

TOWN OF ORO VALLEY

PLANNING & ZONING COMMISSION

MEETING DATE: August 2, 2011

TO: PLANNING & ZONING COMMISSION

FROM: David A. Williams, AICP, Planning Division Manager

SUBJECT: Public Hearing: Planned Area Development (PAD) Amendment for the Oro Valley Town Centre at Rooney Ranch, located on the east side of Oracle Road and First Avenue, (OV911-003).

SUMMARY

The proposed Planned Area Development (PAD) amendment is primarily focused on the 27.8-acre (Area #1 on Exhibit CC-1 in the attached PAD redline) and 4.5-acre commercial portions of property (Area #2 on Exhibit CC-1) within the Oro Valley Town Centre PAD, located on the east side of Oracle Road between First Avenue and the Rooney Wash. The other areas of the PAD, including the hotel/office/retail site (Area #3 on Exhibit CC-1) and the residential portion (Area #4 on Exhibit CC-1), lie to the south of the commercial property, between the Rooney Wash and Pusch View Lane and are not proposed to be changed by the PAD amendment. The Oro Valley Town Centre PAD is approximately 141 acres in size and is currently undeveloped.

The PAD amendment request entails numerous minor and substantive changes to the PAD which affect the overall land use mix by permitting ground level multi-family residential, additional conditional uses, and PAD development standards. Many of the proposed amendments are relatively minor in nature and serve to update and modernize the PAD to be consistent with current conditions and Town regulations, including the Landscape Conservation code and Design Standards. The focus of this report is on the more substantive issues, including the proposed land use mix and development standards.

BACKGROUND

Amendment Request

The applicant's stated objective is to allow greater flexibility in designing the commercial phase of the Oro Valley Town Centre. The vision for the commercial portion of the current PAD is to create a "discernable [town] center" (Goal 1) and "*commercial core, which is effectively new, exciting, and different to the extent that it offers a distinctive and excellent alternative to other business, retail, and residential areas in the Northern Tucson metropolitan region*" (Goal 7). The amendment request would change the focus of the PAD to a more traditional suburban shopping center with enhanced pedestrian connectivity. The applicant states that the PAD requires an amendment to allow more flexibility to attract potential businesses while still maintaining high development standards as embodied in the existing PAD.

Site Conditions

- Total PAD area is 141 acres; primary commercial portion (Area #1) is 27.6 acres; Area #2 is 4.5 acres
- Zoning is Oro Valley Town Centre PAD
- The entire property is currently vacant
- Approved uses include retail, restaurants, hotel and single family residential

Approvals to Date

- The PAD was approved by Town Council on October 16, 2002 (Ordinance 02-33)

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- The approved Tentative Development Plan (TDP) or site plan is included as Appendix F in the attached redlined PAD.

Surrounding Land Uses

Direction	Zoning	Land Use
North	La Reserve PAD	Desert Pointe Retirement Community
South	El Conquistador PAD	Single Family Residential
East	La Reserve PAD	(NE)-Commercial and Multi-Family Residential (SE)-Single Family Residential
West	Rooney Ranch PAD	(NW)-Commercial/Retail (SW)-Office and Multi-Family Residential

General Plan Conformance

The General Plan designates Area #1 (commercial portion) of the PAD as Neighborhood Commercial/Office. This designation denotes commercial and office areas located with good arterial access that are close to residential areas. Uses may include grocery stores, drugstores, and offices that tend to serve the surrounding neighborhood and are integrated with those neighborhoods. Further, this property is designated as a "Growth Area" in the General Plan, which, pursuant to State Statute, is an area that is, "particularly suitable for planned multi-modal transportation and infrastructure expansion and improvements designed to support a planned concentration of a variety of uses, such as residential, office, commercial, tourism and industrial uses".

The following General Plan policies are notable for this proposal:

Policy 1.3.3, "The Town shall encourage the establishment of new commercial uses in areas so designated on the land use map near new residential neighborhoods with the type, scale and potential for buffering to be taken into account"

The proposed amendment will allow a greater variety of commercial uses. The office or multi-family uses would be placed in accordance with the Illustrative Site Plans (see Appendix CC-1 in the PAD) adjacent to La Reserve.

Policy 1.3.4, "The Town shall encourage clustering of commercial developments at specific nodes or villages that are planned with strict aesthetic and design guidelines. The Town shall discourage strip commercial developments and free-standing pads"

While the development will adhere to the Town's Design Standards and landscape code, the commercial development will be based largely on free-standing pads. The "main street" node envisioned in the current PAD is no longer proposed.

Policy 3.1, "To ensure long-term financial and economic sustainability for the Town of Oro Valley"

The applicant states that they have not found a viable market for this the currently approved mixed use main street type of development and that the additional development flexibility requested will allow them to respond to existing market demand. This is contrasted with the Town's long-term goal of ensuring economic sustainability through the development of unique, regionally-significant mixed-use activity centers.

ANALYSIS OF PROPOSED PAD AMENDMENTS

Amendment Overview

The proposed PAD amendments involve a range of items that are focused on the 27.8 acre commercial area (Area #1) located north of the Rooney Wash and 4.5-acre Area #2 located south of the Rooney Wash. Staff has worked with the applicant and neighbors to identify areas of concern and the applicant has integrated PAD standards that address many of these issues, including a modified request for additional building height, landscape standards, and Design Standards.

Substantive Issues

The substantive items, including those relating to building heights, convenience uses, and the multi-family are summarized below. Please refer to the attached comparison table of existing PAD standards and the proposed amendments (Attachment #3).

Below is a summary of the substantive items followed by existing PAD requirements and staff commentary:

1. Convenience Uses: The applicant is requesting to delete the limitation on the number of convenience uses and the requirement that the applicant obtain Mayor and Council approval for fast food, drive-through or drive-in restaurants, gas stations, or car washes. Further, the applicant proposes to include the requirement for a Conditional Use Permit (CUP) for convenience uses per the Town Zoning Code.

Existing PAD requirement: The PAD allows up to three (3) convenience uses and limits the type of uses unless Mayor and Council approval is granted. Convenience uses are exempted from the CUP requirements of the Zoning Code.

Staff Response: As a trade off for expanded list of conditional uses, the amendment proposes the use of the CUP process to allow the Town to closely examine each proposal and limit convenience uses if they are deemed incompatible or have significant negative impacts.

2. Multi-Family Residential: The applicant is requesting potential for multi-family residential development to be located towards the rear of Area #1 as depicted on two (2) of the four (4) Illustrative Site Plans

Existing PAD requirement: The PAD currently allows vertically integrated residential development (e.g. second floor residential units above first floor office or retail).

Staff Response: Staff recommends a multi-family residential unit cap of 275 units rather than the 15.5 acres originally proposed by the applicant. This suggestion has been accepted by the applicant and integrated into the PAD.

3. Building Height: The applicant requests a maximum building height of 40 feet for C-1, C-2, and C-N commercial uses exclusive of architectural elements which can extend an additional 5 feet, provided that the architecture provides visual relief to avoid building massing concerns. Further, the applicant proposes that office uses shall not exceed 50 feet inclusive of architectural elements. See Massing Study Photo Simulations (Attachment #4) for a visualization of how the office buildings would appear (at 60 feet tall as originally proposed).

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Existing PAD requirement: The PAD currently allows commercial and office uses (C-1, C-2, and C-N) to 35 feet with an additional 10 feet for architectural elements.

Staff Response: The applicant's request allows an additional 5 feet for commercial/retail buildings and 10 feet for office buildings, as shown on the following table. Please note that the additional allowance for architectural elements is permitted by right in the PAD:

Description	Proposed Amendment	Existing PAD requirement
Commercial Buildings	40' (+5' architectural elements)	35' (+10 architectural elements)
Office Buildings	50' (including arch. elements)	35' (+10 architectural elements)

Staff supports a three (3) story limitation for office buildings and recommends that the increased building height be limited to the rear (southwest) portion of the property and shall not be located along the Oracle Road frontage.

4. First Avenue Extension: The applicant proposes to close the First Avenue to La Reserve Drive road extension concurrent with the development of the commercial area.

Existing PAD requirement: The First Avenue extension is a private easement that has always been contemplated to be closed to through traffic with the development of the Town Centre.

Staff Response: Staff supports multi-modal connectivity, including pedestrian, bicycle and vehicular connections with adjacent neighborhoods.

5. Main Street Area: The applicant proposes to delete the Main Street Area (PAD Pages AA-1 and EE-6 and Appendix F Sheet 3) from the PAD in favor of a "multiple use development" with enhanced pedestrian connectivity. The applicant indicates that the main street design is not economically viable.

Existing PAD requirement: The PAD goal of to "create a high quality and discernable Oro Valley Town Centre mixed use development" including an 'old 'main street' theme which features on street parking, buildings located close to the street, office and apartments above the retail uses with sit down restaurants focused around a village commons area" and designed with "principles of New Urbanism", or traditional town planning.

Staff Response: This somewhat changes the character of the PAD from an "Oro Valley Town Centre" to more traditional suburban retail/office/multi-family residential development. Staff supports an approach that allows near-term development of suburban scale uses as shown on the Illustrative Site Plans while preserving the long-term opportunity to develop discernable Town center in later phases or perhaps toward the rear of the property along the Rooney Wash. featuring a main street concept. The name of the PAD, "Oro Valley Town Centre", should likely be changed.

6. Maximum Floor Area Ratio (FAR): The applicant is requesting an FAR limitation of .4 for Development Areas #1 and #2 (PAD Page CC-2).

Existing PAD requirement: The PAD states that the FAR, based on the net commercial acreage for Area #1, is approximately .29, but does not state a specific limitation (PAD Page BB-2). The Oracle Road Scenic Corridor Overlay District (ORSCOD) permits FAR of .25.

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Staff Response: The Illustrative Site Plans (Appendix C-1) portray FARs ranging from .12 to .24. Staff is supportive of development concepts that provide for compact, contiguous, higher-density development on the site so long as they are aesthetically pleasing and their massing and scale are appropriate for the context.

7. Future PAD Modifications The applicant proposes to add the provision, “any modifications to this plan will not require an amendment to the PAD” (PAD Page BB-8 and on each Illustrative Site Plan)

Existing PAD requirement: Any amendment to the approved Tentative Development Plan require a PAD amendment.

Staff Response: Staff recommends that substantial modifications to the Illustrative Site Plans that substantially deviate from the development concepts in terms of land use mix, development density or intensity, as determined by the Planning and Zoning Administrator, shall be subject to Town Council approval and that these criteria be added to Section B.10.b (Page BB-8). A condition has been added to Exhibit “A” to reflect this requirement.

Minor Issues

The following are other areas of the proposal that have been integrated into the PAD amendment as a result of negotiations with staff and neighbors. These areas include:

- Reduction of the requested office building height increase to 50' (from 60') with no additional architectural element allowance, as well as restrict buildings from locating on Oracle Road.
- Use of the Town's current landscape requirements (Section 27.6 of the Zoning Code), including water harvesting requirements. The existing recommended plant list in the PAD is not reflective of the Town's current water conservation policies and would result in a landscape inconsistent with surrounding properties as well as increase irrigation and maintenance costs, and may result in inadvertent view obstruction (e.g. Mexican Fan Palms have a mature height of 100'). The approved PAD plant list, Exhibit EE-10, has been deleted.
- Use of the Town's recently adopted Design Standards for site planning, architecture, and public art. This will result in a project design and architecture that is consistent with the Town's Design Standards.
- Provision of a multiple use trail along the north side of the Rooney Wash. Staff believes the area fronting the wash could provide an opportunity for the development of businesses and residential uses, perhaps vertically integrated, that could serve as a significant activity center with enhanced pedestrian connectivity and the scenic amenity of the wash as a backdrop. This area could potentially provide a focal point, or “discernable Oro Valley Town Centre” (PAD Page AA-1) envisioned in the adopted PAD.
- The applicant has changed the term mixed use to “multiple use” to describe the development concept in order to reflect that the request is for suburban development with defined pedestrian connectivity rather than vertical and horizontal mixed use.
- An outdoor gathering space/common open space requirement of 2% of the development area has been added to Page EE-1 of the PAD. These outdoor gathering spaces may include plazas, courtyards, “village commons” and other common areas. This requirement is consistent with Town Zoning Code requirement for commercial developments.

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- The applicant initially proposed to delete the requirement that there shall be no delivery or loading operations for commercial uses between 10:00 p.m. and 7:00 a.m. (PAD Page GG-1), but has added it back in as “between 10:00 p.m. and **6:00 a.m.**”). Staff does not object to the proposed amendment as it is consistent with delivery restrictions for other developments.
- The PAD currently requires a minimum of 25% of Commercial Areas #1 and #2 to be landscaped (PAD Page CC-2, Development Criteria #4). The applicant requests that this be reduced to 15%, which is reasonable given the limitation on Floor Area Ratio (FAR) and the applicant’s agreement to follow the Oro Valley Landscape Conservation code which contains far more robust landscape design, native plant preservation, and water harvesting requirements than the existing PAD.
- The existing requirement for a 6 foot high wall along the full length of the east property line of Development Area #3 (the hotel/office site) is proposed to be removed. Staff supports this as Area #3 is adjacent to sloped natural open space and is not adjacent to La Reserve.

Engineering Comments

Traffic Analysis

This development’s primarily vehicular access to the public road network is through intersection and driveway connection points on Oracle Road. As a part of the original PAD documentation, the existing First Avenue extension between Oracle Road and La Reserve Drive is located within a temporary access easement that is set to be terminated upon development of the Oro Valley Town Centre project. The revised PAD document maintains this original commitment with the La Reserve Community Association to remove this temporary section of First Avenue. Therefore, traffic generated by the PAD will not have direct access to the neighboring La Reserve community.

Internal circulation patterns have been represented on the Revised PAD’s Tentative Development Plan. These traffic patterns are schematic only at this level of documentation. The actual analysis of internal circulation will be determined at the time of development. However, any external improvements to the public road network that are identified as required within the approved Traffic Impact Analysis (TIA) will become a condition of approval of the revised PAD. These improvements shall be constructed at the time of project development.

The developer will be responsible to build all required mitigation measures at no cost to the Town or general public.

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 newspaper
- Post at Town Hall and on website

In addition, a neighborhood meeting was held on April 14, 2011. Approximately 45 residents and interested parties attended the meeting. A number of issues were discussed, including the following:

- Planned closure of First Avenue to La Reserve Drive extension

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- Market demand for additional commercial development in the area
- The type and character of proposed commercial development (e.g. convenience drive-thru uses)
- Proposed building heights and view and lighting impacts
- Status of the “main street” concept

The summary notes from the meeting and the Public Outreach Report (POP) are attached for your reference (see Attachment #5 and #6).

The La Reserve HOA Board has submitted a letter of support (see Attachment #7). One interested resident has submitted a letter, which is attached for your reference (see Attachment #8).

CONCLUSION/RECOMMENDATION

The degree of General Plan conformance is varied. The proposed amendments promote economic development goals but there is a lesser degree of conformance with land use policies. As discussed, the proposed amendments will alter the land use mix in relation to multi-family residential and convenience uses and will provide the developer with greater flexibility in terms of permitted uses, building heights and other PAD standards. The existing PAD is unique in several regards, including the main street element and the focus on New Urbanist design and architecture. The proposed amendment modifies this vision to a more mainstream commercial development.

If the proposed amendments are adopted, the developer asserts that they would have a greater ability to react to current market demands for convenience and multi-family uses while maintaining an architecturally attractive and contextually sensitive development as originally envisioned.

Staff supports the granting of additional development flexibility as portrayed in the Illustrative Site Plans contained in Appendix C-1 in the attached redlined PAD but recommends a number of conditions of approval in Exhibit “A”. Staff notes the potential for public-private partnerships that could implement the construction of a Town Center that could include a main street and civic, educational, cultural, and arts facilities. All other administrative and clean up items are supported.

SUGGESTED MOTION

The Planning & Zoning Commission may wish to consider one of the following suggested motions:

I move to [approve, approve with conditions, OR deny], request for approval of the Oro Valley Town Centre at Rooney Ranch PAD amendments as shown in Exhibit “A”.

ATTACHMENTS

1. PAD Amendment Redline
2. Exhibit “A” Conditions of Approval
3. Amendment Summary Table
4. Aerial Massing Photo Simulations (4 sheets)
5. Summary of Neighborhood Issues

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6. Public Outreach Report
7. La Reserve HOA Board Letter
8. Bill Adler letter

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