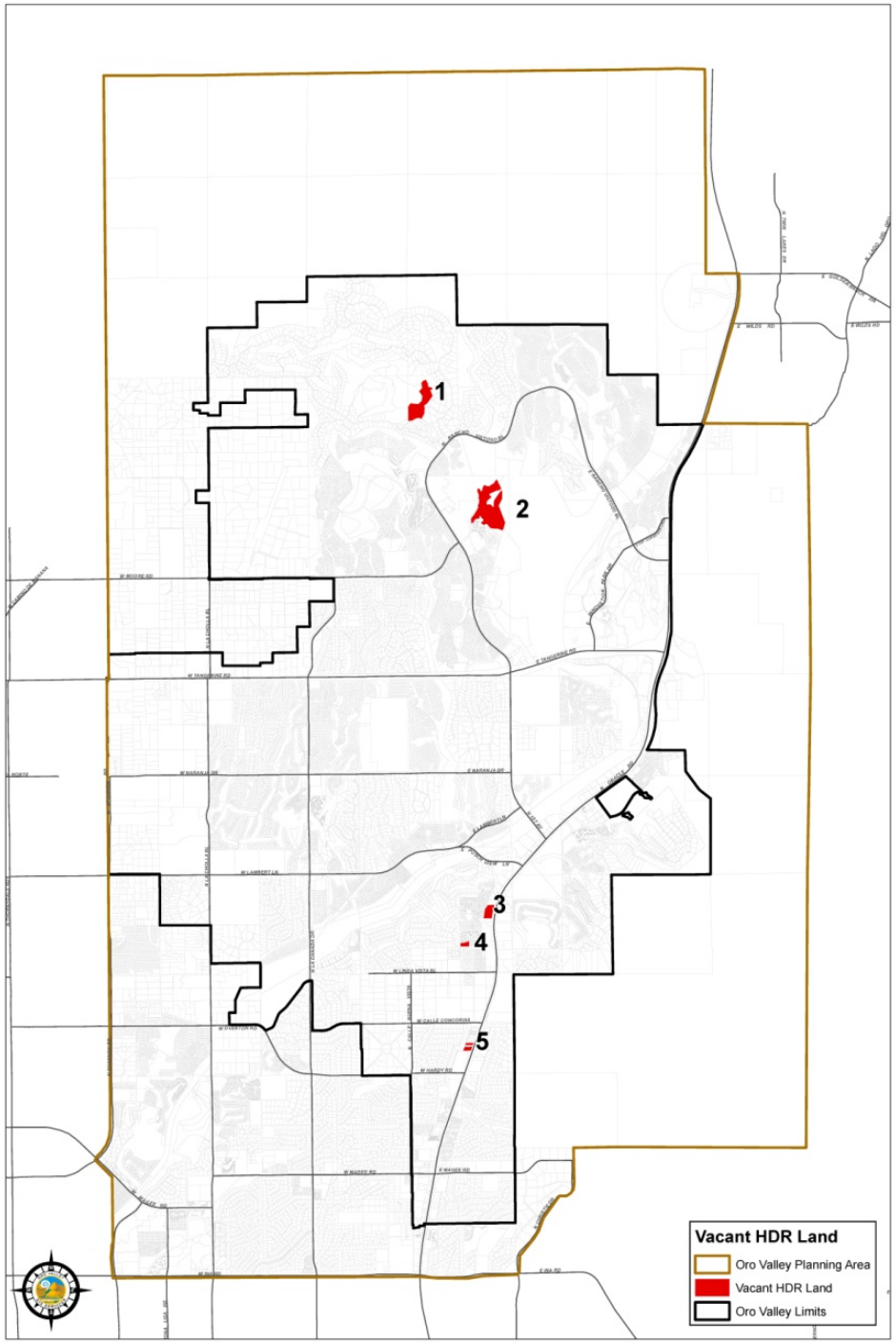
*Projected Density is 15 du/ac

Name/Location	Acres	Potential Units
1. W. Pebble Creek Dr	22.2	333
2. Rancho Vistoso Bl & Moore Rd	32.5	487
3. Steam Pump Village	12	300
4. OV Town Center	28	None (Res over Retail only)
5. Oracle & El Conquistador Wy	11.4	171
6. Oracle & Desert Sky Rd	12.2	91
7. La Cholla Bl & Lambert Ln	19.8	297
8. La Cholla Bl & Tangerine Rd	14.7	110
TOTAL	**152.8**	**1,792**

Multi-Family – Planned Sites

- **Planned Multi-Family Sites –** Multi-family dwellings that have been planned by the Town of Oro Valley according to its General Plan

Multi-Family Planned Sites

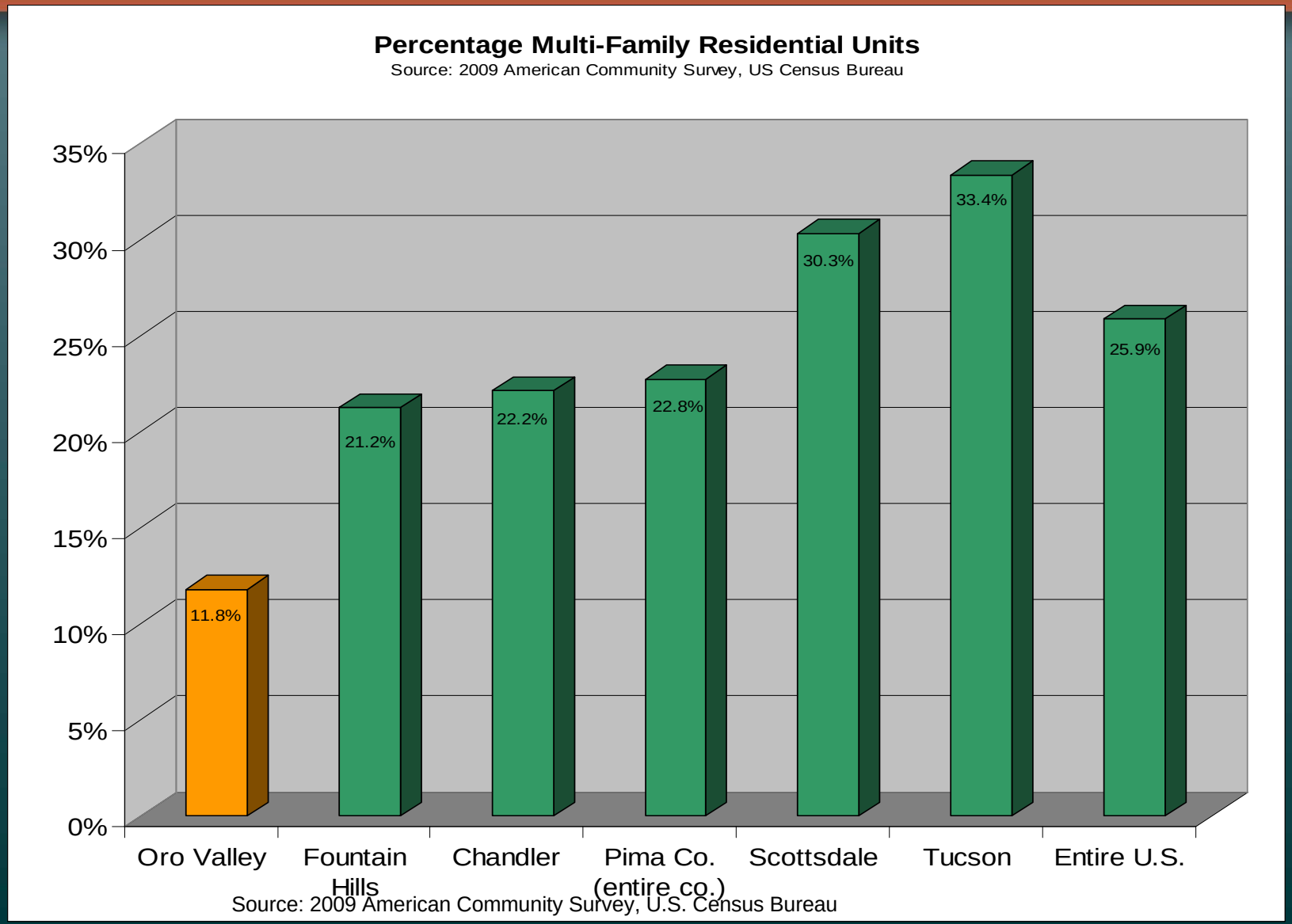


Multi-Family – Planned Sites

*Projected Density is 15 du/ac

Name/Location	Acres	Potential Units
1. Las Rocas Bl	27.2	407
2. Rancho Vistoso Bl & W. Moore	55.7	835
4. Desert Sky Rd	2.1	32
5. Oracle S. of Linda Vista Bl	2.5	37
TOTAL	**87.4**	**1,310**

Percentage Multi-Family Units of Total Housing Units



Multi-Family Summary- Existing, Entitled, and Planned

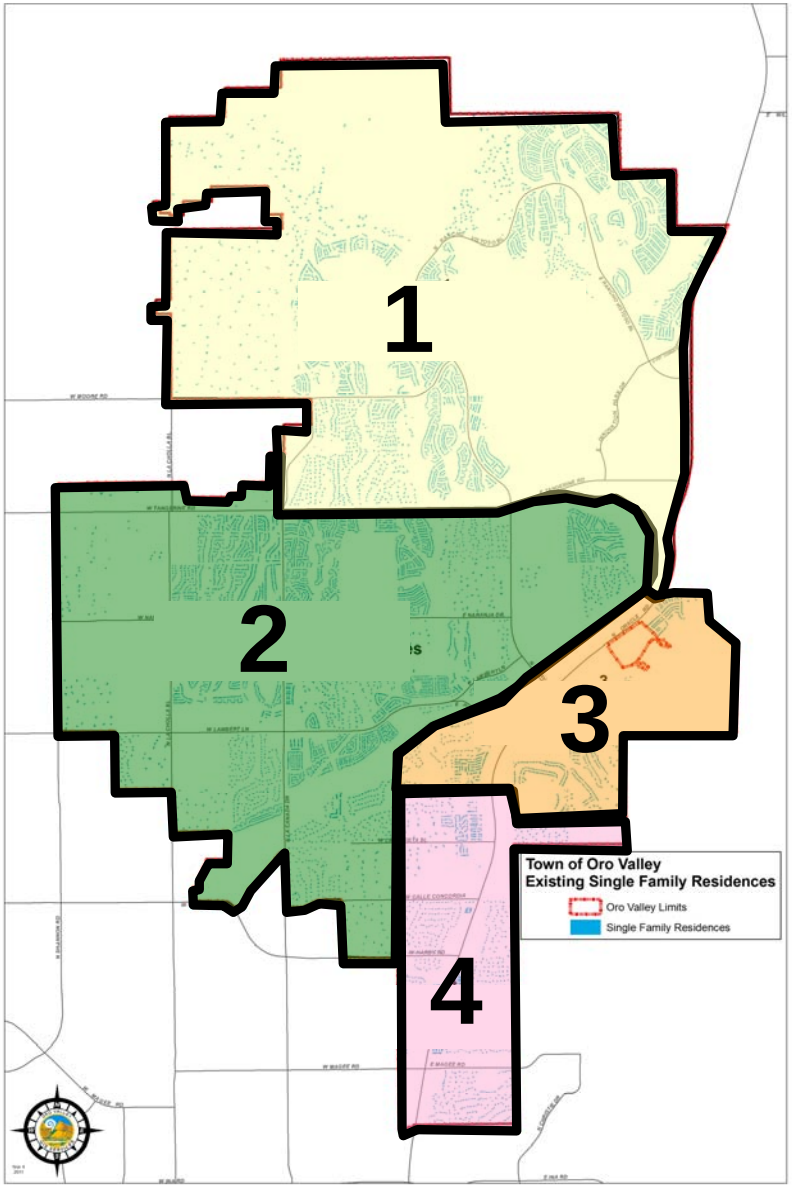
Multi-Family Units	total	%
total MRF as % of 2010 housing stock	2,350	**11.8%**
total zoned multi-family units	1,792	
total planned units	1,310	
TOTAL	**5,452**	**19.5%***
*** % of total projected housing units @ build-out**		

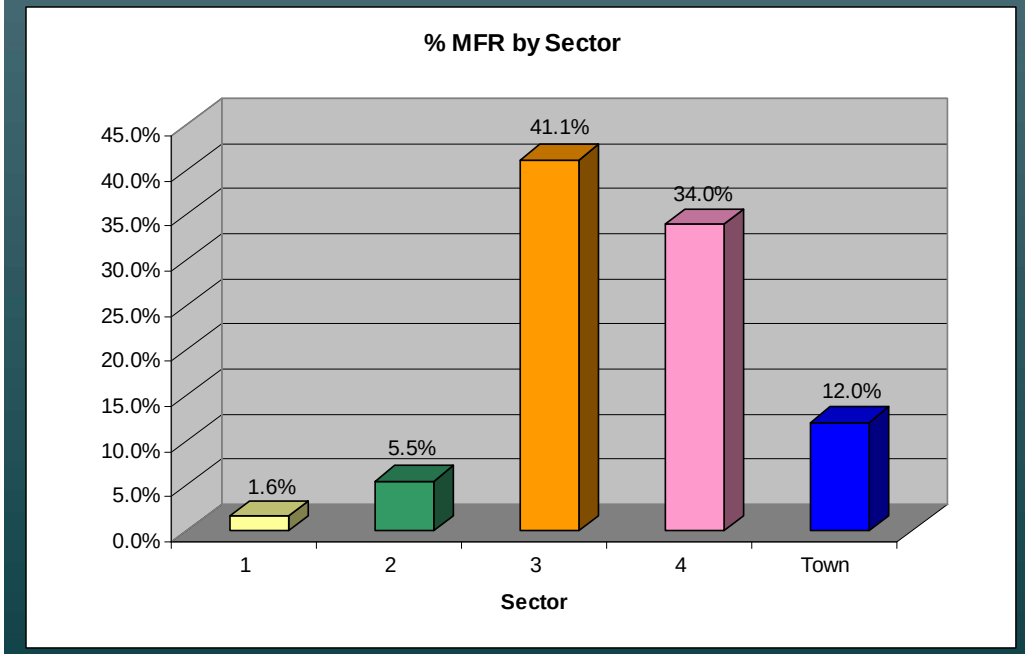
Oro Valley Apartment Occupancy

August, 2011 Phone Survey conducted by Town Staff

Apartment Name	Number of Units	Occupancy Rate %
Boulder Canyon at La Reserve	240	91.00
Catalina Crossing	97	87.00
Golf Villas at Oro Valley	281	95.00
La Reserve Villas	240	95.00
Oro Vista Apts	138	89.00
Pusch Ridge Apts	144	94.00
Rock Ridge Apts	319	94.00
Saddle Ridge	248	92.00
Sundown Village Apts	330	93.00
The Overlook at Pusch Ridge	424	95.50
Averages	**246**	**92.6**

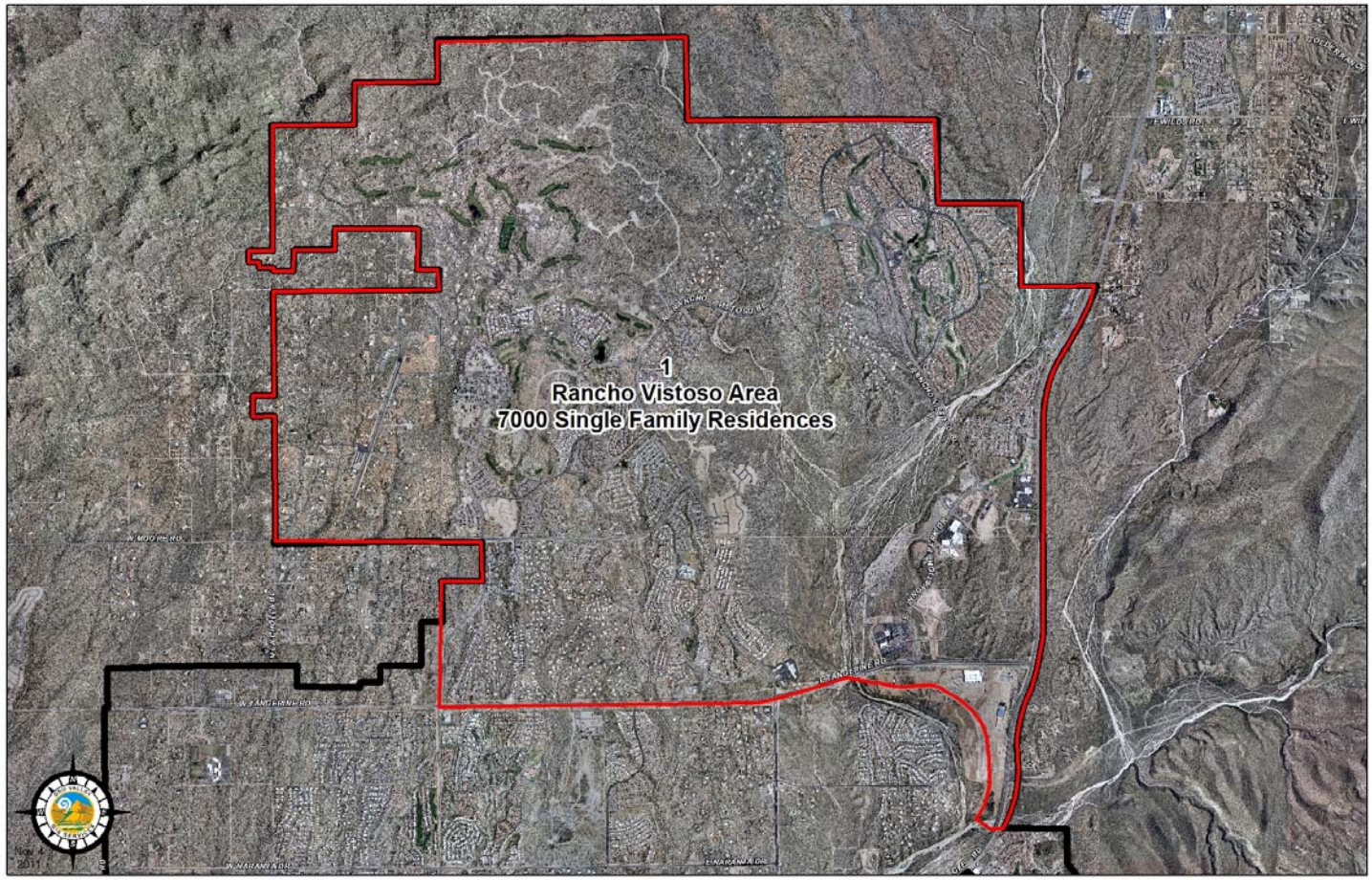
Geographical Distribution of Multi-Family Residential (MFR) : Town Sectors





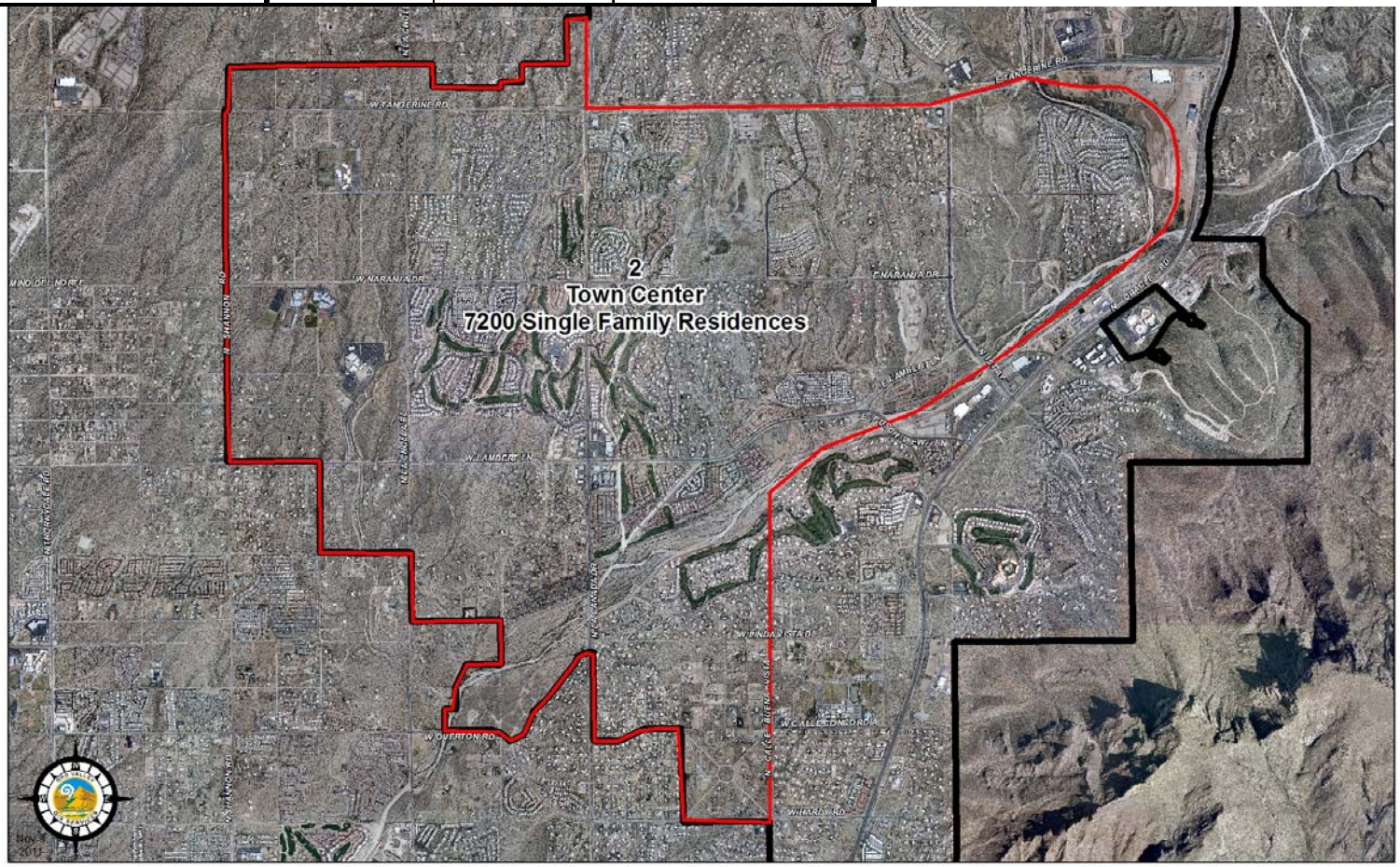
Geographical Distribution of MFR Sector 1 – Rancho Vistoso

1-Rancho Vistoso	MFR Acres	MFR Units	% of Town's MFR	SFR Units	Sector 1 MFR %
Existing	13.3	111	4.7%	7000	1.6%
Zoned	54.7	820	45.8%		
Planned	82.9	1242	94.7%		
Total	**150.9**	**2173**	**39.9%**		



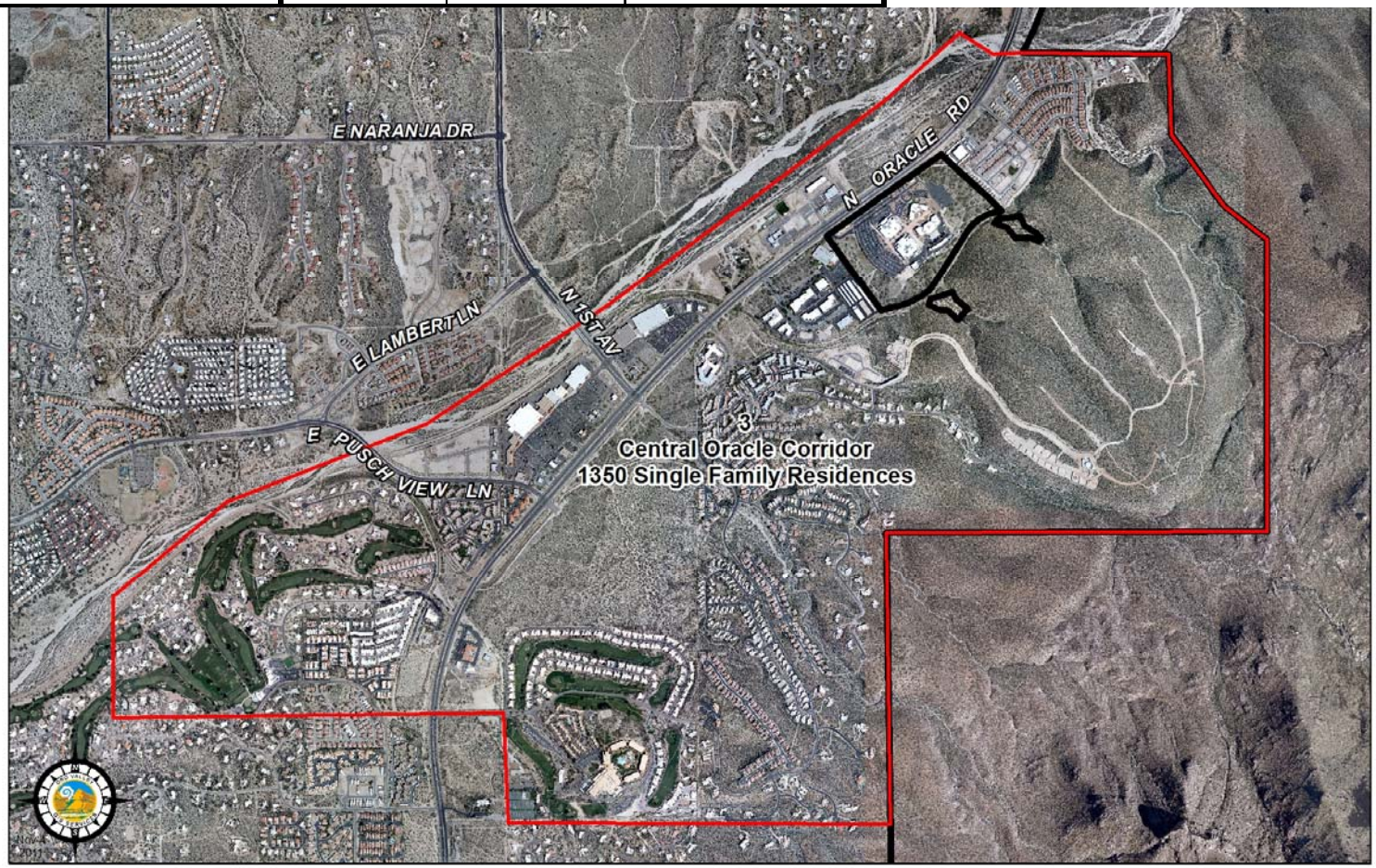
Geographical Distribution of MFR Sector 2

2-Town Center	MFR Acres	MFR Units	% of Town's MFR	SFR Units	Sector 2 MFR %
Existing	29.0	419	17.8%	7200	**5.5%**
Zoned	34.5	407	22.8%		
Planned	0	0	0.0%		
Total	**63.5**	**826**	**15.2%**		



Geographical Distribution of MFR Sector 3

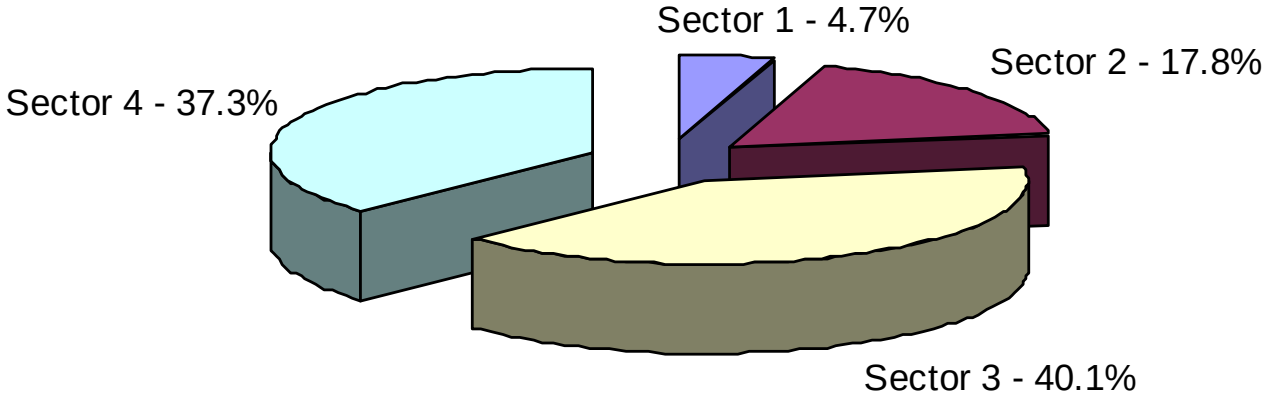
3-Central Oracle Rd. Corridor	MFR Acres	MFR Units	% of Town's MFR	SFR Units	Sector 3 MFR %
Existing	55.8	943	40.1%	1350	**41.1%**
Zoned	40	300	16.8%		
Planned	0	32	2.4%		
Total	**95.8**	**1275**	**23.4%**		



Geographical Distribution of MFR Sector 4

4-South Oracle Rd. Corridor	MFR Acres	MFR Units	% of Town's MFR	SFR Units	Sector 4 MFR %
Existing	48.9	877	37.3%	1700	**34.0%**
Zoned	23.6	262	14.6%		
Planned	4.6	37	2.8%		
Total	**77.1**	**1176**	**21.6%**		

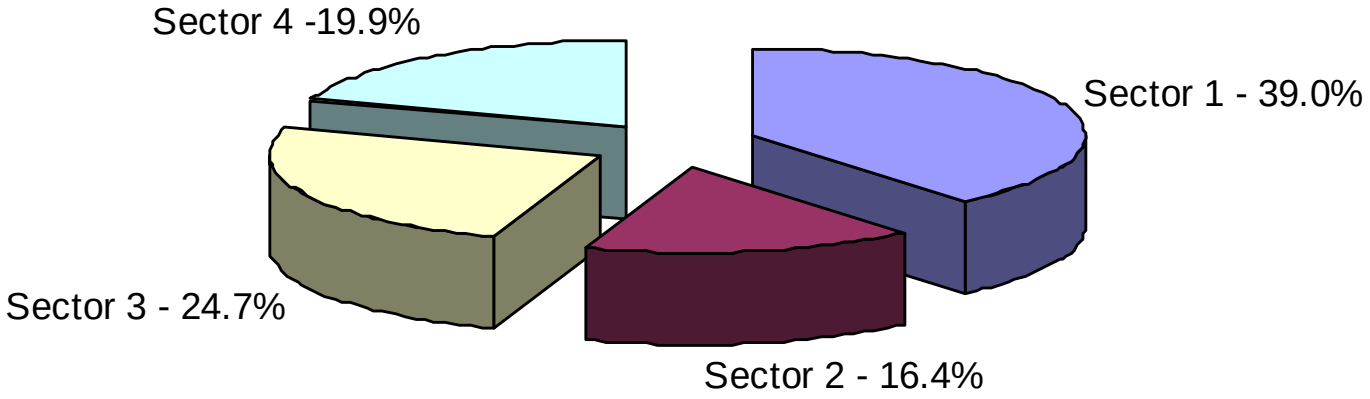
Geographical Distribution of Existing (Built) MFR Acreage



Total = 147 acres

Geographical Distribution of MFR Acreage at Build-Out WITHOUT General Plan Amendments

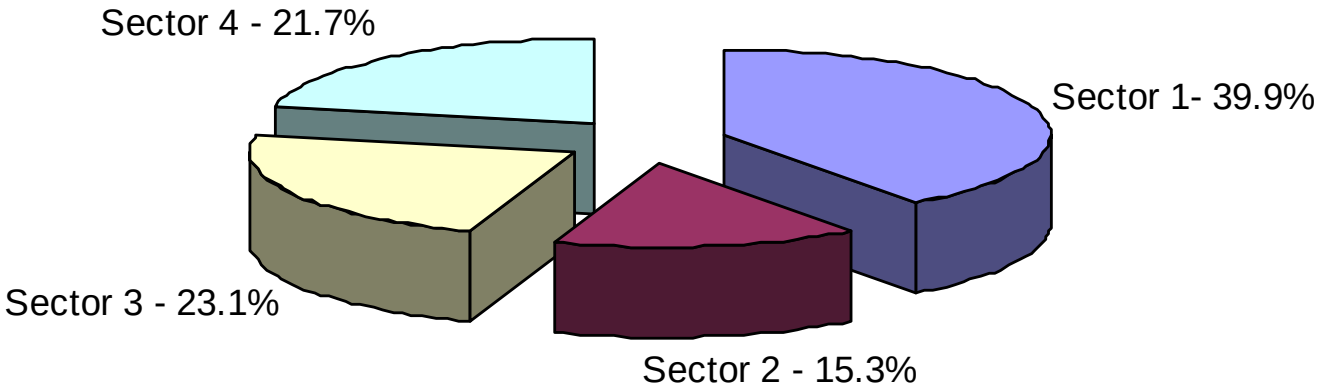
* build-out includes all existing, zoned, and planned MFR acreage



Total = 387.3 acres

Geographical Distribution of MFR Acreage at Build-Out INCLUDING General Plan Amendments

* build-out includes all existing, zoned, and planned MFR acreage



Project	Acres
Beztak-Rancho Vistoso 2-E	15
Rulney-Oracle/Linda Vista	13
TOTAL	**28**

Total = 415.3 acres

Summary of Existing, Zoned, Planned, and Total MFR

EXISTING	MFR Acres	% Acres	MFR Units	% MFR units	SFR Units	% MFR
1-Rancho Vistoso	13.3	9.0%	111	4.7%	7000	1.6%
2-Town Center	29.0	19.7%	419	17.8%	7200	5.5%
3-Central Oracle Rd. Corridor	55.8	38.0%	943	40.1%	1350	41.1%
4-South Oracle Rd. Corridor	48.9	33.3%	877	37.3%	1700	34.0%
	147.0	100.0%	2350		17250	

ZONED	MFR Acres	% Acres	MFR Units	% ZONED UNITS
1-Rancho Vistoso	54.7	35.8%	820	45.8%
2-Town Center	34.5	22.6%	407	22.8%
3-Central Oracle Rd. Corridor	40.0	26.2%	300	16.8%
4-South Oracle Rd. Corridor	23.6	15.4%	262	14.6%
	152.8	100.0%	1789	

PLANNED	MFR Acres	% Acres	MFR Units	% PLANNED UNITS
1-Rancho Vistoso	82.9	94.7%	1242	94.7%
2-Town Center	0	0.0%	0	0.0%
3-Central Oracle Rd. Corridor	0	0.0%	32	2.4%
4-South Oracle Rd. Corridor	4.6	5.3%	37	2.8%
	87.5	100.0%	1311	

TOTAL w/out GPAs	MFR Acres	% Acres
1-Rancho Vistoso	150.9	39.0%
2-Town Center	63.5	16.4%
3-Central Oracle Rd. Corridor	95.8	24.7%
4-South Oracle Rd. Corridor	77.1	19.9%
	387.3	100.0%

TOTAL WITH GPAs	MFR Acres	% Acres
1-Rancho Vistoso	165.9	39.9%
2-Town Center	63.5	15.3%
3-Central Oracle Rd. Corridor	95.8	23.1%
4-South Oracle Rd. Corridor	90.1	21.7%
	415.3	100.0%

Geographical Distribution Summary

- Highest concentration of existing MFR is along Oracle Road (Sectors 3 & 4)
- Rancho Vistoso (Sector 1) is under-represented in existing MFR, especially in proximity to employment areas such as Innovation Park
- However, Rancho Vistoso (Sector 1) has the majority of zoned and planned land for future MFR development
- Additional MFR development in Rancho Vistoso (Sector 1) and Sector 2 may be warranted to create a more appropriate distribution of MFR throughout the Town
- MFR "should be matched to employees within a reasonable proximity to employment sites"

Change to Town's MFR Build-Out Acreage with Proposed GPA Amendments

- **The two proposed General Plan Amendments represent a total increase of 7.2% increase to the total MFR acreage in the Town at build-out***

***includes existing, zoned, and planned MFR acreage**

Project	Acres	Increase to Build-out Acreage
Beztak-Rancho Vistoso 2-E	15	3.9%
Rulney-Oracle/Linda Vista	13	3.4%
TOTAL	**28**	**7.2%**

General Plan Evaluation: General Plan Vision

To be a well planned community that uses its resources to balance the needs of today against the potential impacts to future generations.

Oro Valley's lifestyle is defined by the highest standard of environmental integrity, education, infrastructure, services, and public safety.

It is a community of people working together to create the Town's future with a government that is responsive to residents and ensures the long-term financial stability of the Town.

Notable General Plan Goals & Policies

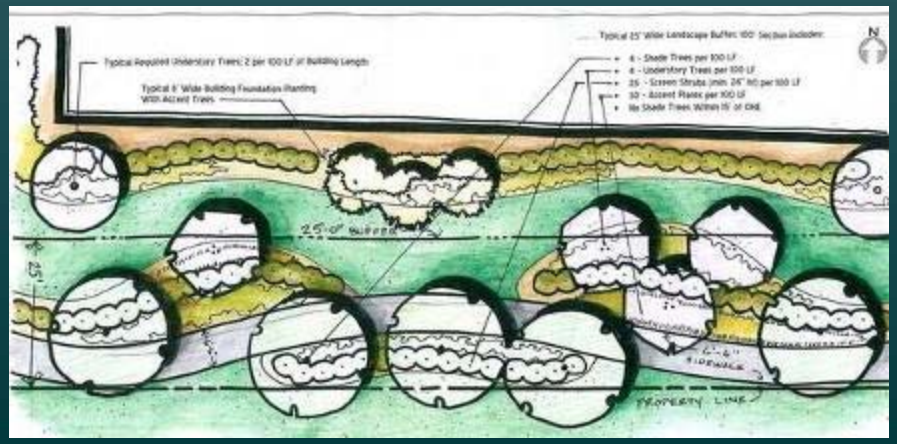
- Promote a compatible mix of land uses through the Oro Valley Planning Area

- Encourage new development to locate uses that depend on convenient transportation access (e.g. higher density residential and commercial) near major arterial streets

Notable General Plan Goals & Policies (con't)

- Ensure …approvals for high density residential projects are based on reducing the negative impacts on adjacent lower density residential projects and providing additional landscaping, open space, and other amenities

- Protect the integrity and aesthetic context of existing neighborhoods through the use of appropriate buffers



Notable General Plan Goals & Policies (con't)

- Encourage the provision of a variety of housing choices matched to employees within a reasonable proximity to employment sites

- Encourage ensure long-term financial and economic sustainability for the Town of Oro Valley

Analysis – Comparison

Citations

Steiner, Frederick and Kent Butler. (2007) *Planning and Urban Design Standards.* American Planning Association (APA); Produced by John Wiley & Sons, Inc.

COMMUNITY

Economic Development

STRATEGY

May 2011

Caring for our heritage, our community, our future

Acknowledgements

Town Council

Mayor Satish I. Hiremath

Vice-Mayor Mary Snider

Councilmember Bill Garner

Councilmember Barry Gillaspie

Councilmember Joe Hornat

Councilmember Steve Solomon

Councilmember Lou Waters

Town Management

Jerene Watson, Town Manager

Greg Caton, Assistant Town Manager

Kevin Burke, Assistant to the Town Manager

Betty Dickens, Human Resources Director

Brian Garrity, Procurement Administrator

Amanda Jacobs, Economic Development Manager

Ainsley Legner, Parks, Recreation, Library and Cultural Resources Director

Stacey Lemos, Finance Director

Tobin Rosen, Town Attorney

Daniel Sharp, Chief of Police

Suzanne Smith, Development and Infrastructure Services Director

Facilitator

Nanci Beizer, Facilitator, MetaWest Training and co-owner of Harvest Restaurant

Business Partners

Pat Abel, Golder Ranch Fire District

Dr. Vicki Balentine, Amphitheater School District

Matthew Baller, Wal-Mart Supercenter (La Cholla)

Dr. Michael Block, BASIS Oro Valley

Michael Bolchalk, Bolchalk FReY Marketing

Jacqui Bucher, Ventana Medical Systems, a member of the Roche Group

Paul Clifton, Hansen Family Investments

Chris Cornelison, University of Arizona MPA Student

Robert Davis, Grubb & Ellis

Jason Earl, University of Arizona MPA Student

Dick Eggerding, Oro Valley Community Foundation

Lynn Ericksen, Hilton El Conquistador Golf & Tennis Resort

Nancy Farina, Studio C/California Design Center

Rick Furrier, Jack Furrier's Western Tire Centers

Ramon Gaanderse, Northern Pima County Chamber of Commerce

Felipe Garcia, Metropolitan Tucson Convention and Visitors Bureau

David Godlewski, Southern Arizona Home Builders Association

Michael Guymon, Metropolitan Pima Alliance

Jeff Hughes, Wal-Mart Supercenter

Hank Jepsen, Oro Valley Business Club

Dr. Jana Kooi, Pima Community College, Northwest Campus

Chief Randy Karrer, Golder Ranch Fire District

Carlos Lomeli, Wal-Mart Neighborhood Market

Chuck Luhtala, Canyon Community Bank

Dick Maes, Vistoso Partners

Hany Massarany, Ventana Medical Systems, a member of the Roche Group

Bonnie Medler, University of Arizona MPA Student

Dave Perry, Explorer Newspaper

Michael Quinn, 911 Collision

Steven Rosenberg, BIZ Tucson

Rachael Sedgwick, University of Arizona MPA Student

Neil Simon, Venture West

Joe Snell, Tucson Regional Economic Opportunities, Inc.

Shawn Strash, Oro Valley Hospital

John Sullivan, Golder Ranch Fire District

Tom Thaller, M&I Bank

Dr. Leslie Tolbert, University of Arizona

Richard Underwood, AAA Landscaping

Jonathan Walker, Metropolitan Tucson Convention and Visitors Bureau

Mark Weinberg, Diamond Ventures

Overview

A Community Economic Development Strategy (CEDS) for Oro Valley

Over the past several years, there has been a concerted effort on the part of the Town and private individuals to develop an organized plan of action for Economic Development or a Community Economic Development Strategy (CEDS). Oro Valley leaders realize that it is important to invest in Economic Development to ensure the sustainability of the community as the Town's limited commercial and industrial lands are rapidly developed and the demand for municipal services continues to increase. It is important for Oro Valley to maintain an environment that encourages compatible commercial development that will ensure sustainability.

In November 2005, the Town adopted the Focus 2020: Town of Oro Valley General Plan, which included an Economic Development element. A key policy (3.1.1) in the Economic Development Element of the General Plan states:

> *"The Town shall ensure that future growth reflects the desires of the community in balance with an analysis of the Town's financial needs, maintain and periodically update the Town's Community Economic Development Strategy to ensure that future development will complement community values and implement the community's economic vision for the future, while maintaining the ability of Oro Valley to attract and retain desirable businesses."*

The development and use of a CEDS was deemed to be an important step in providing for implementation of the General Plan Goals and Policies. Adoption of a CEDS contributes to the Town making the best use of limited resources.

Purpose of CEDS

The purpose of CEDS is to:

- Implement the Goals and Policies of the Economic Development Element of the Town's General Plan
- Contribute to the Town's Strategic Plan as it relates to Economic Development
- Provide guidelines in decision-making to the Town's political and administrative leadership to achieve Economic Development consistent with the Town's character and vision
- Make the best use of limited resources in providing a focused Economic Development program for the community
- Coordinate all commercial development-related programs and strategies in a formal way

CEDS and the General Plan 2020

Important goals and policies called for in the Economic Development Element of the General Plan include:

- Encouraging and supporting the following types of enterprises as a means of diversifying the local tax base, increasing local employment opportunities, and decreasing sales tax leakage to nearby communities:
    - Technology related employers (e.g., bioscience, optics)
    - Hospital and health services
    - Commercial/retail establishments
    - Tourism/Resort/Convention offerings related to the area's natural amenities and cultural history, including Catalina State Park, Coronado National Forest, Steam Pump Ranch and Honeybee Village.
- Make strategic public investments, such as capital improvements, that support appropriate, desirable Economic Development
- Continue efforts to attract retail and service businesses, especially those in under-represented categories, in order to help reduce sales tax losses
- Support the development of high quality employment-related uses. Campus-type employment centers that emphasize a unified architectural theme, pedestrian orientation, and a natural landscaping theme are encouraged
- Recruit commercial businesses and other employment related uses that enhance the neighboring residential areas

On October 15, 2010 and January 21, 2011, the Town held its first-ever Economic Summits with local business leaders, community leaders and residents. The purpose of the summits was to create the 2011 CEDS.

Economic Development Mission Statement

Develop a positive business climate consistent with community values to ensure the long-term financial and economic stability and increase the quality of life for residents and businesses in the Town of Oro Valley.

Focus Areas

The CEDS outlines the goals, strategies and actions required for Economic Development. Three focus areas provide the framework for the CEDS. These focus areas indicate where Oro Valley must direct its attention in order to address community needs and desires. The focus areas are:

- Business and Community Development
- Community Infrastructure
- Leadership and Communication

Within each Focus Area are goals, strategies and actions designed to produce desired outcomes.

- **Goals** describe a fundamental direction or broad course of action
- **Strategies** describe the manner in which the resources of the organization will be employed to accomplish each goal
- **Actions** are specific tasks that will be accomplished to assist in implementing each goal

Implementing these goals, strategies and actions will require leadership, financial commitment, effective management and continual evaluation.

Focus Area: Business and Community Development

The Town is committed to facilitating the expansion of the local economy. Commercial business growth, and the Town's continued success in attracting high-tech and bioscience industry, point the way toward a sustainable model for economic development.

GOAL	***1***	***Increase employment opportunities***
STRATEGY	**1.1**	**Attract, retain and grow bioscience industry**
ACTION	1.1.1	Expand on "Ventana Medical Systems/Roche" model
ACTION	1.1.2	Expand marketing efforts to attract primary employers in the high-tech and bioscience fields
ACTION	1.1.3	Create business district
ACTION	1.1.4	Establish regular project team meetings between Town and company to streamline development processes
STRATEGY	**1.2**	**Attract, retain and grow retail industry**
ACTION	1.2.1	Encourage the attraction, expansion and retention of diverse retail opportunities
ACTION	1.2.2	Promote local businesses through programs such as Business Navigator, Shop Oro Valley, Dine Oro Valley or other promotional events
ACTION	1.2.3	Adhere to procurement practices that provide Oro Valley businesses all opportunities to compete for Town business and that promote the ideals of the Shop Oro Valley campaign
ACTION	1.2.4	Establish regular project team meetings between Town and developer to streamline development processes
STRATEGY	**1.3**	**Promote partnerships to enhance education and workforce development**
ACTION	1.3.1	Partner with Amphitheater School District, Basis Oro Valley and other Oro Valley schools to support educational needs
ACTION	1.3.2	Partner with Pima Community College and the University of Arizona to support workforce development

GOAL	***2***	***Develop diverse sources of revenue***
STRATEGY	**2.1**	**Explore annexation opportunities**
ACTION	2.1.1	Pursue annexation opportunities that provide a long-term benefit to the Town
ACTION	2.1.2	Perform fiscal impact analysis of potential annexation scenarios that include the Tangerine Corridor (close the gap between Oro Valley and Marana), Foothills Mall, Omni Tucson National Resort and Westward Look
STRATEGY	**2.2**	**Evaluate additional revenue sources**
ACTION	2.2.1	Present additional revenue source options for Council consideration during the annual budget process
GOAL	***3***	***Preserve Community Quality of Life***
STRATEGY	**3.1**	**Develop a Town Center to promote culture**
ACTION	3.1.1	Facilitate the development of a Town Center, focused on retail services and hospitality, that serves as a "downtown" for Oro Valley
ACTION	3.1.2	Create an entertainment district

Focus Area: Community Infrastructure

Community infrastructure encompasses both the social and physical factors that determine a community's strength. The Town's investment in both social and physical infrastructure creates the complex network of facilities, programs and services that we refer to as quality of life. The Town of Oro Valley strives for excellence in the provision of community services, the development of social relations and the construction and maintenance of the built environment.

GOAL	***1***	***Improve transportation infrastructure***
STRATEGY	**1.1**	**Partner with regional jurisdictions to develop and maintain physical infrastructure**
ACTION	1.1.1	Continue to work with federal, state and regional agencies to secure funding for Town projects
ACTION	1.1.2	Work with State Legislators on State Route 77 (Oracle Road)
GOAL	***2***	***Provide diverse arts, cultural and recreational opportunities***
STRATEGY	**2.1**	**Develop and maintain arts, cultural and recreational assets**
ACTION	2.1.1	Initiate development of a parks and recreation Master Plan
STRATEGY	**2.2**	**Support cultural events and opportunities**
ACTION	2.2.1	Facilitate the development of a Community Center, focused on arts, culture and recreation
ACTION	2.2.2	Partner with local and regional arts and cultural organizations to enhance existing Town events and programs
STRATEGY	**2.3**	**Support amateur sporting events**
ACTION	2.3.1	Continue partnering with the Metropolitan Tucson Convention & Visitors Bureau (MTCVB) to attract and retain local and national amateur sporting events to Oro Valley (e.g. IronKids)

Focus Area: Leadership and Communication

Leadership and communication are interrelated principles; you cannot have one without the other. Leadership is the ability to communicate a vision, motivating people to transform great ideas into action. Leadership and communication form the Town Council and the Town Manager enable the organization to achieve its goals in service to the community. The overarching goal of the organization is to uphold the highest standards of trust, respect and accountability in municipal government.

GOAL	***1***	***Brand and market Oro Valley assets***
STRATEGY	**1.1**	**Communicate Oro Valley brand locally, nationally and internationally**
ACTION	1.1.1	Develop and market distinctive Oro Valley brand that highlights bioscience and recreational attributes
GOAL	***2***	***Improve communication and engagement***
STRATEGY	**2.1**	**Increase engagement and partnership through strengthened local and regional outreach with diverse partners**
ACTION	2.1.1	Host events and open houses with the community (residents, businesses and regional partners)
ACTION	2.1.2	Continue meeting and communicating with business owners via the Town's Business Retention and Expansion Program
ACTION	2.1.3	Develop "Dine Oro Valley" Campaign to engage business owners, employees and residents
ACTION	2.1.4	Conduct needs assessment of community resources
ACTION	2.1.5	Continue monthly meetings with regional partners
ACTION	2.1.6	Use social media sources such as Twitter and Facebook to provide public education and outreach on economic development programs
STRATEGY	**2.2**	**Expand the use of electronic media**
ACTION	2.2.1	Use the *Oro Valley Vista*, monthly community newsletter, to communicate economic development programs, events and policies
ACTION	2.2.2	Partner with local and regional media outlets to communicate economic development programs, events and policies

SWOT (Strengths – Weaknesses – Opportunities – Threats) Analysis

Strengths	**Weaknesses**
• Leadership (Responsive and Collaborative Town Council) • Skilled and Dedicated Staff • Excellent Public Safety • Excellent Schools/Diverse Educational Opportunities • Recreation • Tourism • Scenic Beauty • Regional Partnerships • Public Art • Bioscience Corridor • Sound Infrastructure • Master Planned Community • Streamlined Processes • Business Friendly Attitude	• Lack of Community Identity • Lack of Consistent Quality Communication to business leaders and residents on Town issues • Lack of Cultural Opportunities • Lack of Diverse Retail Options • Lack of Diverse and Sustainable Revenues • Lack of a Downtown • Lack of recreational resources • Lack of Public Transportation • Perception that "Oro Valley is difficult to conduct business with"
Opportunities	**Threats**
• Annexations • Advocate for Education • Branding and Marketing Assets • Continue to Streamline Processes • Develop Town Center for Arts, Culture and Entertainment for all ages • Expand Bioscience Corridor • Expand recreational resources • Improve Community Communication and Engagement/Electronic Media	• Economy • Local/Regional/State Funding for Economic Development • Service Expectations without Funding

Beztak General Plan Amendment
September 20, 2011, Neighborhood Meeting Questions/Issues

The following questions and issues were discussed at the first neighborhood issue identification meeting on September 20, 2011.

Process/Timeline

- What is the proposed phasing?

Market/Financing

- Financing?
- Assurances/bonds?
- Why can't property be developed low-density residential?
- What is the opportunity cost of using?
- Rents?

Developer's Responsibility/Commitment & Town's Assurance Process

- Guarantee that what is shown will be built
- Can they change rules/conditions?
- Has there been a photometric study?
- What if property is sold in the future?

Crime/Safety/Security

- What is the potential for noise pollution, particularly nighttime impacts?
- Crime statistics?

Traffic, Parking, Ingress/Egress

- How will parking be handled for guests/visitors?
- Is a traffic impact analysis required?
- Peak traffic concerns
- Is there increased accident potential with additional traffic?
- How will traffic impacts be combined with logistics facilitation?
- What is the location of ingress/egress?
- Issue of access control for wall along rear

Land Use/Site Design

- Is it gated?
- Are there grading or topography issues?
- Grading – final floor elevation?
- Building height?
- Lighting – dark skies ordinance, height of fixtures
- COP for HDR (land use balance)

(OVER)

Compatibility, Project Impacts/Mitigation

- All Neighborhood 2 homes are 1 story except along Oracle
- Is there a policy on storey poles?
- What potential view impacts might exist?
- Issues with proximity to crematorium?

General/Miscellaneous Questions

- Does applicant own property now?
- Will it be in Rancho Vistoso master Home Owners Association (HOA)
- Will properties deteriorate in the future?
- Property to the north zoned MDR?
- What is the effect on property values?
- What are luxury apartments?
- Why not already zoned areas?
- Corp. housing with local employers?

Beztak General Plan Amendment
October 10, 2011, Neighborhood Meeting Questions/Issues

The following questions and issues were discussed at the second neighborhood issue identification meeting on October 10, 2011.

- Will additional Campus Park Industrial (CPI) land be provided somewhere else to offset the loss of CPI land is residential is developed?
- Are there other options besides high density residential (HDR)?
- Is the existing utility infrastructure adequate to serve apartments?
- Is there adequate water available to serve the proposed development?
- Who is responsible for infrastructure improvements that may be needed, such as road widening, signals, turn lanes, etc. (A: the developer)
- Can the project be moved further south near the hospital?
- Will the developer be required to pay impact fees?
- What are the impacts on schools? (student population, class size)
- How many units are proposed? (A: 256).
- How many units could potentially be built in Rancho Vistoso HDR zone? (A: approx. 315 (15 acres x 21 dwelling units/acre)
- Can commercial uses be placed on CPI property? (A: as secondary, or accessory, uses to primary campus park industrial uses)
- How will traffic issues be addressed?
- Impacts of CPI are generally 8 hrs. a day, 5-6 days/wk. while HDR is 24/7
- What is the maximum height allowed in CPI (A: 36 ft.)
- What is the maximum height allowed in HDR (A: 34 ft.)
- How many units will have garages? (A: 220 (of 256 units))
- Is converting land intended for CPI "business friendly"?
- Is the Town losing future "employment base" property by converting to HDR. "Once it's gone, it's gone"
- Does CPI use generate tax revenue for the town like commercial uses? (A: no, only construction sales taxes (one time fees) are paid; no sales tax is typically paid by CPI)
- Will parking be adequate for residents and visitors? On-street parking is not allowed in Rancho Vistoso
- Could mobile homes be built in HDR? (A: no)
- Will Section 8 housing be required in this project? (A: no)
- The term "luxury" is overused and undefined
- Since the General Plan is voter approved, why should the community change it to accommodate this development?
- Are the proposed 2 and 3 story apartment buildings a good match for the upscale residents the developer seeks to attract

Hi Mr. Michels

Is if possible for you to email me a plan of the proposed development of High Density Residential building that is being proposed for the Rancho Visto Blvd, and the Commerce Road area.
We have a home in that area, and are very concerned that our quality of life will be destroyed by the traffic, the noise and the blocking of our views by a use of this land that allows any buildings higher than a normal home height.

Since many of us as property owners can not attend this meeting next week, can we pass a petition, and submit it to the board at that time?

How can we tell the Town of Oro Valley, that the residents of the area, do not wish to have High Density Residential housing just over our back fence.

I am sure that most of us can send you an email telling you our feelings, and that most of us do not feel that this area should have High Density housing built on it.

Kenneth N. Bolan, Realtor, GRI, SFR, CSSPE, E-Pro
RE/MAX A Bar Z Realty
120 N Arizona Blvd Ste A
Coolidge, AZ 85128
Cell # 520-705-8700
Office 520-466-5350
Fax 602-557-0561

From: Mark Highlen <MHighlen@beztak.com>
To: Ken Bolan <kbolan@yahoo.com>
Sent: Monday, September 12, 2011 11:23 AM
Subject: Project Info and Neighborhood Meetings

Ken,

Thank you for your interest in our project.

Our plan doesn't include any single-family zoned parcels, only the parcel currently zoned CPI (campus park industrial).
Our application requests that HDR (high density residential) be added to the general plan as a use that can be considered for this site.

Our preliminary plan can be viewed at the Town Hall, and we'll present the project and answer questions at the neighborhood meetings.

Mark Highlen
Land Development Project Manager
Beztak Land Company

From: Ken Bolan [mailto:kbolan@yahoo.com]
Sent: Monday, September 12, 2011 8:02 AM
To: Mark Highlen
Subject:

Mr. Mark Highlen
Beztak Land Company

Please send to me a copy of the land use plan for the area of Rancho Visto Village Drive that you intend to build on.

We own a home in this area, and want to know where your company proposes that a apartment building will be built.

We purchased this home believing that this was a single family residential community, of one story homes, does your application change that?

Ken

Kenneth N. Bolan, Realtor, GRI, SFR, CSSPE, E-Pro
RE/MAX A Bar Z Realty
120 N Arizona Blvd Ste A
Coolidge, AZ 85128
Cell # 520-705-8700
Office 520-466-5350
Fax 602-557-0561

From: kenpar72@q.com
Sent: Thursday, September 22, 2011 12:48 PM
To: Michels, Matthew; pkeesler@orovalleyaz.org
Subject: Beztak proposal

Hello Mr. Michels & Mr. Mr. Keesler, In reference to Oro Valley town meeting on September20th I would like to submit a few comments. First of all I would like to introduce myself, Mrs. Patricia Pariza residing at 13528 N. Wide View Dr., 85755 579-8979 kenpar72@q.com. I am a wife and mother of 7 year old twins. I was a Business major until a foolish drunk driver ended my future career and left me with a Seizure disorder. However, I am not limited to my intelligence, just my speech. So I took the time to do a little research. I tried to look into every aspect of this proposed development. I spoke with Pima County assessor and Oro Valley Economic Development and found out that yes it is true what I thought that Oro Valley services do benefit from property tax money, a portion is given to the fire departments, schools, library etc. . However, Oro Valley does receive 4% construction sales tax and a portion of state income tax based on the population. So there is something Oro Valley will receive if this development goes up, along with the people residing there, hopefully they shop here so O.V. gets the sales tax. This may make you think I am babbling but what I am doing is trying to look at the full picture of how Oro Valley would benefit from this development. I am for making more money for the town whether it be through sales tax etc. One must first think, is this development a positive move? You may say 93% of rentals are filled but what about the other apartments and the homes both used & new? Foreclosures? I empathize with the people who will be losing their views from this project but I also try to look at the positives for this proposal. I can't seem to make sense of how this company can be so sure they will be able to fill their units at the rent they request and how the empty units won't be vandelized and this area will become unsafe. As far as the traffic, I know the roads are strong enough but not having a light at Commerce Loop & Oracle makes no sense because at this time it is dangerous crossing to go North on Oracle from C. L Unless they just close that entrance/exit. If making money for Oro Valley is your greatest concern then why don't we aim more towards having more appealing stores and restaurants for the wealthy and at the same time offer more affordable attivities in Oro Valley for people, like the most of us, on a budget. Thank you very much and I apologize for not giving you direct questions on the prosed apartment complex but truthfully keeping up on the real estate in Oro Valley I can't seem to find any benefit to Oro Valley allowing Beztak to build. Lets fill the apartments and houses that are empty first. People will continue to leave unless Oro Valley gives them a reason to stay . Maybe that is the question for Beztak, What makes them think they will rent out their units and at the monthly rent they expect? When jobs are being lost. When more people are leaving Oro Valley then moving in. Best Regards, Patricia Pariza

From: Daines, Chad
Sent: Friday, October 07, 2011 4:54 PM
To: 'Shirl LAMONNA'; Williams, David
Cc: Michels, Matthew
Subject: RE: Zoning Amendment Parcel 7-1

Attachments: Occupancy Rates 0811.doc
Shirl: Thank-you for your interest in the application relative to Rancho Vistoso Parcel 7-1. Below are answers to your questions. Should you have any further questions, feel free to contact Chad Daines at 229-4896. Thanks.

What other locations/addresses in OV are under consideration for multi-family residential? How many units? Who is the owner/intended developer? What is the time frame for construction?

In addition to the Rancho Vistoso Parcel 7-1 PAD amendment, there are two Major General Plan Amendment applications requesting approval of apartments as follows:

OV1111-002 **Rancho Vistoso Parcel 2E.** Request to amend the Oro Valley General Plan for a 15 acre parcel located at the northeast corner of Rancho Vistoso Blvd.and Vistoso Commerce Loop from Commerce Office Park (COP) to High Density Residential (HDR 5.1+ du/ac). Proposing approximately 256 units on 15 acres.

Mark Highlen
Beztak Land Co.
31731 Northwestern Hwy. Ste 250W
Farmington Hills, MI 48334
(248) 855-5400
Email: mhighlen@beztak.com

Please contact the developer regarding the proposed timeframe for construction.

OV1111-003 **Ross Rulney.** Request to amend the Oro Valley General Plan for a 13 acre parcel located east of the northeast corner of Linda Vista Blvd. and Oracle Road from Neighborhood Commercial Office (NCO) to High Density Residential (HDR 5.1+ du/ac). Proposing approximately 210 units on 13 acres.

Ross Rulney
Oracle Linda Vista Investors, LLC
PO Box 43426, Tucson, AZ
Tel. (520) 850-9300

Email: rossrulney@gmail.com

Please contact the developer regarding the proposed timeframe for construction.

A case was recently considered and tabled by the Town Council on October 5th for a Planned Area Development Amendment (OV 911-003) for the Oro Valley Town Centerat 1st Street and Oracle. The PAD amendment proposed 275 multi-family dwelling units.

What media does the Town use to post notifications of proposed zoning & or General Plan/PAD changes?

The Town of Oro Valley has an extensive public notification and participation process. Rezoning and General Plan amendments require two neighborhood meetings. Prior to the neighborhood meeting, a postcard is mailed to all **property owners** within 600 feet of the subject property using addresses on record at the Pima County Assessors Office. The notice is also mailed to all Homeowner Association's in the Town and posted on the Town's website at:

http://www.orovalleyaz.gov/Town_Government/Development_Infrastructure_Services_Dept/Planning_Division/Neighborhood_Meetings_and_Summaries.htm

The notice is also posted at Town Hall at 5 locations including the Development & Infrastructure Services, Courts, Town Council Chambers and Administration buildings. A notice is separately mailed to individuals who have requested notification either by mail or email.

For Rezonings (including Planned Area Development Amendments like Rancho Vistoso Parcel 7-I), the public hearing before the Planning and Zoning Commission is advertised 15 days prior to the hearing in a Display Advertisement (1/8 Page) the Daily Territorial. A postcard is mailed to all property owners within 600 feet of the subject property using addresses on record at the Pima County Assessors Office. The notice is also mailed to all Homeowner Association's in the Town and posted on the Town's website at:

http://www.orovalleyaz.gov/Town_Government/Development_Infrastructure_Services_Dept/Planning_Division/Hearing_Notices.htm

Notices are also posted at Town Hall (see above 5 locations) and a posting placed on the property. A notice is separately mailed to individuals who have requested notification either by mail or email. The above process is repeated in it's entirety for the public hearing before Town Council.

For Major General Plan Amendments (like Rancho Vistoso Parcel 2-E Beztak), the public hearing before the Planning and Zoning Commission is advertised 15 days prior to the hearing in the Daily Territorial and Arizona Daily Star. The advertisement is repeated on three separate days in both newspapers. A postcard is mailed to property owners within 1,000 feet of the subject property using addresses on record at the Pima County Assessors Office. The notice is also mailed to all Homeowner Association's in the Town, posted on the Town's website and posted at Town Hall and a posting placed on the property. A notice is separately mailed to individuals who have requested notification either by mail or email. This process is repeated in it's entirety for 2 public hearings before the Planning and Zoning Commission and again for the public hearing before Town Council.

What is the source for the 93% apartment occupancy rate? Were all 13 OV apartment complexes included in this study? How many units are included in those complexes currently?

The 93% occupancy rate was derived from a phone survey of apartment complexes in Oro Valley conducted in August. The results of the survey are attached for your reference.

What crime statistics are available specific to apartments in OV?

We have compiled a map of crime distribution in the Town. To obtain a copy of the map, please contact Matt Michaels at 229-4822. Other crime statistics can be obtained by contacting the Oro Valley Police Department non-emergency number.

Where can I obtain a copy of the report detailing the "strong demand for multi family housing" in OV? Who at Ventana indicated their needs & what #s are associated with their demand for apartments? How many employees are in each salary range & what are the ranges?

The only information available from the Town regarding multi-family housing status is the survey mentioned above. I believe your question may be in regard to statements made at the Planning and Zoning Commission hearing by a member of the applicants development team and I would refer you to their representative for any clarification or information related to their comments at the public hearing. The developer's representative is Paul Oland, The WLB Group and can be reached at (520) 881-7480 orgpoland@wlbgroup.com

Relative to your question concerning the number of employees and salary ranges at Ventana, please contact Ventana for further information, if available.

What will apartment lighting do to the Dark Sky requirements?

> Oro Valley has one of the most stringent Outdoor Lighting Ordinances in the State. This Ordinance meets and exceeds Pima County's Dark Sky outdoor lighting code. Any development is required to adhere to this comprehensive light control ordinance.

What benefit do apartments offer the Town - financially & otherwise? Given that they were not mentioned as a target in the Economic Development Plan, I am stunned to hear that so many projects are under consideration for this type of enterprise. Who has done a cost/benefits analysis on this subject?

> As stated at the hearing, the general plan policies support higher density developments in appropriate areas in proximity to employment centers. The General Plan also contains policies which support diverse housing choices to serve all existing and future residents of Oro Valley. The General Plan Land Use Map designates areas for large lot ranchettes, smaller lot single-family areas and areas for multi-family residential uses.
>
> The General Plan supports a balanced community with a range of housing available to all residents.

Chad Daines, AICP
11000 N. La Canada Drive, Oro Valley, Arizona 85737
Phone (520) 229-4896
cdaines@orovalleyaz.gov

www.orovalleyDIS.com

From: Shirl LAMONNA [mailto:shirllamonna@msn.com]
Sent: Wednesday, October 05, 2011 7:20 AM
To: Williams, David
Cc: Daines, Chad
Subject: Zoning Amendment Parcel 7-1

David,

Thank you for your candid comments & answers to the questions posed at last nite's zoning mtg. I appreciate your willingness to get some answers relative to the impact on schools. I wonder if you might be able to provide answers for the following additional questions?

What other locations/addresses in OV are under consideration for multi-family residential? How many units? Who is the owner/intended developer? What is the time frame for construction?

What media does the Town use to post notifications of proposed zoning & or General Plan/PAD changes?

What is the source for the 93% apartment occupancy rate? Were all 13 OV apartment complexes included in this study? How many units are included in those complexes currently?

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What will apartment lighting do to the Dark Sky requirements?

What benefit do apartments offer the Town - financially & otherwise? Given that they were not mentioned as a target in the Economic Development Plan, I am stunned to hear that so many projects are under consideration for this type of enterprise. Who has done a cost/benefits analysis on this subject?

Thanks in advance for your help.

Shirl Lamonna

From: Larry and Brenda Ryan [landbryan@msn.com]
Sent: Tuesday, October 11, 2011 7:50 AM
To: Michels, Matthew
Subject: PARCEL 2E

Attachments: Mercury Toxicity-Damage Studies.wps

Council Members and Mayor,

As a follow-up to last night's meeting at TOV regarding the re-zoning of Parcel 2E, and building 258-310 high-density apartments, I am following Mr. Solomon's suggestion that we email you our thoughts.

We have been residents of Vistoso Vistas (Neighborhood Two) for 10 1/2 years. In the past five years five issues have devalued or threatened to devalue or property:

1. Incorrect zoning under ORSCOD never completed by Council in early 2000's. Ryans hired an attorney, did the research and the neighborhood was approved as rezoned to residential according to ORSCOD regulations which provided "zoned as developed".

2. Crematorium re-zoned parcel, and approved without residents' awareness. It did devalue homes approxmately $30,000 each. Research from Pima County Assessor.

3. Rodger Ford's 40-foot tall warehouse plan for Parcel E2 to ruin views of adjacent homes, add trash bins at entrance with other problems.

4. ADOT's plan for a huge high, ugly wall beginning down at RV Blvd. and Oracle and extended north past Vista Marbella destroying views and devaluing homes along Oracle.

5. Plans to develop Parcel 2E into 258-310 apartments will devalue homes.

DON'T YOU THINK WE HAVE HAD ENOUGH?

OUR POSITION TO THE HUGE NUMBER OF SO-CALLED LUXURY APARTMENTS IS THIS:

1. HIGH DENSITY TRAFFIC ADDING TO THE OVERPOWERING CONGESTION WE NOW HAVE FROM A 415-HOME NEIGHBORHOOD WITH ONLY TWO ACCESS/EGRESS STREETS

2. INCREASE IN SCHOOL POPULATION

3. INCREASE IS USE OF WATER, NOISE, VOLUME OF PEOPLE.

4. PEOPLE LIVING ACROSS FROM A 'DEATH ZONE'--A CREMATORIUM THAT SPEWS TOXIC DISEASE-CAUSING POLLUTANTS. (PLEASE READ ATTACHMENT)

5. 24/7 NOISE

6. 500 OR MORE PEOPLE WALKING THEIR DOGS, OR JUST STROLLING THROUGH OUR NEIGHBORHOOD GAINING ACCESS TO OUR HOMES, SCATTERING ROCKS FROM YARDS ALONG THE SIDEWALK, PETS DEFECATING AND TURNING THE NEIGHBORHOOD INTO A SMELLY SEWER. (WE HAVE INDOOR PETS--IT'S SAFER, THEY ARE HEALTHIER, AND THEY HAVE LITTER PANS WITH LINERS AND A LITTER BOX)

7. POSSIBLE DETERIORATION OF APARTMENTS INTO SECTION 8, HUD HOUSING OR LOW QUALITY NEIGHBORHOOD CORNER.

DID YOU NOTICE THAT NOT ONE PERSON AT THE MEETING LAST NIGHT WANTS THESE APARTMENTS?

WE DON'T EXPECT YOU TO CONSIDER OUR OPINIONS VERY MUCH, BECAUSE IN THE PAST THE TOWN AND COUNCIL DID WHAT THEY WANT, DO WHAT THEY CAN TO MAKE MONEY NO MATTER WHOM IT HURTS.

We are just following through on Mr. Solomon's suggestion that sounded as if we mattered.

Incidentally last night's meeting offered little new information; it was a repeat where the applicant and moderator talked most of the time!

PLEASE THINK ABOUT VISTOSO VISTAS HOMEOWNERS FOR A CHANGE!

Brenda and Larry Ryan
13400 N Wide View Drive
Oro Valley, AZ 85755
818-0116 Email above

Dear Mayor,

the way the research was done was that we compared equal age homes and square footage here in Neighborhood Two with equal square footage and age homes on the other side of Rancho Vistoso (above Safeway). We found in 2006 several examples who had exactly the same assessment as several of our homes in Neigborhood Two.

Following the building of the Crematorium our assessment had dropped 30K or better and the other homes compared had dropped 30K or better after the completion of the Crematorium. I have boxes of files and paperwork and it would be more authentic to consult the Assessor.

Of note is that two doctors, the engineer for the crematorium plans, Greg Santoro and several others gave their homes away for the low dollar or let them be foreclosed to move their young children out of the toxic pollution area now caused by the Crematorium.

I am sure that since Pima County Maintains records you could compare our home built in 1999 with 1885 square feet with other Rancho Vistoso homes of the same age and square footage and they could give you the information from the source. Our home is just beginning to become near the assessment of those comparable homes again. We have records of 88K we have spent in upgrades on our home and we wish to stay here as long as we can, but we are growing very weary of the threats to this neighborhood.

I have a great deal of information we compiled at the time of the Crematorium proposal, the developer of Rancho Vistoso, Dick Maes commissioned the Brown Legal Report with the Brown Law firm, using our HOA dues to write the Brown Legal Report about the Crematorium. That report lengthy in detail came to the conclusion that the Crematorium was illegal, violated the CC&R's of Rancho Vistoso, but probably would never have a suit filed against it legally because it would cost too much!!!

The land directly across the street, now under consideration is in a direct path of the black toxin fumes that emanate from Mr. Harpold's crematorium. It does have a bearing on this development. I'm considering human welfare and health, not the mighty dollar.

Sincerely,
Brenda Ryan

From: jjmusolf@comcast.net
Sent: Tuesday, October 11, 2011 4:28 PM
To: Michels, Matthew
Subject: Re: Beztak-Parcel 2E General Plan Amendment Neighborhood Meeting Summaries
Matt

I looked at the issues and questions from 10/10/2011 meeting. I guess you recorded only the issues asked during the meeting. I would like you to include the one I asked of Dave Williams and you after 730PM. I even discussed it with the architect from Beztak. Has the Fire Department looked at the turning capabilities for emergency equipment within the proposed streets within the proposed apartment building complex? If you are going to allow presentation materials of the proposed apartment layout to be given at the meeting then the street width and turning radius for emergency vehicles should have been reviewed as well. The developer was allowed to show guest parking illustrations which also could affect emeregency vehicle movement within the complex. I know many detailed questions and answers will be dealt with in the site reviews but if you allow detailed presentation material in the initial neighborhood meeting then these type of questions need to be addressed. This directly affects citizen safety and should be noted. Citizens opinions on the plan amendment may be determined based on the answers.

Thank You

John Musolf

From: jjmusolf@comcast.net
Sent: Tuesday, October 11, 2011 4:38 PM
To: Michels, Matthew
Subject: Re: Beztak-Parcel 2E General Plan Amendment Neighborhood Meeting Summaries
Matt

One question or comment is missing from the 10/10/2011 neighborhood meeting:

The question was why this particular parcel was chosen by the developer for the change from Commercial/Industrial to High Density Residential since at least 200 more acres were available in the area. For example, it was suggested moving it closer to the hospital and shopping at the Oro Valley Marketplace.

John Musolf

From: Richard Furash [rfurash@comcast.net]
Sent: Tuesday, October 11, 2011 6:22 PM
To: Michels, Matthew
Subject: Re: Beztak-Parcel 2E General Plan Amendment Neighborhood Meeting Summaries

Greetings Matt,

I have combined the summaries your provided into one .pdf document and linked them on the LOVE blog. They are posted in the comments section of our report on last night's meeting. I also asked readers to email you with any comments they may have. All readers can download this document and easily send you an email if they wish.

Thanks for keeping us informed.

Richard

Richard Furash
425 W. Valoro Drive
Tucson, AZ.
85737
520-481-8788
rfurash@comcast.net

From: dblindquist@comcast.net
Sent: Monday, October 17, 2011 2:45 PM
To: Hornat, Joe; Michels, Matthew
Cc: Garner, William; Gillaspie,Barry; Solomon, Steve; Waters, Lou; Snider, Mary; Hiremath, Satish; Williams, David
Subject: Beztak rezoning application

Hi Joe,

I spoke with you after the Oct. 10th meeting regarding my concern that I would miss the first hearing meeting on Nov. 1 and had missed the first neighborhood meeting on Sept. 20 because I am enrolled in the OVPD Citizen Academy class which meets on Tuesday evenings.

I also spoke with Matt Michels both before and after the meeting; he assured me and those attending that this is not a 'done deal' and encouraged residents to email or mail our points of objection.

I discussed with both of you some areas of my concern regarding the rezoning of Parcel 2E of the Rancho Vistoso PAD (2105 E. Rancho Vistoso Blvd) from the current COP to High Density Residential as proposed by Beztak. At your suggestion, I am emailing you some specific objections to the approval of their request.

I live in the neighborhood adjacent to and affected by this proposal. Referencing the plan goals cited in the power point presentation, I feel that this project will adversely affect the community's integrity--socially, economically, visually, and security-wise. While there may be added negative impacts in crime and further property value depreciation, there will definitely be an increase in traffic and congestion for cars exiting/entering both neighborhood entrances and especially those using E Vistoso Commerce Loop which is now a major cut-through for southbound Oracle Rd traffic headed to OV Marketplace, the hospital, Tangerine Rd, etc. Our community has had a very noticeable increase in noise and nuisance due to the shopping center; this is in addition to the 24/7 noise of heavy traffic on Oracle Rd. Adding another 300-500 cars entering/existing an apartment complex by the light will add further deterioration.

While I realize that all neighborhoods are affected by the current economic/housing/foreclosure debacle, our neighborhood has been hit very hard and will continue to be. With the commercial corridors bordering two sides of the community, we will see future encroachment. ADOT and FHWA's proposed widening of Oracle Rd. from MP 82 to MP 87.8 with a possible installation of high-sound barrier walls next to another perimeter of the neighborhood will also affect us; the ADOT project was originally proposed to begin in 2011 and continue through 2013. Additionally, the cars which now exit the neighborhood and proceed directly to Oracle Rd heading north or southbound will have to pass the main entrance to the proposed Beztak development during a large chunk of

the construction time frame.

All of these factors will severely impact the aesthetic and financial integrity of the community as well as reducing mountain views and adding additional noise 24/7.

Because of the large number of empty foreclosed houses and rentals in the neighborhood, the proportion of homeowners living in the community has noticeably dropped, affecting the ratio of residents who might contact you regarding their concerns.

Beztak's original notice to residents cited developing approximately 256' apartments while the representative conceded during questioning that the number 'could reach 315' units--an increase of 59 units or 23% more. There is no guarantee of what the specific final product will be; we were presented basically 'guidelines' which were spun as ideally as Beztak could. It can't help but bring back memories of OV Marketplace.

Finally, I take issue with Beztak's hard sell of how 'upscale and luxurious' this apartment complex will be. Remember how OV residents were promised 'upscale retail stores' in the Marketplace shopping center? Look how that turned out; crime statics verify the facts with Walmart's presence as an anchor store. Interest in checking out our neighborhood en route by potential shoplifters/criminals coming off of Oracle southbound or leaving northbound, etc. is conceivable; this community doesn't feel as safe to me as it did as when I moved here in 2005.

Thank you for taking my concerns into consideration in your decision making process.

Sincerely,

Donna Lindquist
13352 N Wide View Dr
Oro Valley, AZ 85755

From: Terri White [hshrt101@yahoo.com]
Sent: Wednesday, September 14, 2011 8:20 PM
To: Michels, Matthew
Subject: Plans for apartments

Hi,

My name is Theresa White and I was appalled at your plans to build 256 apartments at the corner of E. Rancho Vistoso and Commerce Loop!

I bought this house specifically for it's locality and because there were **NO** apartments nearby. I feel comfortable taking a walk at night, which is unlike other places I have lived. In addition, I love the walks in that desert that you intend to desecrate.

Every homeowner knows what apartments do to a residential neighborhood. Pusche Ridge **USED** to be a nice area until a bunch of apartments were built on either side of Oracle. Now even the business owners warn that it is not a safe place.

I am very upset! If you go through with this plan, I will carry my 357 with me at all times and let my house goes into foreclosure! This would no longer be the neighborhood I chose to live in and hope you have foreclosures all over the community!

You will succeed in turning this area into another "south-side". So I guess we all have to move to Catalina? Or the White Mountains? You tell me where I can get away from the greed of land developers like you that don't care about preserving the natural beauty of Arizona.

Sincerely,
Theresa White
(520) 339-4420

From: Ivan Whitesel [mailto:ivanandsue@earthlink.net]
Sent: Friday, October 21, 2011 4:38 PM
To: Williams, David; Hiremath, Satish; Snider, Mary; Garner, William; Gillaspie@orovalleyaz.gov; Hornat, Joe; Solomon@orovalleyaz.gov; Waters, Lou
Subject: High Density Residential Area in Rancho Vistoso

We are concerned about the proposed high density housing at the corner of Rancho Vistoso Blvd. and Vistoso Commerce Loop. The increased traffic would be a real problem for the entire neighborhood. A more appropriate use for the area would be an industrial /office park planned to fit in with the architectural design of the neighborhood. Please consider the ideas sent in by Monte Miller, a retired architect.

Sincerely,

Ivan and Sue Whitesel
13496 N. Wide View Dr.
--- Ivan Whitesel
--- ivanandsue@earthlink.net
--- EarthLink: The #1 provider of the Real Internet.

From: sarechig@comcast.net [mailto:sarechig@comcast.net]
Sent: Sunday, October 23, 2011 9:21 PM
To: Williams, David
Subject: proposed zoning change

Dear Mr. Williams, we are strongly against any zoning change to the parcel at Vistoso Commerce Loop and Rancho Vistoso.We feel that it would drastically change (for the worse) the integrity of our neighborhood to have high density residential use there. Thanks for counting our votes. Steve and Debbie Arechiga 13544 N. Wide View Dr. OV 544-9942

From: Marlyn Gutierrez [mailto:marlyn@lafamosavoice.com]
Sent: Sunday, October 23, 2011 9:33 PM
To: Hiremath, Satish; Williams, David
Subject: Re-zoning of Parcel 2E, and building 258-310 high-density apartments

Council and Mayor,

I am contacting you in regards to the re-zoning of Parcel 2E, and building 258-310 apartments with hopes than our thoughts would be taken in consideration when this comes to vote.

We have resided in the Rancho Vistoso community since relocating to Arizona in 2008. But several family members live in this community for more than 12 years.

There have been several issues that concern us in this community recently, which include the increase in road noise coming from the road expansion and also the increase in traffic right on the road next to us with more people cutting through to use east commerce as a thoroughfare to avoid the light on Oracle. The lack of communication on other issues also is a factor.

I, my family and neighbors are concerned with your plans to rezone for the apartments.

We are against this for several reasons, which include more traffic, noise, and people in this area, which in turn can devalue the property

value. We understand that rezoning has come up several times to fit the town's members desires and plans but we must not rezone to make apartments.

We moved here knowing what the community offered and now the council member's decisions have changed that with their prior votes. We ask that you please consider our families and the quality of life that is at stake by adding these apartments and bringing more people into the area. With this increase there will be more use of resources as well as more congestion.

We hope our input will be considered in this and future decisions.

Please add us to your mailing list for information on our community.

Sincerely,

Marlyn Gutierrez
Marlyn4426@gmail.com
773.858.1968 cell
2588 e chisel ct
Oro Valley, AZ 85755

From: Rod [mailto:rod@watsonaz.com]
Sent: Monday, October 24, 2011 7:05 AM
To: Garner, William; Gillaspie,Barry; Hornat, Joe; Snider, Mary; Solomon, Steve; Waters, Lou; Hiremath, Satish
Cc: Williams, David
Subject: Proposed Apartments Parcel 2E

Dear Mayor and Council,

We would like to express our deepest concern with the proposed apartments on Parcel 2E within Vistoso Vista's Neighborhood 2. We would urge each of you to not change the zoning on this parcel to allow the proposed apartment project to move forward. There are many reasons for our concern and disapproval of this proposal and we are sure each of you would have many of the same if this was going to happen in your neighborhood.

Thank you for your consideration and time.

Rod & Cyd Watson
13392 N. Wide View Drive
Oro Valley, AZ. 85755
Phone: 520.405.2050
Fax: 520.225.0376

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From: dawnellekr@comcast.net [mailto:dawnellekr@comcast.net]
Sent: Saturday, October 22, 2011 3:32 PM
To: Williams, David
Subject: Fwd: Zoning Change

Dear Council Member,

It has been with great interest that I have followed the recent meetings concerning the rezoning of two parcels of land in Rancho Vistoso neighborhoods, the first being Parcel 2E, which is at the corner of Rancho Vistoso Boulevard and Vistoso Commerce Loop. The second Parcel is Parcel 7I which is on Woodburne just west of Rancho Vistoso Boulevard. In both cases the existing classification is Commercial, CPI (campus office park) in the case of the property in neighborhood 2 and C-1 for the property in neighborhood 7.

Both requests are asking that the Parcels be rezoned to High Density Residential (HDR) for the development of apartment housing. It is amazing to me that any consideration would be given to such a change. If a plan like this is implemented the prices of homes in Rancho Vistoso and Oro Valley will likely fall even more and the residents will suffer even greater losses. Here are some of my thoughts on this:

- We have many homes in Rancho Vistoso that are currently for sale at depressed market prices. There are probably many more Rancho Vistoso homeowners that would like to sell but can't afford to because their mortgage is "underwater" and they are trying to avoid bankruptcy or a short sale. To build additional housing will only prolong the depressed market and create hardships for these current residents of Rancho Vistoso and Oro Valley.

- The locations of these two parcels are at high or higher volume intersections near commercial type businesses. I think everyone agrees that commercial businesses like to be located in higher traffic areas to succeed. If these parcels are converted to a residential use, the probability of retail/commercial business locating elsewhere in less-desirable CPI or C-1 areas is not likely. The City MUST HAVE sales tax dollars to survive or the next step will be to add a Property Tax to the already burdened homeowners.

- Much of the prime commercial property has already been diverted to residential and other use...for example, the north end of Rancho Vistoso, next to Oracle, with the OV City (Police Department) use of the land next to the Ventana Medical facility. This, after the City met with much objection from Ventana Medical over a developer's planned residential use of that property.

- The City tends to respond to whoever comes in with money rather than adhering to a plan. The citizens of OV voted on a General Plan a few

years ago, and now the City is looking to change terms of the Plan to suit the desires of developers and the City. Every citizen in Oro Valley deserves to be NOTIFIED and have the chance to respond, both by being heard at various meetings, AND by VOTING on this requested change…it took the citizenry to ratify the Plan; why shouldn't it take the citizenry to change it?

- Much of the past argument that has been used to validate the reason for converting commercial zoning to residential zoning is: The areas that have been built as residential are less dense than was allowed in the original plan (Rancho Vistoso). Therefore we can add more residential to meet the maximum number of housing units allowed. I would suggest to you that if all areas were built to the maximum, 80% of the population would choose NOT to live in Rancho Vistoso or Oro Valley!

- Where will Oro Valley get their future sales tax if they keep taking commercial properties out of the long-term plan? Apartment buildings do not generate sales tax.

- The City would do well to do its own feasibility study on whether high-density housing is needed in Rancho Vistoso. There is a plethora of apts. for rent/sale at any given time at the Vistoso Resort Casitas (655, 695, 735 W. Vistoso Highlands Dr.). HOW MANY EMPLOYEES DO THESE DEVELOPERS THINK VENTANA AND SANOFI HAVE WHO WILL FILL THESE APARTMENTS (I only mention these two because Beztek quoted their feasibility study as including those employers)?! I find it ridiculous that we are to believe that two different developers both think there is demand enough for their apartments to build a couple miles apart, at the same time!

Finally, I would suggest that "Luxury Apartments" connotes quality of construction, spaciousness, amenities, security, and stability in the quality of the neighborhood. Rents "beginning at $900." for a 750 sq. ft. apartment and going up to $1700. for a furnished 3BR apartment do not meet the definition of "luxury."

Wayne & Dawnelle Krouse

13763 N Placita Meseta de Oro

797-8510

From: Michelle Saxer-Freese [mailto:desertdove22@yahoo.com]
Sent: Sunday, October 23, 2011 5:26 PM
To: Williams, David
Cc: Hiremath, Satish; Snider, Mary; Garner, William; Gillaspie,Barry; Hornat, Joe; Solomon, Steve; Waters, Lou
Subject: Reuest

David,

Frequently reference to Sanofi-Aventis, Ventana-Roche, Oro Valley Hospital's needing 500 more apartments for additional employees. Will you please invite a representative from each company to present this plan to our neighborhood in person?

While you referenced a study done in August by your department of an apartment vacancy study, you have not given the residents a copy to review. May we please have one at the next meeting to help us understand what criteria you used to arrive at these conclusions?

You said on October 10 that Regional Transportation Authority presides over intermunicipality roads and transportation issues. That is critical to our subdivision as we are on the cusp of Catalina within OV, and bear the brunt of Pinal County traffic into our subdivision. . Would you please invite their representative to answer our questions since you do not have authority over them?

Thank you,

Michelle Saxer,
13416 N Wide View Drive

From: kenpar72@q.com [mailto:kenpar72@q.com]
Sent: Monday, October 24, 2011 3:48 PM
To: Williams, David
Subject: Against development....

Hello Mr. Williams, I would like to give you my opinion on the proposed Luzury Apartments to be built on Rancho Vistoso/Commerce Loop. I agree with the others who are opposing this because yes, it is true, it will be a mistake for Oro Valley. There is nothing good or beneficial about the proposal. There is no need for more apartments..... Thank you and have a nice day, Patricia Pariza 13528 N. Wide View Drive, Oro Valley AZ 85755 520-879-8979

From: Sam Beznos [sbeznos@beztak.com]
Subject: General Amendment Plan

I am seeking your support of our proposed General Plan Amendment to allow a High-Density Residential (HDR) use on Parcel 2E of the Rancho Vistoso PAD.
This amendment is needed because the market and economy have changed since the creation of the master plan. There is a current demand for housing to service the existing nearby businesses. Job growth is important, but equally important is providing local housing options for new workers, which create economic stability. Currently, workers who commute from outside Oro Valley earn wages in Oro Valley, but go home and spend their dollars elsewhere. A well-paid local workforce will spend their wages at local businesses, creating demand for more goods and services, which creates more jobs. A wide local job base that employs residents will generate more sales tax revenue for the Town and help raise the standard of living for many people living in the community. This amendment helps people relocate to employers like Freeport McMoran and Ventana.

The market is demanding HDR. New speculative industrial/office space will create more vacancy in a market that does not need more competition. Local businesses that serve the community are suffering due to far fewer residents than originally planned. They need the support of more residents for more retail sales. In addition, new single family homes will create more surplus in a market that does not need more competition either. Multi-family housings is the solution that addresses the current demand for housing and helps support local businesses.

This amendment will reduce this site's impact on the community and the local area, with reduced view impacts on neighbors, reduced traffic impacts on area roads, and reduced demand on area infrastructure.

We have created a website containing information about this amendment and our proposed development. The website contains some preliminary project plans and expanded descriptions of its benefit. I encourage you to visit the website at http://www.orovalleydevelopment.com/ for more information.
Thank you for your consideration

Samuel Beznos
Beztak Companies
31731 Northwestern Hwy. Suite 250W
Farmington Hills, MI 48334
(248) 737-6110 Office/FAX
(248) 320-1414 Cell
www.beztak.com<http://www.beztak.com>

Dear Mr. Michels,

I am writing in regards to the proposed apartments on Parcel 2-E.
Our home directly abuts this parcel. My wife and I have enjoyed the unobstructed view of Pusch Peak and the peace of our backyard since we built the house.
We believe that the proposed use of the land as luxury apartments; buffered by landscaping, would be a far better neighbor then the previously proposed light industrial.
I am sure you have heard from residents, that will not be as directly impacted by this apartment complex, as we will be. It will be the view from the master bedroom window in the morning. It will be there when we try to enjoy the use of our back yard. It will be the sounds we hear when we sleep with the windows open.
I believe the town will benefit from the revenue generated by this property . We will be glad to have the question of what will be there settled.
In summary I believe that the Apartments should be approved for the land and the town should expedite the completion of this project.
Please share this E-mail with any and all of the members of the appropriate committees.

Best Regards,

Stephen & Margaret(Peggy) Dobbs
2354 E Mortar Pestle Dr
Oro Valley, AZ 85755
gpsd3208@gmail.com

From: Hoyjohnson@aol.com [mailto:Hoyjohnson@aol.com]
Sent: Monday, October 31, 2011 12:25 AM
To: Garner, William; Gillaspie,Barry; Hornat, Joe; Snider, Mary; Solomon, Steve; Waters, Lou; Hiremath, Satish
Cc: Williams, David
Subject: Concerns of Vistoso Residents in Neighborhood Two

Council Members and Mayor,

As a follow-up to the at TOV regarding the re-zoning of Parcel 2E, and building 258-310 high-density apartments, I am in **TOTAL** disapproval of this apartment complex in my neighborhood. We have been residents of Vistoso Vistas (Neighborhood Two) since November 1999 (12 years). My investment in my home and property has faced devaluation in the past five years due in part to the five following issues:

1. Incorrect zoning under ORSCOD never completed by Council in early 2000's. Ryans hired an attorney, did the research and the neighborhood was approved as rezoned to residential according to ORSCOD regulations which provided "zoned as developed".

2. Crematorium re-zoned parcel, and approved without residents' awareness. It did devalue homes approxmately $30,000 each. Research from Pima County Assessor.

3. Rodger Ford's 40-foot tall warehouse plan for Parcel E2 to ruin views of adjacent homes, add trash bins at entrance with other problems.

4. ADOT's plan for a huge high, ugly wall beginning down at RV Blvd. and Oracle and extended north past Vista Marbella destroying views and devaluing homes along Oracle.

5. Plans to develop Parcel 2E into 258-310 apartments will devalue homes.

THIS IS ENOUGH! WE DESERVE A CHANCE AND AN OPPORTUNITY FOR OUR PROPERTY TO INCREASE IN VALUE. Adding this apartment complex across the street from a crematorium will only further **decrease** the value of our homes.

WE ALSO DESERVE THE RIGHT TO PRESERVE OUR SCENIC MOUNTAIN VIEW, WHICH THIS MONSTROSITY WILL DESTROY. What happened to our right and the protection of our mountain view?

DON'T YOU AGREE THAT WE'VE HAD ENOUGH?

MY OBJECTIONS TO THIS HUGE NUMBER OF WHAT YOU CALL LUXURY APARTMENTS ARE AS FOLLOWS:

1. HIGH DENSITY TRAFFIC ADDING TO THE OVERPOWERING CONGESTION WE NOW HAVE FROM A 415-HOME NEIGHBORHOOD WITH ONLY TWO ACCESS/EGRESS STREETS

2. INCREASE IN SCHOOL POPULATION

3. INCREASE IS USE OF WATER, NOISE, VOLUME OF PEOPLE.

4. PEOPLE LIVING ACROSS FROM A 'DEATH ZONE'--A CREMATORIUM THAT SPEWS TOXIC DISEASE-CAUSING POLLUTANTS.
5. 24/7 NOISE

6. 500 OR MORE PEOPLE WALKING THEIR DOGS, OR JUST STROLLING THROUGH OUR NEIGHBORHOOD GAINING ACCESS TO OUR HOMES, SCATTERING ROCKS FROM YARDS ALONG THE SIDEWALK, PETS DEFECATING AND TURNING THE NEIGHBORHOOD INTO A SMELLY SEWER. (WE HAVE INDOOR PETS--IT'S SAFER, THEY ARE HEALTHIER, AND THEY HAVE LITTER PANS WITH LINERS AND A LITTER BOX)

7. POSSIBLE DETERIORATION OF APARTMENTS INTO SECTION 8, HUD HOUSING OR LOW QUALITY NEIGHBORHOOD CORNER.

ARE YOU AWARE THAT **NOT ONE** PERSON AT THE MEETING WAS IN FAVOR OF THESE APARTMENTS?

I DO EXPECT YOU TO CONSIDER OUR OPINIONS. THEY ARE VALID AND THEY ARE IMPORTANT, AND MORE IMPORTANTLY, THEY EXPRESS A COLLECTIVE OPINION .
IN THE PAST THE TOWN AND COUNCIL DID WHAT THEY WANTED TO MAKE MONEY NO MATTER WHOM IT HURTS.
WE HOPE THIS COUNCIL WILL OPERATE DIFFERENTLY !

PLEASE THINK ABOUT VISTOSO VISTAS HOMEOWNERS FOR A CHANGE!

Thank you,
Fred and Sandra Johnson
2233 E. Rio Vistoso Lane
Oro Valley, AZ 85755

From: kristynberry@comcast.net
Sent: Monday, October 31, 2011 9:04 PM
To: Michels, Matthew
Cc: Bret Berry
Subject: Request to amend Oro Valley General Plan Rancho Vistoso / Vistoso Commerce Loop to High Density Residential

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Michels,

My husband and I will not be able to attend the meetings on November 1st and November 15th and would like to bring to your attention our concerns regarding the proposed zoning change of Rancho Vistoso / Commerce Loop from Commercial to High Density Residential. We live on Tabular street and will be impacted by zoning changes made in this area.

It is my understanding that several years ago (2005?) the residents voted in favor of using the area for commercial and office purposes. Specifically, when we purchased our home here it was our understanding they would most likely be medical offices consistent with many of the other recent developments on Innovation Drive. We are **against** the proposed change for the following reasons:

1. The proposed rezoning would significantly increase the density of the area causing an increase in traffic flow 24/7 as opposed to only a moderate increase in traffic flow for 8-10 hours a day which would most likely be the result of the current commercial zoning.

2. High density residential increases the flow of "non permanent residents" into the neighborhood. Rancho Vistoso is a "homeowners" association. We purchased our home because the zoning supported a family home environment **not** high density apartment living. We moved here to get away from high density living areas.

3. There does not seem to be a need for additional rental properties. There are several homes in our neighborhood that are always available for rent. High vacancies in apartment complexes often times result in lowering the screening standards of potential applicants. This can have adverse social impacts on the surrounding community.

4. Part of the land already has commercial property. Is "mixing" the zoning legal? Medical related commercial properties are already on the property it doesn't make sense to change it or mix it.

5. In light of all the resources that will need to be focused on healthcare in our country, we believe the current commercial zoning is practical and consistent with industries growing along Commerce Loop / Innovation Drive. We believe a commercial

use can be found that is consistent with the current zoning and works in harmony with the surrounding residential neighborhoods.

We understand these are difficult economic times. We hope that the Town of Oro Valley has the foresight, strength and vision to not compromise those qualities that make it an ideal place for families to live.

Thank you very much for your time.

Sincerely,

Kristyn & Bret Berry

From: MCamille@netscape.com [mailto:MCamille@netscape.com]
Sent: Sunday, October 30, 2011 4:44 PM
To: Hiremath, Satish; Snider, Mary; Gillaspie,Barry; Garner, William; Hornat, Joe; Solomon, Steve; Waters, Lou; Williams, David
Cc: mhighlen@beztak.com; sbarrett12@msn.com; naidacarlson@msn.com; gpsd3208@gmail.com
Subject: Parcel 2-E

Dear Mayor Hiremath, Vice Mayor Snider and TOV Council Members;

I am writing to you to express my opinions and feelings regarding the proposed General Plan Amendment on the Ford property, Parcel 2-E.

As some of you know, my home backs up **directly** to this land. I have enjoyed the unobstructed view of the magnificent Catalina Mountains since I purchased my home new in 1997. I knew someday that it would change and it seems that the someday is upon me and my adjoining neighbors. When I purchased my home, I was told that this land would be developed as doctor's offices to service the proposed hospital. It appears that this is no longer true with the exception of Dr. Scott Sheftel's proposed building.

At the last Neighborhood Meeting, Council Member Solomon asked the community what they wanted to see built on that property. That was not really a question we could answer because legally, Mr. Ford could have built multiple 36 foot tall monster buildings and there was not a thing any of us could do, even the town, because of the property zoning and the threat of a law suit. With that information still fresh in my mind and the vision of what could be possible, I have had a change of heart and mind. Ideally, some beautiful buildings such as the Western National Parks and Dr. Sheftel's building would be a dream come true. Something will be built on that land and the fear of another monstrosity would be too much for me to endure.

I spent many days and hours wrestling with this decision. I also spent time talking to Beztak representatives. They seem willing to be good neighbors and to work with us. Their proposed height of the two-story building is 20-24 feet high. The developer stated that they would "grade down 3-4 feet" making the proposed height of the two-story building only 16-20 feet high. A much better solution than the 36 feet height we were faced with. **My neighbors and I would be thrilled if the lower height would be implemented. It would be more in keeping with the current land use of Vistoso Vistas that back this land. None of the homes are two-story. All the homes are only one-story.**

You have undoubtedly heard from many residents that live in our small community **BUT those residents will NOT be directly impacted as I will be as well as my neighbors. They will drive by this proposed development NOT live directly adjacent to it. I hope that this is a PRIME consideration when council members are asked to vote on this proposal.**

Thank you for taking the time to listen to me, a tax-paying and voting resident of Oro Valley since 1995.

Sincerely,
M. Camille McKeever. MS,Ed.
13215 N. Hammerstone Lane
Vistoso Vistas
Oro Valley, AZ 85755

From: Jena Carpenter [jcarpenter@lmri.org]
Sent: Tuesday, November 08, 2011 11:16 AM
To: vlmerley@gmail.com; Michels, Matthew
Cc: Lee-Anne Palin; Customer Service LMR; Amy Kent
Subject: RE: input to Oro Valley P & D

Follow Up Flag: Follow up
Flag Status: Completed

Vicki,

Thank you for the email. Please know that the Association doesn't have any control over the decisions made by the Town of Oro Valley. We are following the decisions closely.

Lewis Management gains absolutely nothing from apartments built. We do not manage residential units in anyway. They will be managed by what ever company owns the complex and Beztek I am sure has a department just for that. That said, the owner of the complex does pay assessments to Vistoso Community.

I am sorry if there was some confusion on that and if I can help you with any further questions, please let me know. You can reach me directly at 520-877-4640.

If you want to present your voice to the Town of Oro Valley with regard to your opposition, please forward your thoughts to: Matthew Michels at mmichels@orovalleyaz.gov.

Sincerely,

Jena Carpenter, CMCA, AMS | Association Manager
Lewis Management Resources, Inc An Associa Member Company 180 W Magee Road, Suite 134, Tucson, AZ 85704
Associa – The leader in community association management
Tel 520-742-5674 | Direct Dial 520-877-4640 | Fax 520-742-1523
jcarpenter@lmri.org | www.lmri.org | www.associaonline.com
Please consider the environment before printing this e-mail
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From: Vicki Merley [mailto:]
Sent: Thursday, November 03, 2011 9:29 AM
To: Customer Service LMR
Subject: input to Oro Valley P & D

Dear Sirs,

As a resident of Rancho Vistoso Neighborhood 2, we wanted to attend the public meeting on Nov 1, and work timing did not permit us to get there in time. We wanted to give input, and express our resistance to changing the zoning from light business, like a doctor office, to high density residential, as in the proposed apartment complex at Commerce Loop, and Rancho Vistoso Rd, section 2E.

We don't feel that the building of luxury apartments in that area is a good idea, due to higher traffic, school issues, with possibilities of more children attending the public school, water issues, parking and traffic.

We don't want it! It was bad enough to find out that the crematorium was allowed on that street, but high rise apartments would only benefit the management company employees, your company, and the owners. The few would benefit, and the many, the rest of us, will have to suffer lowering of our quality of life in our own neighborhood.

We purchased our home here in late 2007, because of the zoning on that open ground being promised to be "just light offices, light industrial", not high density apartments, I don't care how luxurious they are!

We don't want it.

Also, the entire Tucson area is "overbuilt", and has a high vacancy rate, and real estate value for residential has dropped significantly. I don't see the benefit of a few profiting from the proposed building, while the many, all the rest of us, have to suffer with something like this.

perhaps you have a conflict of interest here, and will not add my voice to the ones asking for the planning and development working group to stop considering these plans. Would Lewis Management profit from managing these new apartments? If so, we protest!

I do not mind using the C-1 zoning and building for commercial, or light industry that will not pollute the ground water, or air, but I do protest putting in a high density housing project on that corner, two blocks from my own home.

I don't want it! We don't want it.

Vicki Merley
13262 N. Hammerstone Ln. Oro Valley, 85755

From: Michelle Saxer-Freese [mailto:desertdove22@yahoo.com]
Sent: Wednesday, November 02, 2011 9:31 AM
To: Hiremath, Satish; Snider, Mary; Garner, William; Gillaspie,Barry; Hornat, Joe; Solomon, Steve; Waters, Lou
Cc: Williams, David
Subject: Streamlining Applicants' packages

Mayor Hiremath and Council.

At last night's P&Z meeting for our parcel 2E, Asst. Chairperson Cox chastized Beztak for not documenting the jobs employers Sanofi, Ventana and Oro Valley Hospital needed housing for.
I write now so that we all can learn from this experience by finetuning the process for the future.

Money, time and energy was wasted for D&I, for Council and its committees, for the affected residents. To prevent this from happening in the future, will you please request that applicants document such things in writing when they submit their packages?

To suggest that an employee of those above firms mentioned this in conversation but does not want to go on the record is doubtful at the least. Such an allegation is unacceptable to launch the amount of work done by staff at taxpayers' expense and emotionally abusive to residents. "Truth in disclosure" comes to mind.In this horrendous economy who would not want to advertise 50, 100, 250 jobs and give hope to the unemployed of work available? Sanofi and Ventana promised to employee locally so for them it would provide evidence oftheircommitment. Beztak's explanation just doesn't fit.

Thank you for your prompt attention to this matter.

Sincerely,

Michelle Saxer, resident

From: K L GUTIERREZ [mailto:kgutierr21@msn.com]
Sent: Tuesday, November 01, 2011 4:53 PM
To: Garner, William; Gillaspie,Barry; Hornat, Joe; Snider, Mary; Solomon, Steve; Waters, Lou; Hiremath, Satish
Cc: Williams, David
Subject: Proposed zoning change in Rancho Vistoso

To the Members of the Oro Valley Town Council,

My name is Karen Gutierrez and I have been a resident of Rancho Vistoso and Oro Valley for the past 11 years. I have greatly enjoyed living in peaceful and safe neighborhood 2. I attended the meeting on October 10th where discussion was held about rezoning the parcel of land in neighborhood 2 to a high density residential zone. As a resident and owner of 2 homes in neighborhood 2, I would ask you to please **not rezone this parcel.**

Most of the residents, myself included, feel that an apartment building in our neighborhood, even a luxury complex, would have a negative effect to our lives in many ways. First, the traffic would be greatly increased. Second, the addition of up to 300-600 additional residents in our area and there guests brings up many safety concerns. Third, Painted Sky the local elementary school is already overcrowded.

I believe, as do my neighbors, that by keeping the land commercial we can hopefully attract more businesses to the area that will have employees that want to buy homes here, helping with the foreclosures and short sales in our area. Also, the commercial traffic would be limited to work days and work hours, not 24/7 traffic.

I sincerely hope that you take my concerns and my neighbors into account before you vote to rezone this parcel. We are the ones who will be living next door and *we do not want it to be rezoned*.

Thank you for your time and consideration,

Karen Gutierrez
2678 E Big View Drive
Oro Valley, AZ 85755

From: Williams, David
Sent: Monday, November 14, 2011 4:47 PM
To: Michels, Matthew
Subject: FW: PLEASE LISTEN TO US!!!!!!!! AND STOP THE RE-ZONING OF PARCEL 2E and the 258-310 HIGH DENSITY APARTMENTS

David A. Williams, AICP
520.229.4807 360.5790 (cell)

From: Sydne Meyers [mailto:sydm1531@gmail.com]
Sent: Monday, November 14, 2011 1:47 PM
To: Gillaspie,Barry; Garner, William; Snider, Mary; twaters@orovalleyaz.gov; Hornat, Joe; Solomon, Steve; Williams, David; Hiremath, Satish
Subject: PLEASE LISTEN TO US!!!!!!!! AND STOP THE RE-ZONING OF PARCEL 2E and the 258-310 HIGH DENSITY APARTMENTS

Mayor and Council Members,

MY POSITION TO THE HUGE NUMBER OF SO-CALLED LUXURY APARTMENTS IS THIS:

1. HIGH DENSITY TRAFFIC ADDING TO THE OVERPOWERING CONGESTION WE NOW HAVE FROM A 415-HOME NEIGHBORHOOD WITH ONLY TWO ACCESS/EGRESS STREETS

2. INCREASE IS USE OF WATER, NOISE, VOLUME OF PEOPLE.
3. 24/7 NOISE

4. PEOPLE LIVING ACROSS FROM A CREMATORIUM THAT SPEWS TOXIC DISEASE-CAUSING POLLUTANTS.

5. INCREASE IN SCHOOL POPULATION.

6. 500 OR MORE PEOPLE WALKING THEIR DOGS, OR JUST STROLLING THROUGH OUR NEIGHBORHOOD GAINING ACCESS TO OUR HOMES, PETS DEFECATING AND TURNING THE NEIGHBORHOOD INTO A SMELLY SEWER.

7. POSSIBLE DETERIORATION OF APARTMENTS INTO SECTION 8, HUD HOUSING OR LOW QUALITY NEIGHBORHOOD CORNER. LUXURY APARTMENTS IS USED WAY TOO OFTEN.

I have been a resident of Vistoso Vistas for a little over 10 years. I

love my home and am proud of my community.....BUT in the past five years five issues have devalued or threatened to devalue or property:

1. Incorrect zoning under ORSCOD never completed by Council in early 2000's. Ryans hired an attorney, did the research and the neighborhood was approved as rezoned to residential according to ORSCOD regulations which provided "zoned as developed".

2. Crematorium re-zoned parcel, and approved without residents' awareness. It did devalue homes approxmately $30,000 each. Research from Pima County Assessor.

3. Rodger Ford's 40-foot tall warehouse plan for Parcel E2 to ruin views of adjacent homes, add trash bins at entrance with other problems.

4. ADOT's plan for a huge high, ugly wall beginning down at RV Blvd. and Oracle and extended north past Vista Marbella destroying views and devaluing homes along Oracle.

5. Plans to develop Parcel 2E into 258-310 apartments will devalue homes.

WE HAVE HAD ENOUGH!! PLEASE CONSIDER OUR OPINIONS....IT IS OUR HOMES, OUR INVENSTMENTS, OUR FAMILIES THAT WILL SUFFER~!!!!!!! NO HOMEOWNERS WANT THIS, PLEASE CONSIDER US....IT IS OUR HOMES and LIVES~!!!!!!

Thank you all for reading my concerns and all the others,
Sydne M. Meyers

2256 E Rio Vistoso Lane
Oro Valley, AZ 85755
(520) 237-4698

From: Tom Gref [tgref@netsense.net]
Sent: Monday, November 14, 2011 3:52 PM
To: Hornat, Joe; Michels, Matthew; Garner, William; Gillaspie,Barry; Solomon, Steve; Waters, Lou; Snider, Mary; Hiremath, Satish; Williams, David
Subject: Beztak rezoning

Hello,

I got your contact information from my neighbor, Donna Lindquist, and was writing to express my opinion on the rezoning application for the parcel at Vistoso Commerce Loop.

After quite a bit of thought, I came to the conclusion that this should not be rezoned.

I know a lot of people object due to noise, traffic and other such issues, all of which are basically valid. I am of the opinion that change is inevitable, and sometimes I think people automatically object to anything different. I think it is important not to block things just because they represent change, but instead to carefully manage change for the benefit of the community at large.

My main concern in this is for the homeowners whose property immediately adjoins this parcel of land (this is not my situation, by the way). I think there is little doubt that this proposed development would have a negative impact on their lives, and very likely the value of their property would go down.

Imagine if you were a potential buyer of one of these homes years ago, and you were smart and realized that the large piece of vacant land behind your house could be developed someday. Also, being smart, you asked yourself, 'well, what could be built there?', so you did your due diligence and looked at the zoning of the property. At that point, you made a decision that the house would still be acceptable to you even if some commercial development took place there sometime in the future. As a homeowner, and investor in this community, I think you would have had a *reasonable expectation* that any construction there would conform to the zoning rules already in place.

I think at this point the town's main obligation is to the current homeowners who would be most affected by this. Keep in mind, these people put a substantial amount of their life's savings behind their decision to buy there, and there is little doubt that the 15-20 homes in that immediate area would be negatively impacted. You have to ask yourself a few simple questions:

1. Would you want to live there? (I know I wouldn't).
2. How would you feel if you did your research before buying your home there, only to find the town changed the rules? (I'd be angry).
3. If you had a choice, would you want to live there, or would you rather live someplace else in the neighborhood that is a bit farther away from the apartment complex? (this, of course, speaks to the change in value of the property). I think most people would pick a home a bit further away from the apartment, again, I know I would.

Even if the decrease in value of the homes nearby is small (say $10,000, which isn't unreasonable) it is still not the right thing for the town to do. The town's main obligation should be to the current homeowners, and therefore they should deny the rezoning application. It is the right thing to do for the town.

Regards,

Tom Gref
13339 N Wide View Dr
Oro Valley
818-3382

From: Arlene Castaneda [dameydo@yahoo.com]
Sent: Monday, November 14, 2011 9:02 PM
To: Williams, David
Cc: Snider, Mary; Hiremath, Satish; Michels, Matthew
Subject: Objection to proposed change to general plan for parcel 2E

Dear Council Members and Mayor,

I have been residents of Vistoso Vistas (Neighborhood Two) for the past five years. I am writing in opposition to the proposed change to the general plan for parcel 2E. I chose to move into this neighborhood because many of the following concerns were NOT an issue. Was it not evident at the last meeting that not a single neighborhood resident wants these apartments? In the past the town and council have disregarded public opinion on many articles, simply to do what they can to make money. I hope this is not the case. I hope you consider the opinion of the neighborhood residents.

My concerns are as follows:

1. The increase in vehicle traffic on an already dangerous corner. Many times I have seen cars speed through the intersection, especially southbound on Innovation Pkwy, with disregard to pedestrians waiting to cross the street.

2. Traffic congestion for current residents of Neighborhood Two with only two ingress/egress points from the neighborhood. If there is an exit onto Rancho Vistoso Blvd. and there are a lot of cars making a u-turn at Vistoso Village Drive, it would be very difficult to exit Neighborhood Two onto Rancho Vistoso Blvd. from Vistoso Village Drive making a left turn. If you turn right, you cannot make a u-turn until after you pass the bridge.

3. Increase in neighborhood foot traffic i.e. pet walking and its mess on our property, kids having no regard for property lines scattering rocks from yards along the sidewalk

4. Increase in crime. Yes I know that spread out, the crime rate is no greater; but the number of residents will not be spread out, it will be within a 15 acre parcel.

5. There are a number of rental properties in Neighborhood Two already. The major difference between the existing rental properties and the proposed complex is the homeowner is more likely to be more selective of the tenant.

6. Building an apartment complex (luxury or not) will decrease the already low value of our homes!

7. The town has no control over rent prices or residents of the complex. If the economy continues to decline, the owners may sell the property and the prices may be lowered and become middle to low income property, further lowering the value of Neighborhood Two homes. No matter what the builder states, there is no way to ensure the apartments will not turn into Section 8 housing in order to fill its units.

8. There are other parcels of land available already planned for High Density Residential. The developer says they do not meet their needs. Maybe they might cost more to develop, but they are viable locations or they would not have been planned for that use originally.

9. Don't give away anymore commercial/office space!!! Parcel 2E is a prime piece of real estate. Do not make a decision for the future based on today's economy.

10. Apartments will have noise and people 24/7. Commercial/office does not.

11. Added cost to maintain the park in the Vistoso Vista neighborhood-more usage equals an increase to maintain the park. Very likely this cost will not be passed on to the apartment, but instead will be recuperated in higher HOA fees.

12. Wildlife relocation. I have often seen bobcats, javelinas, jackrabitts and coyote habitate the existing lot. This will no longer be the case when apartments are built.

Therefore I am opposed to the change to the general plan, and hope you take my concerns into consideration.

Arlene Castaneda
2256 E. Rio Vistoso Lane
Oro Valley, AZ 85755

From: Lucia [topmom52@yahoo.com]
Sent: Monday, November 14, 2011 7:18 PM
To: Michels, Matthew
Cc: Hiremath, Satish; Williams, David; Gillaspie,Barry; Garner, William
Subject: Parcel 2E General Plan Amendment

Dear Council Members and Mayor,

Ray and I have been residents of Vistoso Vistas (Neighborhood Two) for the past six years. We are writing in opposition to the proposed change to the general plan for parcel 2E.

Our concerns are as follows:

1. The increase in vehicle traffic on an already dangerous corner.

2. Traffic congestion for current residents of Neighborhood Two with only two ingress/egress points from the neighborhood. If there is an exit onto Rancho Vistoso Blvd. and there are a lot of cars making a u-turn at Vistoso Village Drive, it would be very difficult to exit Neighborhood Two onto Rancho Vistoso Blvd. from Vistoso Village Drive making a left turn. If you turn right, you cannot make a u-turn until after you pass the bridge.

3. Increase in neighborhood foot traffic i.e. pet walking and its mess on our property.

4. Increase in crime. Yes I know that spread out, the crime rate is no greater; but the number of residents will not be spread out, it will be within a 15 acre parcel.

5. There are a number of rental properties in Neighborhood Two already.

6. Building an apartment complex (luxury or not) will decrease the already low value of our homes!

7. The town has no control over rent prices or residents of the complex. If the economy continues to decline, the owners may sell the property and the prices may be lowered and become middle to low income property, further lowering the value of Neighborhood Two homes.

8. There are other parcels of land available already planned for High Density Residential. The developer says they do not meet their needs.

Maybe they might cost more to develop, but they are viable locations or they would not have been planned for that use originally.

9. Don't give away anymore commercial/office space!!! Parcel 2E is a prime piece of real estate. Do not make a decision for the future based on today's economy.

10. Apartments will have noise and people 24/7. Commercial/office does not.

Therefore we oppose this change to the general plan, and hope you take our concerns into consideration.

Ray and Lucia Valenzuela
2257 E. Rio Vistoso Lane
Oro Valley, AZ 85755
Owners

From: Michelle Saxer-Freese [mailto:desertdove22@yahoo.com]
Sent: Wednesday, November 16, 2011 7:11 AM
To: Williams, David
Subject: Fw: "Shop OV's local Businesses

David,

While initially I did not copy this to you, I am now as it belongs in the packet of correspondence about 2E.

No, the Mayor did not respond.

Thanks,

M. Saxer

--- On **Sun, 10/23/11, Michelle Saxer-Freese <*desertdove22@yahoo.com*>** wrote:

From: Michelle Saxer-Freese <desertdove22@yahoo.com>
Subject: "Shop OV's local Businesses
To: shiremath@orovalleyaz.gov
Date: Sunday, October 23, 2011, 5:35 PM

Mr, Mayor,

With your Council's initiative to patronize local businesses, why is Council not supporting the existing apartment complexes like Rocky Ridge, Pusch Ridge, Catalina Crossing,The Overlook, Sundown Village first before thinking of constructing new complexes? Loyalty to help them sustain their existing businesses goes hand in hand with "shop locally" .

Thank you,

P. Michelle Saxer

From: Michelle Saxer-Freese [mailto:desertdove22@yahoo.com]
Sent: Wednesday, November 16, 2011 7:22 AM
To: Williams, David
Subject: Fw: Lawsuit from developer

David,

FYI and inclusion in 2e's package.

Thanks,

M. Saxer

--- On **Sun, 10/23/11, Michelle Saxer-Freese <*desertdove22@yahoo.com*>** wrote:

From: Michelle Saxer-Freese <desertdove22@yahoo.com>

Subject: Lawsuit from developer
To: msnider@orovalleyaz.gov
Date: Sunday, October 23, 2011, 6:08 PM

Councilwoman Snider,

Beztak sued Oro Valley in 2005 and received a settlement. Why is this Council even considering doing business with this company? It seems like poor judgment and a conflict of interest to say the least,

If you feared a personal or municipality lawsuit, why did you run for Council and then try to enlighten your constituents that by resisting we are endangering you?

Please help me understand your thinking on this matter.

Thank you,

Michelle Saxer
13416 N Wide View Drive

From: RUSTY or KATHY WALTON [mailto:rusbonkathwa@msn.com]
Sent: Thursday, November 17, 2011 10:05 AM
To: Hiremath, Satish; Williams, David
Subject: Re-zoning of Parcel 2E, and the building 258-310 high-density apartments

Dear Council & Mayor,
We are contacting you in regards to the re-zoning of Parcel 2E, and building 258-310 apartments. Please consider our hopes and thoughts be taken into consideration when this comes to vote.

We moved to the Ranch Vistoso community just off of Commerce Loop about 7 years ago. My husband and I chose this area because it was not heavily populated and it had a great view of the mountains. We did not wish to live in an area with high traffic or population and we fear, that is just what the developement of high-density apartments will bring. Commerce Loop has become a shortcut for a lot of traffic that is coming from Oracle Rd. and that in itself is a noise problem.

We know that as area's become more built up with houses and apartments (such as these that are proposed) comes more crime too. Although no area of Oro Valley is not free from crime and is subject to it by the sheer nature of criminals.

Please consider our input and take in consideration our thoughts and future for our communities and do not re-zone Parcel 2E to proposed apartments. Also, please add us to your mailing list for information on our community.

Sincerely yours,

Mr. and Mrs. Rusty B. Walton
13289 N. Lost Artifact Ln.
Oro Valley, Az. 85755
520-229-1628

Town Council Regular Session **Item # 6.**

Meeting Date: 12/07/2011

Requested by: David Williams **Submitted By:** Matt Michels, Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: RESOLUTION NO. (R)11-82, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM COMMERCE OFFICE PARK TO HIGH DENSITY RESIDENTIAL FOR 13 ACRES LOCATED NEAR THE NORTHEAST CORNER OF LINDA VISTA BOULEVARD AND ORACLE ROAD

RECOMMENDATION:

The Planning & Zoning Commission recommends approval of the proposed amendment as depicted in and subject to the condition in Attachment 1.

EXECUTIVE SUMMARY:

The proposed major General Plan (GP) Amendment (GPA) entails amending the GP land use category from Neighborhood Commercial-Office (NCO) to High Density Residential (HDR) for 13 acres located in proximity to the northeast corner of Linda Vista Blvd and Oracle Rd for the purpose of building an apartment complex of approximately 215 units. If approved, a subsequent rezoning process and a full design review process would be required.

The Planning and Zoning Commission (PZC) held two public hearings--the first on November 1, 2011, and the second on November 15, 2011. There were a number of speakers at each hearing. The primary concerns were:

- Traffic and circulation
- Crime/safety
- Noise, light, view impacts
- Impacts to Linda Vista Trail/Pusch Ridge Wilderness
- Aesthetic concerns
- Effects on property values
- Ensuring project is high end
- Market viability

The PZC discussed the factors for and against the proposal, with emphasis on the General Plan Amendment criteria contained in the Zoning Code. The PZC finds that the proposal meets the criteria and can be designed to have no greater impact to the adjacent neighborhood than the currently entitled hotel and commercial development. The PZC recommends approval of the proposed GP Amendment with a condition requiring the applicant to utilize the Planned Area Development (PAD) process to zone the property for multi-family development (see Attachment 2). The use of the PAD process will provide the Town with a tool to employ standards and improvements necessary to achieve a high-quality project that fits the context of the area while allowing the developer additional flexibility to create a unique and marketable project. The PAD will encompass the amendment area (approx. 13 acres) and the approx.

7-acre commercial area lying to the west along Oracle Road.

BACKGROUND OR DETAILED INFORMATION:

Site Conditions

• Property is 20 acres; amendment area is 13 acres
• General Plan designation is Neighborhood Commercial Office (NCO)
• Zoning is Commercial (C-1)
• Property is currently vacant. A Homewood Suites hotel was under construction on the property, but was stalled and the framing has since been removed
• Approved uses include general retail, office, and service uses

Approvals to Date

• 1991 - Original "El Corredor" Development Plan approved
• 2006 - Town Council approved a conditional use permit for a Starbucks drive through
• 2007 - Town Council approved a conditional use permit for the 120-room Homewood Suites hotel
• 2007 - Administrative approval of a development plan for two retail buildings in Phase 2
• 2009 – Development Plan and Landscape Plan approved for Homewood Suites hotel

Existing and Proposed General Plan Land Use Designations

The General Plan defines the land use categories for the amendment area as follows:

• Neighborhood Commercial and Office (NCO)

This designation denotes commercial and office areas located with good arterial access (i.e. at the intersections of arterial streets or along Oracle Road) that are close to residential areas. Within these areas, uses such as grocery stores, drugstores, and offices tend to serve the surrounding neighborhoods and are integrated with those neighborhoods. Offices include professional offices, tourism-related businesses, and services. The recommended FAR in the NC/O designation is that of the C-1 zoning district.

• High Density Residential (HDR 5.1+ du/ac)

This land use designation denotes areas where single-family attached, mobile or manufactured housing (within the existing Highlands subdivision), townhouse, patio home, condominium, and apartment development is appropriate. These areas should be located close to arterial access and shopping and employment opportunities. High traffic volume impacts on local, lower density residential streets are discouraged.

ANALYSIS OF PROPOSED AMENDMENT

Staff analysis of the proposal is based on the following:

I. General Plan amendment criteria contained in the Zoning Code
II. General Plan vision, goals and polices
III. Public comments, including neighborhood meetings and correspondence

Please refer to the November 1, 2011 Planning and Zoning Commission report (Attachment #4) for a detailed discussion of the General Plan amendment criteria and General Plan vision, goals and policies. Please refer to the Multi-Family Housing overview (Attachment #5) for additional background regarding the Town's existing inventory of existing, planned, and zoned multi-family property. Also, please refer to the applicant's conceptual plans (Attachments #2 and #3) for additional information regarding the

proposed development.

PUBLIC COMMENT

Two neighborhood meetings were held. The first meeting was held on September 15, 2011. Approximately 30 residents and interested parties attended the meeting. A second neighborhood meeting was held on October 6, 2011. Approximately 40 residents and interested parties attended the meeting. A number of issues were discussed at each meeting, which are summarized in the attached summary notes (see Attachment #6 and #7).

In addition, approximately 30 letters and e-mails have been received, both in opposition and in support of the proposal. They are attached for your reference (Attachment #8 and #9).

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (adopt, adopt with conditions in Attachment 1, or deny) Resolution No. (R)11-82, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM COMMERCE OFFICE PARK TO HIGH DENSITY RESIDENTIAL FOR 13 ACRES LOCATED NEAR THE NORTHEAST CORNER OF LINDA VISTA BOULEVARD AND ORACLE ROAD.

Attachments

Reso 11-82

Attachment 2 - Application and Exhibits

Attachment 3 - Conceptual Plans

Attachment 4 - November 1, 2011 PZC Report

Attachment 5 - Multi-Family Residential Overview

Attachment 6 - Sept 15 Neighborhood Mtg Summary

Attachment 7 - October 6 Neighborhood Mtg Summary

Attachment 8 - Resident Letters and Emails 1

Attachment 9 - Resident Letters and Emails 2

RESOLUTION NO. (R)11-82

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FROM COMMERCE OFFICE PARK TO HIGH DENSITY RESIDENTIAL FOR 13 ACRES LOCATED NEAR THE NORTHEAST CORNER OF LINDA VISTA BOULEVARD AND ORACLE ROAD

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, the Town of Oro Valley residents ratified the Oro Valley General Plan on November 8, 2005; and

WHEREAS, Ross Rulney, ("Applicant"), represented by the Planning Center, filed an application in August 2011 requesting a General Plan Amendment to change the Land Use Designation from Commerce Office Park to High Density Residential for thirteen (13) acres located at near the northeast corner of Linda Vista Boulevard and Oracle Road; and

WHEREAS, pursuant to A.R.S. § 9-461, *et seq*. and OVZCR, Section 22.2, the Planning and Zoning Commission held two (2) duly noticed public hearings, the first on November 1, 2011, and the second on November 15, 2011, at which the Planning and Zoning Commission recommended approval of the application requesting an Amendment to the General Plan to change the Land Use Designation for thirteen (13) acres located at the northeast corner of Linda Vista Boulevard and Oracle Road from Commerce Office Park to High Density Residential, as depicted on Exhibit "A", and subject one condition; and

WHEREAS, at the November 15, 2011 meeting, the Planning and Zoning Commission recommended approval conditioned upon the Applicant submitting a Planned Area Development (PAD) in place of rezoning using the existing OVZCR, attached hereto as Exhibit "B"; and

WHEREAS, pursuant to Oro Valley Zoning Code Revised, Section 22.1, General Plan Amendment Procedures, upon recommendation by the Planning and Zoning Commission of any amendment to the General Plan, a public hearing before the Mayor and Council shall be scheduled; and

WHEREAS, Mayor and Council duly considered the proposed General Plan Amendment to change the Land Use Designation from Commerce Office Park to High Density Residential for thirteen (13) acres located at the northeast corner of Linda Vista Boulevard and Oracle Road at a public hearing on December 7, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Oro Valley that:

SECTION 1. The Mayor and Council hereby adopts the Oro Valley General Plan Amendment to change the Land Use Designation from Commerce Office Park to High Density Residential for thirteen (13) acres located at the northeast corner of Linda Vista Boulevard and Oracle Road, as depicted on Exhibit "A", and subject to one condition, attached hereto as Exhibit "B".

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of the resolution or any part of the General Plan Amendment adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 7th day of December, 2011.

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Rosen, Town Attorney

Date: _____

EXHIBIT "A"

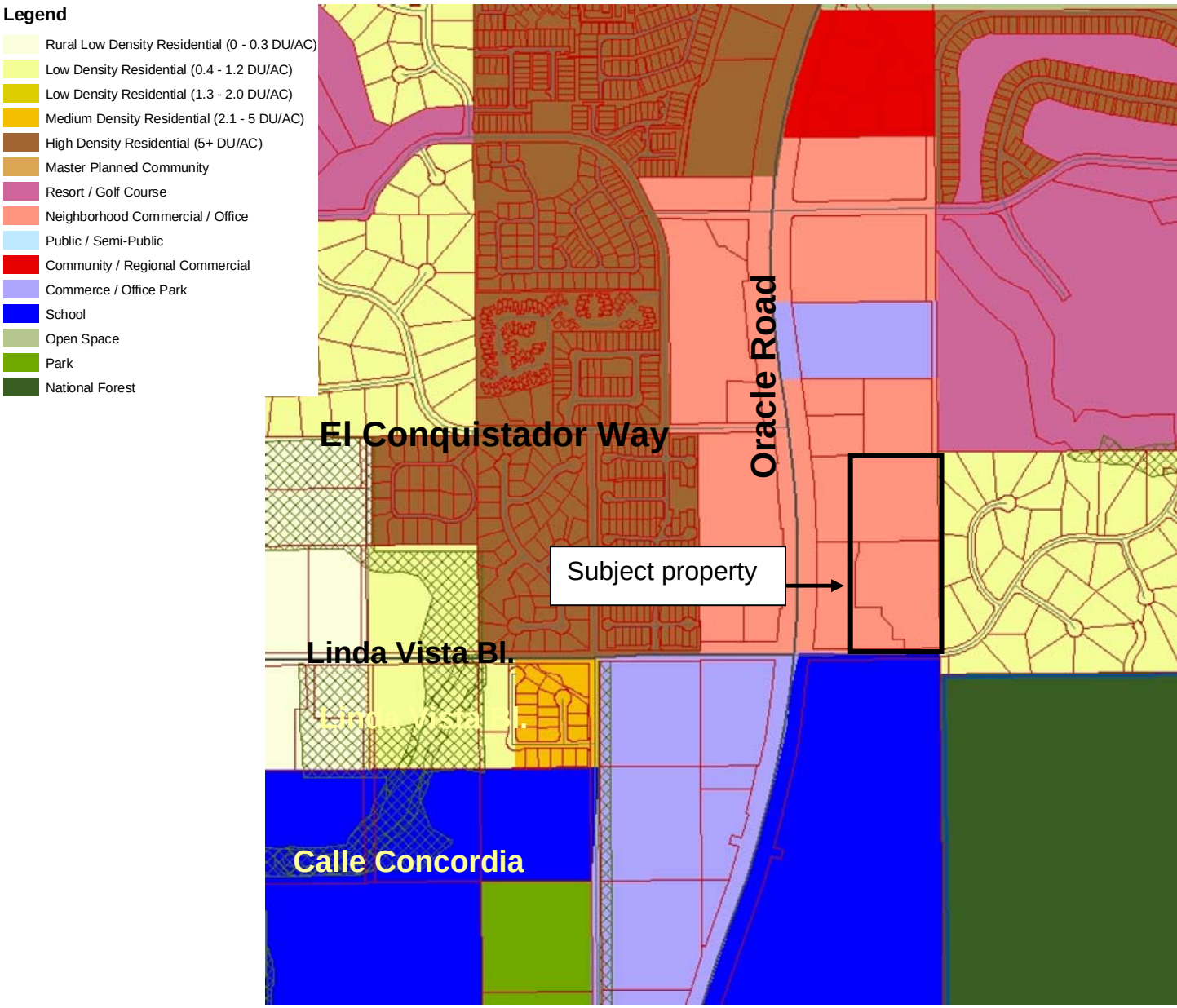

Legend
Rural Low Density Residential (0 - 0.3 DU/AC)
Low Density Residential (0.4 - 1.2 DU/AC)
Low Density Residential (1.3 - 2.0 DU/AC)
Medium Density Residential (2.1 - 5 DU/AC)
High Density Residential (5+ DU/AC)
Master Planned Community
Resort / Golf Course
Neighborhood Commercial / Office
Public / Semi-Public
Community / Regional Commercial
Commerce / Office Park
School
Open Space
Park
National Forest
El Conquistador Way
Oracle Road
Subject property
Linda Vista Bl.
Calle Concordia

EXHIBIT “B”

Condition of Approval
Rulney General Plan Amendment
OV1111-003

1. The property shall be zoned through the Planned Area Development (PAD) process. The PAD shall include the 7 commercial acres adjacent to the west of the subject property.

Development and Infrastructure Services
Permitting Division
11000 N La Cañada Drive, Oro Valley, Arizona 85737 • 520-229-4815 • 520-742-1022 (Fax)

AUG 15 2011

APPLICATION FORM

OV Case # (Office Use Only): OV1111-003

NOTICE TO APPLICANT – It is the applicant/owner's responsibility to ensure all private rules and regulations of the subdivision are adhered to. Contact your HOA or property management company to determine all applicable requirements. *Initials* _____

Application Type: General Plan amendment

A. Project Manager/Developer
Name: Robin Large
Firm: The Planning Center
Address: 110 S. Church Ave., Ste. 6320
City: Tucson State: AZ Zip: 85701
Telephone: (520) 623-6146 Fax: (520) 622-1950 Email: rlarge@azplanningcenter.com

B. Property Owner (s), if more than one owner, attach list
Name: Ross Rulney, Managing Partner (see authorization letter for others
Firm: Oracle Linda Vista Investors, LLC; Oro Valley Sunway, LLC & Boulder Hotel Oro Valley, LLC
Address: P.O. Box 43426
City: Tucson State: AZ Zip: 85733
Telephone: (520) 850-9300 Fax: Email: rossrulney@gmail.com

C. Subject Property
Parcel/Tax Code: 224-31-010B, -010C, -010D (portions)
Legal Description/Property Address: 9600, 9610, 9720, 9730, 9740 & 9750 N. Oracle Rd.
Area of property: 13 acres
Existing Zoning: C-1 Proposed Zoning: C-N
Is Proposed Zoning in conformance with General Plan designation? [ ] N/A [ ] Yes [x] No
General Plan Designation: NCO (existing); HDR (proposed)
Existing Land Use: Vacant Proposed Land Use: multi-family residential

D. Previous Applications Relating To This Property

OV8- 07-03 OV9- OV10-

OV11- OV12- 05-03B OV13-
OV12-90-07

E. Reason For Request
(see written narrative)

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

08-11-11
Date

Signature

APA# 0208 C00000137

Written Narrative for General Plan Amendment

The proposed multi-family homes provide an alternative to the traditional single-family homes that currently dominate the housing market in Oro Valley. As indicated in the Oro Valley General Plan, the Town's demographics are changing. More and more households are single occupants or smaller families, which has led to a shift in housing preferences. Recent college graduates, empty nesters and those who prefer to avoid the maintenance responsibilities that accompany homeownership will also be attracted to this housing option. Additionally, with the economy in a state of flux, many professionals who had once sought single-family homes as part of the American Dream are now seeking a different *lifestyle*: no yard to maintain, living in a more urban environment with services and commercial uses nearby, proximity to open space and recreation and the flexibility to relocate if and when they choose.

Another probable scenario includes professionals relocating from other parts of the country to Oro Valley, transferring with their employer; it is reasonable to think they may choose renting temporarily until they decide on a permanent alternative. Thus, it is important to support a variety of high-quality housing options to keep up with demands stemming from the continued expansion of the biosciences and other major employers within the Town.

Oracle Road, Arizona Department of Transportation Highway 77, is the single largest north/south roadway in the Town of Oro Valley. This arterial is heavily used by commuters travelling to, from and through Oro Valley between Pinal County and downtown Tucson. Given its location along this major transportation corridor, the project is well-positioned for residents to take advantage of existing and future employment opportunities and services along/near Oracle Road, which is consistent with the intent of the High-Density Residential (HDR) designation in the Oro Valley General Plan.

This project will be designed to embody the distinct character of the Town in accordance with the Oro Valley General Plan. The relatively flat topography of the site and two-story building height limitation, along with the project's setback from the roadway, lend to the preservation of vistas of the Catalina Mountains from the scenic Oracle Road corridor.

Keeping the entitled commercial uses adjacent to Oracle Road, the proposed multi-family housing provides an appropriate and logical transition between the more intense commercial uses along a major arterial roadway and the lower-density single-family residential uses to the east. The project will be designed to ensure compatibility with its residential neighbors, with thoughtful consideration given to landscaped buffering and building scale to reduce any perceived negative impacts on the adjacent lower-intensity uses. The focus will be to the west and south (toward Oracle Road and Linda Vista Boulevard, respectively), resulting in less noise and lighting and essentially no traffic impact to the neighbors.

Conversely, it is intended that the multi-family development be integrated in some form with the commercial area to the west, adjacent to Oracle Road. Pedestrian connections, seating areas and/or other amenities will be incorporated into the project design to provide the feel of a single project, not two separate developments. In addition, the presence of multi-family development within the area will help generate interest in potential commercial development due to the proximity of customers.

AUG 15 2011

AERIAL

LINDA VISTA/ORACLE RD

AUG 15 2011

0' 300' 600'

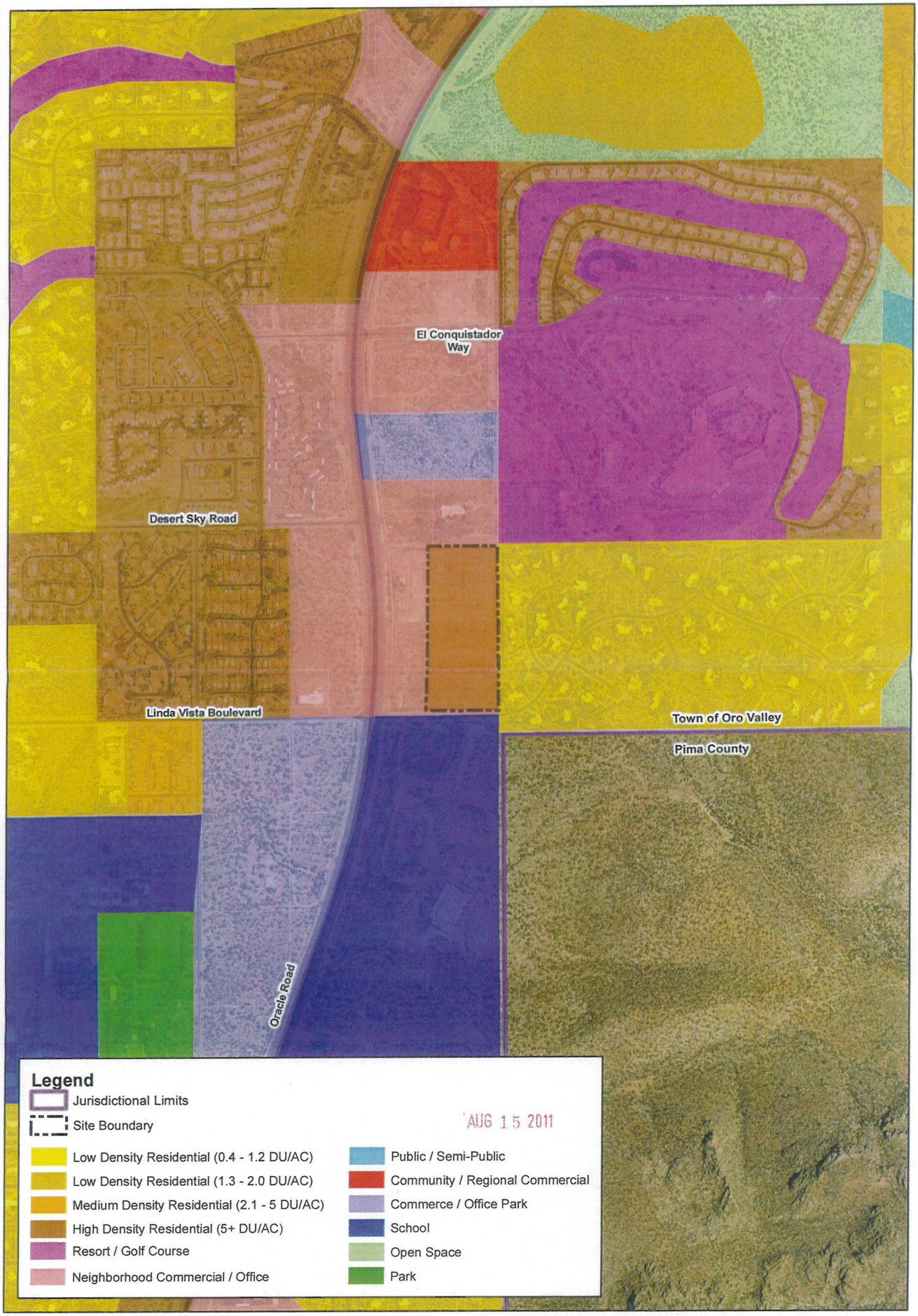
SCALE: 1" = 600'

NORTH

PROJECT: Ross Rulney DATE: 08/02/11
FILE NAME: LocationMap_11x17

THE PLANNING CENTER
a division of TPC Group, Inc
110 s church, ste 6320 tucson az 85701

PROPOSED GENERAL PLAN MAP



AUG 15 2011

LINDA VISTA/ORACLE RD

0' 300' 600'

SCALE: 1" = 500'

NORTH

PROJECT: Ross Rulney DATE: 08/02/11
FILE NAME: LocationMap_11x17

THE PLANNING CENTER
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110 s church, ste 6320 tucson az 85701

ORACLE/LINDA VISTA

GENERAL PLAN AMENDMENT

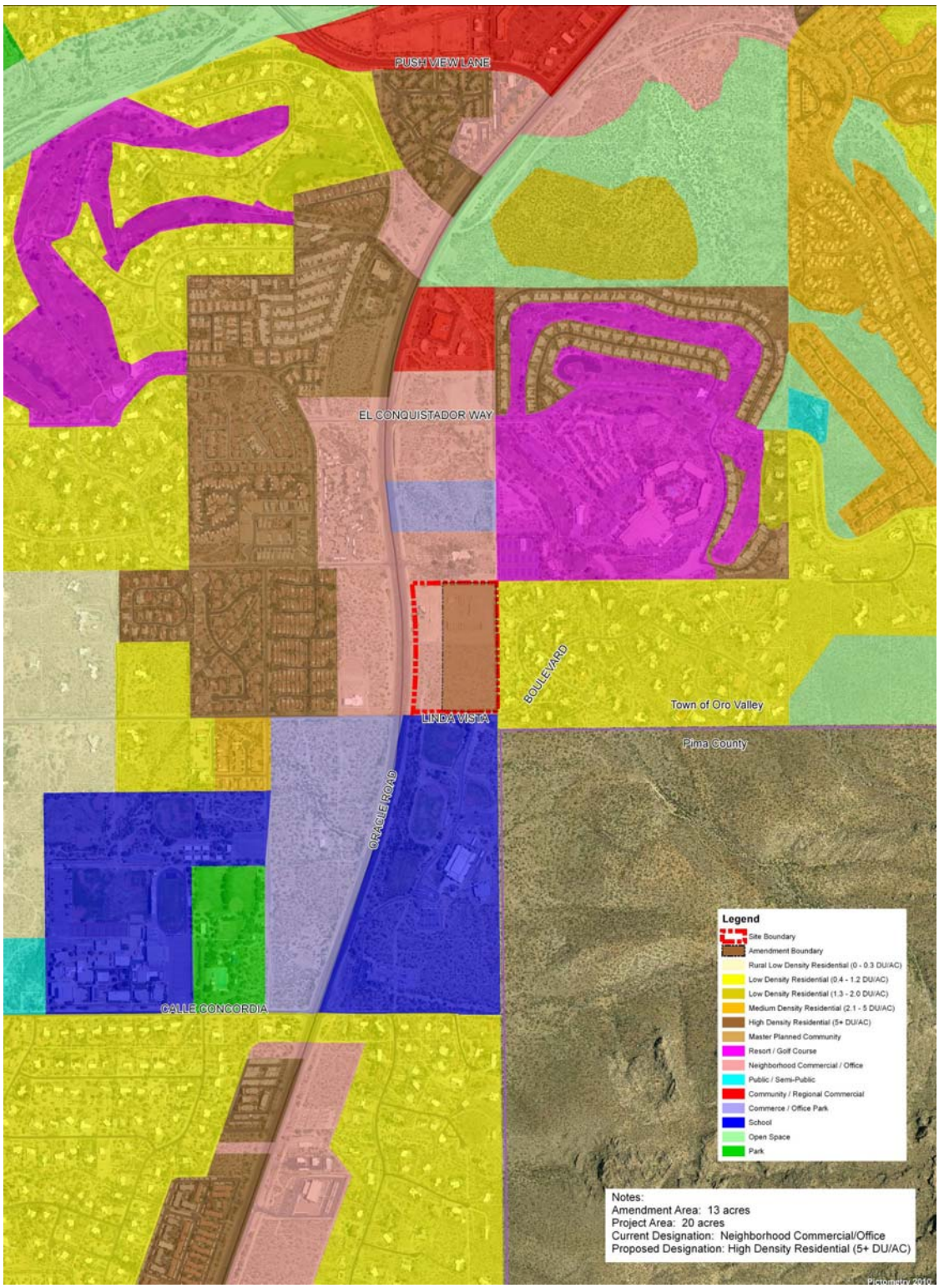
THE PLANNING CENTER
a division of TPC Group, Inc.

AERIAL PHOTO

ORACLE/LINDA VISTA GPA

THE PLANNING CENTER
a division of TPC Group, Inc.

GENERAL PLAN MAP



ORACLE/LINDA VISTA GPA

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AMENDMENT CRITERIA

- The proposed change is necessary because *conditions in the community have changed* to the extent that the plan requires amendment or modification

- The proposed change is sustainable by contributing to the *socio-economic betterment* of the community, while achieving community and environmental *compatibility*

- The proposed change reflects *market demand* which leads to viability and general community acceptance

- The amendment will not adversely impact the community as a whole, or a portion of the community without an acceptable means of *mitigating these impacts* through the subsequent zoning and development processes

PROJECT SITE

ORACLE/LINDA VISTA GPA

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APPROVED DEVELOPMENT PLAN

Approximately 200,000 SF Commercial Space

ORACLE/LINDA VISTA GPA

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USES ALLOWED IN C-1 ZONE

PERMITTED

- School
- Grocery Store
- Personal Services
- Church
- Fitness Center
- Restaurant
- Professional Office
- Animal Hospital
- Bank

CONDITIONAL

- Car Wash
- Car Rental Facility
- Gas Station
- Convenience Uses
- Hotel/Motel

PROJECT PROPOSAL

- Amendment Area: 13 acres
- Project Area: 20 acres
- Proposed Use:
  - Multi-family residential (approximately 215 homes, 16.5 RAC)
  - Commercial uses adjacent to Oracle Road will remain part of the overall project.
  - Multi-family residential provides a transition of uses between the single-family residences to the east and the more intense commercial uses and the major arterial roadway (Oracle Road) to the west.

PROJECT PROPOSAL

- The intent is to integrate the multi-family and commercial uses through site design. This will:
  - Encompass Oro Valley's high aesthetic standards and will be subject to a design review process in later stages of the project.
  - Focus most of the on-site activity toward Oracle Road and away from adjacent homeowners.
  - Encourage pedestrian access between residential and commercial services.
  - Present the project as one cohesive development as opposed to two separate developments with no relationship or connectivity.

CONCEPT PLAN

ORACLE/LINDA VISTA GPA

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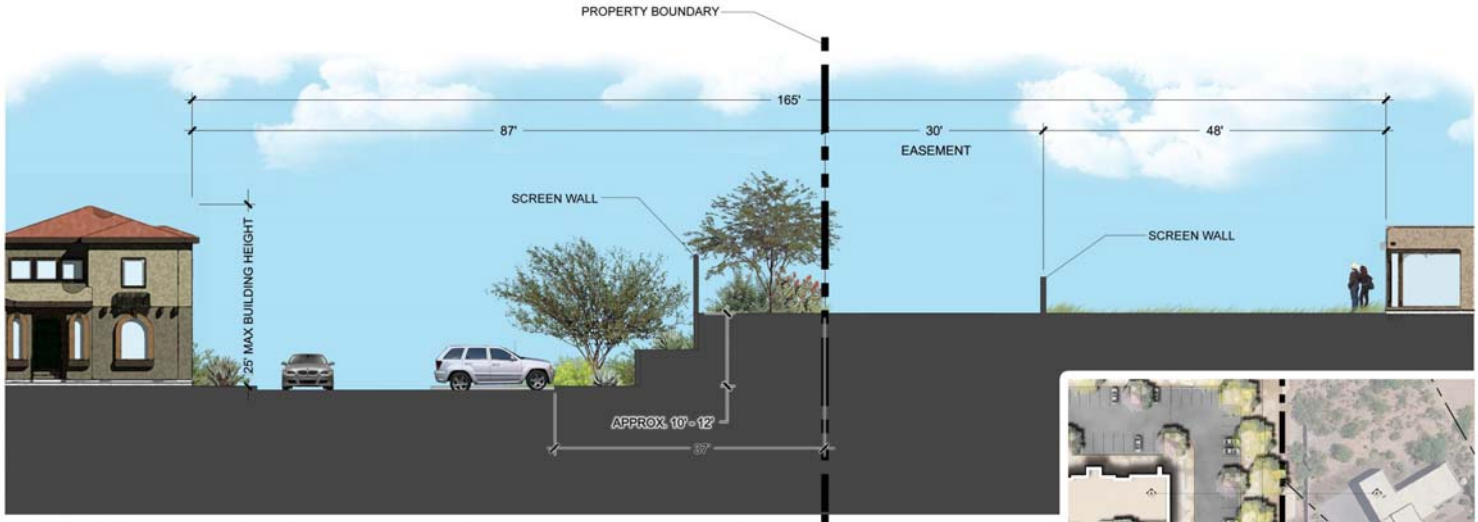
Revisions based on neighbor input:

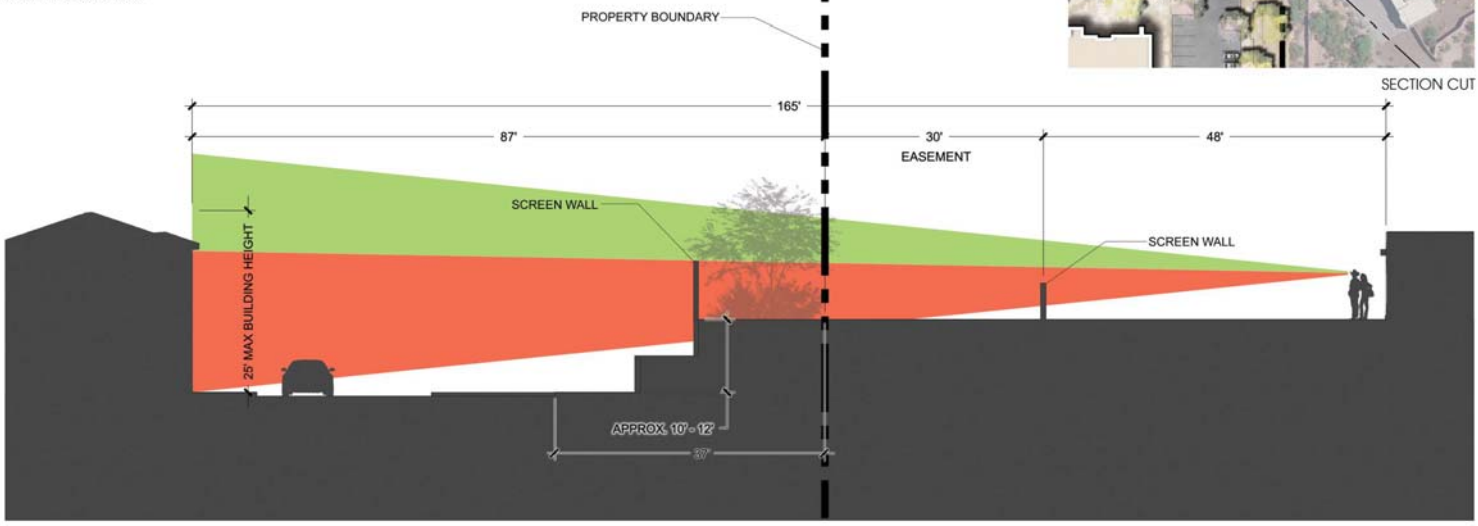
- Smaller buildings
- Most large buildings broken into smaller buildings
- Gated access into residential portion
- Single entrance into project via Oracle Road (exit-only access on Linda Vista)
- Decreased density from 18 to 16.5 dwelling units per acre

CROSS-SECTION (NORTH)



RENDERED SECTION

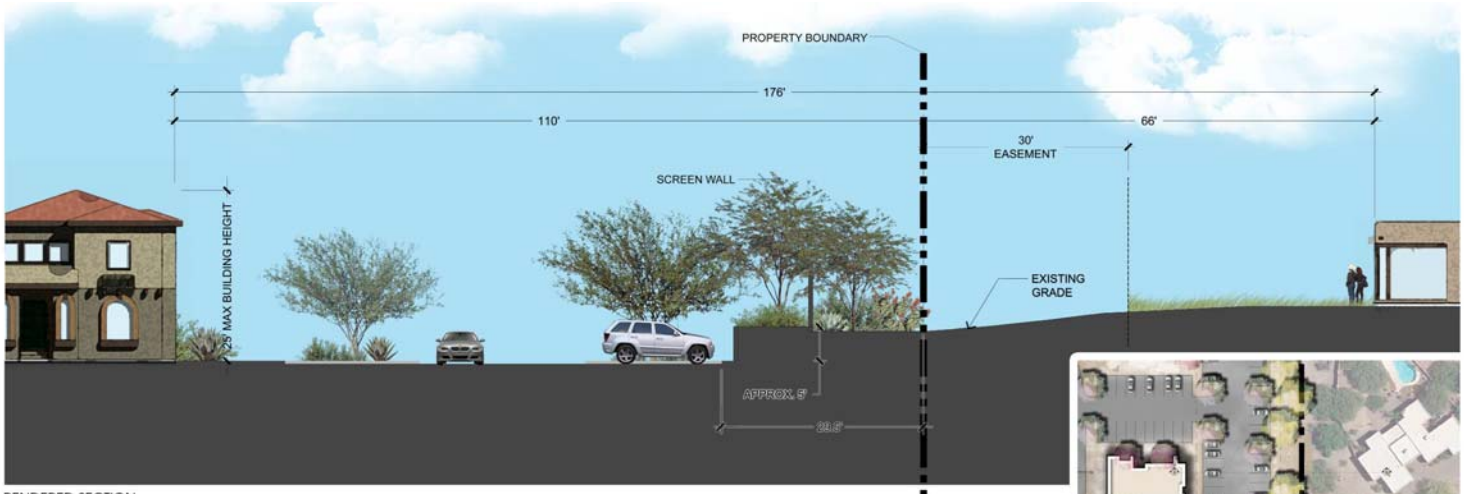
SECTION CUT



FIELD OF VIEW DIAGRAM

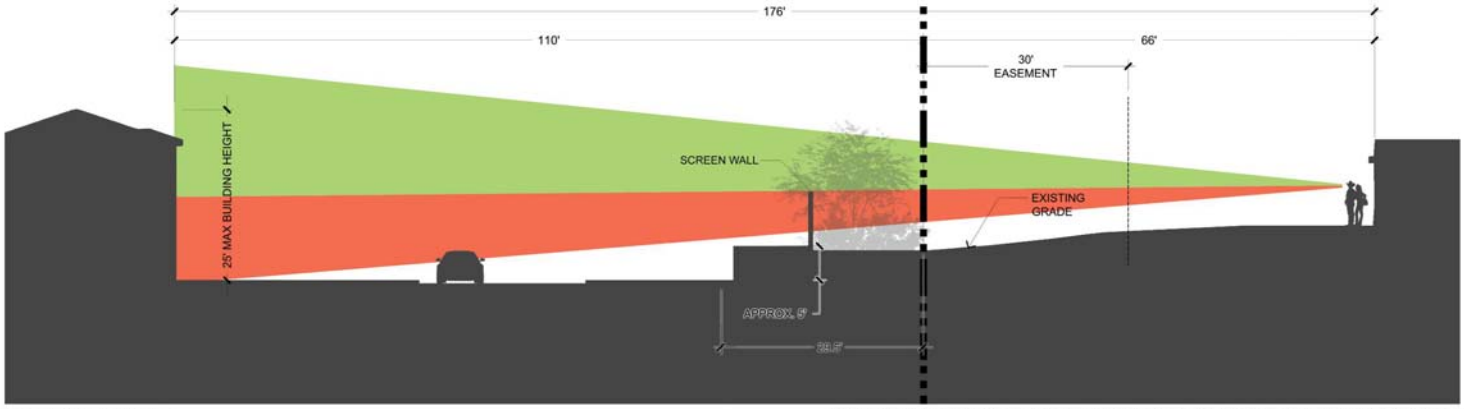
NOTE: HORIZONTAL DIMENSIONS ARE ACCURATE, VERTICAL DIMENSIONS ARE CONCEPTUAL UNTIL FINAL GRADING PLAN

CROSS-SECTION (SOUTH)



RENDERED SECTION

SECTION CUT



FIELD OF VIEW DIAGRAM

NOTE: HORIZONTAL DIMENSIONS ARE ACCURATE, VERTICAL DIMENSIONS ARE CONCEPTUAL UNTIL FINAL GRADING PLAN

NEIGHBORHOOD CONCERNS

- Market Demand
  - 93% multi-family occupancy rate in Oro Valley
  - Changing demographics—looking for a variety of housing types
  - Employers seeking "corporate housing" for short-term or transitioning employees
- Crime & Safety
  - AZ researchers found that apartments create less demand for police services than a comparable number of single-family houses
  - Criminals seek privacy; higher-density puts more "eyes on the street"
- Land Use & Compatibility
  - Transitional use between commercial uses on Oracle Road and single-family residential to east
  - Increase in population leads to increased demand for commercial services (and sales tax)
  - PAD is effective tool for mitigating potential negative impacts (lighting, security, landscaping, building orientation, etc.)

NEIGHBORHOOD CONCERNS

- Quality of Development
  - PAD will include design guidelines which will "embody the distinct character" of the Town (architecture, landscaping, buffering, setbacks, scale, massing, etc.)
- Traffic & Circulation
  - Primary access designed from Oracle Road; exit-only from residential on Linda Vista (based on an approved traffic report)
  - Most appropriate location for higher density uses is along major transportation corridors (Oracle Road)
- Environmental Impacts (Pusch Ridge)
  - Property is not environmentally sensitive land
  - National Park is public property, open to enjoyment of all, regardless of proximity to the trailhead; residents of this project will walk to trail rather than drive & park

Higher-Density Development: Myth and Fact

Urban Land Institute, National Multi Housing Council, American Institute of Architects, Sierra Club (Washington D.C.: 2005)

If Approved:

- Design charrette with neighbors
- Planned Area Development (PAD)
  - Mixed-use plan
  - For-sale residential product design
  - Transitional buffers next to residential
  - Restricted access on Linda Vista (in accordance with traffic impact analysis)

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MYTH 1

Higher-density development overburdens public schools and other public services and requires more infrastructure support systems.

FACT: The nature of who lives in higher-density housing—fewer families with children—puts less demand on schools and other public services than low-density housing. Moreover, the compact nature of higher-density development requires less extensive infrastructure to support it.

Higher-Density Development: Myth and Fact
Urban Land Institute, National Multi Housing Council, American Institute of Architects, Sierra Club (Washington D.C.: 2005)

MYTH 2

Higher-density development lower property values in surrounding areas.

FACT: No discernible difference exists in the appreciation rate of properties located near higher-density development and those that are not. Some research even shows that higher-density development can increase property values.

Higher-Density Development: Myth and Fact
Urban Land Institute, National Multi Housing Council, American Institute of Architects, Sierra Club (Washington D.C.: 2005)

MYTH 3

Higher-density development creates more regional traffic congestion and parking problems than low-density development.

FACT: Higher-density development generates less traffic than low-density development per unit; it makes walking and public transit more feasible and creates opportunities for shared parking.

Higher-Density Development: Myth and Fact
Urban Land Institute, National Multi Housing Council, American Institute of Architects, Sierra Club (Washington D.C.: 2005)

MYTH 4

Higher-density development leads to higher crime rates.

FACT: AZ researchers found that apartments create less demand for police services than a comparable number of single-family houses

Higher-Density Development: Myth and Fact
Urban Land Institute, National Multi Housing Council, American Institute of Architects, Sierra Club (Washington D.C.: 2005)

MYTH 5

Higher-density development is environmentally more destructive than lower-density development.

FACT: Low-density development increases air and water pollution and destroys natural areas by paving and urbanizing greater swaths of land.

Higher-Density Development: Myth and Fact
Urban Land Institute, National Multi Housing Council, American Institute of Architects, Sierra Club (Washington D.C.: 2005)

MYTH 6

Higher-density development is unattractive and does not fit in a low-density community.

FACT: Attractive, well-designed and well-maintained higher-density development attracts good residents and tenants and fits into existing communities.

Higher-Density Development: Myth and Fact
Urban Land Institute, National Multi Housing Council, American Institute of Architects, Sierra Club (Washington D.C.: 2005)

MYTH 7

No one in suburban areas wants higher-density development.

FACT: Our population is changing and becoming increasingly diverse. Many of these households now prefer higher-density housing, even in suburban locations.

Higher-Density Development: Myth and Fact
Urban Land Institute, National Multi Housing Council, American Institute of Architects, Sierra Club (Washington D.C.: 2005)

MYTH 8

Higher-density development is only for lower-income households.

FACT: People of all income groups choose higher-density housing.

Higher-Density Development: Myth and Fact
Urban Land Institute, National Multi Housing Council, American Institute of Architects, Sierra Club (Washington D.C.: 2005)

TOWN OF ORO VALLEY

PLANNING & ZONING COMMISSION **MEETING DATE: November 1, 2011**

TO: **PLANNING & ZONING COMMISSION**

FROM: **David A. Williams, AICP, Planning Division Manager**

SUBJECT: **Public Hearing: Request to amend the Oro Valley General Plan** for 13 acres located near the northeast corner of Linda Vista Blvd and Oracle Road from Neighborhood Commercial Office (NCO) to High Density Residential (HDR 5.1 + du/ac), OV1111-003

SUMMARY

The proposed major General Plan (GP) Amendment (GPA) entails amending the GP land use category from Neighborhood Commercial-Office (NCO) to High Density Residential (HDR) for 13 acres located in proximity to the northeast corner of Linda Vista Blvd and Oracle Rd for the purpose of building an apartment complex of approximately 215 units. If approved, a subsequent rezoning and a full design review process would be required.

BACKGROUND

Amendment Request

Per the General Plan and the State's Growing Smarter/Plus statutes [ARS §9-461.06.G], *"major amendment" means a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element.* This proposal meets the criteria for a major amendment as defined in the Town's *General Plan Amendment Matrix.*

The process for a major General Plan Amendment entails public participation through neighborhood meetings, public notification, and two public hearings before the Planning and Zoning Commission. The Town Council will hold a public hearing to evaluate the proposal and has the final decision-making authority.

The GP land use designations provide a blueprint for development in the Town. The GP is intended to be used as the primary basis for land use decisions and zoning. It is important to note that the General Plan land use designation is *not* an entitlement, but rather a guideline reflecting the Town's vision and plan for appropriate development types and land uses. This GP amendment is considered a precursor to a future rezoning to permit high density residential development.

Site Conditions

- Property is 19.7 acres; amendment area is 13 acres
- General Plan designation is Neighborhood Commercial Office (NCO)
- Zoning is Commercial (C-1)
- Property is currently vacant. A Springhill Suites hotel was under construction on the property, but was stalled and the framing has since been removed
- Approved uses include general retail, office, and service uses

Approvals to Date

- 1991 - Original "El Corredor" Development Plan approved
- 2006 - Town Council approved a conditional use permit for a Starbuck's drive through
- 2007 - Town Council approved a conditional use permit for the 120-room Homewood Suites hotel

- 2007 - Administrative approval of a development plan for two retail buildings in Phase 2
- 2009 – Development Plan and Landscape Plan approved for Homewood Suites hotel

Surrounding General Plan Designations & Land Uses (see Attachment #3)

Direction	General Plan Designation	Land Use
North	NCO (Neighborhood Commercial-Office)	Wedding Chapel
South	School	Pusch Ridge Christian Academy
East	LDR (Low Density Residential)	Single-Family Residences
West	NCO (Neighborhood Commercial-Office)	Fire Station/vacant

Process to Date and Projected Schedule

- Application Received — August, 2011
- First Neighborhood Meeting — September 15, 2011
- Second Neighborhood Meeting: — October 6, 2011
- First P&ZC Public Hearing — November 1, 2011
- Second P&ZC Public Hearing — November 15, 2011
- TC Public Hearing — December, 2011

Existing and Proposed General Plan Land Use Designations

The General Plan defines the land use categories for the amendment area as follows:

- Neighborhood Commercial and Office (NCO)
  This designation denotes commercial and office areas located with good arterial access (i.e. at the intersections of arterial streets or along Oracle Road) that are close to residential areas. Within these areas, uses such as grocery stores, drugstores, and offices tend to serve the surrounding neighborhoods and are integrated with those neighborhoods. Offices include professional offices, tourism-related businesses, and services. The recommended FAR in the NC/O designation is that of the C-1 zoning district.

- High Density Residential (HDR 5.1+ du/ac)
  This land use designation denotes areas where single-family attached, mobile or manufactured housing (within the existing Highlands subdivision), townhouse, patio home, condominium, and apartment development is appropriate. These areas should be located close to arterial access and shopping and employment opportunities. High traffic volume impacts on local, lower density residential streets are discouraged.

ANALYSIS OF PROPOSED AMENDMENT

Staff's analysis of the proposal is based on the following:

I. General Plan amendment criteria contained in the Zoning Code
II. General Plan vision, goals and polices
III. Public comments, including neighborhood meetings and correspondence

Following is an analysis of each element:

I. SECTION 22.2.D.3 GENERAL PLAN AMENDMENT CRITERIA

The Oro Valley Zoning Code states that "the disposition of the General Plan amendment proposed shall be based on consistence with the vision, goals, and policies of the General Plan, with special emphasis on the following criteria. Please note that the applicant for the amendment shall have the burden of presenting facts and other materials to support these criteria in writing, prior to any public hearings. The applicant's response to each of the criteria is attached for your reference (see Attachment #2). Following is staff's analysis of each criterion:

1. *The proposed change is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification.*

   The change in the Town's demographics from a more mature to a younger population, coupled with increased demand for multi-family due to current economic conditions including the housing/foreclosure crisis, reflect a change in "conditions in the community" that may warrant an amendment to the General Plan. Although there are several apartment complexes located in proximity to the subject property (see Attachment #4), the applicant indicates that the development will be higher quality than others along the Oracle Road corridor and will fill a different market niche than currently exists in the Town.

   The applicant wishes to develop a Planned Area Development (PAD) to design a mixed-use project, with retail/office along Oracle Road with multi-family to the east, for the entire property. The PAD is a tool that allows additional flexibility and "customization" of development standards for the developer while offering the Town the ability to craft standards and conditions that ensure that the high quality, compatible development represented by the developer is achieved.

   As state law requires zoning to be consistent with the General Plan, staff supports the creation of a mixed use land use category in the General Plan to allow for the development of mixed use PADs as well as the future creation of a mixed use zoning district in the Zoning Code. Staff intends to pursue a minor General Plan amendment to create a mixed use land use category. Staff estimates that this could be achieved in 2-3 months, once initiated.

2. *The proposed change is sustainable by contributing to the socio-economic betterment of the community, while achieving community and environmental compatibility.*

   While the proposed change helps to meet market demand for apartments which, in turn, increases the population and taxable sales for the Town, the "socio-economic" betterment resulting from new apartments is less than would be associated with developing retail that generates sales tax or hotel that generates bed taxes.

   Apartments would be a "transitional" use between the single-family neighborhoods to the east and Oracle Road. From a land use standpoint, High Density Residential is more appropriate adjacent to Low Density Residential (LDR) single-family residential than commercial or office (C-1 zoning). However, many residents are concerned the overall impacts of apartments would be greater (e.g. apartments are a "24-7" use that generates noise, traffic, etc.) than retail or office uses that would typically operate during normal business hours.

Under either scenario, the negative impacts of the development can be mitigated while the overall environmental disturbance associated with campus park-industrial are somewhat greater than for high density residential.

3. *The proposed change reflects market demand which leads to viability and general community acceptance.*

Staff has surveyed apartment complexes in the Town and has determined that the current occupancy rate is approximately 93% (see Attachment #4). Further, economic conditions support additional multi-family units to accommodate residents seeking an alternative to single-family homes. These factors suggest that strong demand exists for apartments and that additional units are warranted in strategic locations in the Town. The applicant states that there is an unfulfilled demand for "corporate housing" (i.e. short term lease apartments for employees of firms such as Ventana-Roche) and for more upscale "Class A" apartments, which are larger, newer complexes in favorable locations featuring many amenities.

There are currently several proposals for new apartments in the vicinity, including Steam Pump Village north of Oracle and First Avenue, as well as potential apartments at the Oro Valley Town Centre at Oracle and First Avenue. There are few properties zoned for multi-family residential in the Town (see Attachment #6). Apartments can be built by right in the R-6 (Multi-Family Residential) zoning district and in the C-N (Neighborhood Commercial) zoning district (no more than 50% of the total site or 50% of the gross floor area).

4. *The amendment will not adversely impact the community as a whole, or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development processes.*

The adverse impacts of apartment development, including traffic, noise, light, view impacts, and privacy and security concerns, can all be adequately mitigated through rezoning conditions and the Design Review process. Mitigation can be achieved through strategies such as landscaped bufferyards, reduced light pole height, location and orientation of buildings, and transportation improvements (i.e. turn lanes, additional traffic lanes, and/or signalization, as warranted by a Traffic Impact Analysis (TIA)).

The Amphitheater School District has indicated that there is adequate school capacity to accommodate the additional students associated with the proposed development.

II. GENERAL PLAN VISION, GOALS AND POLICY CONFORMANCE

This amendment proposal has been reviewed in light of the General Plan Vision and all applicable General Plan goals and policies. The following Goals and Policies are notable for this application. Each General Plan goal/policy is shown in italics followed by staff's commentary:

General Plan Vision

To be a well planned community that uses its resources to balance the needs of today against the potential impacts to future generations. Oro Valley's lifestyle is defined by the highest standard of environmental integrity, education, infrastructure, services, and public safety. It is a community of people working together to create the Town's future with a government that is responsive to residents and ensures the long-term financial stability of the Town.

There is an emphasis on balancing the "needs of today against the potential impacts to future generations". This necessitates that we take a long-term view of all land use decisions and favor future benefits over short term expediency. In this case, there is a trade off involved by using NCO land for residential use. While a mix of housing types is needed, including apartments, the availability of commercial property is important to accommodate new business and generate sales tax revenue, which is the Town's primary revenue source. However, there is currently a glut of available and vacant retail property, including completed shell space, in the Town and it will likely be many years before all of the constructed space and vacant land is absorbed by the market. Further, there does not appear to be a market for new hotel development, as evidenced by the failure of the Homewood Suites project and the bankruptcy of the Wingate Hotel at Steam Pump Village.

Goal 1.3, *Promote a compatible mix of land uses through the Oro Valley Planning Area.*

As discussed, apartment development can be a more appropriate land use transition between single-family residential and COP than single-family directly adjacent to commercial zoning. While there are a number of apartment complexes in the southern portion of the Oracle Road corridor, overall the Town has a limited amount of apartments and multi-family residential development. Please refer to Attachment #5 which shows existing apartments in the Town and Attachment #6 which shows existing vacant land that is zoned for high-density residential.

Policy 1.3.2, *Encourage new development to locate uses that depend on convenient transportation access (e.g. higher density residential and commercial) near major arterial streets.*

This property is located on Oracle Road, a state highway, and Linda Vista Boulevard, a collector street. It is a viable location from a transportation standpoint. However, improvements may be required to Innovation Linda Vista Boulevard to maintain level of service on the roadway. This would be determined through a Traffic Impact Analysis (TIA) during the rezoning and design review phases.

Policy 1.4.7, *Ensure that increased densities approved for high density residential projects are based on reducing the negative impacts on adjacent lower density residential projects and providing additional landscaping, open space, and other amenities.*

The proposed apartment complex will have measurable impacts on adjacent homes. However, as discussed, these impacts can be mitigated and significantly reduced through sensitive design. For example, the placement of smaller, reduced height buildings near the single-family neighborhood would soften the impact of the development on the existing neighborhood. In addition, the Zoning Code and recently adopted Design Standards contain standards and guidelines to help ensure that the development provide adequate buffering and screening, as well as contextually sensitive and appropriate site and building design.

Policy 4.2A, *Encourage the provision of a variety of housing choices matched to employees within a reasonable proximity to employment sites.*

The property is located within walking or bicycling distance from a number of employment sites, including several office parks and retail centers. The applicant has stated that local employers have expressed a need for high quality corporate housing in the area.

Policy 4.1A, *Protect the integrity and aesthetic context of existing neighborhoods through the use of appropriate buffers.*

The Zoning Code requires landscaped bufferyards between multi-family and single-family development, as well as appropriate screening. The Design Standards require the architecture to be appropriate for the context and environment.

Policy 3.1, *"To ensure long-term financial and economic sustainability for the Town of Oro Valley"*

As discussed, the availability of commercial land is crucial for the long-term financial and economic sustainability of the Town. The current reality is that the market for this type of development is very slow and that there is a great interest in apartment development—based both on market demand and on the availability of financing for new apartment projects. The approval of apartments on this site would result in the loss of 13 acres of commercial property and the associated sales taxes that would accompany retail development. However, a PAD would offer a great opportunity to achieve a high quality mixed use development, which would be a more sustainable and beneficial form of development for the community than the typical "suburban strip" development and strict separation of uses.

Policy 7.1.3, *The Town shall continue to require apartment and condominium developments to incorporate recreational facilities and other amenities to serve residents.*

A high quality apartment complex requires recreational facilities and other amenities. The Zoning Code and Design Standards require recreational facilities and encourage a highly amenitized project.

Policy 7.2.1, *The Town shall encourage the development of a variety of types of homes to accommodate the varied needs of residents, including single-family attached and detached, townhomes, small apartments (3-4 units), condominiums…*

The provision of higher-density multi-family housing options is supported by several factors, including a demonstrated change in demographics and market preference. While some of the market shift is fueled by the current downturn in the economy, there are indications that certain populations, including young adults and empty nesters are increasingly looking at highly amenitized multi-family housing as an alternative to single-family detached homes. This is a long-term trend that will likely increase in the future. Further, densification of the Town's housing is necessary to create a built environment that is more economically and environmentally sustainable.

Policy 7.3.1, *To the extent feasible, given the high land costs, the Town shall encourage the development of a variety of residential choices consistent with the Land Use Element to meet the housing needs of employees of existing and future Oro Valley employers.*

As discussed, local employers have expressed a need for additional "corporate housing" to house current and future employees. Further, there is an increased need for "workforce housing" to provide affordable housing options for employees in the service, government, and education industries. There is currently a high "jobs-housing" imbalance as much of Oro Valley's workforce commutes from more affordable areas. This contributes to traffic congestion, air pollution, and additional infrastructure construction and maintenance costs for the community.

III. PUBLIC NOTICE AND COMMENT

This project has been noticed in accordance with Town procedures, which includes the following:

- Notification of all property owners within 1,000 feet
- Homeowners Association mailing
- Notice in The Daily Territorial and Arizona Daily Star newspapers
- Post on property
- Post at Town Hall and on website

Two neighborhood meetings were held. The first meeting was held on September 15, 2011. Approximately 30 residents and interested parties attended the meeting. A second neighborhood meeting was held on October 6, 2011. Approximately 40 residents and interested parties attended the meeting. A number of issues were discussed at each meeting, including the following:

- Compatibility with neighborhood and mitigation strategies
- Traffic, ingress, and egress impacts
- Crime, safety, and security impacts, including impacts on Linda Vista Trail and Pusch Ridge Wilderness
- Development process and timeline
- Demonstration of market for apartments and availability of financing
- Site design issues, including view impacts, buffering, etc.
- Assurance that development will be high quality

The summary notes from both meetings and are attached for your reference (see Attachment #7 and #8).
A number of letters and e-mails have been received in opposition to the proposal. They are attached for your reference (Attachment #8).

SUMMARY/CONCLUSION

The proposed amendment has been evaluated using the criteria in Section 22.4 of the Zoning Code, General Plan goals and policies as well as neighborhood and outside agency input. Following is a summary of the factors for and against the proposal:

Factors for:

1. The development will be designed through the PAD process, which allows greater flexibility for the developer while providing additional assurances of quality development and design excellence than is provided under the Zoning Code.
2. There appears to be a market for new apartment development.
3. Multi-family development is potentially more compatible with single-family residential than commercial and office.
4. Apartments would not generate truck traffic or require loading docks.
5. The site is in proximity to Oracle Road and nearby employment and services.
6. The negative impacts of the proposal can be substantially mitigated through sensitive design and buffering.

Factors Against:

1. The property is viable for future NCO development which creates retail sales tax revenue and employment.
2. There are a number of other apartment complexes in the vicinity.
3. Activity in NCO development is generally during business hours while apartments have a "24-7" impact.

4. Nearby residents have expressed objections to the proposal.

RECOMMENDATION

The proposed amendment conforms with many General Plan policies and amendment criteria. The impacts of the development, including noise, light, and traffic, can be sufficiently mitigated and would not likely result in greater impacts on the neighborhood than NCO development. Staff recommends approval of the proposed General Plan Amendment.

SUGGESTED MOTION

The Planning & Zoning Commission may wish to consider one of the following suggested motions:

I move to [recommend approval OR denial] of the request for approval of a General Plan amendment for 13 acres located near the northeast corner of Linda Vista Blvd and Oracle Road from Neighborhood Commercial Office (NCO) to High Density Residential (HDR 5.1 + du/ac).

1. Application and exhibits
2. Applicant's response to GP amendment criteria
3. General Plan Future Land Use map
4. Table of Oro Valley Apartment Occupancy Rates
5. Map of Existing Apartments
6. Map of Vacant High Density Residential Land
7. September 15, 2011, Neighborhood Meeting Summary
8. October 6, 2011, Neighborhood Meeting Summary
9. Letters and e-mails from residents

cc: Ross Rulney, rossrulney@gmail.com
Robin Large, rlarge@azplanningcenter.com

Project Manager: Matt Michels, AICP, Senior Planner

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David A. Williams, AICP, Planning Division Manager

Multi-Family Housing Overview

Housing Types – Single Family

- **Single Family Detached –** Dwelling units are physically separated from the units immediately adjacent to them

- **Single Family Attached –** Dwelling units share common walls with units laterally adjacent (Townhomes)

Source: Planning and Urban Design Standards

Housing Types – Multi-Family

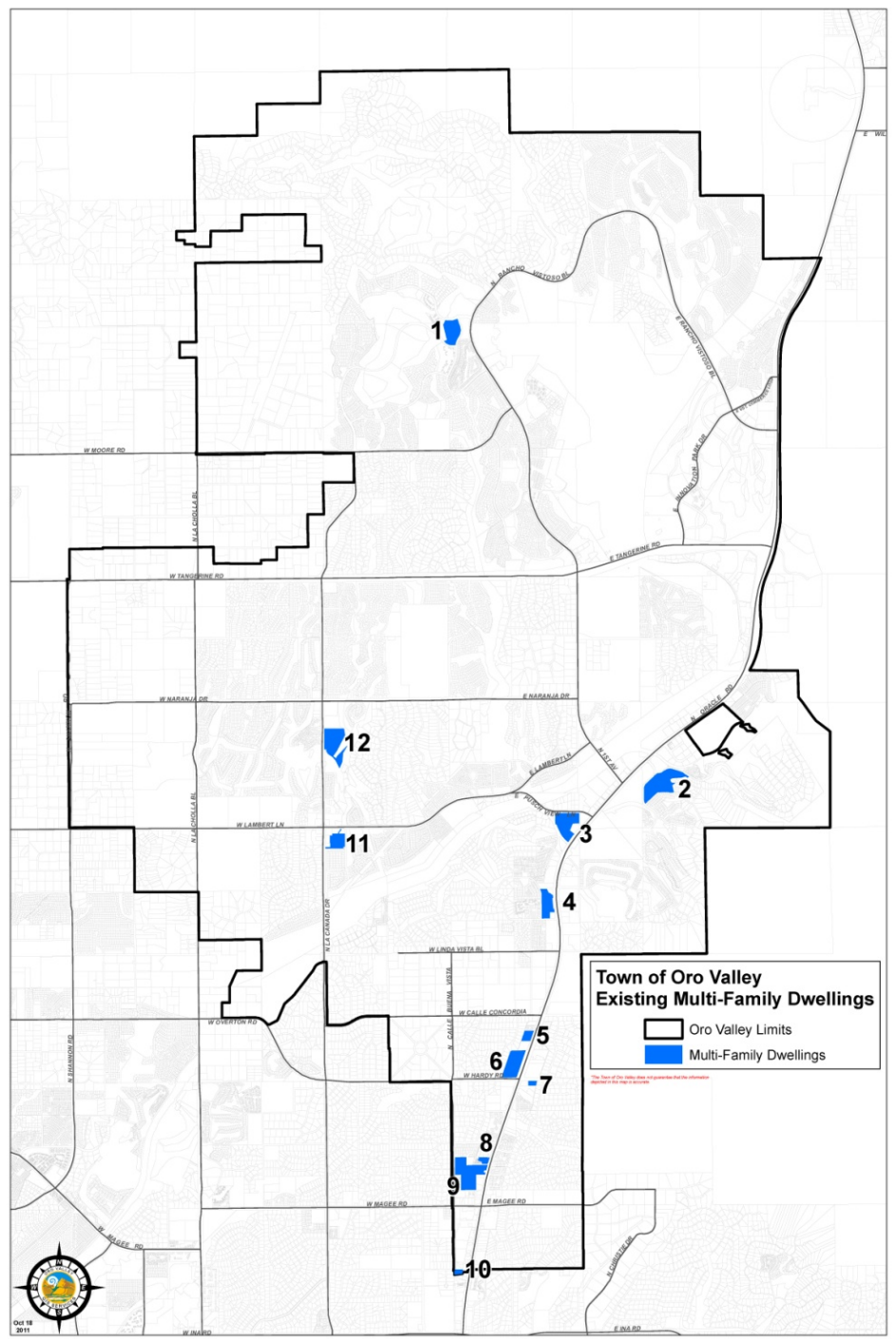
- **Multi-Family Housing –** Dwelling units share common walls with the units that are laterally and vertically adjacent.

Source: Planning and Urban Design Standards

Multi-Family – Existing Sites

- **Existing Multi-Family Sites –** Multi-family dwellings that have been built in the Town of Oro Valley.

Multi-Family Existing Sites



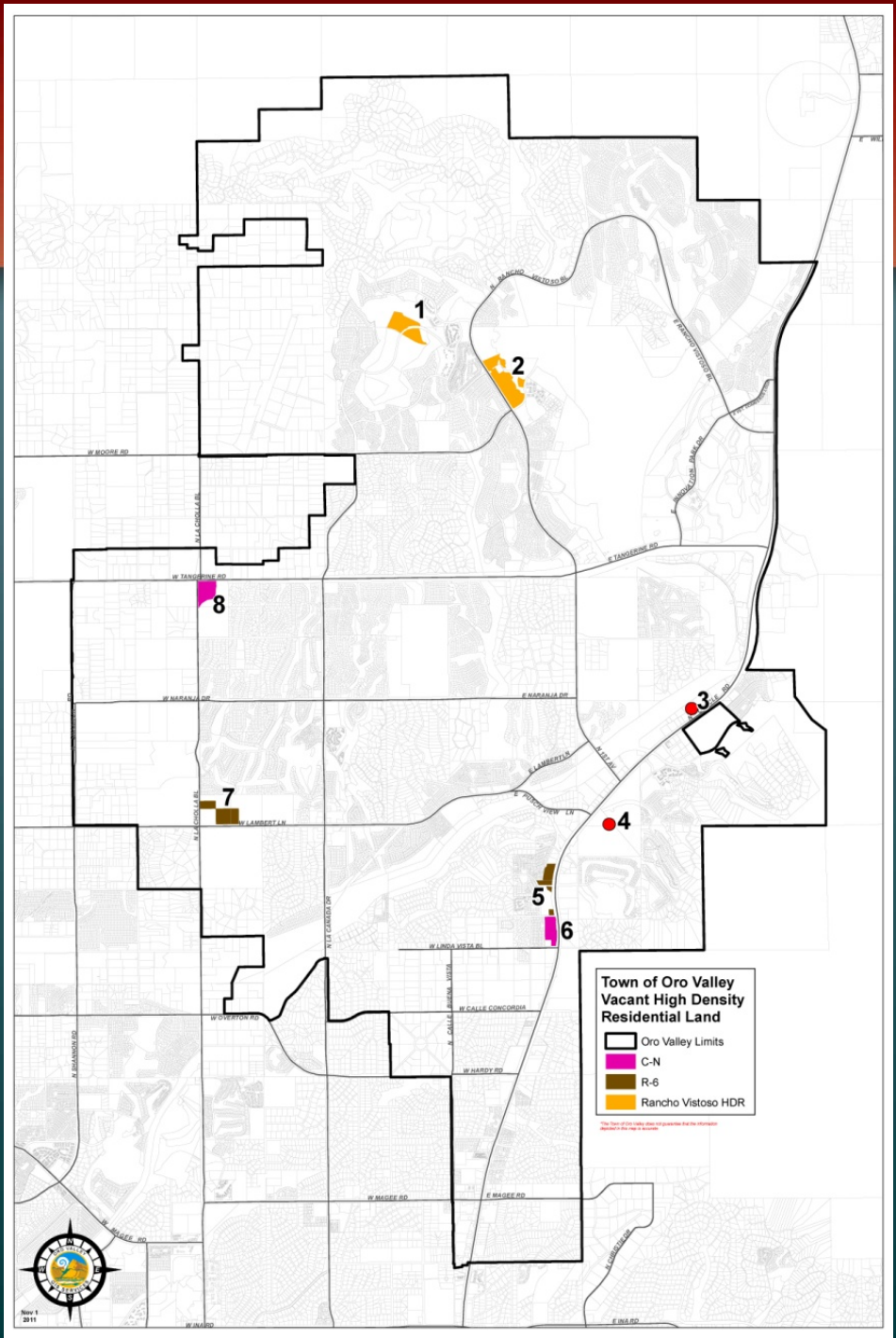
Multi-Family – Existing Sites

Project Name	Units	Acres	Density (DU/AC)
1. Vistoso Vacation Rentals	111	13.3	8
2. The Boulders at La Reserve	480	26.6	18
3. Rock Ridge Apts	319	17.6	18
4. Pusch Ridge Apts	144	11.6	12
5. Catalina Crossing	97	3.7	26
6. The Overlook at Pusch Ridge	424	15.9	27
7. Sunnyslope Apts	41	1.5	28
8. Sundown Village	61	2.2	27
9. Saddle Ridge	248	24.1	10
10. Desert Aire Lodge	6*	1.5	4
11. Oro Vista Apts	138	8.7	16
12. Golf Vistas at Oro Valley	281	20.3	14
TOTAL	**2,350**	**147.1**	

Multi-Family – Zoned Sites

- **Zoned Multi-Family Sites –** Vacant lands that have been zoned for Multi-Family Housing

Multi-Family Zoned Sites



Multi-Family – Zoned Sites

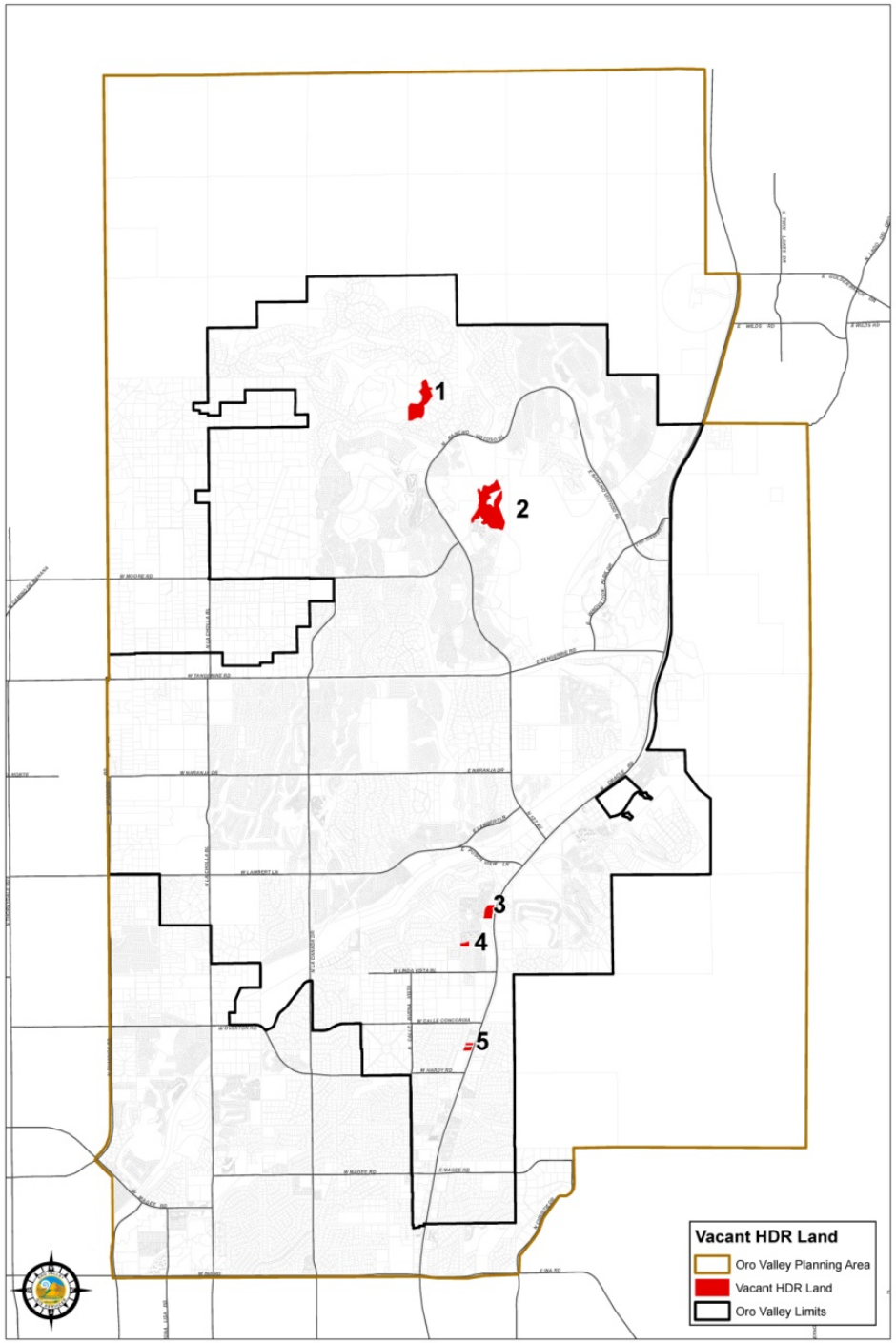
*Projected Density is 15 du/ac

Name/Location	Acres	Potential Units
1. W. Pebble Creek Dr	22.2	333
2. Rancho Vistoso Bl & Moore Rd	32.5	487
3. Steam Pump Village	12	300
4. OV Town Center	28	None (Res over Retail only)
5. Oracle & El Conquistador Wy	11.4	171
6. Oracle & Desert Sky Rd	12.2	91
7. La Cholla Bl & Lambert Ln	19.8	297
8. La Cholla Bl & Tangerine Rd	14.7	110
TOTAL	**152.8**	**1,792**

Multi-Family – Planned Sites

- **Planned Multi-Family Sites –** Multi-family dwellings that have been planned by the Town of Oro Valley according to its General Plan

Multi-Family Planned Sites

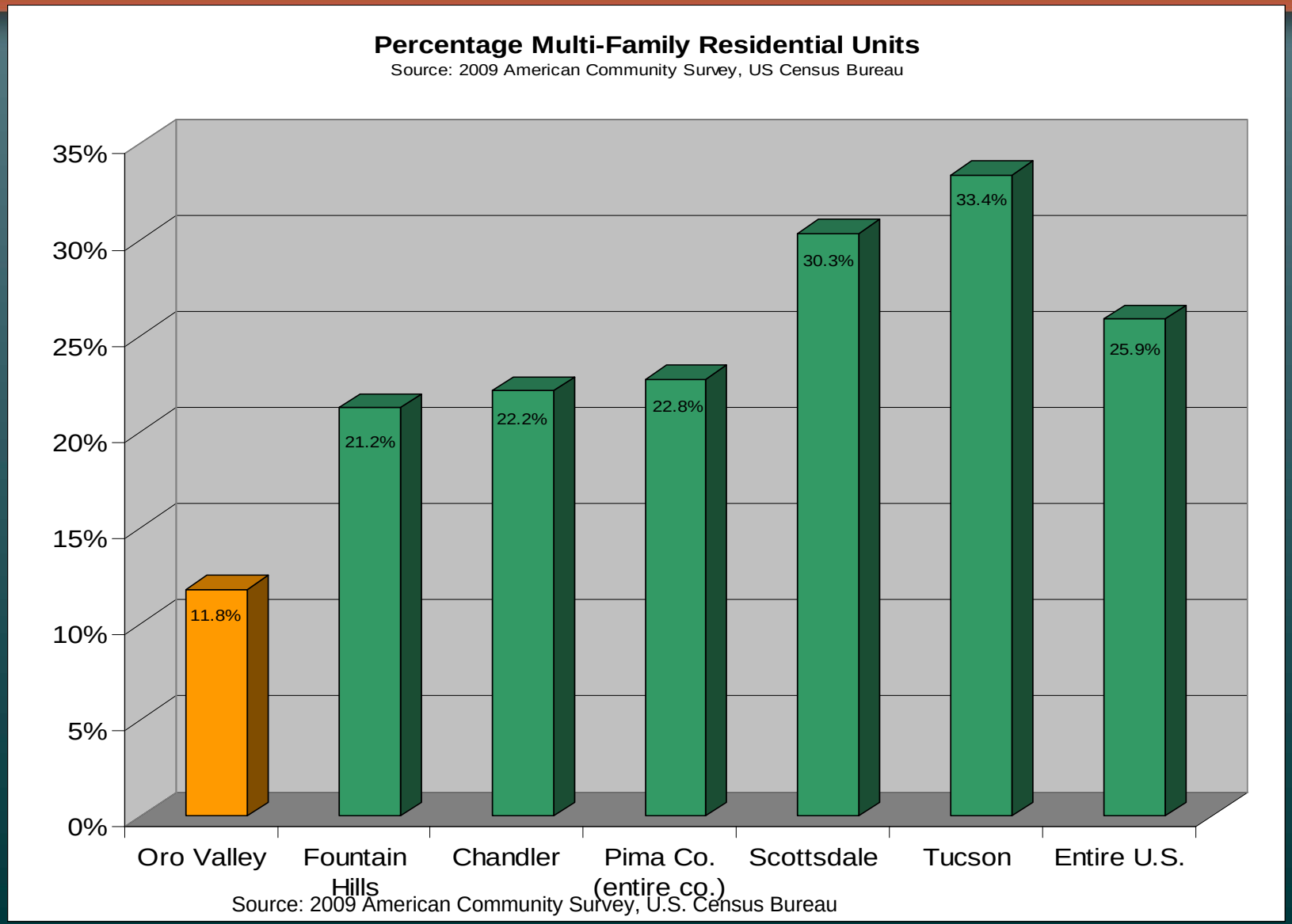


Multi-Family – Planned Sites

*Projected Density is 15 du/ac

Name/Location	Acres	Potential Units
1. Las Rocas Bl	27.2	407
2. Rancho Vistoso Bl & W. Moore	55.7	835
4. Desert Sky Rd	2.1	32
5. Oracle S. of Linda Vista Bl	2.5	37
TOTAL	**87.4**	**1,310**

Percentage Multi-Family Units of Total Housing Units



Multi-Family Summary- Existing, Entitled, and Planned

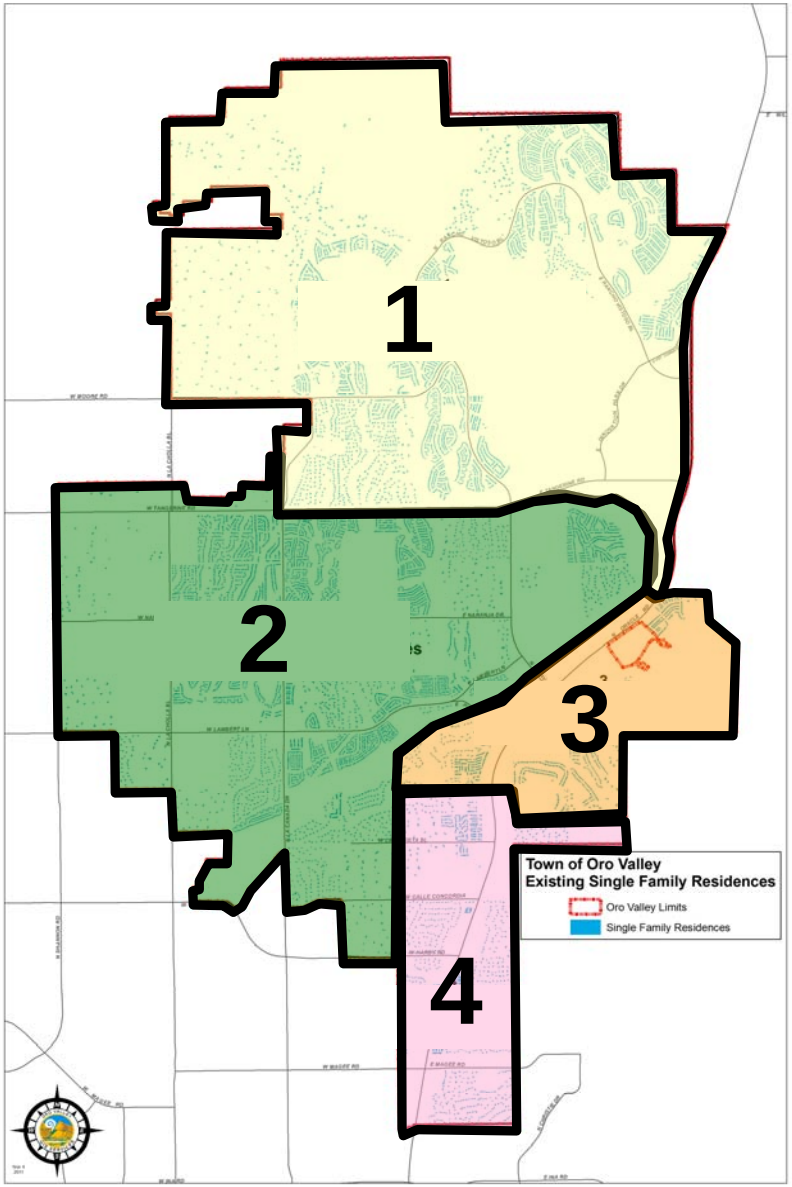
Multi-Family Units	total	%
total MRF as % of 2010 housing stock	2,350	**11.8%**
total zoned multi-family units	1,792	
total planned units	1,310	
TOTAL	**5,452**	**19.5%***
*** % of total projected housing units @ build-out**		

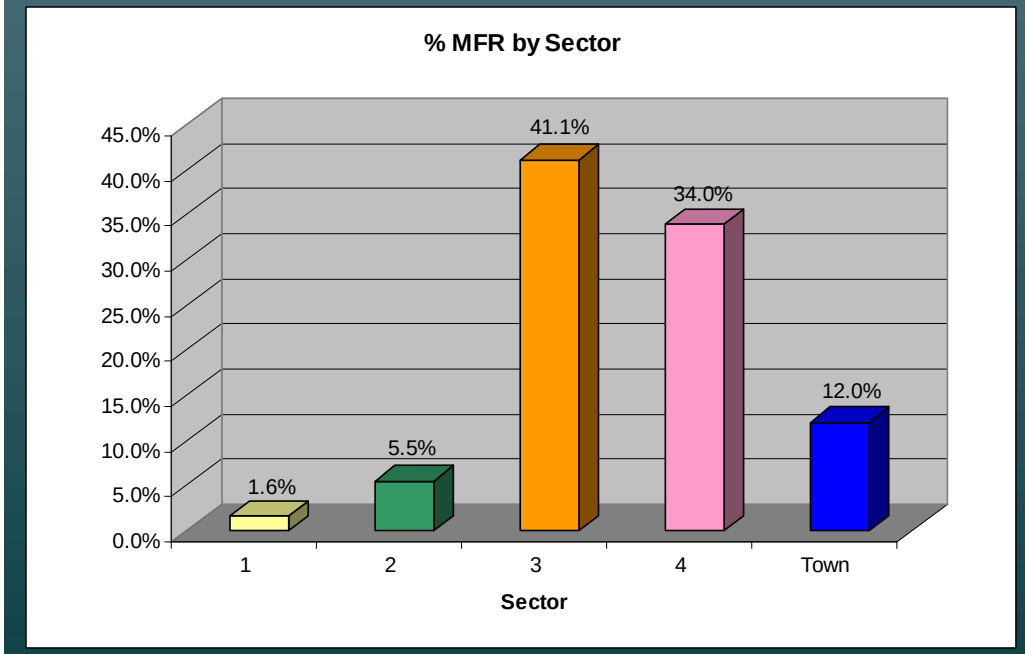
Oro Valley Apartment Occupancy

August, 2011 Phone Survey conducted by Town Staff

Apartment Name	Number of Units	Occupancy Rate %
Boulder Canyon at La Reserve	240	91.00
Catalina Crossing	97	87.00
Golf Villas at Oro Valley	281	95.00
La Reserve Villas	240	95.00
Oro Vista Apts	138	89.00
Pusch Ridge Apts	144	94.00
Rock Ridge Apts	319	94.00
Saddle Ridge	248	92.00
Sundown Village Apts	330	93.00
The Overlook at Pusch Ridge	424	95.50
Averages	**246**	**92.6**

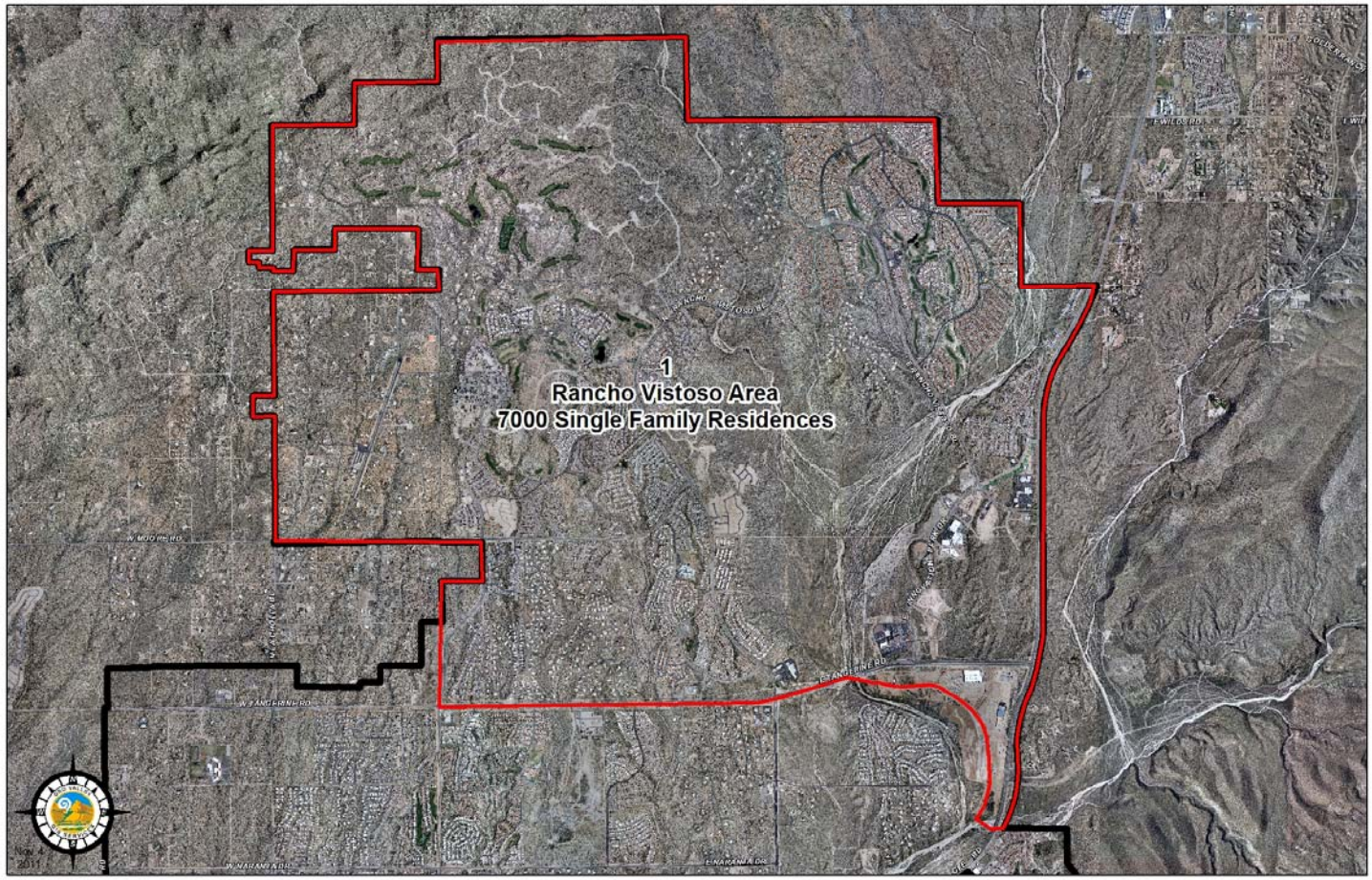
Geographical Distribution of Multi-Family Residential (MFR) : Town Sectors





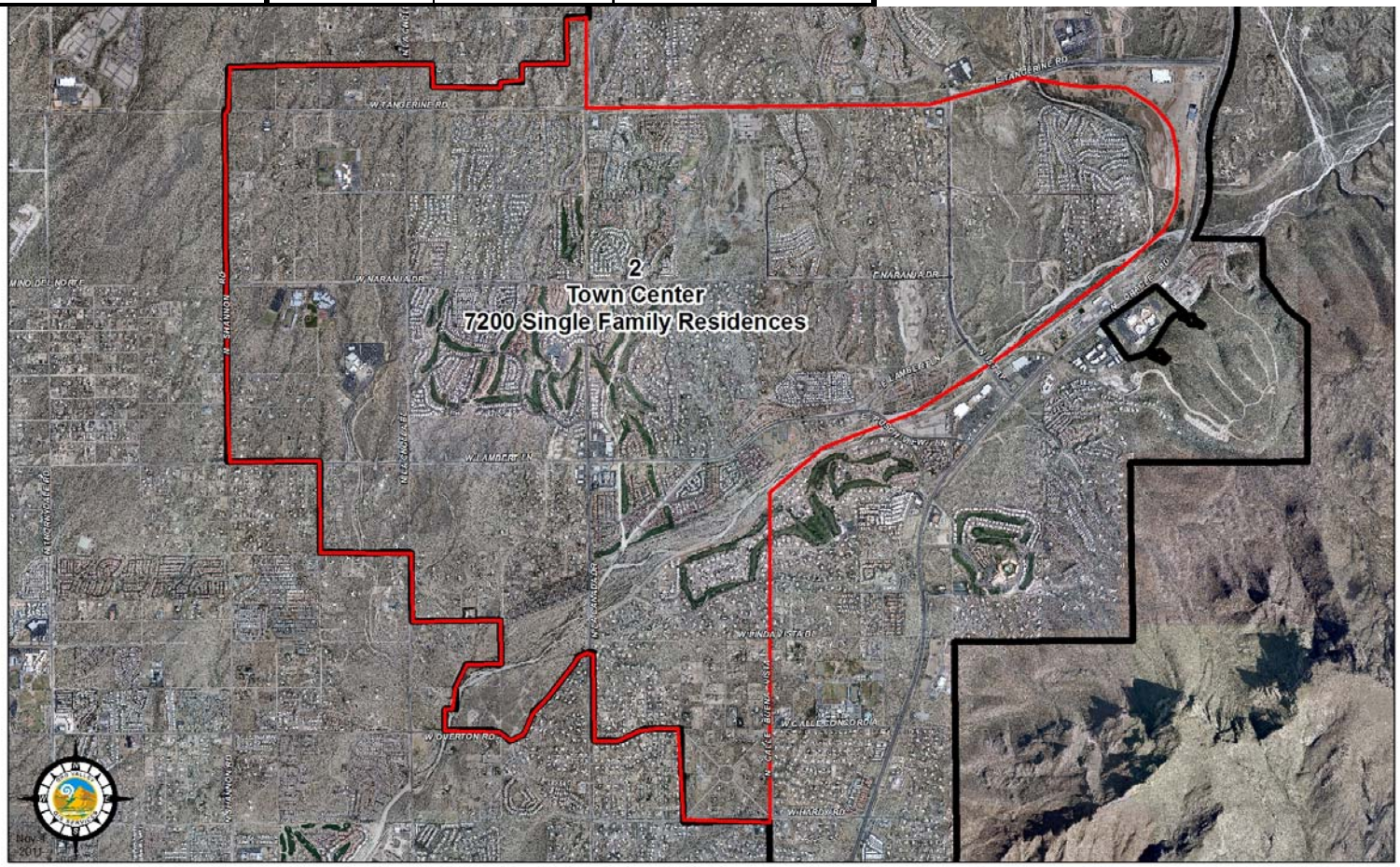
Geographical Distribution of MFR Sector 1 – Rancho Vistoso

1-Rancho Vistoso	MFR Acres	MFR Units	% of Town's MFR	SFR Units	Sector 1 MFR %
Existing	13.3	111	4.7%	7000	1.6%
Zoned	54.7	820	45.8%		
Planned	82.9	1242	94.7%		
Total	**150.9**	**2173**	**39.9%**		



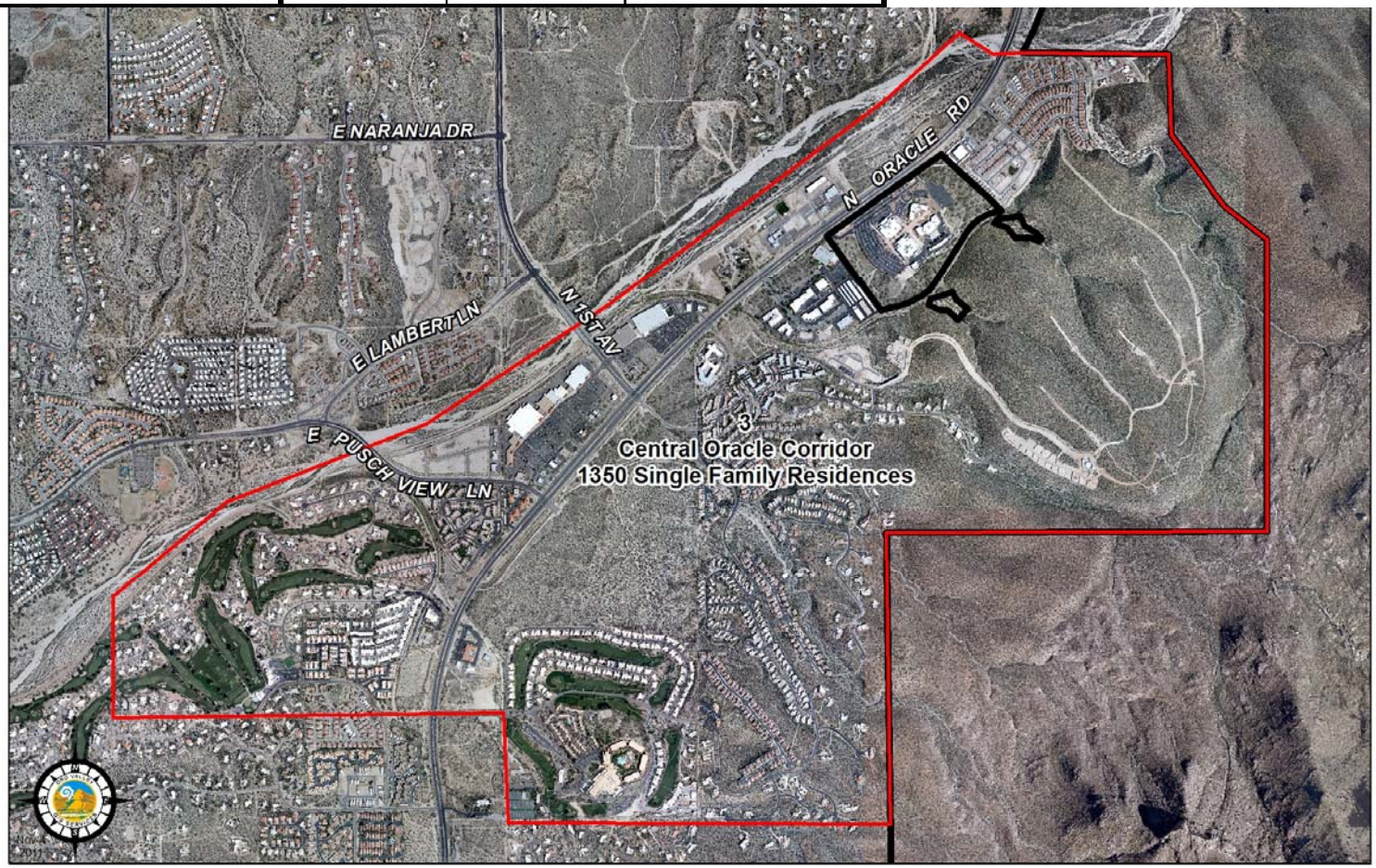
Geographical Distribution of MFR Sector 2

2-Town Center	MFR Acres	MFR Units	% of Town's MFR	SFR Units	Sector 2 MFR %
Existing	29.0	419	17.8%	7200	**5.5%**
Zoned	34.5	407	22.8%		
Planned	0	0	0.0%		
Total	**63.5**	**826**	**15.2%**		



Geographical Distribution of MFR Sector 3

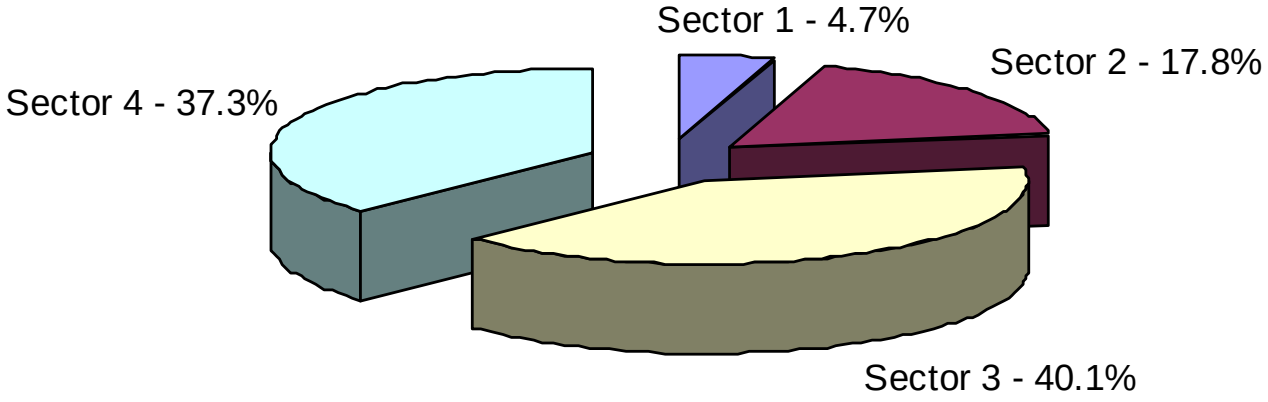
3-Central Oracle Rd. Corridor	MFR Acres	MFR Units	% of Town's MFR	SFR Units	Sector 3 MFR %
Existing	55.8	943	40.1%	1350	**41.1%**
Zoned	40	300	16.8%		
Planned	0	32	2.4%		
Total	**95.8**	**1275**	**23.4%**		



Geographical Distribution of MFR Sector 4

4-South Oracle Rd. Corridor	MFR Acres	MFR Units	% of Town's MFR	SFR Units	Sector 4 MFR %
Existing	48.9	877	37.3%	1700	**34.0%**
Zoned	23.6	262	14.6%		
Planned	4.6	37	2.8%		
Total	**77.1**	**1176**	**21.6%**		

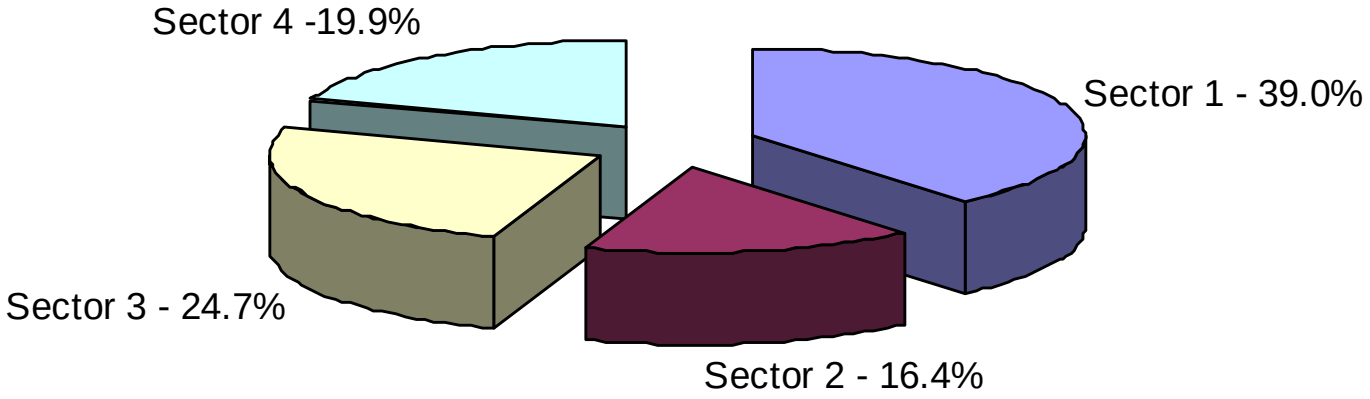
Geographical Distribution of Existing (Built) MFR Acreage



Total = 147 acres

Geographical Distribution of MFR Acreage at Build-Out WITHOUT General Plan Amendments

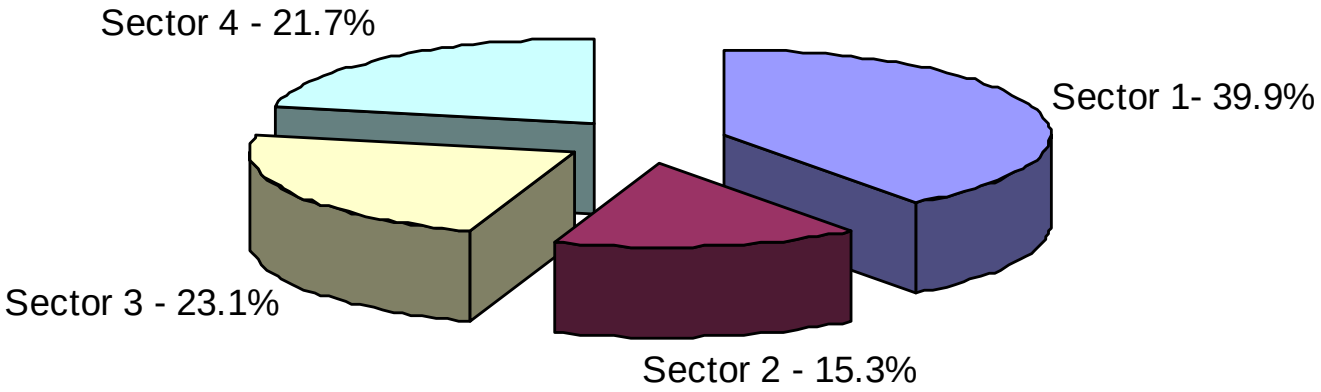
* build-out includes all existing, zoned, and planned MFR acreage



Total = 387.3 acres

Geographical Distribution of MFR Acreage at Build-Out INCLUDING General Plan Amendments

* build-out includes all existing, zoned, and planned MFR acreage



Project	Acres
Beztak-Rancho Vistoso 2-E	15
Rulney-Oracle/Linda Vista	13
TOTAL	**28**

Total = 415.3 acres

Summary of Existing, Zoned, Planned, and Total MFR

EXISTING	MFR Acres	% Acres	MFR Units	% MFR units	SFR Units	% MFR
1-Rancho Vistoso	13.3	9.0%	111	4.7%	7000	1.6%
2-Town Center	29.0	19.7%	419	17.8%	7200	5.5%
3-Central Oracle Rd. Corridor	55.8	38.0%	943	40.1%	1350	41.1%
4-South Oracle Rd. Corridor	48.9	33.3%	877	37.3%	1700	34.0%
	147.0	100.0%	2350		17250	

ZONED	MFR Acres	% Acres	MFR Units	% ZONED UNITS
1-Rancho Vistoso	54.7	35.8%	820	45.8%
2-Town Center	34.5	22.6%	407	22.8%
3-Central Oracle Rd. Corridor	40.0	26.2%	300	16.8%
4-South Oracle Rd. Corridor	23.6	15.4%	262	14.6%
	152.8	100.0%	1789	

PLANNED	MFR Acres	% Acres	MFR Units	% PLANNED UNITS
1-Rancho Vistoso	82.9	94.7%	1242	94.7%
2-Town Center	0	0.0%	0	0.0%
3-Central Oracle Rd. Corridor	0	0.0%	32	2.4%
4-South Oracle Rd. Corridor	4.6	5.3%	37	2.8%
	87.5	100.0%	1311	

TOTAL w/out GPAs	MFR Acres	% Acres
1-Rancho Vistoso	150.9	39.0%
2-Town Center	63.5	16.4%
3-Central Oracle Rd. Corridor	95.8	24.7%
4-South Oracle Rd. Corridor	77.1	19.9%
	387.3	100.0%

TOTAL WITH GPAs	MFR Acres	% Acres
1-Rancho Vistoso	165.9	39.9%
2-Town Center	63.5	15.3%
3-Central Oracle Rd. Corridor	95.8	23.1%
4-South Oracle Rd. Corridor	90.1	21.7%
	415.3	100.0%

Geographical Distribution Summary

- Highest concentration of existing MFR is along Oracle Road (Sectors 3 & 4)
- Rancho Vistoso (Sector 1) is under-represented in existing MFR, especially in proximity to employment areas such as Innovation Park
- However, Rancho Vistoso (Sector 1) has the majority of zoned and planned land for future MFR development
- Additional MFR development in Rancho Vistoso (Sector 1) and Sector 2 may be warranted to create a more appropriate distribution of MFR throughout the Town
- MFR "should be matched to employees within a reasonable proximity to employment sites"

Change to Town's MFR Build-Out Acreage with Proposed GPA Amendments

- **The two proposed General Plan Amendments represent a total increase of 7.2% increase to the total MFR acreage in the Town at build-out***

***includes existing, zoned, and planned MFR acreage**

Project	Acres	Increase to Build-out Acreage
Beztak-Rancho Vistoso 2-E	15	3.9%
Rulney-Oracle/Linda Vista	13	3.4%
TOTAL	**28**	**7.2%**

General Plan Evaluation: General Plan Vision

To be a well planned community that uses its resources to balance the needs of today against the potential impacts to future generations.

Oro Valley's lifestyle is defined by the highest standard of environmental integrity, education, infrastructure, services, and public safety.

It is a community of people working together to create the Town's future with a government that is responsive to residents and ensures the long-term financial stability of the Town.

Notable General Plan Goals & Policies

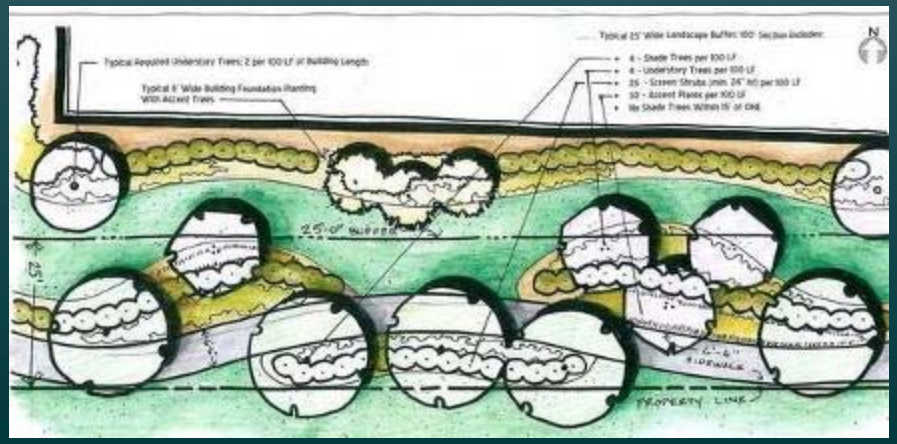
- Promote a compatible mix of land uses through the Oro Valley Planning Area

- Encourage new development to locate uses that depend on convenient transportation access (e.g. higher density residential and commercial) near major arterial streets

Notable General Plan Goals & Policies (con't)

- Ensure …approvals for high density residential projects are based on reducing the negative impacts on adjacent lower density residential projects and providing additional landscaping, open space, and other amenities

- Protect the integrity and aesthetic context of existing neighborhoods through the use of appropriate buffers



Notable General Plan Goals & Policies (con't)

- Encourage the provision of a variety of housing choices matched to employees within a reasonable proximity to employment sites

- Encourage ensure long-term financial and economic sustainability for the Town of Oro Valley

Analysis – Comparison

Citations

Steiner, Frederick and Kent Butler. (2007) *Planning and Urban Design Standards.* American Planning Association (APA); Produced by John Wiley & Sons, Inc.

Rulney General Plan Amendment
September 15, 2011, Neighborhood Meeting Questions/Issues

The following questions and issues were discussed at the first neighborhood meeting. As discussed, the applicant and Town staff will be prepared to respond to these questions at the second neighborhood meeting on October 6th.

Process/Timeline

- What is the timeline for filing the rezoning application?
- When will the apartment project be completed?
- What is the development timeline for the commercial pads in the front?
- Why use the Planned Area Development (PAD) process to develop specific development standards rather than use the Town's Zoning Code?

Market/Financing

- Is there a market for new apartments?
- Will the developer release their financial data/balance sheets?
- Do apartments generate revenue for the Town, especially compared to hotel/commercial development?
- Impacts on property values?
- How much will the rents be?
- What types/"class" of apartments will be offered?

Developer's Responsibility/Commitment & Town's Assurance Process

- How can residents be assured that developer will fulfill commitments/obligations
- What is the timing for landscape restoration, if needed?
- What will the Town do if the project isn't completed (like the Homewood Suites)?

Crime/Safety/Security

- Will the apartments have on-site security?
- Will the development have on site property management?
- How can we report problems/issues?
- Will the apartments increase crime?
- Will there be adequate fire turn around in the gated development?

Traffic, Parking, Ingress/Egress

- Will project be gated? Can the Town require the project to be gated?
- Will garages be provided? (no, covered parking will be constructed)
- Can parking be placed underground?
- Where will the driveways be located?
- Will the driveway onto Linda Vista be aligned with Pusch Ridge Christian Academy's driveway?

Land Use/Site Design

- What is the basis of converting 13 acres of El Corredor to high density residential?
- Can the property be designated medium density residential rather than high density residential?
- What is the average number of occupants per unit?
- What types of uses are allowed in high density residential?
- What is the depth of the commercial area from Oracle Road?
- What are the building heights?
- Concerned that apartments are a 24/7 operation while commercial businesses/offices are typically 9-5
- Is there a cap on the number of dwelling units?
- How many buildings/units are proposed?

Compatibility, Project Impacts/Mitigation

- Is high density residential next to low density residential appropriate?
- What types of buffers/provisions for privacy will be provided (buffers, elevations, site lines)?
- Can the existing wall along the rear of the property be extended all the way south?

General/Miscellaneous Questions

- Who owns the property?
- Who will develop the project?
- When will residents be provided with more detail about the proposal? (at the next meeting)
- What are the impacts on National Forest (Linda Vista Trailhead)-additional users and overflow parking impacts
- What is the grading plan for the site?
- Does the school district weigh in on the proposal?
- How can the developer prevent excessive occupancy in a unit?
- What is the format of the second meeting? (brief presentation, discuss/reiterate issues, and allow applicant to present revised concept)

Rulney General Plan Amendment
October 6, 2011, Neighborhood Meeting Questions/Issues

The following questions and issues were discussed at the second neighborhood issue identification meeting on October 6, 2011. As discussed, the applicant and Town staff will be prepared to respond to these questions at the second neighborhood meeting on October 19th.

- How are "Class A" Apartments defined?
  - Amenities: pool, theater, clubhouse, tennis courts
- What if the project is sold?
- What design standards are incorporated?
  - List of prohibited uses?
- Is the project platted for future sale?
- Will grade separation run full length of site?
  - Amount of grading needed? (more cut as you go south)
  - Single story on south and east
  - No dumpsters
  - Landscaping
- How does this project fit in with other proposals
- Show buffering at the south end of the property
- Will the project create additional traffic?
  - How long will the roadway network handle it?
  - Right turn only on Linda Vista?
  - TIA
- Effects of the HDR on property values?
  - ULI study?
- Will there be a density reduction near homes?
- Mixed-use? – commercial and retail?
- How will dog waste be handled? (dog park/trail within project)
- Density
  - 16.5 dwelling units/acre
  - 216 units total

- Design charette?
- Impact on Pusch Ridge Wilderness (additional residents)
- Has applicant met GPA criteria?
- Is there a conflict of interest?
- What is the impact on tax revenue? Commercial vs. Residential
- Timing?
    - Groundbreaking within 12 months

Pusch Ridge Estates
Homeowners' Association
9703 N Horizon Vista Place
Oro Valley, Arizona 85704

September 29, 2011

Oro Valley Planning and Zoning Department
11000 North La Canada Drive
Oro Valley, AZ 85737

Attention: David Williams, Planning Division Manager
Matt Michels, Project Manager

Subject: OV1111-003 Ross Rulney Amendment Request

Pusch Ridge Estates Homeowners' Association has a history of cooperation in the development of the 20 acre parcel at the corner of Linda Vista Boulevard and Oracle Road. We understand that development along the Oracle Road Corridor is inevitable. However, the neighborhood strongly opposes the General Plan amendment to allow High Density Residential, as the amendment would not comply with Oro Valley General Plan Amendment Evaluation Criteria Section 22.2.D.3 and would have a significant negative impact on the surrounding community.

Oro Valley General Plan Amendment Evaluation Criteria Section 22.2.D.3 requires that any amendment to the General Plan must be consistent "with the vision, goals, and policies of the General Plan." In order to approve a "major" amendment from Neighborhood Commercial Office (NCO) to High Density Residential (HDR 5.1 + du/ac), as is contemplated here, the Town Council must find that such amendment complies with the following criteria:

a. The proposed change is necessary because conditions in the community have changed to the extent that the plan requires amendment or modification; and

b. The proposed change is sustainable by contributing to the socio-economic betterment of the community, while achieving community and environmental compatibility; and

c. The proposed change reflects market demand which leads to viability and general community acceptance; and

d. The amendment will not adversely impact the community as a whole or a portion of the community without an acceptable means of mitigating these impacts through the subsequent zoning and development processes.

Under the General Plan Amendment Evaluation Criteria, the applicant for the amendment, in this case Ross Rulney, has the burden of proving that his development will comply with these criteria. The application submitted by Mr. Rulney has not done so.

Impact on Infrastructure Demands and Security

High-density housing would increase demands on Oro Valley police and fire departments, as well as area schools and other resources, while depriving the Town of Oro Valley of income from commercial development. Moreover, statistics show higher crime rates in apartment housing compared to single occupancy homes. In addition to negatively impacting Oro Valley resources, high-density housing will specifically impact the security level of the subdivision. As many in the neighborhood are seasonal residents, this is a major concern.

Environmental Impact

The proposed amendment would allow Mr. Rulney to concentrate some 600 additional residents on just 13 acres immediately adjacent to a trailhead to the fragile Pusch Ridge Wilderness Area, one of Oro Valley's greatest treasures. Such a concentration of people would increase the likelihood of inappropriate activities that would be both detrimental and hazardous to wilderness plant and animal life. Under the Oro Valley General Plan Land Use Policy 1.4.7 "The Town shall continue to ensure that zoning near natural open space, parks, washes, trails, trailheads,...and Pusch Ridge Wilderness provides adequate buffers and compatible uses. The Town reasonably wishes to be satisfied that sufficient demand exists before authorizing a higher land use intensity than present zoning permits."

Impact on Adjacent Community

The addition of 600 new residents would disproportionately affect Pusch Ridge homeowners who have only one route in and out of their 29 year old community. This route already becomes heavily congested by Pusch Ridge Christian Academy teachers, parents and students before and after school each day and during extra-curricular activities, as well as by Pusch Ridge Wilderness Area hikers. In addition, this is the neighborhood's single critical access for all emergency services. The increased traffic volume that is expected to result from the Rulney development would further burden traffic on Linda Vista Boulevard. Based on information from the Institute of Traffic Engineers this project would place the Linda Vista Boulevard ingress/egress route at the threshold for AM Peak Trip Generation, and exceed the threshold for Average Daily Trip Generation.

Impact on Property Values

The proposed development would have the potential to severely diminish the property value of Pusch Ridge Estates homes, especially those that are closest to it. The homes of Pusch Ridge Estates were built in reliance on the existing zoning and an understanding that the property in question would provide a buffer of commercial development between the low-density residential area and the traffic of Oracle Road. The application proposes to include "thoughtful consideration given to landscaped buffering and building scale to reduce any perceived negative impacts on the adjacent lower-intensity uses." But given that the proposed housing development includes 240 residences on 13 acres, entirely comprised of 2-story structures, as well as required parking, it seems unlikely that any landscaped buffering would truly mitigate the negative impact on the adjacent low-density neighborhood.

Inconsistency with the General Plan

Since its inception, the Town of Oro Valley has gone to significant effort to make careful and thoughtful zoning designations in an attempt to "ensure the orderly growth, balance and quality development of residential uses and types and of business uses and types while maintaining the tranquil quality of the town." The Town's General Plan Key Goal 1.3 is to "Promote a compatible mix of land uses..." while Oro Valley General Plan Land Use Policy Document 1.4.8 requires that "special consideration being given to placing office or other less intense uses adjacent to the residential areas."
Replacing the current buffer of light commercial uses with high-density residential is clearly inconsistent with the General Plan.

Conclusion

In his application, Mr. Rulney argues that "the Town's demographics are changing," but it would be difficult to argue, as required by criterion a, that "conditions in the community have changed to the extent that the General Plan requires amendment or modification." The proposed amendment is motivated not by a drastic change in Oro Valley that makes the current zoning untenable, but rather by Mr. Rulney's desire to develop his own land in the manner most profitable to him. The only change that has occurred since the previous zoning was put in place is that Mr. Rulney now feels that an apartment complex is a more attractive investment opportunity than a commercial use.

Oro Valley is still in its early stages of growth. Considerable high-density land is available that already conforms to the land use map and policies of the Oro Valley General Plan 2020, the development of which would not negatively impact a discrete part of the community, or one of Oro Valley's premier environmental resources.

By approving a major zoning amendment such as the one proposed by Mr. Rulney without compelling evidence that such an amendment meets the criteria set forth in the General Plan, the Town Council would defeat the purpose of the General Plan and all the time and effort spent in developing a vision for the Town of Oro Valley by demonstrating that these careful and thoughtful plans can be altered to accommodate a single developer's bottom line.

Thank you for your careful consideration of our concerns.

Joe Barr
(HOA President)
9711 N Cliff View Pl

Jack Mayberry
(HOA Board Member)
721 E Linda Vista Blvd.

Rudy Graf
(HOA Board Member)
9651 N Pusch Ridge Place

Sue Porter
(HOA Board Member)
9710 N Cliff View Pl

Dan Zespy
(HOA Board Member)
870 E Linda Vista Blvd.

Copies:
Ross Rulney (rossrulney@gmail.com)
Robin Large (rlarge@azplanningcenter.com)
Lynn Erickson (lynn.erickson@hilton.com)
Jody Knox (jody.knox@prca-tucson.org)
Explorer (editor@exploremews.com)
Arizona Daily Star (metro@azstar.com)
David Fitzsimmons (tooner@azstar.net.com

From: Neff, Cary [CaryNeff@IamMorrison.com]
Sent: Sunday, October 02, 2011 1:54 AM
To: Michels, Matthew
Cc: rlarge@azplanningcenter.com; Bkintucson@comcast.net
Subject: Subject: OV1111-003 Ross Rulney Amendment Request

Dear Mr. Matt Michels,

In regards to proposed General Plan amendment to allow development of a High Density Residential housing complex on the corner of Oracle and Linda Vista Boulevard, **please accept this letter as a formal written opposition to the proposal submitted by Ross Rulney,** in request of zoning change and amendment.

My name is Cary E. Neff, my family and I are home owners of Pusch Ridge Estate for the past 12 years and reside at 9701 N. Cliff View Place. The property in question is located directly behind our property and will dramatically reduce the real property value of our home, create substantial additional traffic in the community, negatively impact the community with likely and avoidable increase of crime, noise and dramatically impact the lifestyle of the residents of Pusch Ridge Estates and the adjacent Pusch Ridge Wilderness Area.

Please note that I along with fellow members of Pusch Ridge Homeowners Association, meet with Ross Rulney and supported his original plans of development of the proposed commercial use when he originally submitted development plans 3 years ago. Similarly, those plans was also submitted with guarantees of financial solvency, low impact to the community and environment, but instead the parcel was abandoned shortly after excavation and partial construction. This partially constructed site negatively impacted the property value of the community, created a safety hazard and high potential crime and loitering space for over 10 months until recently demolished.

My family and I choose Oro Valley to reside for its deliberate and conscious efforts to provide a safe, viable, comforting lifestyle and sensible regulations to protect wildlife, environment and property value chosen to enjoy by its residents. It is my strong belief that If Oro Valley Planning and Zoning Department agrees with the arguments of Ross Rulney group to amend the zoning uses of the parcel in question it will cause immediate and irrevocable harm to both the Pusch Ridge Estates residents and township of Oro Valley.

Respectfully,
Cary E. Neff

Cary E. Neff
Morrison Management Specialists | Vice President Culinary Services
ph: 520-977-9296 | **cneff@iammorrison.com** | www.iammorrison.com

From: Nick Vucich [nrv815@gmail.com]
Sent: Friday, September 30, 2011 3:44 PM
To: Michels, Matthew
Cc: Barbara Alrick
Subject: OV1111-003 Ross Rulney Amendment Request

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Michels,

By this time you are presumably aware of the concerns that our Pusch Ridge Homeowner's association has with captioned amendment request by Mr. Rulney (Joe Barr letter to David Williams of 09.29.11). That is a very well balanced and thoroughly researched position that underscores the fact that granting the requested amendment would have a dramatic and lasting negative impact on our community and the town of Oro Valley.

Lets not amend the town's plan - in a manner inconsistent with our vision, our goals, with who we are.

Linda and Nick Vucich
1231 E. Canada Vista Pl.
Oro Valley, AZ 85704

From: janina kisic [janinakisic@hotmail.com]
Sent: Friday, September 30, 2011 6:40 AM
To: mmichaels@orovalleyaz.gov
Subject: Application for HDR status on Oracle/Linda Vista

Hi Mr. Michaels,
I am a ten year resident of the neighborhood with a small part of my property land adjacent to the land in question. I was so relieved to see the 'hotel' development go down, since it blocked my sunset view. Also, we have had constant trespassing from the El Conquistador hotel guests on the way to the trail, imagine living with that. My question is: how do I fight a development of apartment buildings blocking my west view and intrusion of people that will come do whatever on my property, which border the proposed apartments? There are no other apartments on this side of Oracle, so I would like to know what the incentive is and to whom to change the zoning in Oro Valley. Maybe zoning is not what we nerd to change in this town. I will attend the meeting since I am so annoyed and will do what is necessary to not have my property values further ruined by the 'project' which brings no benefit to me.

Sincerely,
Nina Dickinson

From: Susan D. Porter [sporter1@mpowercom.net]
Sent: Wednesday, October 05, 2011 3:18 PM
To: Michels, Matthew
Cc: Barbara Alrick
Subject: OV1111-003 Ross Rulney

Dear Mr. Michels: My husband and I live in Pusch Ridge estates with my elderly parents (ages 90 and 93) on N. Cliff View Pl. street. It is the street that would back up to the proposed apt complex. I strongly urge the Planning and Zoning board to oppose the re-zoning of the site from Neighborhood Commercial Office to High Density Residential. The 250 apt project would create hazardous traffic conditions on to Linda Vista, a two lane street, which is the only street in and out of Pusch Ridge estates. With an estimated 500 additional cars using that street on a daily basis, it would mean the residents of Pusch Ridge would be literally trapped in the neighborhood at peak traffic hours. This would be compounded by the fact that there is a private school which is directly across the street on Linda Vista (from the proposed apts) which creates heavy traffic issues at the beginning and ending of the school day. Additionally, any first responders to a medical emergency, would be severely delayed during peak traffic hours and have difficulty even getting in or out of the neighborhood.

It would literally destroy what Pusch Ridge estates is all about--a quiet, sequestered neighborhood of custom homes on 1+ acre lots with many retired or part time residents. Because of proximity of the proposed apt complex to the homes (a block to the first homes and N. Cliff View PL.street) there would be no way a buffer could effectively segregate the noise and activity of the approx. 500-600 new residents from the Pusch Ridge homes. The loss of value which would result because of the proximity of the dense increase in population and traffic would be especially onerous to the homeowners given the already bleak housing values in Tucson due to the present economy.

There would also be a very negative impact on the designated Wilderness Area, the trailhead of which is on Linda Vista, across the street about a block away from the proposed high density apt complex. It would negatively affect hikers' ability to park anywhere except in the neighborhood since the apt complex would eliminate parking along Linda Vista where they now park. It would also attract activity in the Wilderness area which would be harmful to the natural vegetation and wilderness beauty.

Finally, the proposed zoning change would be contrary to everything Oro Valley stands for: maintaining the natural beauty, quiet neighborhoods that conform to the natural landscape, a town where safety and traffic control are important, and the right of residents to be protected from the onslaught of drastic rezoning practices that would have a very negative effect on their quality of life.

Thank you in advance for your assistance in making the Planning and Rezoning board aware of the importance of their decision regarding the rezoning of this parcel of land.

Very truly yours,

Susan Porter
9710 N. Cliff View Pl.
Oro Valley, AZ 85704

From: David Ridinger [davidridinger@aol.com]
Sent: Wednesday, October 05, 2011 5:16 PM
To: Michels, Matthew
Cc: bkintucson@comcast.net; joe11@barrtrust.com
Subject: Rezoning Proposal - NE corner Oracle Rd/Linda Vista Blvd

Mr. Michels - I am contactng you as a concerned and long-time resident of Pusch Ridge Estates in Oro Valley. I strongly oppose the rezoning of the parcel referenced above that would allow the construction of high-density apartments:

* The proposed plan appears to be in conflict with the current Oro Valley General Plan, which, among other things, controls high-density residential complexes. The plan would place a 240-unit high-density apartment complex right next to a housing development consisting of single homes on one-acre lots **and** directly across the street from Pusch Ridge Christian School, hardly a good fit, from either a safety or convenience standpoint.

* If the plan were to go through, and Linda Vista Blvd were to be used for entrance and exit to the apartment complex, traffic on Linda Vista at certain times of the day (100 to 300 automobiles heading to and from work each day) would be horrendous! This would grossly affect home-owners in Pusch Ridge Estates, hikers driving to the nearby trail, and most importantly, would affect parents transporting children to and from school, both from a safety standpoint and periodic gridlock. Fire and police protection of the area, as well as ambulance service, could be seriously affected. Pudge Ridge homeowners could be literally trapped from exiting onto Oracle Road at certain times of the day!

I strongly urge you to vote against the proposed change.

David C. Ridinger
1221 E Canada Vista Place
Oro Valley, AZ 85704
520-575-1365

From: flynntuc [flynntuc@aol.com]
Sent: Thursday, October 06, 2011 7:17 AM
To: Michels, Matthew
Cc: FLYNNTUC
Subject: bkintucson@comcast.net
Dear Mr. Michels,

My wife and I have enjoyed our special neighborhood in Oro Valley since 1996. It is a quiet and friendly sub division that has a special character owing to the beautiful views, quiet surroundings and like-minded residents. Although sometimes noisy, even the El Conquistador Resort has been respectful neighbors. However, since we are at the edge of OV, it is easy for the city to overlook this enclave.

Because we will not be able to attend the Oct 6th meeting in person, we have been reading e-mails regarding the proposed zoning modification to allow a large apartment complex adjacent to our sub-division.

My wife and my significant concerns are:

1) Security - we have a special sub-division that has unique character and excellent neighbor hood environment. Would the proposed development bring in families without a commitment to the area? Will they be walking around exploring or worse? Crime is increasing and having a high density transient but fixed population without proper security could ruin our environment and lower property values. As many are seasonal home owners, this should be a major concern to them as well.
2) There are many apartments available in the neighborhood. Would this added capacity end up being vacant....seems a poor time to do such a development. Will it turn into another poorly conceived and financially stretched situation, like the recent hotel debacle at the same location, where maintenance is let go and an eyesore is created. Who knows what the economic environment will be like.
3) Up scale shops and or hotels do not have the long term exposure to potentially undesirable elements that could negatively impact our living environment. What recourse will we have if there are such elements introduced? Likely none.
4) **What are the drivers here?** Oro Valley should factor the impact on this neighborhood rather than seek increased tax base. As it is, we pay increasing real estate taxes but it feels like OV see us as peripheral. The quality of our road maintenance in the sub-division speaks to this issue. We have the El conquistador, Holiday Inn, and still OV let them build a new hotel just down Oracle that is always empty. It seems common sense is not the driver in development issues in OV but rather a close nit developer friendly clique.
5) If this rezoning is approved in spite of our concerns, perhaps the developer or OV should put in enhances security elements to protect us....like increased routine police patrols and security cameras to monitor our neighborhood as crime will likely increase.

Sincerely,

Gary A. Flynn, Ph.D.
9750 N. Cliff View Place
Oro Valley, AZ 85704
520-575-6050 (h)
520-250-9208 (c)
flynntuc@aol.com

From: Barbara Diamond <barjewel6@yahoo.com>
Subject: OV1111-003-Ross Rulney
To: rlarge@azplanningcenter.com
Date: Thursday, October 6, 2011, 9:01 AM

We ask your careful consideration of the proposed amendment that has been brought forth by Ross Rulney. The negatives so outweight the positives in this case that we cannot find one credible reason for the amendment change.

Respectfully,

Dale and Barbara Diamond
940 E. Linda Vista Blvd.
Oro Valley, AZ 85704

From: bobcaid1@aol.com
Sent: Thursday, October 06, 2011 2:07 PM
To: Michels, Matthew
Subject: Hi Density Apts /Ross Ulney

We understand there is a six per cent vacancy rate in Hi density apts in Oro Valley and approval has just granted for more. We strongly view subject appartments as highly undesireable and certainly not needed. The traffic they would generate would overload Linda Vista and be a danger to the nearby school. It would pose problems for the Pusch Ridge Trailhead both for parking and congestion. We are strongly against approving Hi Density Zoning for the
Ulney

Robert N Caid & Callie E Caid 9710 N Cliff View Place

771 East Linda Vista Boulevard
Oro Valley, AZ 85704
October 6, 2011

Matt Michels, Project Manager
Oro Valley Planning and Zoning Department
11000 North La Canada Drive
Oro Valley, AZ 85737

Subject: OV1111-003 Ross Rulney Amendment Request

Dear Mr. Michels:

The letter submitted to you by the Pusch Ridge Homeowners' Association on September 29, 2011, already discusses a number of serious concerns regarding the Ross Rulney Amendment Request. We will not repeat those concerns here, but consider them crucial issues that must be addressed by Mr. Rulney and by the Oro Valley Planning and Zoning Department before any decisions are made.

Since that letter was written, Mr. Rulney has met with a small group of Pusch Ridge residents, offering to alter his plan by reducing the number of housing units to 16 units per acre or 208 apartments. In addition, he pledged to give area homeowners a voice in design, color choices, buffers, etc. (The Town Zoning Code does contain guidelines and specifications for these items.) Perhaps this will be enough to convince some residents to rethink their opposition to the amendment. However, his efforts to placate Pusch Ridge residents are so far non-binding, and lack any real detail.

The "devil we know" may be better than an unknown commercial development that is yet to come. However, it must be remembered that Mr. Rulney is requesting a <u>change</u> to the existing zoning. Accordingly, he bears the burden of proving to residents and the Zoning Department that the change is in keeping with Oro Valley's General Plan 2020. It should not be forgotten that Pusch Ridge residents purchased or built their homes based on the existing zoning; their concerns as existing property owners should be weighed heavily against the interests of Mr. Rulney as a developer who purchased his parcel with full knowledge of the restrictions and limitations on its development.

Much has been made of an ostensible need for more rental units in Oro Valley. Indeed, this appears to be "apartment season" in the greater Tucson area. We may be witnessing the lead up to a different version of the 2008 real estate bubble (which produced an exponential increase in the number of homes in foreclosure in the town, as well as homes that are no longer owner occupied, but are instead rental properties). Rapid development of additional apartment units now, given the uncertainty in the market, may well lead to a glut of rental property in Oro Valley. The resulting changes in supply and demand could eventually dictate rent reductions that would significantly alter the socio-economic vision for Rulney's proposed development.

Regardless of how appealing Mr. Rulney's offer to compromise might be, he has not provided compelling evidence that his development would comply with the General Plan Amendment Evaluation Criteria.

Thank you for your time and consideration.

Ernest and Maria Oertle

Copies: Pusch Ridge Estate Homeowners

From: janina kisic [janinakisic@hotmail.com]
Sent: Thursday, October 06, 2011 3:45 PM
To: Michels, Matthew
Subject: Rezoning

Hi there,
I own one of the 6 neighboring properties to Oracle development and I just heard that Robin Large was a member of commission making a decision on this matter WHILE EMPLOYED by the developer Ross Rulney. Oh, she resigned, so its ok? We will need to assemble a new commission as this one has been irreversibly influenced by the developer hoping to make a profit. If that's not corrupt and a conflict of interest I don't know what is. I feel like we're in Eastern Europe in terms of lack of democratic input when it comes to our own neighborhood. If this proposal passes I will personally support candidates running AGAINST each of the elected members of the committee deciding this. Ridiculous.
Regards,
Nina Dickinson

From: Sara Crippen [saracrippen@aol.com]
Sent: Thursday, October 06, 2011 9:47 PM
To: Michels, Matthew
Cc: CraigLCrippen@aol.com
Subject: Rooney Ranch PAD

My husband and I received notice regarding the OV public hearing scheduled for Oct 5, 2011. We own property at La Reserve, and are winter season residents. We are unable to attend the meeting Oct 5. Do you anticipate additional meetings this fall/winter, and could you provide a website or link providing more specifics for the planned development.
thank you

Sara and Craig Crippen
Washington State

From: r.graf05@comcast.net
Sent: Thursday, October 06, 2011 8:34 PM
To: Michels, Matthew
Cc: bkintucson@comcast.net; joe11@barrtrust.com
Subject: rulney request for rezoning
mr michels:

as a homeowner in the pusch ridge estates subdivision and a member of the homeowners association, i would like to share my concerns about mr ross rulney's request for re-zoning. several of us met with mr rulney last night and after much listening, questioning and consideration of his suggested changes and promises to work with the homeowners of pre, i still cannot support his request for re-zoning. my wife and i do not believe that a change from commercial to high density residential is in the best interest of oro valley. his change request is not compatible nor consistent with the goals. visions and policies of the oro valley general plan. why does oro valley spend time , money and talent developing the plan and than change it at the whim of some developer?? a land use plan should have some meat to it, and should be changed only for very valid reasons. we have not been shown any convincing reasons to change. so, we cannot support ross rulney's request for a re-zoning.
rudy and barb graf.

From: bhansen32@me.com
Sent: Saturday, October 08, 2011 3:06 PM
To: Michels, Matthew
Subject: Apartments

You've got to be kidding! We don't need more apartments! We need more land to hike and enjoy!

Thanks,
Brian Hansen (Oro Valley resident since 1979)

Sent from my Verizon Wireless Phone

From: PATTY EVANS [dickinsp@msn.com]
Sent: Sunday, October 09, 2011 8:25 AM
To: Michels, Matthew
Subject: Very bad idea!!

Hello,
Building apartment buildings on the corner of Linda Vista and Oracle Rd. is a very bad idea. The hiking trail up Pusch Ridge will be destroyed and over crowded. There is already too much traffic in that area. The Hilton El Conquistador will loose its "out in the country feel" so many tourists will pick other places to stay and to spend their dollars. Don't ruin that beautiful view!!

Patty Evans

From: Emmanuel Katsanis [ekatsani@email.arizona.edu]
Sent: Saturday, October 08, 2011 2:51 PM
To: jane bakos; keith and barbara alrick; Keith & Barb Alrick
Cc: wolff, elizabeth; wendy ehrlich; trish neff; susan bergman; sue porter; sue flynn; Steve and Jan Olafson; sonny and ella Passarelli; sid batten; shona naccarati; shelley and jim person; sharon soloway; scott and autumn hufault; rudy graf; Randye Ferrick; meredith, keith; marilyn albrecht; maria oertle; marc soloway; louise renneckar; louise little; Linda Vucich; judy bowser; john peters; john guilbert; John and Jill winters; joe busch; joe barr; jim person; jason dickinson; janina kisic; janet busch; jack mayberry; jack blandine; jack and vanessa davis; george coutts; emmanuel katsanis; Ed and Julie VanWoert; eberbach, mary ann; dorothy terry; don bergman; david tucker; dave ridinger; Dave Henrich; dan & Kelli Zespy; clark and stephanie force; charlotte and greg Teesdale; carl bowser; cami barr; bob and roberta kropp; bob and callie caid; bill jones; bill and darcy shaw; betty peters; betty and jerry ellering; beth and jerry mayberry; barry and suzanne Olson; barbara diamond; angela and david betzhold; Allan and Linda King; stephanie Force; Ross Rulney; Michels, Matthew; Luz Pelayo
Subject: Re: Oracle and Linda Vista

I too have remained quiet and carefullly read all the emails the last month. My property does border the proposed development and my front door oversees it. We moved in less than 2 years ago only to realize the day we moved that they were starting to build a hotel (which was not disclosed before we bought the house). If we had known we may not have bought this house. For over a year and half we had to look at the eye soar of an abandoned hotel construction thru our all glass front door and large windows from our living and dining rooms.

That said we all knew that something was going to replace the hotel and agree that it can be worse than what is currently proposed. I too believe that we should work with Mr. Rulney to make the best of this.
We are all concerned about noise and property value (especially the neighbors that border on the new development like myself).

I feel we should now concentrate on making sure that the 8-foot high screen wall & dense vegetation along eastern boundary with vegetation on east side of wall is implemented and completed as soon as possible
And then that they also follow though with
Low-profile lighting and no dumpsters located along east property line

In addition why can't all the entrances and exits be thru oracle with no access thru Linda Vista which will protect our community more

Manny

Emmanuel Katsanis, M.D.
Louise Thomas Chair in Pediatric Cancer Research
Professor, Pediatrics, Pathology and Immunobiology
Associate Head, Research, Dept. of Pediatrics
Head, Division of Pediatric Hematology/Oncology/BMT
Director, M.D.-Ph.D. Program

From: Jerry Quesnel [jerryquesnel@gmail.com]
Sent: Saturday, October 08, 2011 9:11 AM
To: Michels, Matthew
Subject: oppose apartment rezoning

I have lived in the area for 25 years and regularly hike the Pusch Ridge Trail. Allowing apartments in this area would be a crime. Please do not allow the rezoning of the property near Linda Vista and the Pusch Ridge Trail head.

Thanks,
Jerry Quesnel

From: Dan Zespy [dazespy@comcast.net]
Sent: Tuesday, October 11, 2011 10:34 PM
To: Williams, David
Cc: Michels, Matthew
Subject: OV1111-003 Ross Rulney Amendment Request

October 11, 2011

Oro Valley Planning and Zoning Department

11000 North La Canada Drive

Oro Valley, AZ 85737

Attention: David Williams, Planning Division Manager, AICP

CC: Matt Michels, Senior Planner, AICP

Dear Mr Williams:

First, thank you and the rest of the Oro Valley staff for holding the past two public meetings regarding the Rulney proposal.

I am a resident of Pusch Ridge Estates and also an HOA Board member.
However, the following conclusions and opinions are my own and I do not claim to individually speak for the
entire neighborhood nor the HOA.

I did attend both public meetings you held and also a personal meeting with Ross Rulney as a board member. I deemed this necessary to gather as much information as possible to reach a conclusion about the impact the requested zoning changes might make to the Pusch Ridge neighborhood and the town of Oro Valley as a whole.

First, let me say I stand by the objections made in the original Pusch Ridge HOA letter and would like to add
the following comments:

1) When my wife and I bought here several years ago, we checked on the zoning of the current Rulney

owned property. It was zoned commercial. Due in part to the fact that we knew that no further expansion of residential would take place, we went ahead and purchased the home. Having limited residential population was a positive for future appreciation and protection of it's adjacent National Wilderness area.

Adding approximately 500 permanent residents to the Pusch Ridge area will have significant impact on the future sale of homes and property values. (I have contacted several local realtors regarding this, and despite what "The Planning Center" has responded, it is consensus that it WILL affect values.)

2) Pusch Ridge wilderness is a beautiful nature area and hiking trail. Putting 500 permanent residents right next to Linda Vista trail will have a devastating impact on the area and wildlife. This area is a jewel of Oro Valley and the town should not risk destroying it.

I do understand Mr. Rulney and his eagerness to develop the property. He seems willing to tailor the project to placate the neighborhoods' concerns. But I believe he is short-sighted and does not focus on what is best for the future of Oro Valley.

It is not the window dressing of the project, but the project itself which must be called into question.

I simply ask that Mr. Rulney abide by the rules with which he bought the property as I have done with mine.

Developing the land under the EXISTING zoning would provided services for local patrons and job opportunities as well as increased revenue to Oro Valley. And more importantly, it would adhere to the vision of the General Plan the Town of Oro Valley spent so much time and effort to develop.

Thank you for your time and consideration.

Sincerely,

Dan Zespy

Dan Zespy
870 E Linda Vista Blvd
Oro Valley, AZ 85704
520-731-3226

From: B. Krueger [yardengine1919@hotmail.com]
Sent: Monday, October 17, 2011 5:21 PM
To: Michels, Matthew; Williams, David
Subject: Linda Vista Trail

Hello!
I saw a sign posted at the Linda Vista trailhead indicating that a housing development may occur on or near this wilderness.
Is this correct and if so, why? We don't need another housing development and we do need wilderness.

Thank you.
A concerned Oro Valley Resident,
Beth Krueger

From: emayberry@comcast.net
Sent: Wednesday, October 26, 2011 5:37 PM
To: Michels, Matthew
Subject: Ross Rulney general plan admendment
Mr Michels:

My property is adjacent to Ross's request forplan admendment. I have been torn with the High Density residential or something else he may develope on the property. I have come to the conclusion that if he lives up to the design he keeps showing us and the barriers he proposes that the High Density may be a better of the two evils. I would not be opposed to single story housing next to mine with the barrier, but am not sure how to make sure he will live up to all his promises. I know I am being opposed by most residence, but they would not be living adjacent to commerical going ons as we would. I hope this will help in you making ing your recommendation. thanks

Jack Mayberry
721 E. Linda Vista blvd

From: David Ridinger [davidridinger@aol.com]
Sent: Thursday, October 27, 2011 10:13 AM
To: Michels, Matthew
Subject: zoning - linda vista/oracle

matt - this is a follow-up from our telecon the other day on the aove-referenced subject:

* whatever happens at this site (whether it be apartments or strip mall) will have a dramatic effect on the pusch ridge neighborhood and the adjacent school

* traffic movement and patterns will be very important - one can only imagine 200 or so automobiles exiting from an apartment complex on the way to work in the morning

* as a resident of pusch ridge estates, i firmly **oppose** the use of linda vista for entrance and/or exit from the proposed apartment complex - egress can be easily facilitated by entrances and exits directly onto oracle road - linda vista east of oracle road **should** not be available from the complex

i would be willing to discuss the various possiblities of such an arrangement w/ you or members of your staff at a convenient time for all concerned - i intend to present my views (if allowed) at the nov 1 meeting of oro vally p&z - thank you

david c ridinger
1221 e canada vista place
oro valley, az 85704
520-575-1365

WILLIAM W. and DARCY K. SHAW
760 E Linda Vista Blvd., Oro Valley,AZ 85704
(520) 297-0152

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27 October 2011

Councilmember Barry Gillaspie
Town Hall
11000 N. La Cañada Drive
Oro Valley, Arizona 85737

Subject: Proposal to amend the Oro Valley General Plan near Linda Vista Blvd. and Oracle Road

Dear Councilmember Barry Gillaspie,

I am writing to express my concern about the proposal to amend the General Plan (GP) for 13 acres near Linda Vista Blvd. and Oracle Road.

I have attached a copy of the September 29, 2011 letter which was submitted by the Pusch Ridge Estates Homeowner's Association to the Planning Division detailing our objections to this proposed amendment. I encourage you to read this letter and please contact the officers of our homeowner's association if you would like any clarifications.

Rather than restate the diverse concerns that our neighborhood has expressed, I will focus on the environmental and broader planning implications of this amendment. As you may know, in the past I served as a consultant to Oro Valley to identify environmentally sensitive lands in the Town and for a period of 7 years, I also served as the Chair of Pima County's Science and Technical Advisory Team which oversaw the scientific input for the County's Sonoran Desert Conservation Plan (SDCP). The fundamental goal of both of these endeavors was to establish comprehensive land-use plans that direct growth and development in a manner that protects the extraordinary scenic and ecological values that are so important in defining the characters of our communities. The SDCP establishes this vision for Pima County and the GP does this for Oro Valley. But, these plans can protect these community values <u>only</u> if they are not subject to piecemeal and incremental modifications driven by individual land owners.

I find it particularly disconcerting that the Planning and Zoning Commission Staff Report focuses on impacts such as traffic and noise but ignores the potential impacts of +/- 600 new residents on the biological resources of Pusch Ridge Wilderness. If there is one icon that characterizes Oro Valley, it is Pusch Ridge, both the mountain (as evidenced by the Town seal) and the Wilderness Area. The key land-use strategy for protecting this treasure, including the extraordinary plant and wildlife communities found there, has been through transitional zoning that creates low density housing adjacent to the Wilderness Area to buffer the impacts of human activities. This was thoroughly debated when rezoning was proposed for La Reserve several decades ago and the solution was the creation of large "Wilderness Estates" as buffers adjacent to the National Forest. This was also a consideration in creating the low density housing of Pusch Ridge Estates.

In recommending approval of this amendment, the staff report concludes that the " … … noise, light, and traffic impacts can be sufficiently mitigated and would not likely result in greater impact on the neighborhood than NCO development." Remarkably, the planning staff report offers no assessment of how 215 additional households within a few hundred feet of Pusch Ridge Wilderness will impact the wildlife and plants of the nationally designated Pusch Ridge Wilderness. These resources are cherished not only by our neighborhood but by the citizens of Oro Valley and Tucson in general as witnessed by the trailhead parking lot which is frequently filled to capacity. As a wildlife ecologist with 36 years of experience in integrating wildlife conservation into development processes, my opinion is that the current zoning (NCO) will have significantly less impacts on these resources than a 215 unit apartment complex. This is because there will be little or no new human activities in the Wilderness Area and in the neighborhood resulting from a NCO development. On the other hand, 215 additional households will significantly increase human activities in the Wilderness Area and in the neighborhood with detrimental impacts on the wildlife and plants that reside in both the wilderness area and in our neighborhood.

Finally, I wish to restate my concern for the broader planning implications of this amendment. The GP vision of " … … highest standard of environmental integrity" would be seriously eroded by the precedent of approving a high density development within a few feet of Pusch Ridge wilderness.

Unfortunately, I will be out of town for the November 1 public hearing but I would be happy to explain my concerns to either you or the Oro Valley Planning Staff personally at a convenient time.

Sincerely,

William W. Shaw Ph.D.
760 E. Linda Vista Blvd.
Oro Valley, AZ 85704

Cc: Matt Micheals, Oro Valley Planning Division
Pusch Ridge HOA Officers

Greetings, Mr. Michels-

I'm writing to express my opposition to development near the Linda Vista Trailhead.

I'm a naturalist and long-term user of that trail and many others in the area. I've seen extensive changes in wildlife behavior, population and activity as human development has encroached.

Few residents know the impact of development, since by the time they move in, the ecosystem has changed radically. Only those of us who remain alive and have seen the changes are truly aware.

On Linda Vista Trail I've witnessed people killing various species of snakes, venomous and non-venemous. With diminished natural habitat in the foothills of the Catalinas, and highway and road fatalities, the additional human encroachment and activity renders that precious entry to Wilderness very much "non-Wilderness".

Rat poison use by local residents also has an impact, as wildlife ingests the dead animals at all stages of decomposition.

I'm voicing my stance that we must limit further development in the previous remaining habitats so incredibly unique to our niche of the Sonoran Desert.

Thank you for honoring my voice.

Sincerely,

Edward W. Moffett
Tucson, Arizona

Carl and Judith Bowser
970 E. Linda Vista Blvd.
Oro Valley, AZ 85704

To: Planning & Zoning Commission Members

From: Carl and Judith Bowser

Date: October 28, 2011

We are new residents on East Linda Vista. It is our understanding that several of our neighbors worked many hours over the course of several years to help craft the General Plan for this portion of Oro Valley. As a former member (Judith) of the Plan Commission in Madison, Wisconsin, I am fully aware of the time commitment involved in such an undertaking.

Our primary concern is for those of our neighbors who will be most directly affected by the ever-changing development plans for the *"El Corredor"* property. We believe that medium density development would be a more fitting "transition" from low density to commercial than the proposed high-density residential.

Given that Planning Staff believes that this proposed amendment complies with all of your goals, policies and criteria for new development, we can only hope that a visually adequate planted buffer zone will be required of any future developer.

Since the current property owner says he is committed to making this a higher quality apartment development than any now existing in this area, we can only take him at his word. We do, however, understand that the amendment before you only provides the groundwork for specific plans that might be submitted. We also realize that this amendment makes the subject property much more saleable, therefore any commitments made by the current owner may, in the future, be moot.

We look forward to seeing this property developed in an appropriate manner that not only protects the interests of current property owners in Pusch Ridge Estates but also enhances the overall quality of the Oro Valley community. To that end it might be appropriate, when formal plans are submitted, to require proof of financing prior to commencement of any permitting.

As such we wish to go on record opposing the proposed modification of the property in question until such time as:

1) Adequate buffering is provided between any high density housing and the low density housing in Pusch Ridge Estates
2) The current owner/developer of the property satisfactorily demonstrates that the change is needed for a "shovel ready" project, and not just for the purpose of enhancing it's value to a future purchaser or developer of the property.
3) That the developer demonstrates proof of adequate funding for any such development before accepting any new construction.
4) That allowing the property in question to be zoned for only high or modest density housing, and that that a sizeable portion of the property be maintained for commercial development consistent with Oro Valley's existing General Plan.

We fully appreciate that the property in its present condition is going to be developed, and we do not wish to oppose any projects simply because we don't want growth and development of the property. We simply oppose the proposed modification as inconsistent with the stated goals, policies and criteria of the town of Oro Valley, and within the existing zoning for the property.

Under the present difficult economic times we remain unconvinced that the developer is doing anything less than positioning the property for sale to another developer/owner. If that's the case we see no rush to amend the General Plan now, and would encourage tabling this proposed amendment until such time as verified construction is imminent. Once this General Plan is changed, there is no way to reverse the situation. The town of Oro Valley has a difficult line to walk in ensuring the economic health of the community, without diminishing the value of the existing properties adjacent to such proposed developments. Short term, expedient goals will in the long run diminish Oro Valley's reputation as a progressive community concerned for the health and value of all its citizens' property.

We strongly urge you to either table the proposed amendment, offer a comfort resolution until an appropriate plan is forthcoming, or to find a suitable alternative that is in accord with the concerns outlined above.

From: James Person <jperson88@aol.com>
Date: October 30, 2011 2:23:36 PM MDT
To: "lwaters@orovalleyaz.gov" <lwaters@orovalleyaz.gov>

My wife and I own a single family home in Pusch Ridge Estates at 1222 E. Canada Vista Place. We would respectfully like to add this e-mail to other letters of opposition to the proposed apartment development along Oracle Road.

Our primary concern focuses on what we believe will be the inevitable negative impact on the Pusch Ridge Wilderness from the addition of several hundred new residents living in relative close proximity to this ecologically sensitive area, as expressed in the October 27, 2011 letter you have received from William Shaw. It appears that the Planning and Zoning Commission staff has chosen to focus on (1) a supposed "long term trend" toward rental multi family living as opposed to single family home ownership, and (2) the fact that at this time there is an oversupply of commercially zoned property. We would hate to see these immediate, actually short term economic factors to be utilized as the justification for approval of a zoning change which will place long term, permanently irreversible stress on as fragile and unique an ecological environment as Pusch Ridge Wilderness. Accordingly, we hope that the council as a whole will conclude that this project should not be approved.

Unfortunately we will be out of town on November 1, and therefore cannot attend the public hearing. We would ask that this message of opposition to approval be entered as part of the formal proceedings

Thank you.

James and Michele Person
1222 E. Canada Vista Place
520-575-5856

Jim

From: John Guilbert [j.guilbert@comcast.net]
Sent: Monday, October 31, 2011 1:10 PM
To: Michels, Matthew
Cc: Alrick, Keith and Barbara
Subject: Rezoning at Linda Vista Blvd aqnd Oracle

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Michels, please put me down as Linda Vista Blvd homeowners (961 ELVB) who are totally, ardently, fiercely opposed to the proposed rezoning to apartment house zoning. We ALL know that apartments bring noise, congestion, and crime with them, and are nearby property value killers. This rezoning would also affect the Wilderness Area to our East, with idle kids, dogs, and graffiti. There's no way that this zoning change would improve Oro Valley, and we long-time residents are strongly opposed. DON'T DO IT !!!!!

I can't be present at the Nov 1 meeting, but I will be there on the 15th.

Thank you, John M. Guilbert and Jan Harelson, 961 ELVB, 887-0628.

Here is another one..barb

----- Original Message -----

From: bobcaid1@aol.com
To: shiremath@orovalleyaz.gov
Cc: bkintucson@comcast.net
Sent: Monday, October 31, 2011 1:10 PM
Subject: Ross Rulney HDR Zoning change

We are against the proposed HDR change. It is certainly not needed and will result in many traffic problems, plus it is going to pose a problem for the Pusch Ridge Trailhead and also poses a hazard to the students of Pusch Ridge High School. Robert N. Caid Callie E Caid 9710 N Cliff View Pl +

From: Susan D. Porter [sporter1@mpowercom.net]
Sent: Monday, October 31, 2011 3:38 PM
To: Williams, David
Cc: Barbara Alrick; joe11@barrtrust.com; Michels, Matthew
Subject: Planning and Zoning Commission Staff Report

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Williams:

Your analysis contained in the eight page report on rezoning the northeast corner of Linda Vista and Oracle Road from Commercial-1 to High Density Residential defines the requirement of "contributing to the socio-economic betterment of the community while achieving community and environmental compatibility" as helping to meet the (present) demand for apartments. It concludes that high density housing is the appropriate transition from low density hosing. Both assumptions are conclusions and not supported by the facts. There is clearly a negative impact of 500-600 additional people in an area that is dedicated to protecting the adjacent wilderness and National Forest. One of the reasons Pusch Ridge estates was approved because the lots are at least one acre in size and the homes are constructed as to blend in with the existing natural landscape. To suggest that high density apartments are an "appropriate" transition is to ignore the entire general plan of that existing community and the stated General Plan of Oro Valley.

Further, you quote as part of the General Plan Vision as "a community of people working together to create the Town's future with a government that is responsive to residents and ensures the long-term stability of the Town." You specifically state on page 3 of the report that "the change in the Town's demographics from a more mature to a younger population, coupled with increased demand for multi-family due to current economic conditions including the housing/foreclosure crisis, reflect a change in the "conditions in the community". In other words, you agree with the concept that existing residents who depended on the stability and stated goals of Oro Valley need to have their lifestyles and expectations subordinated to a growing younger population and a present increased demand for multi-family housing. This means one thing: age discrimination-older existing residents have to relinquish their rights because of the influx of younger people. Further, there is absolutely NO assurance that economic conditions will remain such that there is a ongoing demand for these apartments. The current owner may very well sell the complex, leaving a substantial possibility of future vacancies or reduction in rent, lack of upkeep of the premises, etc. Present "buffers" and other "adjustments" which do nothing to combat the long term problems. This is not to ignore the obvious, that future economic conditions, in and of themselves, may cause a reduction in the ability of the apartment complex owner, whoever that is, to keep the apartments filled, or filled because of a reduction in rent.

Your entire report is replete with justifications and conclusions to support the development of a huge apartment complex of in excess of 200 apartments. Your interpretation of Policy 7.2.1. is not only erroneous, but offensive. You state the policy "encourages the development of a variety of types of homes to accommodate the varied needs of residents, including single-family attached and detached, town homes, SMALL APARTMENTS (3-4 units) (emphasis added), condominiums...", and yet you support a development that in NO way fits that description. It is very discouraging to see a report that is fashioned to twist facts, speak in conclusions to come to the recommendation that you apparently predetermined was best for "the community" which appears to be as you describe, "a growing younger population and need for multi-family housing". I suggest to you, sir, with all due respect, this recommendation, if accepted, would irreversibly damage the Pusch Ridge wilderness and surrounding neighborhood consisting of mainly older and retired residents.

Susan Porter
9710 N. Cliff View Pl.
Pusch Ridge Estates

From: Joe Barr [joe11@barrtrust.com]
Sent: Tuesday, November 01, 2011 6:57 AM
To: Michels, Matthew
Cc: 'keith and barbara alrick'
Subject: OV1111-003 Ross Rulney

Follow Up Flag: Follow up
Flag Status: Completed

Matt Michels, AICP
Senior Planner
Development & Infrastructure Services Department Town of Oro Valley

Mr. Michels,

As we go through this General Plan amendment process, I feel I am missing information on a critical step.

As I understand the process, the public is given the opportunity to identify "Issues" that will impact the citizens or the community. The Pusch Ridge Estates neighborhood as a group and as indivuals has participated in this step, providing a number of specific written Issues that needed to be addressed.

I had anticipated that there would be a detailed response from the developer and/or from the Town to completely address each documented Issue.

To date the only significant response I have seen is your (undated) staff report to the P&Z commission. While this report provides a general and subjective overview of some issues, it does not contain sufficent scope or detail to properly address the identified issues.

Without this critical step in this General Plan amendment process I feel the scheduled Planning and Zoning meetings are premature.

I was not successful locating the missing information on the Planning Division website. Perhaps you can assist me in finding it.

Thank you,
Joe Barr
9711 N Cliff View Pl
Oro Valley, AZ 85704

From: Joe Barr [joe11@barrtrust.com]
Sent: Thursday, November 10, 2011 1:44 PM
To: Michels, Matthew
Cc: 'Ross Rulney'; 'Robin Large'; 'keith and barbara alrick'
Subject: 111110 TOV.DOC
November 10, 2011

Matt Michels
Senior Planner
Town of Oro Valley
11000 N La Canada Drive
Oro Valley, AZ 85737

Regarding: OV1111-003 Rulney General Plan Amendment Request

Mr. Michels,

Last week (November 1st) I expressed some concerns in an email to you as well as in my comments before the Planning and Zoning Commission (P&Z) that same evening. I felt it reasonable to expect that the issues and concerns raised as a part of the General Plan Amendment (GPA) process would be addressed before the matter is advanced to a P&Z hearing. I realize that each individual may have a different opinion as to what has or has not been 'adequately addressed' so this is based on my personal evaluation.

After reviewing the available material I have listed below the "Issues" (listed in the 9/29/2011 Pusch Ridge Estates HOA letter) that I feel are still open. I must admit that there are fewer open items than I expected and some may be more appropriately addressed by the Town:

1) Impact on Infrastructure and Town income -
   This topic has been touched on but I do not feel it has been addressed. If the town supports this project, I would anticipate they could make the statement (and include same in the proposed motion for Town Council) that if approved this GPA will not contribute to any future increase in the Town's tax rates (to include the establishment of a property tax).

2) Crime and Security -
   The developer provided a study by the Urban Land Institute titled "Higher-Density Development, Myth and Fact". This report claims that "Crime rates at higher density developments are not significantly different from those at lower density developments" by comparing rates on a per residential unit basis. When one reflects this same data on a per acre basis it leads to the high concentration of crime per unit area that was the basis of this Issue. This corresponds to my personal experience where high density residential (HDR) (both rental and fee simple) experience a significant concentration of property crime. Because of this it is becoming rare to find

an HDR community that has not installed a perimeter fence and gates. Pusch Ridge Estates (PRE) has considered taking their streets private and converting to a gated community. However inadequate turnaround space has shelved that option.
So, I can't say what the answer is, but this appears to me as an open and valid issue.

3) Oro Valley General Plan Land Use Policy 1.4.7 –
This issue was cited under "Environmental Impact" in the September 29th PRE HOA letter.
In my review of the material I did not notice where the apparent conflict with this Town Policy was specifically addressed.

I would appreciate it if you could assure that these items are addressed before the matter proceeds to P&Z.

Thank you,
Joseph Barr,
Pusch Ridge Estates Lot 62

From: laurence robert cohen [lrcsmr@hotmail.com]
Sent: Thursday, November 10, 2011 11:51 AM
To: Michels, Matthew; Williams, David
Subject: Linda Vista Trail

Dear Sits,

The Linda Vista Trail adds immeasurable value to Oro Valley. Please do let it become a victim of more uncontrolled sprawl.

Yours in hope,

Laurence Robert Cohen and Silvia Maria Rayces

From: Williams, David
Sent: Wednesday, November 09, 2011 7:27 PM
To: Michels, Matthew
Cc: Daines, Chad
Subject: FW: Support Oracle/Linda Vista/Rulney General Plan Amendment

One more for the Commission…

David A. Williams, AICP
520.229.4807 360.5790 (cell)

From: Jason Wong [mailto:jwong@redpointdevelopment.com]
Sent: Wednesday, November 09, 2011 11:10 AM
To: Williams, David
Subject: Support Oracle/Linda Vista/Rulney General Plan Amendment

Dear Mayor Hiremath and Mr. Williams:

Red Point Development, under Pacific International Properties, owns the approximate 8 acres of land on the east side of Oracle Road (tax parcel 224-31-009A) north of Ross Rulney's project.

Red Point strongly supports the Oracle/Linda Vista/Rulney General Plan Amendment. The amendment will create viable economic growth and allow for a well planned, attractive, environmentally sensitive development.

The development will create compatible uses, economic opportunities and residential options for Oro Valley residents. Please support the plan amendment; it is good for Oro Valley.

Sincerely,

Jason Wong

Jason Wong, CCIM, LEED-AP, SCDP
Red Point Development, Inc.
8710 N. Thornydale Road, Suite 120
Tucson, AZ 85742
520-408-2300, ext. 109
520-408-2600 Fax

From: Williams, David
Sent: Thursday, November 03, 2011 9:14 AM
To: Michels, Matthew
Subject: FW: Opposition to development near LInda Vista Trailhead

Follow Up Flag: Follow up
Flag Status: Completed
I am sorry for this being late. Please pass it on.

David A. Williams, AICP
520.229.4807 360.5790 (cell)

From: Edward Moffett [mailto:edwardmoffett@earthlink.net]
Sent: Friday, October 28, 2011 12:05 PM
To: Williams, David
Subject: Opposition to development near LInda Vista Trailhead

Greetings, Mr. Williams-

I'm writing to express my opposition to development near the Linda Vista Trailhead.

I'm a naturalist and long-term user of that trail and many others in the area. I've seen extensive changes in wildlife behavior, population and activity as human development has encroached.

Few residents know the impact of development, since by the time they move in, the ecosystem has changed radically. Only those of us who remain alive and have seen the changes are truly aware.

On Linda Vista Trail I've witnessed people killing various species of snakes, venomous and non-venemous. With diminished natural habitat in the foothills of the Catalinas, and highway and road fatalities, the additional human encroachment and activity renders that precious entry to Wilderness very much "non-Wilderness".

Rat poison use by local residents also has an impact, as wildlife ingests the dead animals at all stages of decomposition.

I'm voicing my stance that we must limit further development in the previous remaining habitats so incredibly unique to our niche of the Sonoran Desert.

Thank you for honoring my voice.

Sincerely,

Edward W. Moffett
Tucson, Arizona

From: Jonathan B [mailto:jonblume@hotmail.com]
Sent: Wednesday, November 02, 2011 11:29 AM
To: Michels, Matthew; Williams, David
Subject: Oracle & Linda Vista apts.

Hello Matt and David,

I was hiking yesterday on the trail at Linda Vista and saw your flyer. I am concerned about the proposed plan to develop high density multi-residential apartments at the corner of Linda Vista Blvd. and Oracle Road. Development of this kind is too close to the Linda Vista Trail Pusch Ridge Wilderness area. Congestion, traffic and the ills that come from excessive density will impact this area negatively.

I noticed there was a meeting last night. Can you tell me please what actions were taken or if any recommendations were made?

Thank you,
Jon, an Oro Valley resident

From: Nick Vucich [nrv815@gmail.com]
Sent: Monday, November 14, 2011 11:10 AM
To: Michels, Matthew
Cc: Barbara Alrick; Hiremath, Satish
Subject: OV1111-003 Ross Rulney

Follow Up Flag: Follow up
Flag Status: Red

Attachments: Rulney Julian Drew Project.pdf; ATT00001.txt

Mr. Matt Michels
Senior Planner
Town of Oro Valley

Mr. Michels:

We have written to you earlier and are compelled to restate our position re. Rulney's request to amend the Oro Valley General Plan.

We remain absolutely opposed to any amendment to the general plan as it relates to the property herein referenced. The negative impacts on the town, the Southern corridor of Oracle road, the Pusch Ridge Christian Academy, the Pusch Ridge wilderness trails and our neighborhood would be substantial. We have attended the neighborhood meetings where these points have been made time and again. We note in the media that your group appears ready to recommend in favor of the amendment to the Town Council. We implore you to change your position in this regard. NCO is a much better option for the town and neighborhood than HDR.

It is bad enough to be considering an amendment to the General Plan in the first place. To have this request driven by a developer who is creating (costly) havoc with the city of Tucson (Julian Drew project - attached) is beyond belief. Do we really need to invite this developer into our town where we will no doubt be faced with similar high handed treatment. All his hubris

at the town meetings on this request are empty promises. If the amendment is approved he will do as he choses.

Please reconsider your position going forward to the Town Council.

Regards,

Linda and Nick Vucich
1231 E. Canada Vista Pl.
Oro Valley, AZ 85704

From: Jack Stinnett [jackstinnett@yahoo.com]
Sent: Sunday, November 13, 2011 10:28 AM
To: Michels, Matthew
Subject: Proposed rezoning for apartment complex

Follow Up Flag: Follow up
Flag Status: Completed
Matt

I am opposed to the proposed rezoning to allow a multi unit apartment complex to be constructed
off Linda Vista east of Oracle road.

The city of Oro valley has limited areas where residents can access trails and enjoy an expansive
view. This large complex would negatively impact the quality of the Linda Vista trail experience.

Jack Stinnett

From: Steve B [eagle572@comcast.net]
Sent: Tuesday, November 15, 2011 8:50 AM
To: Michels, Matthew
Subject: Re: Regarding the Linda Vista hearing

Nov. 15 2011
TO: Oro Valley P&Z
From: L. Stephen Bell & Clare L. White

Re: Regarding the Linda Vista zoning hearing

We are opposed to the proposed increased zoning density for several reasons.
Besides the increase in traffic congestion on both Linda Vista and Oracle roads, there will be undesirable increases in light pollution and noise in the area.

This re-zoning represents additional encroachment upon the nearby Pusch Ridge Wilderness and would seriously disrupt the wilderness experience for users on the Linda Vista trail.
In addition, expected increases in trail usage would cause more erosion, littering and stir up more dust on the existing trail system.

Please deny this re-zoning: the Tucson environs already have zoning for several million more people without any increases in zoning densities.

Very truly yours,
L. Stephen Bell, Clare L. White
1702 E. Camino Cielo, Tucson AZ 85718

From: David Ridinger [davidridinger@aol.com]
Sent: Tuesday, November 15, 2011 10:36 AM
To: Michels, Matthew
Subject: OV1111-003

Mr. Michels -

We are emailing you as long-term residents of Pusch Ridge Estates with reference to the above. Having contacted you earlier on this issue and now having attended the first planning commission hearing, we wish to reiterate our strong opposition to the proposed amendment to the Oro Valley General Plan on the NE corner of Oracle/Linda Vista which would accomodate high-density dwellings, i. e., apartments.

There is no doubt that the negative traffic impacts of the amendment on our neighborhood, as well as Pusch Ridge Wilderness, Pusch Ridge Christian Academy and the adjacent portion of Oracle Road would be more than minimal.

While it serious enough to consider a change of the Plan at any time, the request for the amendment is being driven by a developer/land-owner who already is creating uncalled-for problems with the City of Tucson in the down-town Julian Drew project, which subject was amply covered by the AZ Daily Star recently. We can only believe that this developer would treat our neighborhood, other concerned residents, users and the City of Oro Valley in like manner, once the amendment is approved, even though, apparently, the developer has made numerous promises, none of which are in writing,

A potential major problem for current users of Linda Vista Road east of Oracle Road would be the additional traffic diverted to Linda Vista by the daily usage of 100 to 200 vehicles exiting from the apartment complex. Strong consideration should be given to blocking the apartment complex completely from east Linda Vista . Oracle Road would offer numerous opportunities for access and egress to and from the apartment complex.

While it appears that your department has already suggested that the proposed amendment be approved, we, in our opposition, hope that you will reconsider your position in favor of the folks that would have to live with this very undesirable change.

Dave and Pat Ridinger
1221 East Canada Vista Place
Oro Valley, AZ 85704
575-1365

Kelli Zespy
870 E Linda Vista
Oro Valley, AZ 85704
520-731-3226

November 10, 2011

Matt Michels
Senior Planner
Town of Oro Valley
11000 N La Canada Drive
Oro Valley, AZ 85737

Regarding: OV1111-003 Rulney General Plan Amendment Request

Dear Mr. Michels,

I am a resident of Pusch Ridge Estates and would like to air my concerns regarding the proposed change from Commercial to HDR housing on the northeast corner of Oracle and Linda Vista.

I have two major concerns with this amendment request. I believe Pusch Ridge Estates and surrounding areas will experience an increase in crime. In addition, high density housing will have an immediate and long lasting negative effect on Oro Valley's crown jewel, Pusch Ridge Wilderness as well as the surrounding neighborhood.

Increase in Crime

In the November 1st meeting, when asked about the issue of increased crime in HDR housing, the developer referred to a study by the Urban Land Institute titled "Higher Density Development, Myth and Fact". This report claimed that "Crime rates at higher density developments are not significantly different than those at lower density developments" and came to those conclusions by comparing rates on a per residential unit basis.

However, a March 2006 study entitled "Land Use Affects Crime Incidence" created by the "Center for Urban Policy and the Environment" and part of the IUPUI (Indiana University School of Public and Environmental Affairs/Indiana University-Purdue University Indianapolis – copy attached) shows a clear connection between land use and crime. This report claims "Areas with predominantly low density residential housing are associated with violent crime levels that are 50 to 75 percent below the overall average. Areas with predominately medium to high density housing are associated with violent crime levels that are 40 to 65 percent above average."

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The study analyzed population densities in neighborhoods with 100 or more people and found that "mean population densities in the medium to high density grid cells are about 37 percent higher than in the low density cells and about 58 percent higher than the parks/low density cells. However, the levels of *all types of crime are well over 100 percent higher in the medium to high density* cells."

In addition, the "Land Use Affects Crime Incidence" study states "Crime is well below the overall average when both density and disadvantage are low, (low disadvantage refers to those more affluent) but only slightly below average in socio-economically advantaged areas with high density housing (advantaged refers to those with above average unemployment, poverty and marital disruption)

Finally, the study states "*higher housing density increased the opportunities for crime*".

Anecdotally, we all believe that high density housing results in higher crime, but this study confirms it, regardless of the socio-economic standing of the residents.

According to the "Land Use Affects Crime Incidence" study, the **current** zoning at Oracle and Linda Vista of Neighborhood Commercial Office use would have "below average levels of violent crime."

Oro Valley currently is a safe, beautiful community to live in. Help it remain so by refusing this amendment request to High Density Housing. Oro Valley currently has many other approved undeveloped HDR properties that should be tapped first and are more appropriate for this type of zoning.

<u>Negative Environmental Impact</u>

Pusch Ridge Wilderness is the jewel of Oro Valley. Renderings of Pusch Ridge appear throughout Oro Valley including the revered town seal.

Pusch Ridge peak is the gateway to our beautiful town and the *current* zoning of Commercial offices is the ideal use for this land. Current zoning will result in lower impact to this fragile eco system, as well as offer ideal placement for selective business owners who desire to align themselves with this prized icon.

The proposed amendment change to HDR housing would result in a 200%+ increase in the immediate population of residents at the base of a pristine wilderness area. This is sure to have a measurable and negative effect on the environment and fragile ecosystem. Currently, Pusch Ridge Estates has less than 200 residents and only one road into and out of the neighborhood. The addition of over 500 residents will adversely affect the nearby wilderness area as well as markedly decrease our residents' enjoyment of our own neighborhood.

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In conclusion, my concerns are not motivated by NIMBY motives, but from a common sense approach. Oro Valley is a wonderful community specifically because the town has rarely strayed from the “mom and apple pie” idealism in the charter. There is a reason why Oro Valley is sought out by families, professionals and folks who care about their environment – Oro Valley cares about growth, planning and long term consequences. Please adhere to these high quality standards and hold Mr. Rulney accountable to the well known zoning rules that were in place when he initially purchased this plot of land and then repurchased after a failed development. Do not fall for this current “flavor of the month” zoning change.

Respectfully,
Kelli Zespy
Pusch Ridge Estates Lot 11

Copy:
Pusch Ridge Estates HOA

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CENTRAL INDIANA

CENTER FOR URBAN POLICY AND THE ENVIRONMENT

MARCH 2006

Indianapolis Study

Land Use Affects Crime Incidence

When most people try to explain why some places have higher crime rates than others, they focus on social differences between areas such as household income or family disruption. Others have suggested that the physical environment can influence crime. In particular, some studies have suggested that the way land is used can affect crime rates. For instance, bars, malls, and public high schools have been associated with higher crime.

To date, no research has systematically examined a variety of land uses and whether they are associated with higher or lower levels of crime. In this report, we use data from the city of Indianapolis to consider how and when land use and crime are related. Our goal is to identify which land uses are associated with which crimes, above and beyond the social factors that most others consider. Although the statistics presented here are relatively simple, they are confirmed by more sophisticated statistical analyses which are described in the text box on page 6.

The study of land use is important for two reasons. First, knowing how and when land use is related to crime can inform police managers on effective allocation of patrol resources. Second, knowledge of land use-crime relationships can help planners and developers find ways to minimize crime through intelligent development of land use.

This analysis uses data on crimes and land use for the Indianapolis Police Department (IPD) service area. This area was divided into 1,000-foot-square grid cells for the analyses. For more on the methodology employed, see the text box on page 6.

This analysis suggests that land use and crime are related. The relation between land use and crime, however, depends on the type of land use, the kind of crime, and whether the area has high or low levels of unemployment, poverty, and family disruption.

What Are the Patterns of Land Use in Indianapolis?

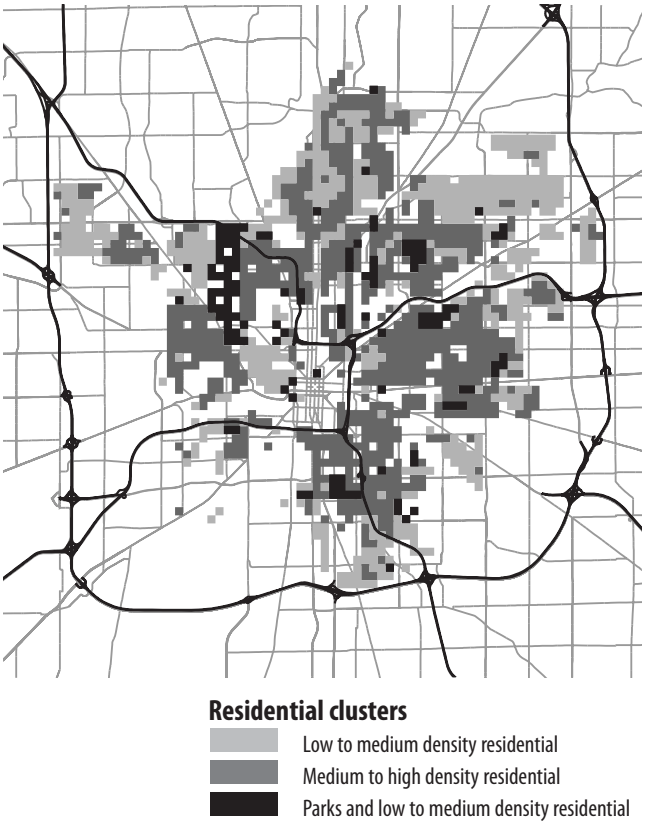
One strategy for analyzing the relationship between land use and crime is to identify particular patterns of land use. Types of land use tend to go together in relatively predictable ways. A statistical technique called *cluster analysis* allows us to determine which patterns of land use in the 1,000-foot-square grid cells tend to occur together.

Cluster analysis of more than 20 land use categories such as housing density, types of commercial activity, light and heavy industry, parks, schools, hospitals, and roads, produced six groups of cells with similar land use patterns in the IPD service area. Three clusters were primarily residential, and three were primarily non-residential.

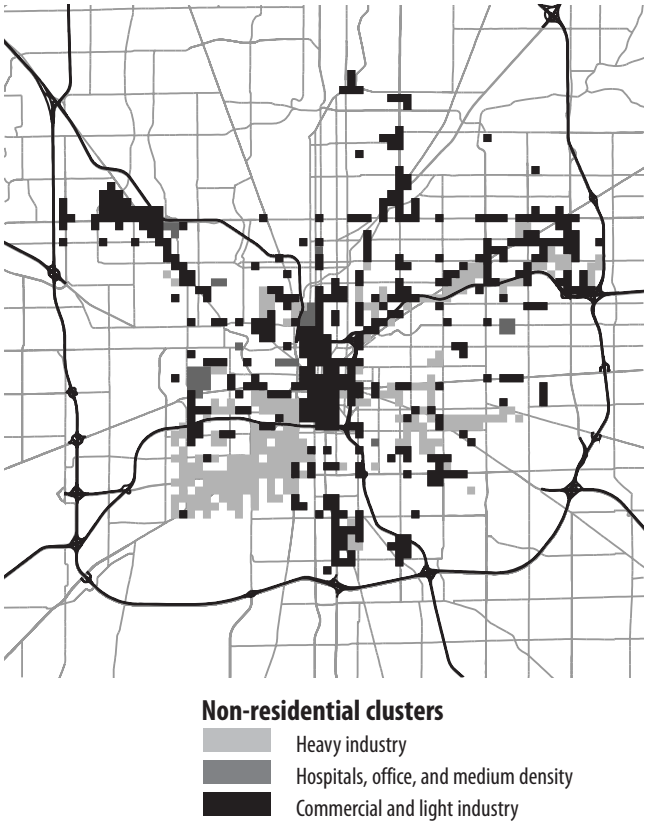
Maps 1 and 2 highlight the location and distribution of residential land uses and non-residential land use patterns respectively. One cluster of land uses includes predominantly low density residential housing. A second residential cluster consists mainly of medium to high density units. A third residential pattern combines low to medium density housing and parks.

In terms of non-residential land uses, one cluster seems to be dominated by commercial and light industrial areas. A second consists mainly of hospitals, offices, and medium-densi-

Map 1: **Land Use Clusters**



Map 2: **Land Use Clusters**



ty residential units. A third cluster is dominated by heavy industry.

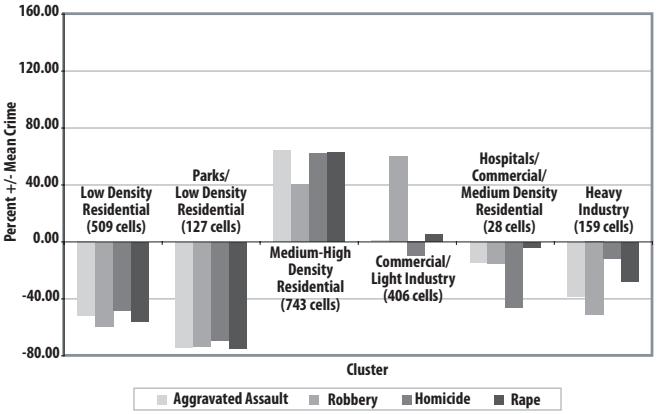
Do Certain Land Use Patterns Have Higher or Lower Levels of Crime?

We examined whether crime levels vary along with land use patterns. Figure 1 shows reported incidents of four violent crimes tracked by IPD, including homicide, robbery, serious (aggravated) assaults, and rape. The bars on the graph represent the departure from its overall mean for each type of crime in the entire IPD service area. Thus, the bars represent the degree to which a particular land use cluster is above or below the overall average for that particular crime.

Clearly, violent crime patterns vary across residential and non-residential land use patterns. Areas with predominantly low density residential housing are associated with violent crime levels that are 50 to 75 percent below the overall average. Areas with predominantly medium to high density housing are associated with violent crime levels that are 40 to 65 percent above average.

It is true that more people will, on average, live in the

Figure 1: **Crime Means Percentages by Cluster**



grid cells with higher density housing, providing both more potential criminals and more potential victims of crime. (This will not necessarily be the case for all grid cells as varying proportions of the land in the cells are used for non-residential uses.) In the more complex statistical analysis described in the text box, we controlled for this by considering population densities in the neighborhood of each grid cell. The estimates of the mean population densities in the medium to high density (cluster 3) grid cells are about 37 percent higher than in the low density (cluster 1) cells and about 58 percent higher than the parks/low density (cluster 2) cells. However, the levels of all types of crime are well over 100 percent higher in the medium to high density cells of cluster 3. Therefore, greater populations can only account for a fraction of the observed differences in crime levels across cells.

Interestingly, crime levels for areas that are dominated by retail, heavy commerce, and light industry depend on the specific crime. Robberies are 60 percent above the overall average in these areas, but homicide is below average, and rape and serious assaults are only slightly above average. Conversely, clusters with hospitals, offices, and heavy industry have below average levels of violent crime.

Does Housing Density Predict the Level of Crime in an Area?

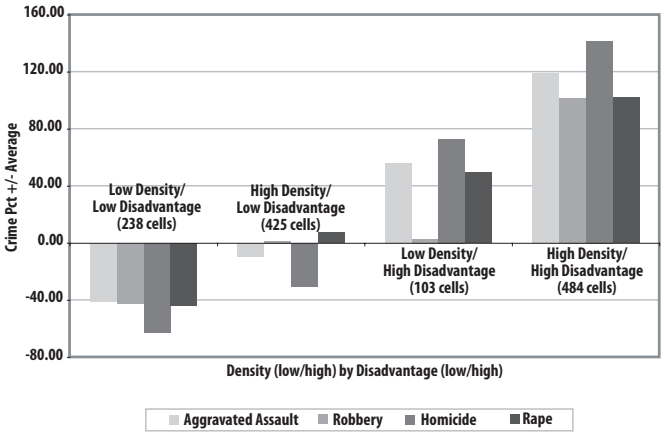
We examined variations in levels of reported crime associated with particular land uses, taking into account the socio-economic characteristics of the area. We noted before that the density of residential land use appears to be associated with the incidence of crime. Figure 2 probes this association further, showing the incidence of four violent crimes broken down into four categories of cells based on level of density and level of socio-economic disadvantage.

In Figure 2, low density housing refers to cells that contain only housing with fewer than 8 units per acre, whereas high density refers to cells that contain at least some housing with 8 or more units per acre (although these cells may also contain some areas with low density housing). Areas with 8 or more units per acre are predominantly multi-family housing units. Socio-economic disadvantage is a statistical index that includes percent unemployed, percent poor, and percent female-headed households. These three variables tend to be highly correlated. Therefore, cells with low scores on the index tend to be affluent with low unemployment, poverty, and marital disruption. Conversely, high-scoring cells tend to have high levels of these three variables.

In Figure 2, low disadvantage refers to more affluent cells with below average socio-economic disadvantage scores, and high disadvantage refers to cells with above average unemployment, poverty, and marital disruption. To make meaningful comparisons across cells, we restricted the analysis to include only the 1,250 cells with 100 or more residents. This minimizes differences in crime counts due to differences in the number of people living in particular areas.

Figure 2 shows that both housing density and socio-economic disadvantage are related to crime. The left two sets of bars refer to cells with below average levels of poverty, unemployment, and family disruption. Crime is well below the overall average when both density and disadvantage are low, but only slightly below average in socio-economically advantaged areas with high density housing. The right two sets of bars refer to cells with above average levels of disadvantage. Low density housing here is associated with elevated levels of crimes except robbery. Areas with high density housing in disadvantaged areas have much higher incidences of violent crimes. Thus, both density and disadvantage predict higher violent crime, but when the two are combined, violent crimes are especially high. This is likely because higher housing density increases the opportunities for crime, and socio-economic disadvantage increases the motivation for crime.

Figure 2: **Crime Means Density by Disadvantage**



Does Vacant Land Predict the Level of Crime in an Area?

Figure 3 shows a similar comparison of the impact of vacant land in areas correlated with their levels of socio-economic disadvantage. The left two sets of bars refer to more affluent cells with below average socio-economic disadvantage, whereas the right two sets of bars show crime levels for areas with above average levels of disadvantage (poverty, unemployment, and family disruption).

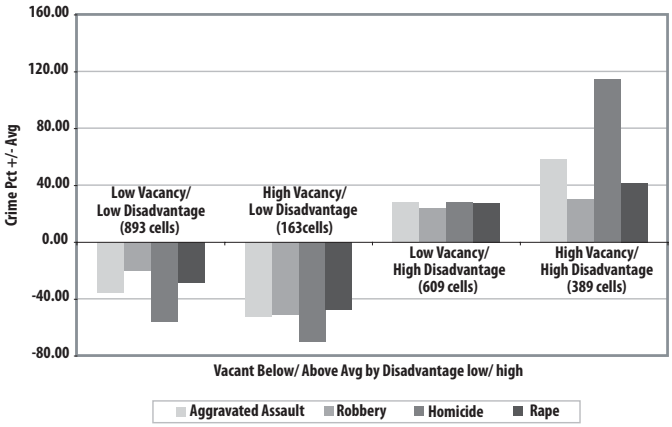
We also break vacant land levels down into below and above average amounts of vacant land per cell. Here again, the effect of vacant land on crime levels depends on whether the area is disadvantaged. Vacant land does not appear to increase crime in areas with low unemployment and poverty, but it is associated with much higher crime, especially homicide, in disadvantaged areas. Higher levels of vacant land can include abandoned housing, which could provide more opportunities for crime, explaining part of this effect.

Does Commercial Land Use Predict the Level of Crime in an Area?

We examined whether commercial activities were related to crime because commercial activity might increase the number of potential crime victims. Figure 4 shows crime levels by the presence of commercial land uses and disadvantage. Once again, we see that the relationship between land use and crime depends on the socio-economic standing of a particular area. The incidence of violent crime is lowest in cells with low rates of unemployment, poverty, and family disruption and no commercial land use. Both low disadvantage (affluent) cells with commercial land uses and high disadvantage cells with no commerce (the middle two sets of bars) are associated with nearly average crime levels.

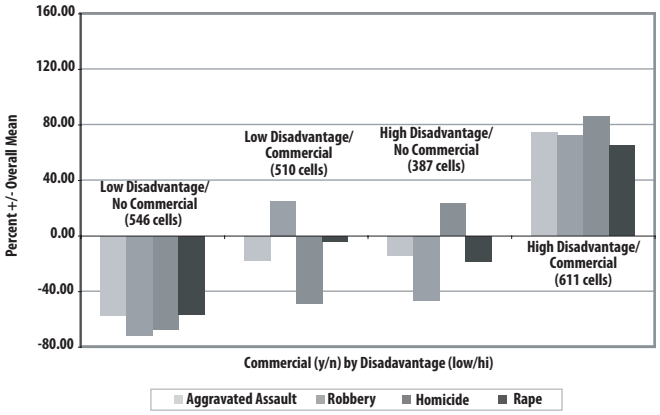
It is also interesting to note that homicide is lower in advantaged areas when commerce is present, but robbery is lower in disadvantaged areas when commerce is absent. The rightmost set of bars shows that areas with high levels of socio-economic disadvantage and commerce in the cell have violent crime levels that are 65 to 85 percent above average. Thus, the crime-producing effects of commercial land uses are especially pronounced in disadvantaged areas. This suggests the importance of law enforcement efforts targeted toward commercial areas, especially if the goal is to reduce robbery.

Figure 3: **Crime Means Percentages Vacant by Disadvantage**



Areas with high levels of both commerce and socio-economic disadvantage have violent crime levels that are 65 to 85 percent higher than average.

Figure 4: **Crime Means Commercial Percent by Disadvantage**



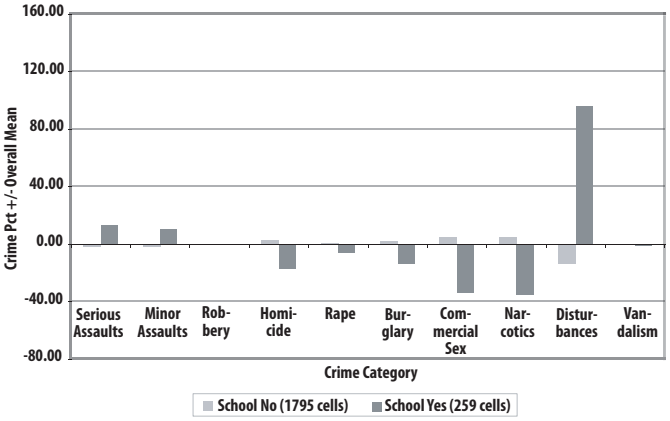
Do Schools Increase the Level of Crime in an Area?

Some have suggested that crime may be more frequent near schools. Figure 5 shows the incidence of crimes by whether or not a school is located in the cell. Generally schools do not appear to be magnets for crime. Homicide, rape, and robbery levels are average or lower in cells with schools. Schools also do not appear to be areas where commercial sex or narcotics trafficking occur with high frequency. Nor do schools seem to be associated with above average incidence of vandalism. Areas around schools also have somewhat lower levels of burglary. This could be because the areas near schools are high traffic areas during the day when many residential burglars operate. As a consequence, burglars may avoid these areas.

Schools do, however, seem to generate slightly higher (10 to 15 percent) levels of both serious and minor assault and much higher levels of incidents reported by officers as "disturbances," as opposed to any specific crime. This may be because of a perception that young people are loud or make trouble. Otherwise, crime levels are not much different, and in some cases lower, in cells with schools.

One limitation which must be noted is that we cannot distinguish between public and private; elementary, junior, and senior high schools; and institutions of higher education. It seems plausible that elementary schools do not generate large numbers of assaults, but future research should consider whether there are differences in crime reports by type and size of school.

Figure 5: **Crime Means by Schools**

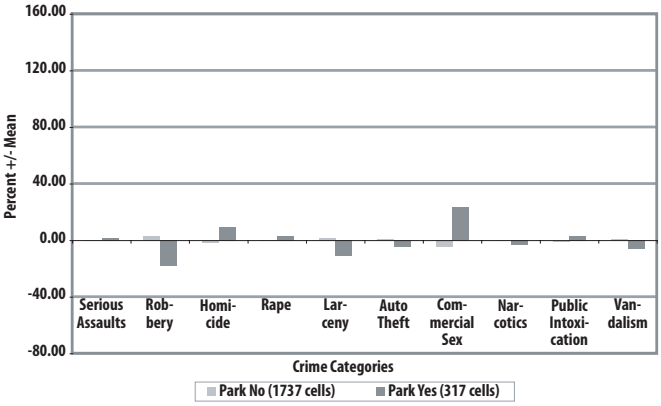


Narcotics sales and vandalism do not appear to be higher in cells with parks.

Does the Presence of Parks Increase the Level of Crime in an Area?

It is also reasonable to wonder whether parks are magnets for crime. Figure 6 shows the levels of some types of crime by presence or absence of a park in the cell. Generally, parks do not seem to attract large numbers of crimes. Homicides, rapes, and serious assault incidents are slightly above average, but larceny, motor vehicle theft, and robbery are below average in areas with parks. Perhaps not surprisingly, commercial sex and public intoxication are somewhat higher in cells with parks. This most likely reflects the lack of guardianship of these areas after dark, which makes them vulnerable areas for public nuisance offenses. Interestingly, however, narcotics sales and vandalism do not appear to be higher in cells with parks.

Figure 6: **Crime Means by Parks**

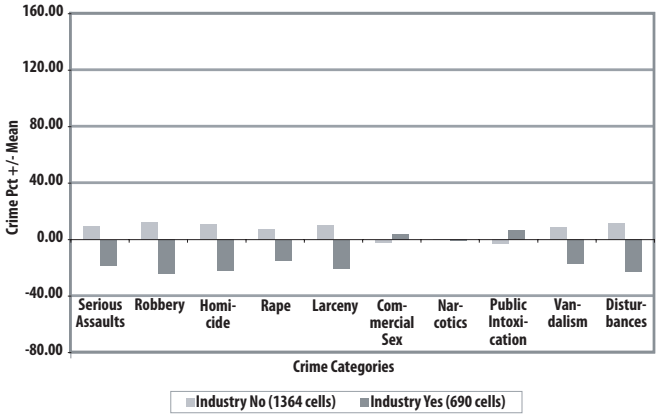


Do Industrial Areas Attract Crime?

We noted earlier that clusters of land use dominated by heavy industry have lower levels of violent crime. This continues to be true when we consider crime levels by the presence of all types of industry within cells. Figure 7 shows that all violent crimes are between 15 and 25 percent below their overall average in areas with industry. This is probably due in part to the lower population levels in these areas, which likely translates to fewer opportunities for violent crimes. Commercial sex and public intoxication are slightly higher in areas with industry, but illicit drug sales are not. Both vandalism and disturbances are also below average, which likely reflects fewer youthful residents engaging in these activities.

Clusters of land use dominated by heavy industry have lower levels of violent crime.

Figure 7: **Crime Means by Industry**



A Note about Methodology

This analysis uses data obtained from the Indianapolis Police Department (IPD), examining crime and land use in the IPD Service Area in the central portions of Marion County. The crime data are for 2003, and include the actual locations of violent crimes from the Uniform Crime Report dataset and the locations from officer incident reports for all other crimes. The land use data are for individual ownership parcels; these data were obtained from the Indianapolis Department of Metropolitan Development.

A system of 1,000-foot-square grid cells (2,142 cells) was used for the analysis. The numbers of the various types of crimes were determined for each grid cell from the IPD data. The percentage of the land in each grid cell in each of the reported land use classes was calculated from the land use data. Neighborhood socioeconomic characteristics are known to be associated with levels of criminal activity. For this analysis, various measures such as percent unemployed, percent poor, and percent of female-headed households were estimated for the areas within one-half mile of each grid cell using 2000 census block group data.

This report presents simple statistics on numbers of crimes associated with different types of land use, in a few cases also distinguishing low versus high levels of socio-economic disadvantage. We also used more sophisticated statistical analyses (Poisson regression) to simultaneously determine the effects of land use and neighborhood socioeconomic characteristics on crime. This allows us to observe the effect of land use on crime while controlling for socioeconomic factors. The descriptive results presented in this report are confirmed by these more sophisticated analyses.

If Land Use and Crime are Related, How Can We Use This Information?

This analysis suggests that land use and crime are related. The relationship between land use and crime, however, depends on the type of land use, the kind of crime, and the level of socio-economic disadvantage in an area. The effects on crime of residential housing density, commercial land use, and vacant land all depend on whether the area has high or low levels of unemployment, poverty, and family disruption. For example, the analyses found that all violent crime levels are lower in areas with low density housing. Conversely, areas with high density residential units have above average levels of serious violent crime, but violent crime levels are especially high in areas of both high housing density and high socio-economic disadvantage. Areas with schools have somewhat higher levels of assault, but not illicit drug sales, and, although they generally have less crime overall, industrial areas have higher levels of public intoxication and commercial sex.

Information learned from this type of study can allow police managers to focus their resources more effectively. For instance, public intoxication can lead to drunk driving. Therefore, if the goal is to reduce drunk driving, then enforcement efforts targeting industrial areas might make sense, because according to these findings, industrial areas generate disproportionately high incidents of public intoxication. Similarly, targeting commercial areas for robbery enforcement, especially in socio-economically disadvantaged areas could reduce crime.

Planners and developers could also use this information to minimize the crime-inducing effects of land uses. For example, developers and planners might want to consider the development of low-income housing at lower densities to reduce crime. Similarly, because areas of vacant land are associated with higher crime in disadvantaged areas, there is additional motivation to reduce abandoned housing and vacant land in these areas.

Thoughts for Policymakers

The analysis presented in this issue brief demonstrates that the study of land use in relation to crime incidence can contribute a great deal to the efforts of professionals in the law enforcement, planning, and land development fields. For example, knowing how and when land use is related to crime can inform police managers on effective allocation of patrol resources. Planners and developers can also use knowledge of land use-crime relationships to find ways to minimize crime through intelligent development of land use. State and local policymakers should consider these issues as they develop land use plans and allocate law enforcement resources in communities throughout Indiana.

CENTER FOR URBAN POLICY AND THE ENVIRONMENT

Central Indiana's Future: Understanding the Region and Identifying Choices

Central Indiana Region

Central Indiana's Future: Understanding the Region and Identifying Choices, funded by an award of general support from Lilly Endowment, Inc., is a research project that seeks to increase understanding of the region and to inform decision-makers about the array of options for improving quality of life for Central Indiana residents. Center for Urban Policy and the Environment faculty and staff, with other researchers from several universities, are working to understand how the broad range of investments made by households, governments, businesses, and nonprofit organizations within the Central Indiana region contribute to quality of life. The geographic scope of the project includes 44 counties in an integrated economic region identified by the U. S. Bureau of Economic Analysis.

The Center for Urban Policy and the Environment conducts ongoing studies on land use that are intended to strengthen public discussion and informed decision-making. This study combines research on land use, crime, and public safety, vital issues that affect quality of life in a community.

The Center for Urban Policy and the Environment is part of the School of Public and Environmental Affairs at Indiana University–Purdue University Indianapolis. For more information about the Central Indiana Project or the research reported here, contact the Center at 317-261-3000 or visit the Center's Web site at www.urbancenter.iupui.edu.

Authors: Thomas D. Stucky, assistant professor, School of Public and Environmental Affairs, Indiana University–Purdue University Indianapolis, and **John Ottensmann,** director, urban policy and planning, Center for Urban Policy and the Environment. **Editor: Marilyn Michael Yurk,** and **graphic design and photography: Margie Roe,** Center for Urban Policy and the Environment.

CENTER FOR URBAN POLICY AND THE ENVIRONMENT

ADDRESS SERVICE REQUESTED

342 North Senate Avenue
Indianapolis, IN 46204-1708
www.urbancenter.iupui.edu

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INDIANA UNIVERSITY SCHOOL OF PUBLIC AND ENVIRONMENTAL AFFAIRS

INDIANA UNIVERSITY–PURDUE UNIVERSITY INDIANAPOLIS

06-C05

Town Council Regular Session **Item # 7.**

Meeting Date: 12/07/2011

Requested by: Catherine Vorrasi **Submitted By:** Catherine Vorrasi, Parks Recreations Library CR

Department: Parks Recreations Library CR

Information

SUBJECT:

DISCUSSION AND POSSIBLE ACTION REGARDING CAPITAL ENHANCEMENTS TO POOL FACILITY

RECOMMENDATION:

On November 21, the Parks and Recreation Advisory Board voted to recommend moving forward with this project.

Staff recommends implementation of phase 1 & phase 3 of the Oro Valley Municipal Pool Feasibility Study.

EXECUTIVE SUMMARY:

This proposal recommends improvements to the existing Oro Valley Municipal Pool facility that will place the Town in a position to host large scale swim meets and other special events resulting in increased economic benefits. Phases 1 and 3 of the Oro Valley Municipal Pool Feasibility Study, completed in March 2011, include requisite ADA improvements as well as enhancements such as a splash pad, raised deck, improved locker rooms, additional shaded deck space, a new gutter system, timing system with scoreboard along with a new 6-lane lap pool with a drop slide.

BACKGROUND OR DETAILED INFORMATION:

Feasibility Study Findings

The Town Council approved funding for a feasibility study to be conducted regarding the Oro Valley Municipal Pool on June 16, 2010. The contract was awarded to Ballard King & Associates in partnership with Water Technology Inc. in December 2010. The study was presented to and accepted by the Town Council in March 2011.

According to the feasibility study, the Oro Valley Municipal Pool is in need of enhancements due to the following issues:

- The facility needs to be renovated and improved to comply with new ADA standards.
- The bath house is in desperate need of being upgraded, as it is in poor condition and is too small for the number of pool patrons. It also does not have any family change rooms.
- The locker rooms need to be enclosed, heated, day lockers added, and the showers improved.
- The entry is uninviting and does not allow staff to control access to the pool effectively.
- The office area is inadequate and needs to be expanded. The technology needs to be upgraded with computerized registration, pass sales and scheduling possible from this location.
- The shaded seating area is too small and there are no concession services available.
- There is a lack of storage.
- There is very limited shade and no grass areas available inside the pool fence itself.

- The deck is in very poor condition and needs to be replaced.

For competitive swimming, the pool has a number of deficiencies:

- The deck is too narrow and needs to be enlarged.
- There is not enough seating and it needs to be available both in the 25 yard and 50 meter configuration.
- There is also no warm-up or cool down pool for swim meets.
- The pool does not have a timing system or scoreboard.

Feasibility Study Recommendations

In response, the feasibility study proposed a phased approach to enhance the existing facility. Phases 1 and 3 are more competition focused, whereas Phase 2 is strictly focused on family-friendly elements. Currently, Phases 1 and 3 would resolve all current ADA compliance issues and have been identified as areas with the most economic benefit due to the economic impact of bringing large-scale competitions to Oro Valley.

Phase 1 includes:

- Expansion of the changing facility/administrative building
- Raising the level of the existing deck around the 50-meter pool to include a new gutter system
- Additional shade structures
- New splash pad

Phase 3 includes:

- New 25 yard lap pool with 6 lanes and a drop slide
- Additional spectator seating and shade at the 50 meter pool
- Timing system and scoreboard
- Additional shade structures

While Phases 1 and 3 will serve to attract competitive swim meets, these improvements will also provide great benefits to local users. These improvements (splash pad, drop slide, etc.) will appeal to a broader community audience.

Schedule

With approval and direction to move forward, staff will begin working immediately to select a design and construction team and secure bond funding with a target of breaking ground on the project in May 2012. The project will be carefully planned to schedule construction elements in a manner that will provide the least amount of disruption to both recreational and competitive swimmers.

Staff will explore construction options that minimize operational disruptions during the summer of 2012. However, in the event that the Oro Valley Municipal Pool is unavailable, the Aquatics Manager will coordinate with other agencies and organizations to insure that Oro Valley swim teams are able to swim at other local facilities during the construction.

FISCAL IMPACT:

Construction Funding

The total estimated construction budget for this project is $3.45 million (please see the attached documentation for sources and uses of funds). Staff proposes using the following funding sources to complete the project:

- Parks and Recreation Impact Fees cash reserve balance of $400,000

• Bed Tax fund cash reserves of $500,000 (current total balance is approximately $840,000)
• New excise tax bond proceeds of $2.55 million (15-year bonds with annual debt service of approximately $235,000 per year)

The estimated project costs of $3.45 million are as follows:

• Estimated Phase 1 construction cost is $1,999,680
• Estimated Phase 3 construction cost is $1,200,364
• Concession facility/additional construction contingency of $199,956
• Bond issuance costs of $50,000

Operating Costs

Based on the consultant's analysis in the feasibility study, there will be additional operations and maintenance (O&M) costs associated with the proposed pool enhancements, over and above the increased revenue generation, of approximately $200K - $250K per year. These costs include additional staffing, operational supplies and utilities.

Bed Tax Funding

Staff recommends that the bond debt service and the additional O&M costs be funded out of the Bed Tax fund. New state law (Senate Bill 1460) recently restricted the use of the majority of local bed tax funds specifically for the promotion of tourism. Therefore, the Town can no longer utilize its bed tax funds to subsidize General Fund operations to the extent that it has in the past. By redirecting newly restricted bed tax funding in the manner proposed, it is expected that the Town will see additional sales tax dollars generated within our community for the ultimate benefit of the General Fund.

Estimated Economic Impact

Based on information provided in the feasibility study, it is estimated that expanding the pool facilities to attract larger scale, regional swimming competitions and adding additional family recreation elements will generate in excess of $2 million in annual economic impact to our region due to increased multiple night hotel stays, increased restaurant traffic, and other ancillary spending that may occur.

The improvements to the pool facility will also increase the attraction of endurance events to Oro Valley and serve as a business attraction and retention tool for primary employers.

In addition, there are a number of naming opportunities and fundraising options with this project. Staff will be taking steps to provide businesses, organizations and individuals with a variety of ways to support this project financially.

SUGGESTED MOTION:

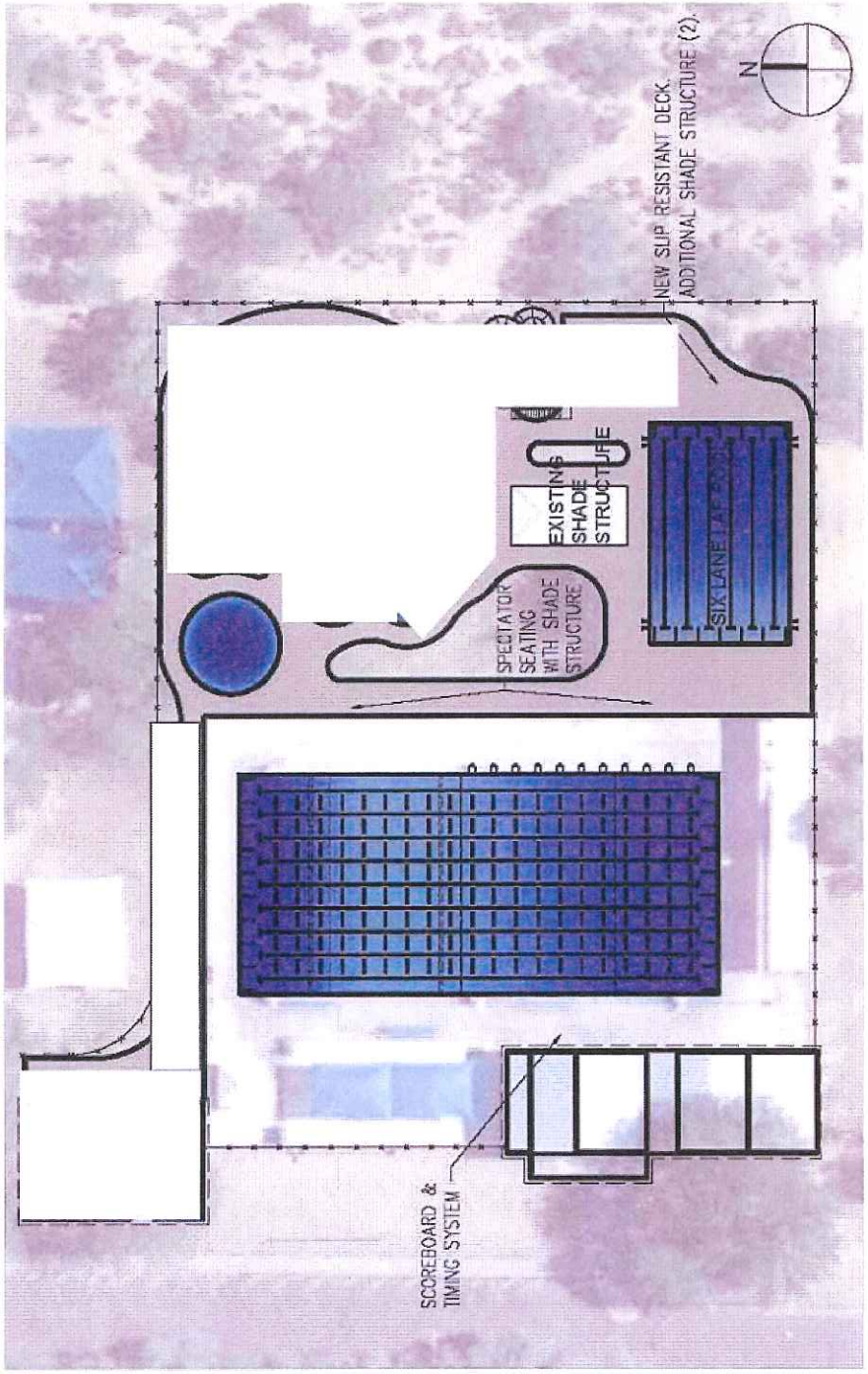
I MOVE to direct staff to establish funding for and to implement phase 1 & phase 3 of the Oro Valley Municipal Pool Feasibility Study.

or

I MOVE to...

Attachments

AQUATIC CAPITAL ENHANCEMENTS



Improvements

Requisite Maintenance:

- Demolition/Earthwork for Deck Drainage
- Lighting Updates
- Deck and Walkway Resurfacing
- Extension of East Side Fence
- Site Signage

Architecture Operational Improvements

- Change Facility/Admin. Building Modifications
- Existing Wading Pool Removal and Replace Deck
- 10 Lane Scoreboard and Timing System
- Spectator Seating with Shade on 50 Meter Course
- Shade Structures

Aquatics Operational Improvements

- 50 Meter Pool Depth Modifications
- High Performance Gutter
- Spash Pad and Necessary Components
- Multipurpose Lap/Program Pool - 6 lanes
- Competition Equipment
- Drop Slide & Tower

Prezi

Prezi

MUNICIPAL POOL CAPITAL IMPROVEMENTS
PHASES I & III COMBINED

Estimated Sources and Uses of Funds

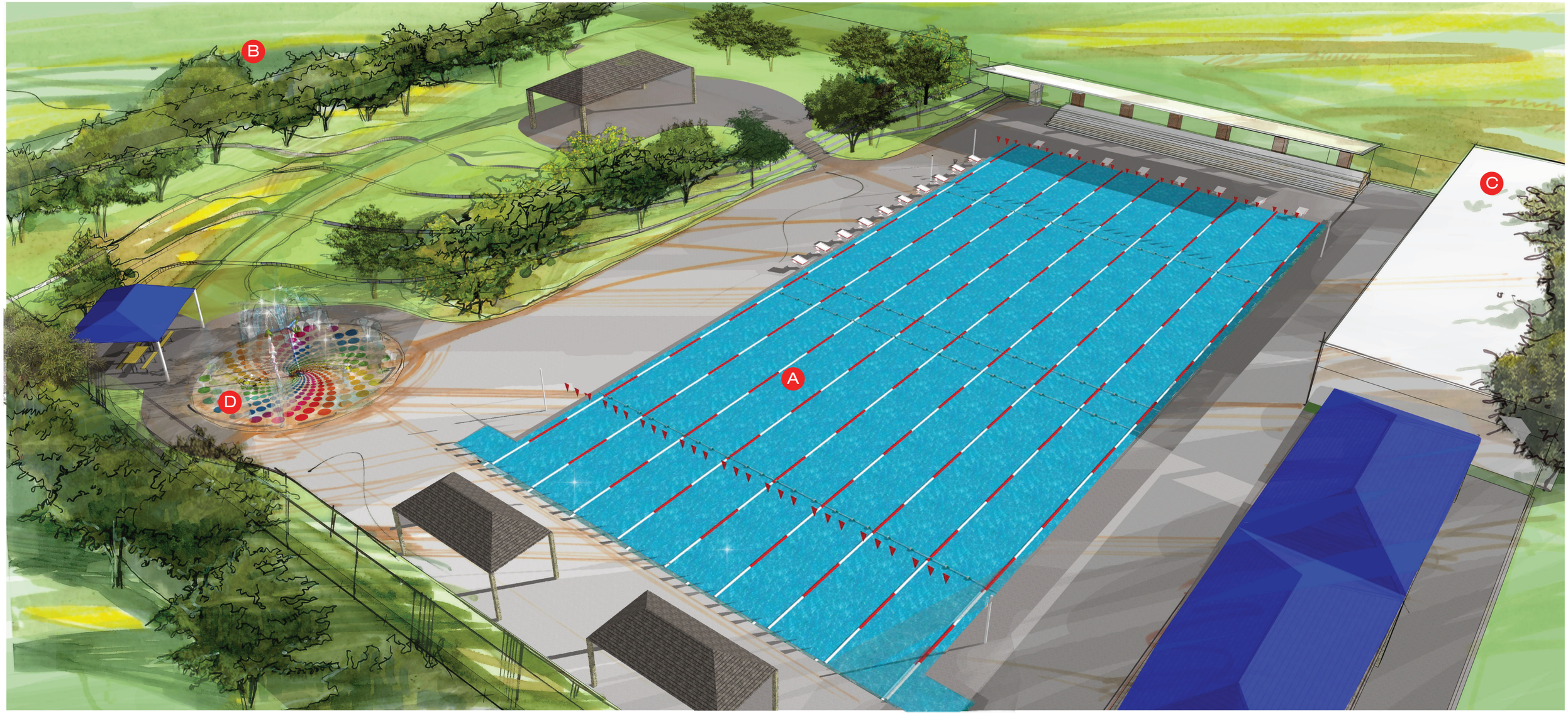
SOURCES

Local Sources of Funds	Parks & Recreation Impact Fees	$	400,000
Local Sources of Funds	Bed Tax (Fund Balance)		500,000
Bond Proceeds	Bond Proceeds		2,550,000
TOTAL SOURCES		**$**	**3,450,000**

USES

Project Funds	Phase I Construction	$	1,999,680
Project Funds	Phase III Construction		1,200,364
Project Funds	Concession Facility/Additional Contingency		199,956
Bond Delivery Expenses	Cost of Issuance		20,000
Bond Delivery Expenses	Underwriter's Discount		25,500
Other Uses of Funds	Deposit to Debt Service Fund		4,500
TOTAL USES		**$**	**3,450,000**

Prezi



Oro Valley Municipal Pool Study: Phase One

- **A** Renovated 50 meter pool
- **B** Fence extended to east
- **C** Renovated entrance and changing rooms
- **D** New Splash Pad to replace wading pool

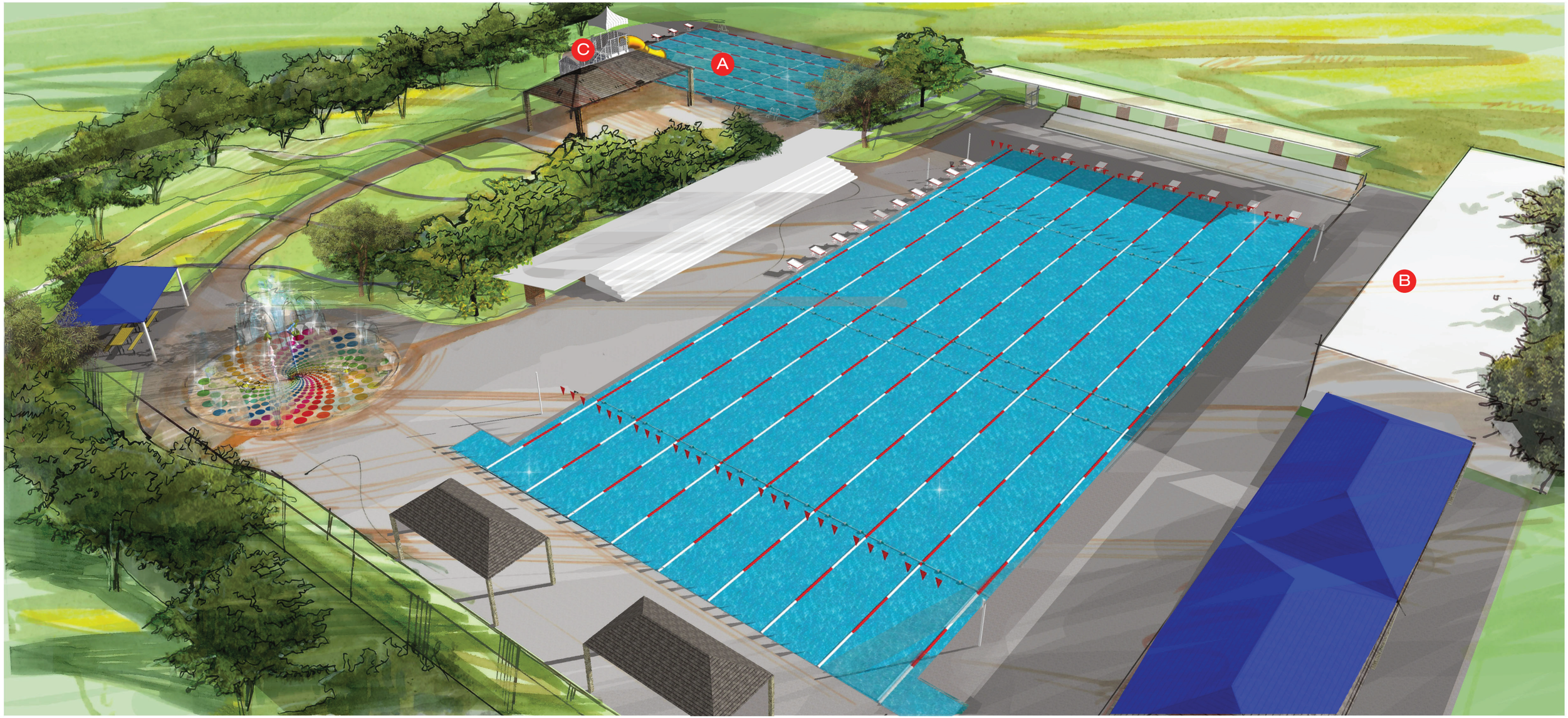
WTI
WATER TECHNOLOGY INC.
LEADERS IN AQUATIC PLANNING, DESIGN AND ENGINEERING

100 Park Avenue
P.O. Box 614
Beaver Dam, WI 53916
Ph. 1.920.887.7375
Fx. 1.920.887.7999

9500 Ray White Road
Office 208
Fort Worth, TX 76248
Ph. 1.817.745.4592
Fx. 1.817.745.4591

www.wtiworld.com

BALLARD*KING & ASSOCIATES LTD
Recreation Facility Planning and Operation Consultants



Oro Valley Municipal Pool Study: Phase Three

A New warm up/multipurpose pool

B New score board

C New Drop Slide

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& ASSOCIATES LTD
Recreation Facility Planning and Operation Consultants

Town Council Regular Session **Item # 8.**

Meeting Date: 12/07/2011

Requested by: Stacey Lemos **Submitted By:** Stacey Lemos, Finance

Department: Finance

Information

SUBJECT:

RESOLUTION NO. (R)11-83, ADOPTING UPDATED DEVELOPMENT IMPACT FEES TO BE COMPLIANT WITH SENATE BILL 1525 PRIOR TO JANUARY 1, 2012

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

Senate Bill 1525 amends Arizona Revised Statutes (A.R.S) 9-463.05 relating to City and Town Development Fees effective January 1, 2012. This bill made major changes to the imposition and collection of development fees for cities and towns in the State of Arizona. The first requirement of this legislation is for cities and towns to discontinue collection of development fees for projects or items that do not meet the newly created definition of "necessary public services."

The Town has engaged Pat Walker, Engagement Partner, and Cynthia Sneed, CPA, Consulting Manager, from Heinfeld, Meech & Co., P.C. to analyze the Town's existing development fees and revise the fees to be in compliance with SB 1525. Ms. Walker and Ms. Sneed will present the recommended changes to the Town's development fees this evening.

BACKGROUND OR DETAILED INFORMATION:

Attached is a summary of key provisions of SB 1525. More detailed information regarding the revised development fees will be delivered prior to the December 7, 2011 Council meeting.

FISCAL IMPACT:

To be determined.

SUGGESTED MOTION:

I MOVE to (approve or deny) Resolution No. (R)11-83, ADOPTING UPDATED DEVELOPMENT IMPACT FEES TO BE COMPLIANT WITH SENATE BILL 1525 PRIOR TO JANUARY 1, 2012.

Attachments

Key Provisions of 1525

RESOLUTION NO. (R)11-83

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA ADOPTING UPDATED DEVELOPMENT IMPACT FEES TO COMPLY WITH ARIZONA REVISED STATUTES § 9-463.05 EFFECTIVE JANUARY 1, 2012

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, the Arizona Legislature passed Senate Bill (SB) 1525 ("Bill") amending Arizona Revised Statutes § 9-463.05 relating to development fees requiring that certain fees not be collected effective January 1, 2012; and

WHEREAS, the Bill made major changes to the imposition and collection of development fees for Arizona cities and towns for projects and/or items that are deemed "necessary public services" under new definitions passed in the Bill; and

WHEREAS, it is in the best interest of the Town to adopt the schedule of updated Development Impact Fees, attached hereto as Exhibit "A" and incorporated herein by this reference, to be in compliance with Arizona Revised Statutes § 9-463.05 effective January 1, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL of the Town of Oro Valley, Arizona that the schedule of updated Development Impact Fees, attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby adopted to be effective January 1, 2012.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 7th day of December, 2011.

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Rosen, Town Attorney

Date: _____

EXHIBIT “A”

HEINFELD, MEECH & CO., P.C.
CERTIFIED PUBLIC ACCOUNTANTS

Heinfeld, Meech & Co. 25th Anniversary 1986-2011

December 2, 2011

Stacey Lemos, CPA
Finance Director
Town of Oro Valley
11000 N. La Canada Dr.
Oro Valley, AZ 85737

Dear Stacey:

Heinfeld, Meech & Co., P.C. (H&M) was retained by the Town of Oro Valley (Town) to revise the Town's existing development fees to be compliant with the new Arizona Statute requirements as a result of Senate Bill 1525 passed in April 2011 for implementation of an "interim" development fee schedule. This interim development fee schedule must be adopted prior to January 1, 2012 or certain development fees adopted by the Town in 2008 can no longer be collected.

Attached is the report H&M has prepared regarding the new law, development fee analysis and calculations necessary to be compliant with SB 1525 and to calculate the revised development fees. A proposed, interim development schedule has been included in the report for Town Council to consider for adoption at the December 7, 2011 Council meeting. H&M will also be making a presentation on the report and revised fees at this meeting.

Sincerely,

Pat Walker

Pat Walker, Partner
Heinfeld, Meech & Co., P.C.
Certified Public Accountants

3033 North Central Avenue, Suite 300, Phoenix, Arizona 85012
Tel (602) 277-9449 *Fax* (602) 277-9297

Introduction

Heinfeld, Meech & Co., P.C. (H&M) was retained by the Town of Oro Valley (Town) to complete an update to the Town's existing development fees adopted in 2008. The purpose of the update was to bring the Town in compliance with Senate Bill 1525 adopted in April, 2011, which will become effective January 1, 2012. Development fees are one-time fees charged to serve new development to offset the costs of providing "necessary public services" to the development as a result of growth. The Town currently has following development fee categories:

- General Government
- Police
- Parks & Recreation
- Transportation
- Library
- Potable Water
- Alternative Water Resources

The last development fee studies were conducted in 2008. The study for non- utility fees was prepared by TischlerBise and included the first five types of public facilities listed above. The transportation fees were not impacted by SB1525 and as such were not revised and remain at the current fee. A variety of methodologies were used to produce the maximum supportable fees for residential and non-residential development which Council adopted. Since the fee adoption, the Marshall Swift Valuation Service was used to update the general government, police, parks and recreation and library fees and in February 2010, these fees were updated and actually decreased due to a deflationary factor that was applied to all the non-utility fees with the exception of transportation.

The Water Utility studies for the potable water system development fee and the alternative water resources development fee were prepared in 2007 and 2008 and were also not impacted by SB1525, therefore requiring no revisions to these fees.

During the course of this project, the Town of Oro Valley provided H& M with a variety of data and information regarding the projects included in the 2008 TischerBise Study. We have relied on this data in the formulation of the revised fees and in the preparation of this report.

Background/Overview

On January 1, 2012, Senate Bill 1525 in A.R.S. 9-463.05 relating to City and Town Development Fees will become effective. This bill has made major changes to the imposition and collection of development fees for cities and towns in the State of Arizona. One of the first deadlines to meet in relation to this bill is that development fees cannot be collected after January 1, 2012 for projects and/or items that are not deemed "necessary public services" under new definitions created in the new bill unless they are financed with bonds or other financing mechanisms prior to June 1, 2011. Specifically, SB1525 has the following requirements:

- A development fee that was adopted before January 1, 2012 may continue to be assessed only to the extent that it will be used to provide a necessary public service for which development fees can be assessed pursuant to this section and shall be replaced by a development fee imposed under this section on or before August 1, 2014. Any municipality having a development fee that has not been replaced under this section on or before August 1, 2014 shall not collect development fees until the development fee has been replaced with a fee that complies with this section. Any development fee monies collected before January 1, 2012 remaining in a development fee account:
    - Shall be used towards the same category of necessary public services as defined in SB 1525.
    - If development fees were collected for a purpose not authorized by this section, they must be used for the purpose they were collected on or before January 1, 2020. If not, they have to be distributed equally among the fee categories authorized by SB 1525.
- Under SB1525, necessary public services must have a life expectancy of three or more years and that are owned and operated by or on behalf of the municipality. The definitions of necessary public services such as water, wastewater, stormwater, library, street, fire and police and neighborhood parks and recreational facilities have been redefined by category.
- A municipality may continue to assess a development fee adopted before January 1, 2012 for any facility that was financed before June 1, 2011 if development fees were pledged to repay debt service obligations related to the construction of the facility.

In order to clarify the language in SB1525, the Arizona League of Cities and Towns formed a committee to develop a model city ordinance for cities and towns to adopt. In this model ordinance, Financing or Debt was described as *any debt, bond, note, loan, interfund loan, fund transfer or other obligation utilized to finance the construction or expansion of a Capital Facility.* The City has projects that will need to be eliminated or replaced with debt in this fee update and will be described in each fee category impacted.

Methodology

Development fees that were adopted prior to January 1, 2012 may continue to be assessed only for projects allowable under SB1525 unless the facility was financed prior to June 1, 2011 and the fees are used to pay the principal and interest on outstanding debt.

H&M reviewed the 2008 Development Fee Study in detail with staff to determine what projects or portions of a project are considered "unallowable" under SB1525. The assumptions such as population, job and trip generation projections as well as the methodology used in the study remained the same. The revisions to the fees are strictly a result of removing the costs of the "unallowable" projects or portion of projects in the facility categories, and calculating the new fee using the same methodology and assumptions.

Senate Bill 1525 defines "necessary public services" by defining the facilities that are included in the calculation of development fees. Part of the requirement is that they must have a life expectancy of 3 or more years and are owned and operated by or on behalf of the municipality.[1]

[1] Source Document: *Senate Bill 1525, Section T, Subsection 5.*

General Government Fees

Projects in the General Government Fee Category have primarily been eliminated as a result of SB1525 unless there is debt to repay through pledged impact fees. There is no outstanding debt for the general government fee projects in the 2008 study. As a result, the revised general government fee will be eliminated. The fees eliminated are as follows:

CURRENT TO REVISED GENERAL GOVERNMENT DEVELOPMENT FEE AMOUNTS			
Residential	Per Housing Unit	Proposed Revised Fees	
Single Family	$375	$0	
All Other Housing	$224	$0	
Nonresidential		Per 1,000 Sq. Ft.	
Com / Shop Ctr 25,000 SF or less		$201	$0
Com / Shop Ctr 25,001-50,000 SF		$173	$0
Com / Shop Ctr 50,001-100,000 SF		$152	$0
Com / Shop Ctr 100,001-200,000 SF		$134	$0
Com / Shop Ctr 200,001-400,000 SF		$121	$0
Office / Inst 25,000 SF or less		$251	$0
Office / Inst 25,001-50,000 SF		$236	$0
Office / Inst 50,001-100,000 SF		$223	$0
Office / Inst 100,001-200,000 SF		$211	$0
Business Park		$191	$0
Light Industrial		$140	$0
Warehousing		$77	$0
Manufacturing		$108	Per Room
Lodging		$27	$0

Police Fees

There is a residential and non-residential police development fee because the police department serves both populations. The current police development fee is presented in **Figure 1**.

Figure 1 – Current Police Development Fees

CURRENT POLICE DEVELOPMENT FEE AMOUNTS			
Residential	Per Housing Unit		
Single Family	$495		
All Other Housing	$294		
Nonresidential		Per 1,000 Sq. Ft.	
Com / Shop Ctr 25,000 SF or less		$192	
Com / Shop Ctr 25,001-50,000 SF		$166	
Com / Shop Ctr 50,001-100,000 SF		$139	
Com / Shop Ctr 100,001-200,000 SF		$119	
Com / Shop Ctr 200,001-400,000 SF		$101	
Office / Inst 25,000 SF or less		$57	
Office / Inst 25,001-50,000 SF		$48	
Office / Inst 50,001-100,000 SF		$41	
Office / Inst 100,001-200,000 SF		$36	
Business Park		$40	
Light Industrial		$21	
Warehousing		$15	
Manufacturing		$12	Per Room
Lodging			$17

Projects that can be included or excluded in the Police Fees for the January 2012 update have the following description in SB1525[2]: "Fire and police facilities, including all appurtenances, equipment and vehicles. Fire and Police Facilities do not include a facility or portion of a facility that is used to replace services that were once provided elsewhere in the municipality, vehicles or equipment used to provide administrative services, helicopters or airplanes or a facility that is used for training firefighters or officers from more than one station or substation."

[2] Source Document: *Senate Bill 1525, Section T, subsection 5(f).*

Police Project Costs Removed

There was one police project removed from the 2008 development fee study and it was the police training facility in the amount of $5,278,080, to meet the requirements of SB1525. There is no outstanding debt for this project. The comparison of the current versus the revised police development fees with the Police Training Facility removed is presented in **Figure 2**.

Figure 2 – Comparison of Current to Revised Police Development Fees

COMPARISON OF CURRENT TO REVISED POLICE DEVELOPMENT FEE AMOUNTS			
Residential	Per Housing Unit-Current	Per Housing Unit-Revised	Change
Single Family	$495	$296	($199)
All Other Housing	$294	$176	($118)
Nonresidential	Per 1,000 Sq. Ft.	Per 1,000 Sq. Ft.	
Com / Shop Ctr 25,000 SF or less	$192	$146	($46)
Com / Shop Ctr 25,001-50,000 SF	$166	$126	($40)
Com / Shop Ctr 50,001-100,000 SF	$139	$105	($34)
Com / Shop Ctr 100,001-200,000 SF	$119	$91	($28)
Com / Shop Ctr 200,001-400,000 SF	$101	$76	($25)
Office / Inst 25,000 SF or less	$57	$43	($14)
Office / Inst 25,001-50,000 SF	$48	$37	($11)
Office / Inst 50,001-100,000 SF	$41	$32	($9)
Office / Inst 100,001-200,000 SF	$36	$27	($9)
Business Park	$40	$30	($10)
Light Industrial	$21	$16	($5)
Warehousing	$15	$12	($3)
Manufacturing	$12	$9	($3)
Lodging (Per Room)	$17	$14	($3)

Parks and Recreation Fee

The current Parks and Recreation Fees are charged to residential units at a fee of $2,605 for single family unit and $1,551 for all other housing type units. There is no park and recreation fee for non-residential units.

Senate Bill 1525 defines neighborhood parks and recreations facilities as follows: "Neighborhood parks and recreational facilities on real property up to thirty acres in area, or parks and recreational facilities larger than thirty acres if the facilities provide a direct benefit to the development. Park and recreational facilities do not include vehicles, equipment or that portion of any facility that is used for amusement parks, aquariums, aquatic centers, auditoriums, arenas, arts and cultural facilities, bandstand and orchestra facilities, bathhouses, boathouses, clubhouses, community centers greater than three thousand square feet in floor area, environmental education centers, equestrian facilities, golf course facilities, greenhouses, lakes, museums, theme parks, water reclamation or riparian areas, wetlands, zoo facilities or similar recreational facilities, but may include swimming pools."[3]

Park and Recreation Project Costs Removed

The following project costs were removed from the development fee calculation to meet the requirements of SB1525. There is no outstanding debt for the projects removed. Listed below is the title of the project, the reason for the removal, and the amount removed listed on **Figure 3**.

Figure 3 – Park Projects Removed

Project Title	Reason Removed	Cost
W. Lane Lambert Park	Open Space (May be revisited in study update)	$ 4,765,142
Naranja Town Site	Open space/Trails	$ 163,200
Canada Del Oro Riverfront Park	Outdoor Amphitheater	$ 34,795,900
Park Vehicles	Park Vehicles not allowed at this time (maybe revisited in study update)	$ 272,144
Total Costs Removed		$ 39,996,386

[3] Source Document: *Senate Bill 1525, Section T, Subsection 5(g).*

The revised development fee for residential single family unit will be $555, a $2,050 decrease and for all other housing types, will be at $336 per unit, a $1,215 decrease as shown in **Figure 4**.

Figure 4 – Comparison of Current to Revised Park & Recreation Development Fees

	PARKS & RECREATION DEVELOPMENT FEE AMOUNTS (Per Housing Unit)		
Residential	Current Fee	Revised Fee	Change
Single Family	$2,605	$555	($2,050)
All Other Housing	$1,551	$336	($1,215)

Library Fees

The current Library Fee is charged to residential units at a fee of $670 for single family and $399 for all other housing types. There is no library development fee for non-residential units.

Senate Bill 1525 defines library facilities as "library facilities up to ten thousand square feet that provide a direct benefit to development, not including equipment, vehicles or appurtenances."[4]

Library Project Costs Removed

The Town Library with land costs in the 2008 development study was for a 25,000 SF facility. To be compliant with SB1525, 15,000 SF of the cost of the library and land was removed or $6,527,016. There is no outstanding debt for this project.

The revised development fee for residential single family units will be $231, a $439 decrease and for all other housing type units, will be $136 per unit, a $263 decrease as shown in **Figure 5**.

Figure 5 – Comparison of Current to Revised Library Development Fees

	COMPARISON OF CURRENT TO REVISED LIBRARY DEVELOPMENT FEE AMOUNTS (Per Housing Unit)		
Residential	Current Fee	Revised Fee	Change
Single Family	$670	$231	($439)
All Other Housing	$399	$136	($263)

[4] Source Document: *Senate Bill 1525, Section T, Subsection 5(d).*

Summary

The current non-utility development fees consisting of General Government, Police, Parks and Recreation, Library and Transportation (fee did not change), totals $6,078 for single family unit, $3,798 for all other housing units, and a range of $5,926 to $498 per 1,000 SF for non-residential, and $600 per room for lodging as shown in **Figure 6**. The proposed revised fees to be in compliant with SB1525 for the non-utility development fees totals $3,015 per single family unit, $1,979 for all other housing per unit, a range of $5,679 to $387 per 1,000 SF for non-residential, and $570 per room for lodging as shown in **Figure 7**. This is the interim fee schedule that must be adopted prior to January 1, 2012 in order to allow the Town of Oro Valley to continue to collect development fees to provide necessary public services under SB1525.

Figure 6: Total Existing Non-Utility Development Fees [5]

EXISTING DEVELOPMENT FEE AMOUNTS						
Residential -Per Housing Unit	***General Govt.***	***Police***	***Parks & Rec.***	***Library***	***Transportation***	***Total***
Single Family	$375	$495	$2,605	$670	$1,933	$6,078
All Other Housing	$224	$294	$1,550	$399	$1,331	$3,798
Non-Residential – Per 1,000 Square Feet of Floor Area						
	General Govt.	**Police**	**Parks &Rec.**	**Library**	**Transportation**	**Total**
Com / Shop Ctr 25,000 SF or less	$202	$192	NA	NA	$5,532	$5,926
Com / Shop Ctr 25,001-50,000 SF	$173	$166	NA	NA	$4,807	$5,146
Com / Shop Ctr 50,001-100,000 SF	$152	$139	NA	NA	$4,014	$4,305
Com / Shop Ctr 100,001-200,000 SF	$134	$119	NA	NA	$3,436	$3,689
Com / Shop Ctr 200,001-400,000 SF	$121	$101	NA	NA	$2,921	$3,143
Office / Inst 25,000 SF or less	$251	$57	NA	NA	$1,812	$2,120
Office / Inst 25,001-50,000 SF	$236	$48	NA	NA	$1,547	$1,831
Office / Inst 50,001-100,000 SF	$223	$41	NA	NA	$1,318	$1,582
Office / Inst 100,001-200,000 SF	$211	$36	NA	NA	$1,123	$1,370
Business Park	$191	$40	NA	NA	$1,260	$1,491
Light Industrial	$140	$21	NA	NA	$689	$850
Warehousing	$77	$15	NA	NA	$490	$583
Manufacturing	$108	$12	NA	NA	$378	$498
Non-Residential – Per Room						
Lodging	$27	$17	NA	NA	$556	$600

[5] There may be rounding differences due to the application of the Marshal Swift Valuation applied in 2010.

Figure 7: Revised Fee Schedule

Residential – Per Housing Unit						
	General Govt.	Police	Parks & Rec.	Library	Transportation	Total
Single Family	$0	$296	$555	$231	$1,933	$3,015
All Other Housing	$0	$176	$336	$136	$1,331	$1,979
Non-Residential – Per 1,000 Square Feet of Floor Area						
	General Govt.	Police	Parks and Rec.	Library	Transportation	Total
Com / Shop Ctr 25,000 SF or less	$0	$146	NA	NA	$5,533	$5,679
Com / Shop Ctr 25,001-50,000 SF	$0	$126	NA	NA	$4,807	$4,933
Com / Shop Ctr 50,001-100,000 SF	$0	$105	NA	NA	$4,014	$4,119
Com / Shop Ctr 100,001-200,000 SF	$0	$91	NA	NA	$3,436	$3,527
Com / Shop Ctr 200,001-400,000 SF	$0	$76	NA	NA	$2,921	$2,997
Office / Inst 25,000 SF or less	$0	$43	NA	NA	$1,812	$1,855
Office / Inst 25,001-50,000 SF	$0	$37	NA	NA	$1,547	$1,584
Office / Inst 50,001-100,000 SF	$0	$32	NA	NA	$1,318	$1,350
Office / Inst 100,001-200,000 SF	$0	$27	NA	NA	$1,123	$1,150
Business Park	$0	$30	NA	NA	$1,260	$1,290
Light Industrial	$0	$16	NA	NA	$689	$705
Warehousing	$0	$12	NA	NA	$490	$502
Manufacturing	$0	$9	NA	NA	$378	$387
Non-Residential – Per Room						
Lodging	$0	$14	NA	NA	$556	$570

Key Provisions of SB1525 Mesnard Substitute Floor Amendment; April 18, 2011

- Allows continued assessment and collection of current impact fee schedules to pay debt service on existing bonds for projects currently underway, even if the fees would no longer be allowed after the effective date of the bill.
- Maintains phrase "necessary public services" in statute; however, a new definition narrows the permissible uses of impact fees to address homebuilder concerns regarding improper use of fees for general government purposes, "exotic" facilities (i.e. parks over 30 acres or libraries over 10,000 square feet), and other uses deemed by the homebuilders to be unacceptable, while preserving settled expectations with regard to core health/safety capital infrastructure facilities.
- Limits development fees to the proportional share of the cost of new infrastructure that is attributable to new development, and prohibits increasing the level of service that is provided to existing residents. Requires development fees to be assessed in service areas within which there is a substantial nexus between the necessary public service and new growth.
- Clarifies that offsets against impact fees need only be provided for taxes that go towards capital costs of infrastructure. Between June 30, 2011 and July 31, 2012, a municipality cannot increase its construction sales tax rate to an amount greater that its general TPT rate (existing rates above the TPT rate can continue in effect). After August 1, 2014, the differential portion of a discriminatory sales tax on new construction must be counted as an offset in the calculation of the fee amount, regardless of its actual use.
- Clarifies that credits against impact fees are only due where a developer pays for (or is required to provide) infrastructure in an Infrastructure Improvements Plan for which development fees were assessed, including a facility that was added to replace or substitute for other infrastructure in an Infrastructure Improvements Plan.
- If impact fees are assessed, requires impact fees to be assessed against residential, commercial and industrial users, but continues to allow differential impact fee rates to be adopted for residential, commercial and multi-family construction.
- Specifies that a municipality may not waive development impact fees unless it provides reimbursement to impact fee accounts for the waived fees.
- Creates new public notice and hearing procedures for assessing, adopting, and amending development fees, with fees tied to the Infrastructure Improvements Plan in lieu of an independent fee study. Existing fee studies and plans will need to be replaced using the new system no later than August 1, 2014, or a municipality will be unable to continue to collect fees.
- Allows cities and towns to change their Infrastructure Improvements Plans without going through the public process where changes will not affect the level of service in a service area, or will not result in a fee increase of more than 5%.
- Requires Infrastructure Improvements Plan to identify all capital projects that are the subject of development impact fees, disclose existing facilities, required upgrades, and other costs of existing facilities not associated with new development, identify offsets and have a professionally-prepared fee study set the development fees necessary to assess the appropriate level of costs for each permitted infrastructure item to new development.

- Requires a refund to current property owner of certain impact fees if the infrastructure that is the subject of a development fee is not built within ten years (or the timeframe identified in the IIP) or fifteen years for water and wastewater projects. Also requires a refund of the "savings" amount if actual costs are more than ten percent lower than the costs estimated in the IIP.
- Requires either creation of an Advisory Committee to provide input on the adoption and administration of impact fees or a biennial audit of a municipality's impact fee program.
- Changes "grandfathering" provision to apply for 24 months after issuance of the first building permit for residential construction; or upon final approval for commercial, industrial or multi-family construction. Eliminates indexing provisions.
- Creates new definitions of "development," "service areas" and "service units."
- The currently-existing development fee freeze is ended on December 31, 2011.