9/7/12 DRAFT

TOHONO CHUL PARK
PLANNED AREA DEVELOPMENT

September, 2012

ATTACHMENT 1

Tohono Chul Park
Planned Area Development
7366 N. Paseo Del Norte

Prepared for:

TOHONO CHUL PARK
7366 North Paseo Del Norte
Tucson, AZ 85704

Prepared by:

Town of Oro Valley
11000 N. La Canada Dr
Oro Valley, AZ 85737

With assistance from:

John Douglas Architects
4400 N. Civic Center Plaza
Scottsdale, AZ 85251

Racy Associates
535 W. Burton Dr.
Tucson, AZ 85704

September 2012

I. Site Analysis 3

A. Project Overview 4

B. Existing Land Uses 7

1. Existing On-Site Land Use & Zoning 7
2. Existing Zoning on Adjacent Properties 7

C. Hydrology 10

D. Scenic Resources 11

1. Viewsheds 11
2. Site Photos 11

E. Traffic Circulation and Road System 15

1. Existing Off-Site Streets 15
2. Roadway Improvements 16
3. Intersections 16
4. Alternate Modes 16

F. Existing Infrastructure 17

1. Sewer 17
2. Water 18

II. Land Use Proposal 19

A. Planning Considerations 20

1. Rationale for Use of a PAD 20
2. Conformance with General Plan 21
3. Conceptual Land Use Plan 21

B. Permitted and Excluded Uses 30

1. Permitted Uses 30
2. Accessory Land Uses 30
3. Excluded Land Uses 30

C. Development Standards 31

1. Site Development Standards 31
2. Vehicular Parking 31
3. Lighting 32
4. Signage 32

D. Landscape Standards 35

1. Plant Palette 35
1. Bufferyards 35

E. Open Space 36

F. Water & Wastewater Plan 36

G. Infrastructure Phasing Plan 36

H. Design Review 36
I. Interpretation and Amendments 37
1. Interpretation 37
2. Amendments 37

List of Exhibits

Exhibit 1: Regional Location 5
Exhibit 2: Aerial View 6
Exhibit 3: Existing Zoning 8
Exhibit 4: Existing Land Uses 9
Exhibit 5: Photo Key Map 12
Exhibit 6: Site Photos 13
Exhibit 7: Existing Sewer Network 17
Exhibit 8: Conceptual Site Plan 22
Exhibit 9: Future Expansion Concept 23
Exhibit 9-A: Visitor Center Overview 24
Exhibit 9-B: Visitor Center Conceptual Floor Plan 25
Exhibit 9-C: Visitor Center Conceptual Elevations 26
Exhibit 9-D: Center for the Arts Overview 27
Exhibit 9-E: Center for the Arts Conceptual Elevations 28
Exhibit 9-F: Center for the Arts Performance Garden Concept 29
Exhibit 10: Proposed Sign Placement Map 33
Exhibit 11: Mock up of Permanent Signage 34

I. Site Analysis

A. Project Overview

The Tohono Chul Park Planned Area Development (PAD) encompasses approximately 48.5 acres located on to the northeast corner of Ina Road and Paseo Del Norte (See Exhibit 1: Regional Location). The project site is currently zoned Pima County CR-1 (Single Residence Zone) and CB-1 (Local Business Zone). The use of this site as a museum/botanical garden was permitted in accordance with non-conforming use permit #P99CP04979, issued on May 14, 1999. A change in zoning to Planned Area Development (PAD) is requested for future development of the site.

The mission of Tohono Chul Park is:

> ***To enrich people's lives by providing them the opportunity to find peace and inspiration in a place of beauty, experience the wonders of the Sonoran Desert, and to gain knowledge of the natural and cultural heritage of this region.***

The Park has grown and expanded over the years to become a nationally recognized showcase for Sonoran Desert and Southwest Region plants, arts, and culture.

Previous zoning and development approvals for the property include Pima County case numbers:

- Co9-71-73
- Co9-80-140
- Co9-84-13
- P1200-176

The purpose of the following Site Analysis is to identify the opportunities, constraints and physical characteristics of the site. The analysis is intended to guide future development in a manner that is sensitive and responsive to the physical conditions of the site. Since most of
the site has already been developed, this Site Analysis will focus primarily on existing development and site conditions, including:

- Existing land uses
- Hydrology
- Scenic Resources
- Traffic Circulation
- Existing infrastructure

Exhibit 1: Regional Location

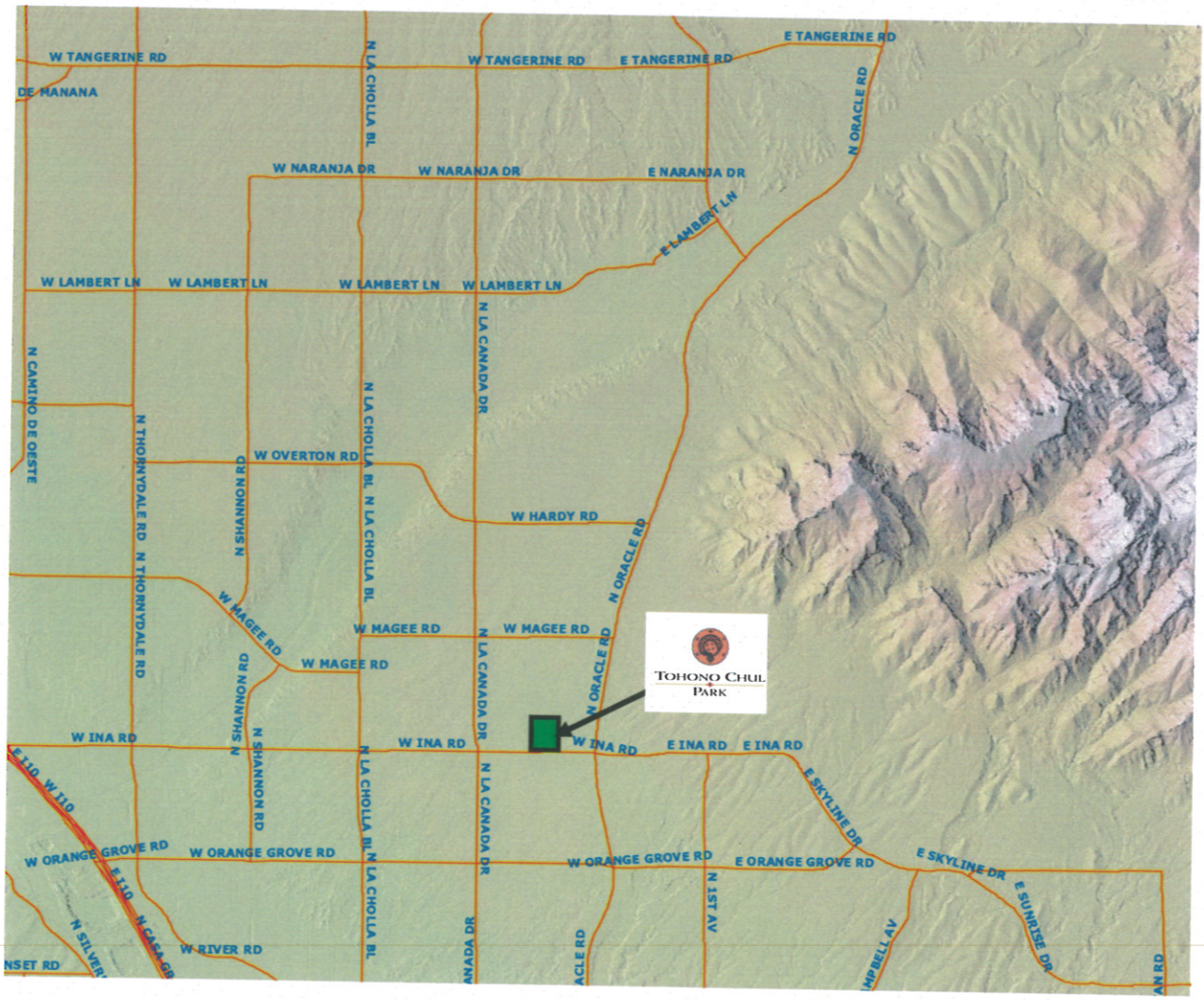


Exhibit 2: Aerial View

B. Existing Land Uses

This section identifies existing zoning, land use and structures on-site and on surrounding properties, as well as other proposed development in the project vicinity.

1. Existing On-Site Land Use & Zoning

The majority of the PAD District (approx. 47.2 acres) is currently zoned Pima County CR-1 (Single Residence Zone), which permits single-family residential development and ancillary uses. Approximately 1.42 acres of the eastern portion of the property is zoned Pima County CB-1 (Local Business Zone), which permits neighborhood scale commercial uses.

The site is composed primarily of undisturbed natural desert and cultivated gardens, with a number of accessory uses including:

- Plant nursery with retail sales
- Tea Room (restaurant)
- Visitor Center
- Book Store
- Educational facility with classrooms

There are currently approximately 40,320 square feet of structures on the property, including:

- Main Building- Including Exhibits & Museum Shop (6,441 square feet)
- Desert Discovery Education Center
- Offices (2,674 square feet)
- Tea Room (4,361 square feet)
- Book Shop (6,764 square feet)
- Wildlife observation structure (491 square feet)
- Shade structures, canopies, and ramadas (5,966 square feet total)
- Greenhouses and shade houses (5,560 square feet total)
- Meeting Rooms
- Maintenance Buildings

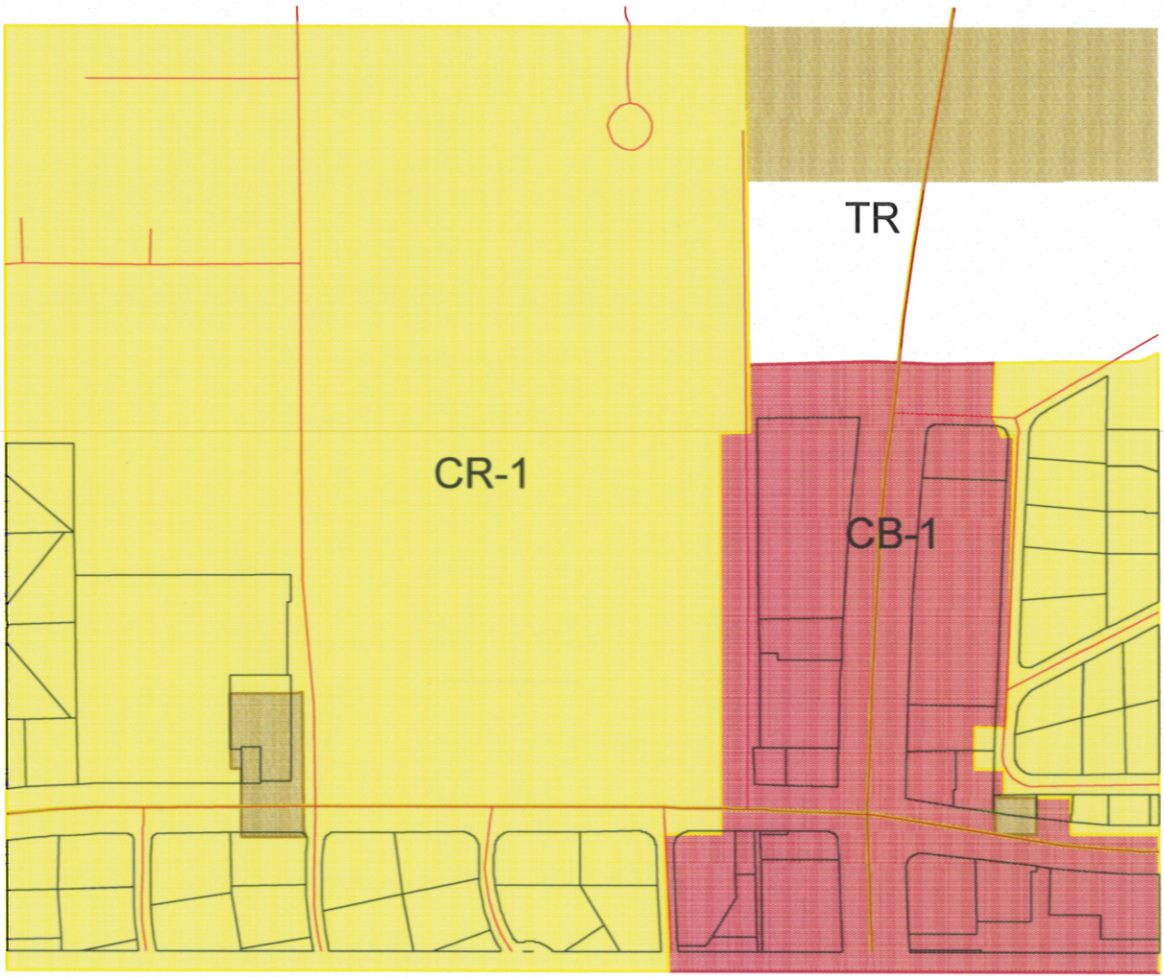
2. Existing Zoning on Properties within a One-Quarter Mile Radius

a. Zoning

The zoning designations of surrounding properties, as depicted in Exhibit 3, are as follows:

North:	Pima County CR-1 (Single Residence Zone) and Pima County SR (Suburban Ranch Zone)
South:	Pima County CR-1 (Single Residence Zone) and Pima County CB-1 (Local Business Zone)
East:	Pima County CB-1 (Local Business Zone) and Pima County TR (Transitional Zone)
West:	Pima County CR-1 (Single Residence Zone)

Exhibit 3: Existing Zoning



b. Land Use

The PAD District is surrounded by single-family homes to the north, west and south, and commercial development on the east and northwest. Exhibit 4: Existing Land Uses displays the following surrounding land uses:

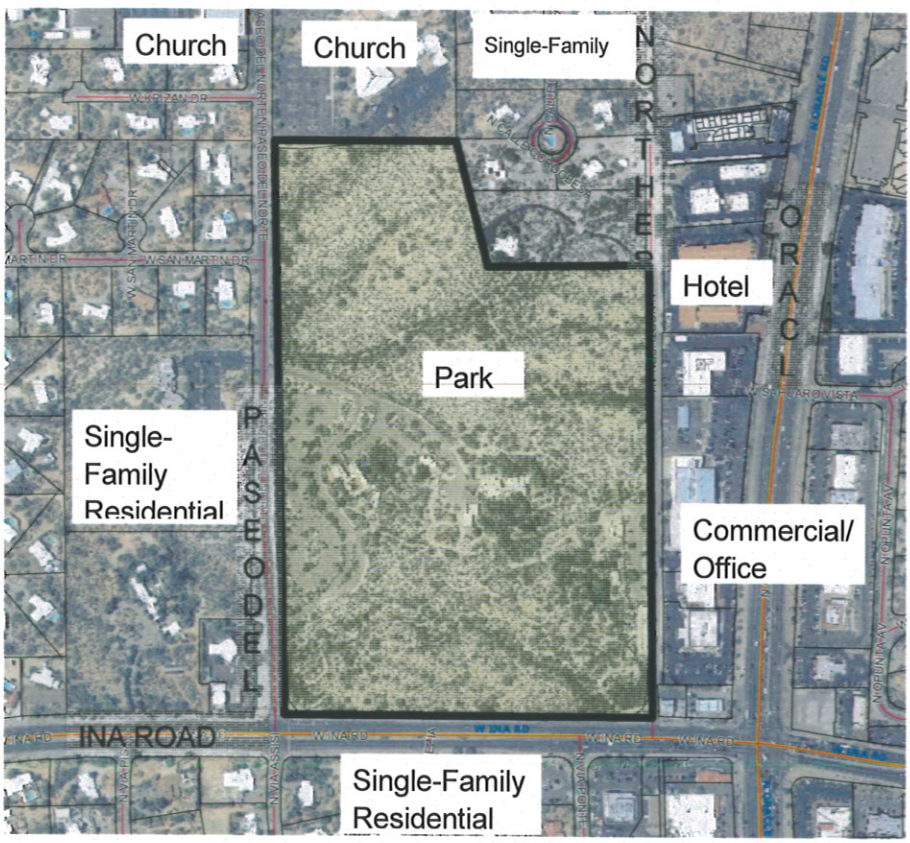
North: St. Odilia Roman Catholic Church and Single-Family Residences

South: Ina Road: Single-Family Residences

East: Northern Ave; Commercial Development

West: Paseo Del Norte; Single-Family Residences & Commercial

Exhibit 4: Existing Land Uses



c. Pending and Conditional Rezonings

There are no pending or conditional rezonings within a one-quarter mile radius of the site.

d. Architectural Styles of Adjacent Development

The prevailing general architectural style for adjacent properties is Southwestern contemporary. Buildings typically feature flat roofs or gable and hip roofs with Spanish tile. Exterior stucco colors feature a range of light desert earth tones.

C. Hydrology

1. **Off-Site Watersheds:** The subject property is impacted by four main off-site watersheds that drain mostly in an easterly to westerly direction. The off-site watersheds contribute to four main washes that drain through the subject property.

2. **Off-Site Features:** Single family residential, commercial, and church uses exist adjacent to the upstream boundaries of the subject property. Northern Avenue separates the subject property from commercial development along the east boundary. Off-site flows enter the subject property from the adjacent uses, mostly through existing natural washes.

3. **On-Site Hydrology:** There are five main watersheds located within the subject property. The watersheds drain to four main natural washes that slope in a mostly easterly to westerly direction. Three of the main washes convey 100-year peak flows of greater than 50 cfs and are considered local floodplains. The largest of the three washes is named the Nanini Wash and ultimately discharges into the Rillito River. The subject parcel is located in FEMA Zone X per FIRM Panel #04019C1680L; therefore, there are no areas of federally mapped floodways or floodplains located on the site.

4. **Downstream Drainage Conditions:** The parcels to the west are separated from the subject property by Paseo Del Norte and have similar terrain and vegetation. The on-site drainage continues through the downstream properties within existing, natural drainageways.

D. Scenic Resources

1. Viewsheds

The site is highly visible from the southern boundary (Ina Road), western boundary (Paseo del Norte), and eastern boundary (Northern Avenue). However, the property is well buffered with vegetation and walls which effectively mitigate negative view impacts. The property appears as a unique "oasis" of gardens and open space amidst urban and suburban development.

2. Site Photos

As demonstrated in the photographs on the following pages (Exhibit 7: Site Photos) views of the Santa Catalina Mountains are prominent from the project site to the east. The Photo Key Map indicates the locations from which each of the photos was taken.

Exhibit 5: Photo Key Map

Exhibit 6: Site Photos

Photo 1: View looking south

Photo 2: View looking south

Photo 3: View looking east

Photo 4: View looking east

Photo 5: View looking east

Photo6: View Looking northeast

Photo 7: View looking northeast

Photo 8: View looking north

Photo 9: View looking north

Photo 10: View looking northwest

Photo 11: View looking west

Photo 12: View looking west

E. Traffic Circulation and Road System

1. Existing Off-Site Streets

Paseo del Norte and Northern Avenue are currently the only roadways that provide access to Tohono Chul Park. Paseo del Norte runs north/south along the western border and Northern Avenue runs north-south along the eastern border the subject property. Ina Road is a major 4-lane arterial that runs east-west providing access from I-10 from the west and areas to the east such as the Catalina Foothills area.

Additional notable roadways within a one-mile vicinity of the site include Oracle Road to the east, La Canada Drive to the west, and Magee Road to the north.

Table E.1: Roadway Inventory gives details on the adjacent roadways within a one-mile radius of the project site.

	Paseo Del Norte	Northern Avenue	Ina Road
Major Routes Classification	Minor Collector	Minor Local	Major Arterial (PC Scenic Major Route)
Existing R.O.W. (feet)	Varies (70'-115')	60	150
Number of Lanes	2	2	4
Speed Limit	45	25	45
Ownership	Pima Co.	Pima Co.	Pima Co.
ADT (Source, Year)	Unavailable	Unavailable	29,000 (PAG 2010)
Surface Conditions	Paved w/ bike path and shoulders Fair	Paved with curbed edges Fair	Paved w/ bike path and shoulders Good

2. Roadway Improvements

The following surrounding roadway improvements are either underway or are listed in the PAG Transportation Improvement Plan:

- Oracle Road/Ina Road Intersection – Improvement to construct a "Michigan Left" at grade intersection improvement to increase capacity of the intersection. Construction is not yet underway but is scheduled to begin soon.
- Magee Road (La Canada to Oracle Road) – Improvement to construct a four lane divided roadway. Construction is not yet underway but is scheduled to begin soon.
- La Canada Road (River Road to Ina Road) – Improvement to construct a four lane divided roadway. Construction is currently underway.

3. Intersections

The intersections of Ina Road/Oracle Road, Ina Road/La Canada Drive, Ina Road/Northern Avenue, Ina Road/Paseo Del Norte and Magee Road/Paseo Del Norte are all located within one mile of the project site. The intersections of Ina Road/Oracle Road, Ina Road/Paseo Del Norte, and Ina Road/La Canada Drive are signalized.

4. Alternate Modes

Fixed-route transit stops are currently located on southbound Oracle Road at the Casas Adobes Plaza and on westbound Ina Road just west of Oracle Road.

The subject property is within the regional Sun Shuttle Dial-a-Ride service area.

Designated bike routes with striped shoulders run along both sides of Ina Road and Paseo Del Norte.

There are no sidewalks that connect to the subject property.

F. Existing Infrastructure

1. Sewer

The property is served by the Pima County Regional Wastewater Reclamation Department (PCRWRD). An 8" sewer line (G-2000-127) runs along a portion of the western edge of the property boundary and an 8" sewer line (M-546) runs the length of the eastern property line (See Exhibit 7: Existing Sewer Network).

Exhibit 7: Existing Sewer Network

2. Water

Tohono Chul Park is located within the Metropolitan Water District. An assured water supply exists to serve the property.

II. Land Use Proposal

A. Planning Considerations

The Tohono Chul Park PAD is intended to provide a guide for the future expansion of park facilities consistent with the master plan.

1. Rationale for Use of a PAD

The Planned Area Development (PAD) zoning designation is intended to provide land use guidance for the future development of Tohono Chul Park. It will allow for the expansion of existing facilities and completion of additions included in the master plan. These improvements include:

Tea Room Addition & Remodel	
New construction – Dining Room/ Service area	977 SF
Kitchen Addition	900 SF
Remodel Construction – Dining Room	640 SF
Covered Patios	560 SF
Retail Store Addition & Remodel	
New Construction - Retail Store/ Entry Foyer	2669 SF
New Group Entrance	
New Shade Structure at Retail	610 SF
New Shade Structure at Bus Bay	530 SF
Performance Garden	
New Storage Structure	352 SF
New Shade Structure	4,676 SF
Lomaki House	
New Covered Patios	410 SF
New Admin. Offices	
New Offices for Admin.	2,730 SF
New Covered Breezeway	620 SF
Greenhouse Expansion (Northern)	
New Retail Greenhouse Expansion	3,500 SF
Exhibit House Patio	
New Covered Patio Structure:	1175 SF
Catering/Delivery Area	650 SF
Total Planned New Construction Area:	**20,999 SF**

The proposed additions represent an increase to the existing building area of approximately 53%. In addition, Tohono Chul Park proposes to incorporate a number of other improvements, including:

- New pathways and trails
- A children's ramada
- A catering area
- Covered patios
- Performance stage and seating
- Additional parking

The primary objective of the PAD is to ensure that Tohono Chul Park is able to develop in accordance with their master plan in an efficient, coordinated, and timely manner while ensuring that the development is context-sensitive and appropriate for the community. The following goals will guide future development:

- Protect the privacy and integrity of adjacent neighborhoods;
- Promote high aesthetic standards through the use of the Town's Addendum "A" Design Standards while providing latitude to maintain the unique qualities and character of the Park;
- Minimize adverse environmental impacts of development;
- Design circulation and access points to provide for safe vehicular and pedestrian interaction within the interior of the development and adjacent development.

2. Conformance with General Plan

The Oro Valley General Plan designates the property as Park, which denotes area that have been developed or set-aside as public/semi-public recreational facilities.

This PAD is consistent with the General Plan future land use designation and the long range vision for the Town.

3. Conceptual Land Use Plan

A Conceptual Land Use Plan is provided in *Exhibit 8: Conceptual Land Use Plan*. This plan depicts future expansion plans for the Park. It is intended to serve as a general guide and minor deviations shall be permitted, as determined by the Planning & Zoning Administrator. This illustration is not to scale and should not be relied upon to establish the relative locations of, or distances between, any depicted facilities. The plan does not include any engineering or hydrology features, is subject to change without notice, and must be in accordance with the rules and regulations of this PAD.

EXHIBIT 8

NORTHERN AVENUE

LEGEND

- EXISTING PARKING AND DRIVEWAYS
- PROPOSED PARKING AND DRIVEWAYS
- PROPOSED NEW LANDSCAPE AREAS
- EXISTING BUILDINGS
- EXISTING SHADE STRUCTURES
- PROPOSED SHADE STRUCTURES
- PROPOSED BUILDINGS & ADDITIONS

56 New Parking Spaces
SHOP
EDUCATION CENTER
Retail Greenhouse Expansion
Ethnobotanical Garden Expansion
Childrens Garden Renovation
New Trail Node
New Covered Performance Garden and Stage
New Patio
EXHIBIT HOUSE
New Paved Pathway to the Desert Education Center
New Covered Patio and Catering Area
NORTH LOOP TRAIL
Existing Ramada
RAMADA
CACTUS ROOM
SOUTH LOOP TRAIL
New Paved Connection to South Loop Trail
New Park Admin.
SONORAN SEASONS
LOMAKI HOUSE
New Covered Patios
New Palm Canyon Exhibit
New Direct Access Path
OVER LOOK
100 New Parking Spaces
GREENHOUSE
New Exit Pathway Gardens
New Dining Terrace
Bistro Addition and Kitchen Expansion
New Shaded Gathering Area
New Group Entrance
New Visitor Center
New ADA Parking
WILSON ROOM
Revised Park Entrance
SAGUARO DISCOVERY TRAIL
Existing Ramada
INA ROAD
PASEO DEL NORTE

TOHONO CHUL PARK
SITE MASTER PLAN

JOHN DOUGLAS ARCHITECTS

May 16, 2012

Exhibit 9: Future Expansion Concept

Exhibit 9-A: Visitor Center Overview

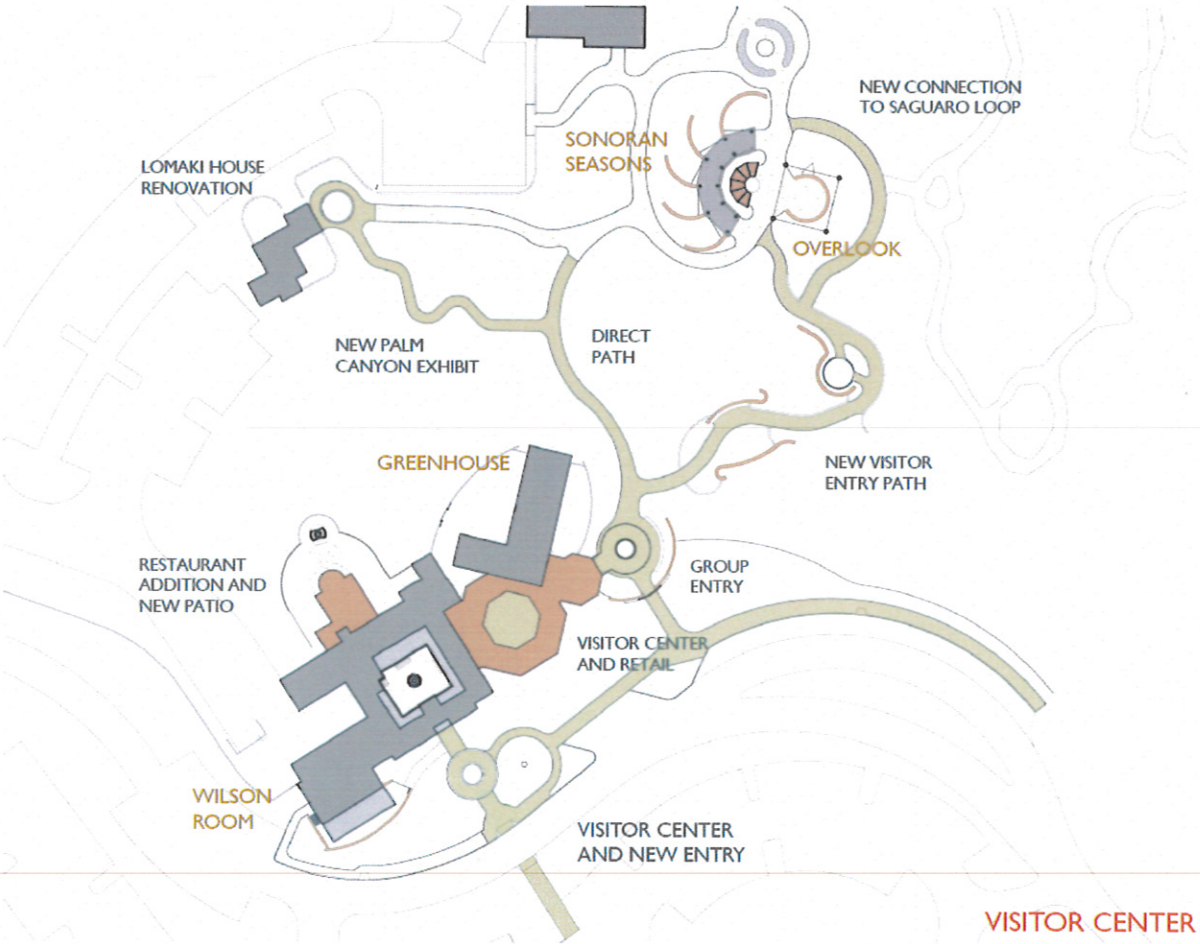
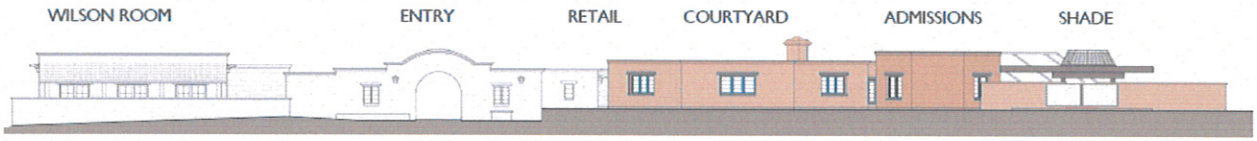
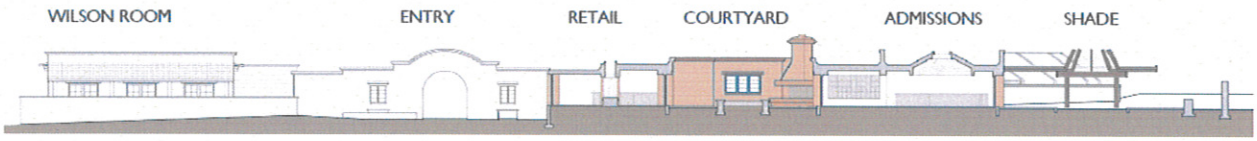


Exhibit 9-B: Visitor Center Conceptual Floor Plan

Exhibit 9-C: Visitor Center Conceptual Elevations

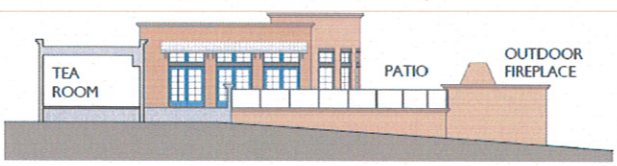


VISITOR CENTER ADDITION ELEVATION

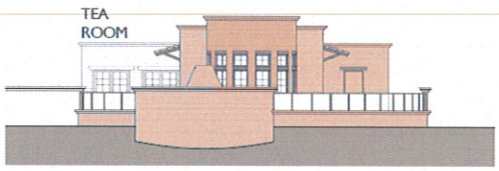


VISITOR CENTER ADDITION SECTION

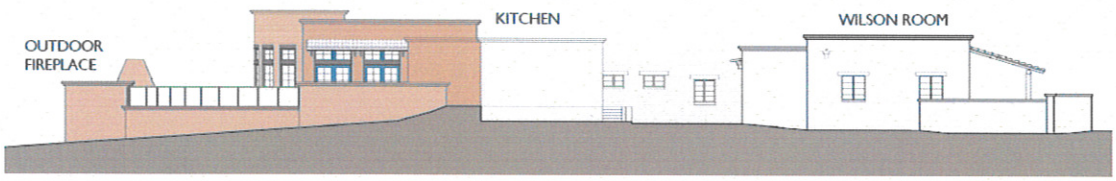
VISITOR CENTER



RESTAURANT ADDITION
SOUTH ELEVATION



RESTAURANT ADDITION
WEST ELEVATION



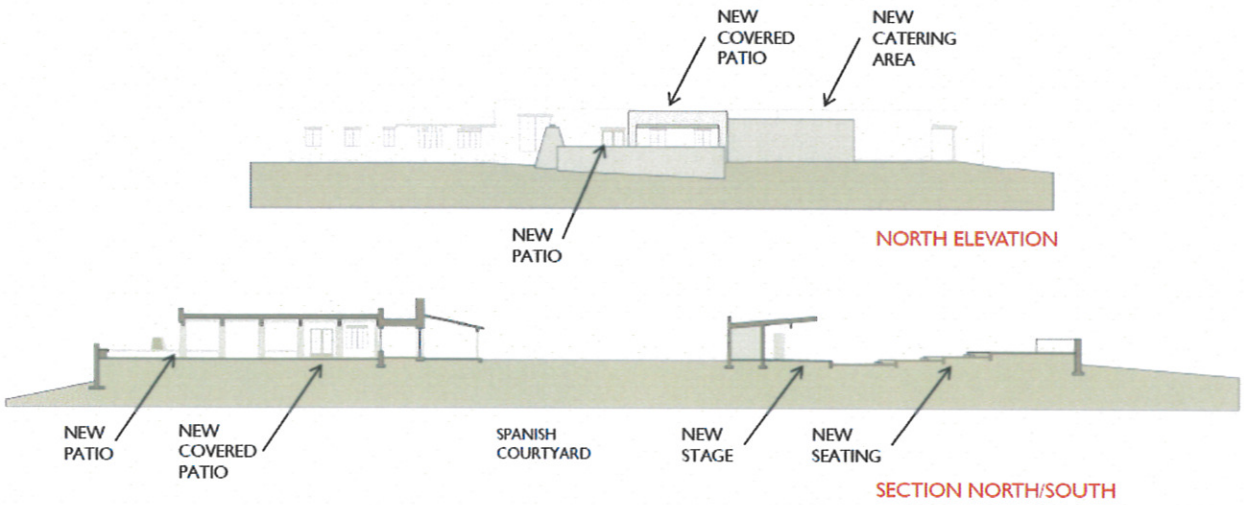
RESTAURANT ADDITION
NORTH ELEVATION

VISITOR CENTER

Exhibit 9-D: Center for the Arts Overview

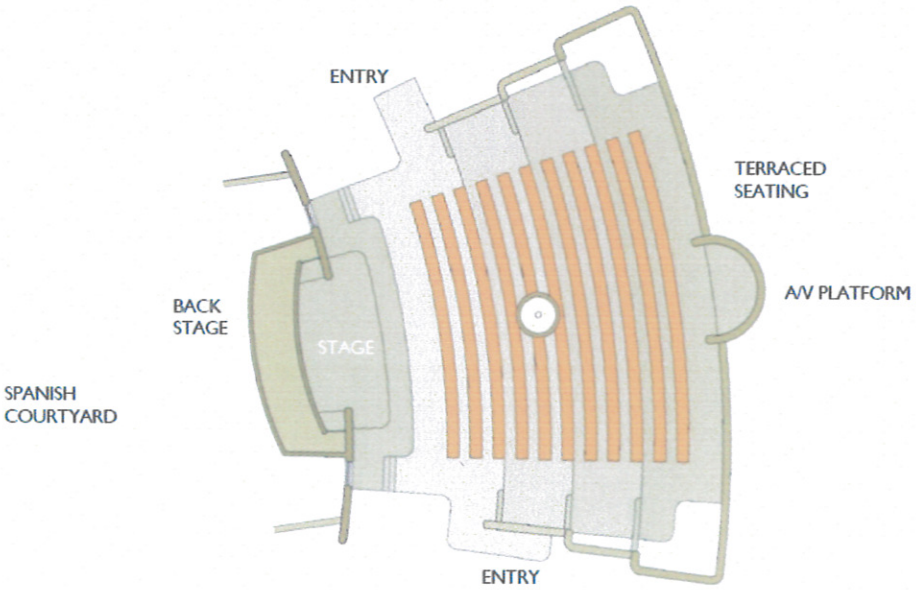
CENTER FOR THE ARTS

Exhibit 9-E: Center for the Arts Conceptual Elevations



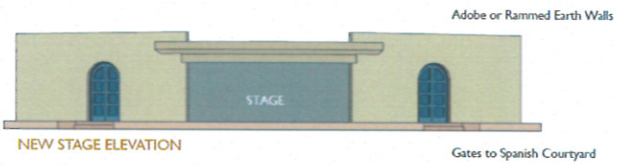
CENTER FOR THE ARTS

Exhibit 9-F: Center for the Arts Performance Garden Concept

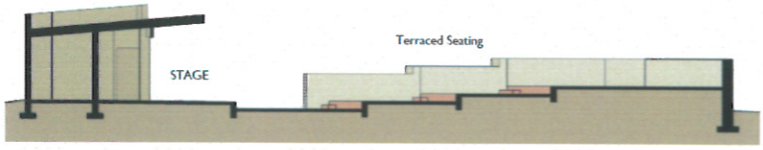


PLAN AT STAGE AND TERRACED SEATING

PERFORMANCE GARDEN



NEW STAGE ELEVATION



SECTION THROUGH STAGE AND TERRACE SEATING

PERFORMANCE GARDEN

B. Permitted and Excluded Uses

Tohono Chul Park proposes a single zoning district based on a modified Parks & Open Space (POS) zone to allow for the future expansion and growth of the park. The PAD shall include all those uses permitted by Town of Oro Valley Zoning Code Section 23.3 under POS zoning. All future development within the PAD shall conform to the regulations and standards set forth in this PAD. Where these regulations and standards vary from the Oro Valley Zoning Code or other City standards, the PAD regulations and standards shall prevail.

1. Permitted Uses

All POS permitted shall be allowed and subject to all use regulations found in Section 25 of the Town of Oro Valley Zoning Code.

2. Accessory Land Uses

The following uses shall be permitted, by right, in the PAD district:

a. Restaurant, café, or delicatessen, with or without entertainment/alcohol
b. Gift shop
c. Book store
d. Museum
e. Studio for professional work or teaching of any form of commercial or fine arts
f. Theater
g. Plant nursery
h. Art gallery
i. Wedding chapel
j. Education, conference, meeting and performing arts facilities

3. Excluded Land Uses

Land uses not listed as a Permitted use, or land uses that are not an accessory to the Primary Use are prohibited within the Tohono Chul Park PAD.

C. Development Standards

The PAD district shall be governed by the following development standards, which are derived from the Parks and Open Space (POS) District in Section 23.9 of the Oro Valley Zoning Code. Specific modification have been made to accommodate the unique programmatic needs of the Park and to ensure that development rights enjoyed in Pima County are preserved.

The PAD shall be considered a single parcel for the purpose of building setback, buffer requirements and other similar development standards that would otherwise apply to separately owned lots or parcels under the Oro Valley Zoning Code. All new development within the PAD shall conform to applicable building, fire and other life safety standards.

These development standards shall supersede the standards in the Town of Oro Valley Zoning Code Chapter 23, *Zoning Districts* and Chapter 25, *Use Regulations*, except where specific references to such standards are provided in this section of the document.

1. Site Development Standards

Development Standard	PAD Standard	Oro Valley POS Standard
Maximum Building Height	36 feet	25 feet/1 story Gymnasiums- up to 36 feet Community center auditoriums- up to 45 feet
Maximum Lot Coverage	20%,excluding parking areas	15%, excluding parking areas
Minimum Open Space	20% of gross acreage of PAD district	N/A

2. Vehicular Parking

The park currently has 303 regular parking spaces and 4 ADA accessible spaces. The master plan will add 156 new parking spaces, with 100 spaces accessible from Paseo del Norte and 56 spaces accessed from Northern Avenue.

ADA parking will be provided pursuant to Federal ADA Standards for Accessible Design, latest edition. Accessible spaces and "Van Accessible" spaces will connect to the accessible route as required by the ADA

Standards for Accessible Design. Newly constructed sidewalks and curb ramps will comply with accessibility requirements as required.

3. Lighting

All lighting shall be in conformance with the Oro Valley Lighting Code, Section 27.5.

4. Signage

The objectives of the Tohono Chul Park sign standards are to:

- Increase tourism
- Build community
- Increase community conservation efforts
- Increase awareness of local art & music offerings

All new permanent and temporary signs shall conform to the Town of Oro Valley Sign Code, Chapter 28, with the following exceptions:

a. Permanent Signage

Existing permanent signs include monument entry signs at Ina & Northern, at the Northern Avenue entrance and at the main entrance and exit on Paseo del Norte.

These signs may be replaced in the same locations with signs of the same size, area, height, and illumination.

b. Temporary Signage

Festival Banner Signs
Up to ten (10) light poles or banner mounting poles up to 20 feet shall be permitted on the south (Ina Rd.) and west (Paseo del Norte) perimeters of the property. The locations and pole height are subject to approval by the Planning & Zoning Administrator (PZA), the Town Engineer, and Tucson Electric Power (TEP). Additional poles may be located in the parking areas subject to PZA and Town Engineer approval.

Festival banner signs will be mounted on the poles, subject to the Festival Banner Sign Standards contained in this section. The signs will be replaced seasonally to reflect current offerings including classes, festivals, events and for general awareness. These signs shall be maintained in good condition and shall be removed or replaced if they are determined to be in disrepair by the Town.

Festival Banner Sign Standards

- Maximum Dimension: 54" x 18"
- An addition 18" x 18" area below the Park banner may be utilized by the Town to promote Oro Valley branding with cost share
- Cost share of associated expenses may include but are not limited to: design, printing, installation and equipment
- Each festival banner sign design shall be reviewed and approved by the Town prior to use
- Approved festival banner sign designs shall not expire or require additional permits once approved
- Banner signs may be replaced if Town light poles are replaced

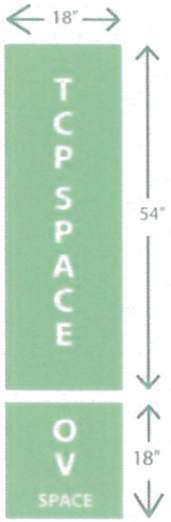


Exhibit 10: Map of Proposed Sign Placement

location map (approximate)

Exhibit 11: Mock up of Permanent Signage

C. Special Event Signage

Banner Signs
Banner signs shall be subject to the Town's sign code, with the following exceptions:

Quantity: Up to four (4) seasonal or event banners may be used at a time in the following locations:

- The intersection of Ina and Paseo del Norte
- The intersection of Ina and Northern Avenue
- Public entrance off of Paseo del Norte
- Delivery Entrance off of Paseo del Norte

Duration: Seasonal or event banners may be displayed for the duration of up to two weeks prior to the class, festival, or event being advertised, with a maximum period of 90 days.

A-Frame Signs
Up to three (3) A-frame signs may be used subject to the following standards:

1. The purpose of A-frame signs is to direct pedestrian traffic and shall not be oriented toward vehicular traffic.
2. Maximum height is 42" including sign legs.
3. Maximum sign area is 6 sq. ft.

4. Shall be located on private property or in the right of way.
5. Shall not be displayed in such a manner as to constitute a hazard to public safety.
6. Must allow for a 4' unobstructed pathway for pedestrians.
7. Signs shall be located within 20' of park entrances.
8. A-frame may be displayed during business hours only.
9. Fluorescent and iridescent colors are not allowed.
10. A-frame copy and graphics must be professionally designed and applied.
11. Hand lettered and hand painted signs are not permitted.
12. No illumination, noise or flashing, rotation, or moving elements are permitted.

D. Landscape Standards

Landscaping shall be in conformance with Oro Valley Zoning Code, Section 27.6 with the following exceptions:

1. Plant Palette

a. Tohono Chul Park is an internationally-recognized botanical garden with a diverse palette of native and exotic plants. In order to remain a showcase for a diverse array of plants, the PAD district shall be exempt from the Oro Valley Approved native Plant List (Zoning Code Addendum C) and Prohibited Plant List (Zoning Code Addendum E).

Species listed in the USDA list of *Invasive and Noxious Weeds* (http://plants.usda.gov/java/noxious?rptType=State&statefips=04) shall be prohibited.

b. In keeping with the intent of Section 27.6 of the Oro Valley Zoning Code, the plant palette will consist of predominately low water use, native and regionally adapted plants. The PAD district shall not be subject to the plant palette, prohibited plans, or native seed mix Zoning Code standards.

2. Bufferyards

Natural and landscaped bufferyards have been provided on all sides of the project site in order to screen uses from neighbors and enhance the "urban oasis" ambiance of the park.

No additional disturbance shall be allowed within a 20-foot buffer area on each side of the property, as measured from the property line, except for the

eastern side of the property (Northern Avenue frontage) that front commercial properties.

E. Open Space

Open space requirements shall be a minimum 20 percent of the gross area of the PAD District. Open space areas may include, but not limited to: general use pathways, ramadas, turf areas, patios, balconies, recreational areas, landscape bufferyards, hardscape courtyards, and landscaped areas. All open space areas shall be maintained by the property owner.

F. Water & Wastewater Plan

The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any expansion phase, no more than 90 days before submitting any Conceptual Site Plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.

G. Infrastructure Phasing Plan

All necessary infrastructure will be provided to accommodate each phase of the development.

H. Design Review

The Conceptual and Final Site Plan, Conceptual and Final Architecture for each project or phase of future development, as shown on the Conceptual Site Plan and Master Plan exhibits (Exhibits 8&9-9F), shall be subject to administrative review and approval by the Planning & Zoning Administrator and Town Engineer. The PAD is exempt from the Oro Valley Addendum A Design Standards as the Future Expansion Concept set forth the design concepts for future expansions.

Significant deviations from the Conceptual Site Plan or Master Plan exhibits, as determined by the Planning & Zoning Administrator or Town Engineer, shall be subject to review by the Conceptual Design Review Board (CDRB) and approval by the Town Council.

Development within this PAD is not subject to Section 27.3, Public Art requirements as the Park makes a unique contribution to the community's arts and culture that exceeds the Town's requirements for number and quality of artworks.

I. Interpretations and Amendments

1. Interpretation

The regulations and guidelines provided within this PAD supersede existing regulations within the Town of Oro Valley Zoning Code. If an issue arises regarding definitions, conditions, standards and/or situations not addressed in this PAD, those in the Zoning Code, or other Town regulations shall prevail, as interpreted by the Planning & Zoning Administrator.

2. Amendments

Amendments to this PAD may be necessary over time to respond to the changing market or financial conditions, or to respond to the unanticipated needs of the Park. Non-substantial changes to the PAD shall be approved by the Town of Oro Valley Planning & Zoning Administrator may include the following:

- Modifications to the permitted and accessory uses that do not change the overall intent of the PAD.

- Modifications to the proposed site plan provided the Development Standards set forth in the PAD are maintained.