

AGENDA
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
June 5, 2013
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

UPCOMING MEETING ANNOUNCEMENTS

COUNCIL REPORTS

- **Spotlight on Youth**

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

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 Plaque of Appreciation to Bob Easton, Safety and Risk Manager, in Recognition of his Service on the Arizona Municipal Risk Retention Pool (AMRRP) Board of Trustees from July, 2009 through April, 2013

CONSENT AGENDA

(Consideration and/or possible action)

- A. Minutes - April 3, April 10, April 17, April 24 and May 1, 2013
- B. Appointment of Eric Thomae to the Historic Preservation Commission (HPC)
- C. Resolution No. (R)13-41, Authorizing and approving a Financial Participation Agreement between the Town of Oro Valley and the Greater Oro Valley Chamber of Commerce

- D. Resolution No. (R)13-42, Authorizing and approving Amendment Number 2 to the Intergovernmental Agreement between the Regional Transportation Authority of Pima County and the Town of Oro Valley for provision of circulator bus service
- E. Resolution No. (R)13-43, Approving an intergovernmental agreement for the shared use of parking facilities between the Town of Oro Valley and Amphitheater Unified School District No. 10 of Pima County
- F. Request for approval of a Final Plat for San Dorado commercial and residential development, located on the east side of Oracle Road at First Avenue
- G. Resolution No. (R)13-44, Authorizing and approving vacating the La Reserve roadway access and north First Avenue between Oracle Road and La Reserve Drive

REGULAR AGENDA

- 1. REQUEST FOR APPROVAL OF CONCEPTUAL PUBLIC ART FOR THE ORO VALLEY MEDICAL OFFICE BUILDING LOCATED ON THE NORTHWEST CORNER OF TANGERINE ROAD AND INNOVATION PARK DRIVE
- 2. REQUEST FOR APPROVAL OF A PLAT AMENDMENT FOR MODIFICATION OF A CONSERVATION EASEMENT ON LOT 8 IN THE SUNRIDGE II SUBDIVISION LOCATED AT 752 WEST SEDONA RIDGE PLACE
- 3. RESOLUTION NO. (R)13-45, AUTHORIZING AND APPROVING A CONDITIONAL USE PERMIT (CUP) TO ALLOW A U-HAUL BUSINESS TO BE OPERATED OUT OF THE ACE HARDWARE STORE LOCATED IN THE PLACITA DE ORO SHOPPING CENTER

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: 5/29/13 @ 5:00 PM BY MRS

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 office of the Town Clerk between the hours of 8:00 a.m. – 5:00p.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 Chair.

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: 06/05/2013

Presentation of Plaque of Appreciation to Bob Easton, Safety and Risk Manager, for term served on the AMRRP Board of Trustees

Information

Subject

Presentation of Plaque of Appreciation to Bob Easton, Safety and Risk Manager, in Recognition of his Service on the Arizona Municipal Risk Retention Pool (AMRRP) Board of Trustees from July, 2009 through April, 2013

Summary

The Arizona Municipal Risk Retention Pool (AMRRP) provides insurance protection and risk management services for Arizona cities and towns who are members of the Pool. The AMRRP is governed by a nine-member Board of Trustees made up of representatives from its local government members. Mr. Bob Easton, Safety and Risk Manager, has represented the Town of Oro Valley as an AMRRP Trustee member from July, 2009 through April, 2013. Mr. Easton also joined the AMRRP Loss Control/Claims Committee in January, 2010 and was appointed co-chair in May, 2011. He served in this capacity until April, 2013.

Mr. Ed Bantel, Administrator with AMRRP, will be present this evening to recognize Mr. Easton for his service on the Board with the presentation of a plaque from AMRRP.



Town Council Regular Session

Item # **A.**

Meeting Date: 06/05/2013

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

Department: Town Clerk's Office

Information

SUBJECT:

Minutes - April 3, April 10, April 17, April 24 and May 1, 2013

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 April 3, April 10, April 17, April 24 and May 1, 2013 minutes.

Attachments

4/3/13 Draft Minutes

4/10/13 Draft Minutes

4/17/13 Draft Minutes

4/24/13 Draft Minutes

5/1/13 Draft Minutes

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
April 3, 2013
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 5:00 p.m.

ROLL CALL

PRESENT:

Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Brendan Burns, Councilmember
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

EXECUTIVE SESSION AT OR AFTER 5:00 PM - Pursuant to A.R.S. Section 38-431.03(A)(1) (personnel) interview with prospective Town Attorney

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to go into Executive Session at 5:01 p.m. pursuant to A.R.S. Section 38-431.03(A)(1) (personnel) to interview the prospective Town Attorney.

MOTION carried, 7-0.

Mayor Hiremath stated that the following staff members would join Council in Executive Session: Town Manager Greg Caton, Interim Town Attorney Tobin Sidles, prospective Town Attorney Kelly Schwab and Town Clerk Julie Bower.

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

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

ROLL CALL

PRESENT: Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Brendan Burns, Councilmember
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, 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 and events.

COUNCIL REPORTS

- **Spotlight on Youth**

Councilmember Snider said the Spotlight on Youth presentation would be moved to the next Council meeting.

Councilmember Hornat attended the Arizona Distance Classic.

DEPARTMENT REPORTS

Town Clerk Julie Bower announced that new artwork was on display in the Council Chambers by artist Kay Mitman.

Economic Development Manager Amanda Jacobs announced that the next Just for Kids TSO Concert Series would be held on Saturday, April 6th at 10:00 a.m. in the Oro Valley Council Chambers and would feature the piano trio Mac and Milly.

The U.S. Masters Swimming short-course yards championship event was scheduled from Friday, April 5th through Sunday April, 7th at the Oro Valley Aquatics Facility and was estimated to generate an economic impact totaling over \$143,000.

ORDER OF BUSINESS

Mayor Hiremath stated that the agenda would stand as posted.

INFORMATIONAL ITEMS

1. Trip Report - Councilmember Zinkin - Attendance at the NLC Congressional City Conference March 2013

CALL TO AUDIENCE

Oro Valley resident John Musolf discussed the need for adding a new category titled Memory Care to the Zoning Code.

Golder Ranch Fire Chief Randy Karrer reported on the importance of training and cooperation between the Oro Valley Police Department, Oro Valley schools and Golder Ranch Fire District in order to quickly and effectively manage accident and/or crisis situations.

CONSENT AGENDA

Councilmember Zinkin requested that item (C) be removed from the Consent Agenda for discussion.

Councilmember Hornat requested that item (B) be removed from the Consent Agenda for discussion.

A. Minutes - February 20 and March 6, 2013

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Zinkin to approve item (A).

MOTION carried, 7-0.

B. Consideration and acceptance of the Oro Valley Water Utility Commission Annual Report dated April, 2013

Councilmember Hornat thanked staff for producing a high quality annual report and urged residents to read it.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve the Oro Valley Water Utility Commission Annual report dated April, 2013.

MOTION carried, 7-0.

C. Resolution No. (R)13-15, affirming that, with regard to the 550 acres of State Land in Section 5 of T12S, R13E, the Town does not have, nor does it intend to adopt, regulations requiring the fencing of open range livestock grazing or prohibiting mining on state land annexed into the Town

Councilmember Zinkin requested clarification regarding the intent of the resolution.

Mayor Hiremath stated that the resolution would prohibit the Town from creating an ordinance that would require the fencing of open range livestock grazing and/or prohibit mining on state land annexed into the Town.

MOTION: A motion was made by Councilmember Zinkin and seconded by Vice Mayor Waters to approve Resolution No. (R)13-15, affirming that, with regard to the 550 acres of State Land in Section 5 of T12S, R13E, the Town does not have, nor does it intend to adopt, regulations requiring the fencing of open range livestock grazing or prohibiting mining on state land annexed into the Town.

MOTION carried, 7-0.

REGULAR AGENDA

1. PRESENTATION OF TOWN MANAGER'S RECOMMENDED BUDGET FOR FISCAL YEAR 2013/14

Town Manager Greg Caton gave an overview of the FY 13/14 Recommended Budget and outlined the following:

- FY 2013/14 Budget Timeline
- Core Themes
 - Invest in Town employees
 - Invest in infrastructure and Town assets
 - Invest in technology
 - Economic development as a key strategy to achieve a healthy financial environment
 - Support quality-of-life programs and services for the community
 - Revenue enhancement and expenditure reductions

Finance Director Stacey Lemos stated that the FY 2013/14 Recommended Budget was \$93.9 million dollars and gave an overview of the following major funds:

- General Fund - \$37.9M
- Highway Fund - \$6.6M
- Bed Tax Fund - \$1M
- Water Utility Fund - \$22.5M
- Capital Improvement Program (CIP) - Total CIP projects = \$9.1M town-wide

2. REQUEST FOR APPROVAL OF CONCEPTUAL SITE PLAN FOR A SUBDIVISION FOR RANCHO VISTOSO PARCEL 10-N, LOCATED ON THE SOUTHWEST CORNER OF RANCHO VISTOSO BOULEVARD AND VISTOSO HIGHLANDS DRIVE

Senior Planner Matt Michels gave an overview of item #2.

Paul Oland, representative of the WLB Group, spoke on the proposed conceptual site plan.

The following individual spoke on item #2.

Oro Valley resident Bill Adler

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve the Conceptual Site Plan for Rancho Vistoso Parcel 10-N, subject to the conditions in Attachment 1, finding that the Conceptual Site Plan meets applicable Design Principles and Standards.

Attachment 1
Conditions of Approval
Rancho Vistoso Parcel 10-N Conceptual Site Plan
OV1212-18

Planning:

1. Homes shall be limited to one (1) story on Lots 21, 22, 23, and 24.
2. Provide headlight screen walls at a minimum height of 42 inches to the west of the street accessing Lots 1-4, 26 & 27.
3. Detention basin floors shall be planted with shrubs, understory plants and trees while still allowing for maintenance access. The types and number of trees and plantings are subject to Town Engineer and Planning and Zoning Administrator approval.
4. The rear yard walls shall provide offsets or decorative features. A wall plan shall be provided with the Final Site Plan to demonstrate conformance with this requirement.
5. Provide a connection to the sidewalk along Hidden Springs Drive.

Engineering:

6. Provide a maintenance access easement to the Town of Oro Valley at the junction structure tie-in to the existing culverts along the northern property boundary.
7. Provide a 5'-wide meandering sidewalk along Hidden Springs Drive connecting to the existing sidewalk.
8. On-street parking shall not be permitted for this subdivision.

MOTION carried, 7-0.

3. PUBLIC HEARING: ORDINANCE NO. (O)13-02, AMENDING ORO VALLEY TOWN CODE, SECTION 16-1-4, INTOXICANTS AND DISTURBING THE PEACE IN PARK

Assistant to the Town Manager Kevin Burke gave an overview of item #3.

Mayor Hiremath opened the public hearing.

The following individual spoke on item #3.

Oro Valley resident Bill Adler

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Hornat to approve Ordinance No. (O)13-02, amending Oro Valley Town Code, Section 16-1-4, Intoxicants and Disturbing the Peace in Park.

MOTION carried, 5-2 with Councilmember Garner and Councilmember Zinkin opposed.

4. PRESENTATION REGARDING THE GENERAL PLAN PROGRESS REPORT, A DOCUMENT SUMMARIZING THE STATUS OF FOCUS 2020 GENERAL PLAN ACTION ITEMS

Senior Planner Hillary Turby gave an overview of item #4.

FUTURE AGENDA ITEMS

Councilmember Garner requested a future agenda item to discuss additional alcohol use in parks, seconded by Councilmember Zinkin.

Mayor Hiremath requested a future agenda item to discuss adding Assisted Living, Memory Care Facility, to the Zoning Code, seconded by Vice Mayor Waters.

CALL TO AUDIENCE

No comments were received.

ADJOURNMENT

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Zinkin to adjourn the meeting at 7:34 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 3rd day of April 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2013.

Julie K. Bower, MMC
Town Clerk

DRAFT

MINUTES
ORO VALLEY TOWN COUNCIL
BUDGET STUDY SESSION
April 10, 2013
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

STUDY SESSION AT OR AFTER 3:30 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 3:30 p.m.

ROLL CALL

PRESENT:

Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Brendan Burns, Councilmember
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

1. FY 2013/14 Town Manager's Recommended Budget Department Overviews

Greg Caton, Town Manager said there would be presentations from four operational departments - Water Utility, Development and Infrastructure Services (DIS), Parks and Recreation and Police.

Water Utility

Philip Saletta, Water Utility Director, gave an overview of the following components of the Water Utility budget:

Impact Fee Funds

- Alternative Water Resources Development Impact Fee Fund
 - Revenues - \$4,229,322
 - Expenditures - \$2,606,098

- Potable Water Development System Development Impact Fee Fund
 - Revenues - \$926,097
 - Expenditures - \$743,576

Operating Fund

- Revenues \$13,811,350
- Expenditures \$14,823,049*

*Difference would be made up through the use of the cash fund ending balance.

Following the presentation, there were questions and comments from Council regarding the Water Utility budget.

Development and Infrastructure Services

Paul Keesler, DIS Director, gave an overview of the following highlights of the DIS budget:

- Overall department budget was \$10,138,697
- Impact on General Fund was \$3,942,185
- \$207,000 budgeted for General Plan Update
- \$153,000 surplus in the Highway Fund
- \$242,000 decrease in expenditures in the Stormwater Utility
- Increase in development activity
- Replacement of Permits Plus Program
- \$1 million budgeted for Pavement Preservation Program
- Continuation of Community Betterment Program
- Stormwater project - Northern Avenue drainage improvements
- Infrastructure CIP projects
- Continuation of Sun Shuttle Dial-a-Ride Service

Following the presentation, there were questions and comments from Council regarding the DIS budget.

Parks and Recreation

Kristy Diaz-Trahan, Parks and Recreation Director, gave an overview of the following Parks and Recreation budget highlights:

Park Management

- Addition of half-time park maintenance worker
- Ball field fencing
- Town Hall courtyard
- Naranja Park restroom
- Naranja Park Master Plan

Cultural Resources Highlights

- Special Event Funding
- Ramada and iron entry sign at Steam Pump Ranch

Recreation, Trails & Planning

- Outside contractors
- Bicycle Education Program
- Advertising

Aquatics

- New recreation programming
- Concession stand
- Glass window enclosure
- Wireless notification
- Recreation pool cover

Following the presentation, there were questions and comments from Council regarding the Parks and Recreation budget.

Police

Councilmember Zinkin suggested scheduling the Police Department presentation for a study session on April 24, 2013.

Council concurred.

Mayor Hiremath requested that the funding for the Greater Oro Valley Chamber of Commerce also be discussed at the April 24th study session.

Councilmember Garner requested that other department budgets and programs not covered be included for discussion at the April 24th study session.

Councilmember Snider requested that the April 24th study session be scheduled for approximately the same time.

Councilmember Zinkin did not favor the afternoon start for the study session.

The majority of Council preferred the 3:30 p.m. start time for the April 24th study session.

FUTURE AGENDA ITEMS

No future agenda items were requested.

ADJOURNMENT

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to adjourn the meeting at 5:18 p.m.

MOTION carried, 7-0.

Prepared by:

Julie K. Bower, MMC
Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the budget study session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 10th day of April 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2013.

Julie K. Bower, MMC
Town Clerk

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
April 17, 2013
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 5:00 p.m.

ROLL CALL

PRESENT: Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Brendan Burns, Councilmember
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

EXECUTIVE SESSION AT OR AFTER 5:00 P.M.

Pursuant to ARS 38-431.03(A)(1) for discussion regarding public appointees/officers/
personnel matters

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember
Garner to go into Executive Session at 5:01 p.m.

MOTION carried, 7-0.

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

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

ROLL CALL

PRESENT: Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Brendan Burns, Councilmember
Bill Garner, Councilmember
Joe Hornat, Councilmember

Mary Snider, Councilmember
Mike Zinkin, Councilmember

PLEDGE OF ALLEGIANCE

Girl Scout Junior Troop #1084 led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

Misti Nowak, Communications Administrator, announced the upcoming town meetings and events.

COUNCIL REPORTS

- **Spotlight on Youth**

Councilmember Snider introduced Michael Chen, a 4th grader at Copper Creek Elementary School. Michael had won the Amphitheater School District Spelling Bee, took second place at the Pima County Spelling Bee and placed 14th at the Arizona State Spelling Bee. Michael was an avid reader, a gifted pianist and took his studies very seriously. Councilmember Snider presented a Certificate of Achievement to Michael.

DEPARTMENT REPORTS

Kristy Diaz-Trahan, Parks and Recreation Director, reported that the Aquatics Facility was hosting a synchronized swimming event this weekend.

Ms. Nowak announced the official launch of the Town's new website.

ORDER OF BUSINESS

Mayor Hiremath said the agenda would stand as posted.

INFORMATIONAL ITEMS

1. TC Trip Report - Councilmember Zinkin's attendance at 2013 Municipal Finance Challenge Conference (March 21-22, 2013)

CALL TO AUDIENCE

Pamela Ludwig, President, Friends of Catalina State Park, invited Council and the public to the Park's 30th anniversary celebration on Saturday, May 4, 2013.

Bill Adler, Oro Valley resident, said there was a lack of commitment on the Town's part to arts and culture.

Members of Girl Scout Junior Troop #1084 explained the Troop had been working on its Journey Badge for several months. To complete the badge, the Troop needed to complete a Take Action project within the community. The Troop had surveyed neighborhood parks for trash cans and recycle bins. They found that the parks had a sufficient number of both. However, Steam Pump Ranch still needed trash cans and recycle bins and the Troop requested that Council make sure a sufficient number of each be placed at Steam Pump Ranch.

PRESENTATIONS

1. Presentation of Distinguished Budget Presentation Award from the Government Finance Officers Association for the Town of Oro Valley FY 2012/13 Adopted Budget

Mayor Hiremath presented the Government Finance Officers Association's Distinguished Budget Presentation Award to Wendy Gomez, Management and Budget Analyst. This was the fifth consecutive year the Town had received the award.

CONSENT AGENDA

Councilmember Zinkin requested that Item (A) be removed from the Consent Agenda for discussion.

Councilmember Snider requested that Item (B) be removed from the Consent Agenda for discussion.

- A. Fiscal Year 2012/2013 Financial Update through February 2013
- B. Appointment of Connie Trail to the Historic Preservation Commission (HPC)
- C. Resolution No. (R)13-16, Approving the lease agreement among the Town of Oro Valley, Pima County Free Library District, and Pima County for the transfer of the operating responsibility of the Oro Valley Public Library facilities to the Pima County Free Library District

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Hornat to approve Item (C).

MOTION carried, 7-0.

A. Fiscal Year 2012/2013 Financial Update through February 2013

Councilmember Zinkin asked why the projection for local sales tax, grants and interest had gone down.

Stacey Lemos, Finance Director, explained the projections had been revised because construction sales tax was trending lower than estimated. Interest fluctuated from month to month and the Town could still recover by year end. Some of the capacity for grant revenue had been removed from the budget because instead of receiving funds from the federal grant for a transit vehicle, the Town would receive the actual vehicle.

Councilmember Zinkin asked if the payback for the TEP undergrounding would be for the entire cost of \$2.1 million.

Ms. Lemos said it would be offset by the budget surplus.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Hornat to approve Item (A).

MOTION carried, 7-0.

B. Appointment of Connie Trail to the Historic Preservation Commission (HPC)

Councilmember Snider thanked Ms. Trail for volunteering to serve on the HPC.

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Item (B).

MOTION carried, 7-0.

REGULAR AGENDA

1. RESOLUTION NO. (R)13-17, REGARDING THE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF ORO VALLEY (THE "TOWN") AND TOHONO CHUL PARK, INC. (THE "OWNER")

Kevin Burke, Assistant to the Town Manager, gave an overview of the item.

Council questions and discussion followed the presentation.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to adopt Resolution No. (R)13-17, regarding the Pre-annexation and Development Agreement between the Town of Oro Valley and Tohono Chul Park, Inc.

MOTION carried, 7-0.

2. TOHONO CHUL PAD

a. RESOLUTION NO. (R)13-18, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT KNOWN AS TOHONO CHUL PARK PLANNED AREA DEVELOPMENT, ATTACHED HERETO AS EXHIBIT "A"

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Hornat to adopt Resolution No. (R)13-18, declaring as a public record that certain document known as Tohono Chul Park Planned Area Development, attached hereto as Exhibit "A".

MOTION carried, 7-0.

b. PUBLIC HEARING: ORDINANCE NO. (O)13-03, APPROVING THE TOHONO CHUL PARK PLANNED AREA DEVELOPMENT, ATTACHED HERETO AS EXHIBIT "A" FOR 48.5 ACRES LOCATED ON THE NORTHEAST CORNER OF INA ROAD AND PASEO DEL NORTE

Planning Manager David Williams gave an overview of the item.

Mayor Hiremath opened the public hearing.

Gil Alexander, Oro Valley resident, spoke regarding the item.

Mayor Hiremath closed the public hearing.

Mr. Mike Racy, representative for Tohono Chul Park, presented final remarks to Council regarding the PAD.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to adopt Ordinance No. (O)13-03, approving the Tohono Chul Park Planned Area Development, and subject to the following conditions:

1. The minimum open space and maximum lot coverage standards contained in Section II.C.1 shall be removed
2. The Maximum building height shown in Section LL.C.1 shall be 34'

finding that:

- All applicable General Plan criteria are met
- Required PAD findings are met
- PAD standards preserve character of the park
- PAD maintains zoning entitlements enjoyed in Pima County.

MOTION carried, 7-0.

3. PUBLIC HEARING: ORDINANCE NO. (O)13-04, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF ORO VALLEY, ARIZONA, PURSUANT TO THE PROVISIONS OF ARIZONA REVISED STATUTES, TITLE 9, CHAPTER 4, ARTICLE 7, AND AMENDMENTS

THERETO, BY ANNEXING A CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING LIMITS OF THE TOWN OF ORO VALLEY KNOWN AS THE ORACLE / INA ANNEXATION AREA

Mr. Burke gave an overview of the item.

Mayor Hiremath opened the public hearing.

Donald Bristow, Oro Valley resident spoke regarding the item.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Zinkin to adopt Ordinance No. (O)13-04, extending and increasing the corporate limits of the Town of Oro Valley by annexing a certain territory contiguous to the existing limits of the Town of Oro Valley known as the Oracle/Ina Annexation Area.

MOTION carried, 7-0.

4. ~~***2012 UNIFORM CODE UPDATES**~~ Removed from agenda on 4/15/13 at 4:50 p.m.
- a. ~~***RESOLUTION NO.'S (R)13-19 THROUGH (R)13-28, DECLARING AS PUBLIC RECORDS CERTAIN DOCUMENTS COLLECTIVELY KNOWN AS THE 2012 INTERNATIONAL BUILDING CODES, THE 2011 ELECTRICAL CODE AND THE 2012 POOL AND SPA CODE**~~ Removed from agenda on 4/15/13 at 4:50 p.m.
- b. ~~***PUBLIC HEARING: ORDINANCE NO.'S (O)13-05 THROUGH (O)13-14, ADOPTING CERTAIN DOCUMENTS COLLECTIVELY KNOWN AS THE 2012 INTERNATIONAL BUILDING CODES, THE 2011 ELECTRICAL CODE AND THE 2012 POOL AND SPA CODE**~~ Removed from agenda on 4/15/13 at 4:50 p.m.
5. **RESOLUTION NO. (R)13-29, GRANTING APPROVAL OF A CONDITIONAL USE PERMIT (CUP) TO LRS ARCHITECTS FOR A MEMORY CARE FACILITY IN THE ORACLE VISTA CENTRE LOCATED ON THE SOUTHWEST CORNER OF ORACLE ROAD AND DESERT SKY ROAD**

Hillary Turby, Principal Planner, provided an overview of the item.

Mayor Hiremath opened the public hearing.

The following Oro Valley residents spoke on the item:

Larry Kincaid

John Musolf
Bill Adler

Mayor Hiremath closed the public hearing.

Jim Heckburg spoke on behalf of the applicant, LRS Architects.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Hornat to adopt Resolution No. (R)13-29, granting approval of a Conditional Use Permit (CUP) to the Oracle Vista Memory Care Facility, subject to the following conditions:

1. Provide an odor abatement plan for the building's cafeteria with the Final Design submittal
2. Service delivery operations will be restricted to the hours of 6 a.m. - 9 p.m., Monday through Saturday and 7 a.m. - 7 p.m. on Sundays

finding that the proposed CUP meets all applicable Zoning Code requirements.

Councilmember Garner offered a friendly amendment to add the condition that the developer would remove the existing wall adjacent to the proposed 5-foot screen wall with the provision that the homeowners association would provide a signed release of liability.

Vice Mayor Waters and Councilmember Hornat agreed to the amendment.

MOTION carried, 7-0.

6. REQUEST FOR APPROVAL OF CONCEPTUAL SITE PLAN AND CONCEPTUAL ARCHITECTURE FOR THE ORACLE VISTA MEMORY CARE FACILITY LOCATED ON THE SOUTHWEST CORNER OF ORACLE ROAD AND DESERT SKY ROAD

Ms. Turby presented an overview of the item.

The following Oro Valley resident spoke on item #6:

Larry Kincaid

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Hornat to approve the Conceptual Site Plan for the Oracle Vista Memory Care Facility, subject to the following conditions:

Planning

1. Provide shaded seating along all pathways and within the two courtyard areas

2. Provide sidewalks along Desert Sky Road and Oracle Road
3. Limit the amount of parking in the front (east elevation) of the building to 15% of the total provided parking spaces

Engineering

4. All parking area and access drive drainage shall be required to be treated with a Town approved first flush device prior to exiting paved surfaces Provide temporary curbing or another Town approved design along the west parking lot drive to direct stormwater to first flush treatment areas prior to exiting paved areas
5. Provide a 5'-wide sidewalk and curb access ramp along the project limits adjacent to Desert Sky Road
6. Relocate the two proposed accessible parking spaces from the parking lot adjacent to the southwest corner of the memory care building to a location closer to the building entrance that it's intended to serve

Water

7. A Line Extension Agreement must be in place before any water infrastructure work begins

finding that the Conceptual Site Plan meets applicable Design Principles and Standards.

MOTION carried, 7-0.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Zinkin to approve the Conceptual Architecture for the Oracle Vista Memory Care Facility, subject to the following condition:

1. Provide a detailed roof top screening plan as a part of the Final Design Application.

finding that the Conceptual Architecture meets applicable Design Principles and Standards.

MOTION carried, 7-0.

FUTURE AGENDA ITEMS

Councilmember Garner requested a future agenda item to discuss the addition of a category for assisted living/memory care, seconded by Mayor Hiremath.

CALL TO AUDIENCE

No comments were received.

ADJOURNMENT

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to adjourn the meeting at 8:07 p.m.

MOTION carried, 7-0.

Prepared by:

Julie K. Bower, MMC
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 17th day of April 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2013.

Julie K. Bower, MMC
Town Clerk

MINUTES
ORO VALLEY TOWN COUNCIL
BUDGET STUDY SESSION
April 24, 2013
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

STUDY SESSION AT OR AFTER 4:30 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 4:30 p.m.

ROLL CALL

PRESENT: Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Brendan Burns, Councilmember
Bill Garner, Councilmember (via phone)
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

1. Presentations and Discussion Regarding the FY 2013/14 Town Manager's Recommended Budget

Greg Caton, Town Manager gave an overview of the FY 2013/14 budget timeline. He said the Police Department would make a budget presentation. Following the presentation, there would be time for questions and discussion regarding other departments and programs not covered in any of the budget presentations.

Police Chief Danny Sharp highlighted the following areas of the Police Department FY 2013/14 budget:

Revenues and restricted outside funding sources

- Estimated to be \$1 million

Breakdown of 9.2% overall budget increase from FY 2012/13

- Police Evidence Facility - \$350,00
- Information Technology - \$323,767
- Fleet Maintenance Program -\$249,837
- Travel and Training - \$55,508
- Other - \$78,505

Council questions and discussion followed the Police Department budget presentation.

There were questions and discussion regarding items in the proposed budgets for the Information Technology Department and the Legal Department.

Council asked questions about items in the proposed budget for the Magistrate Court.

FUTURE AGENDA ITEMS

None

ADJOURNMENT

MOTION: A motion was made by Councilmember Zinkin and seconded by Vice Mayor Waters to adjourn the meeting at 6:03 p.m.

MOTION carried, 7-0.

Prepared by:

Julie K. Bower, MMC
Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the budget study session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 24th day of April 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2013.

Julie K. Bower, MMC
Town Clerk

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
May 1, 2013
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 5:00 p.m.

ROLL CALL

PRESENT:

Satish Hiremath, Mayor
Lou Waters, Vice Mayor (via telephone)
Brendan Burns, Councilmember
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember

ABSENT:

Mike Zinkin, Councilmember

EXECUTIVE SESSION - Pursuant to ARS 38-431.03(A)(1) Personnel matters - Town Manager's annual performance review

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Hornat to go into Executive Session at 5:01 p.m. pursuant to ARS 38-431.03(A)(1) to discuss personnel matters regarding the annual evaluation of the Town Manager.

MOTION carried, 6-0.

Mayor Hiremath stated that the following staff members would join Council in Executive Session: Town Manager Greg Caton and Town Clerk Julie Bower.

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

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

ROLL CALL

PRESENT: Satish Hiremath, Mayor
Lou Waters, Vice Mayor (via telephone)
Brendan Burns, Councilmember
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

PLEDGE OF ALLEGIANCE

Boy Scout Troop #270 led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

Communications Administrator Misti Nowak announced the upcoming Town meetings and events.

COUNCIL REPORTS

Councilmember Hornat reported that Councilmember Zinkin, Councilmember Snider and himself visited Ironwood Ridge High School last week to interview students who were participating in an internship program.

Councilmember Snider reported that the two forensics teams from Canyon Del Oro High School took first and third place at the Crime Scene Investigators State Challenge. The forensics program was sponsored by the Oro Valley Police Department School Resource Officer Program and received funding from the Oro Valley Optimist Club and other Oro Valley community foundations.

Councilmember Snider congratulated Canyon Del Oro High School for taking second place at the United States Academic Decathlon competition.

Councilmember Snider attended the 5th annual fifth grade Drug Awareness Day event held last Friday, April 26th at Riverfront Park.

DEPARTMENT REPORTS

Town Clerk Julie Bower announced that new artwork was on display in the Council Chambers by artists Mike and Jo Ann Rom.

Police Chief Danny Sharp reported that the Oro Valley Police Department had collected over 645 pounds of drugs in April through the Dispose-a-Med program. The next Dispose-A-Med collection was scheduled for June 15th from 8:00 a.m. to 12:00 p.m. at the Target parking lot.

A Shred-A-Thon event was held at the same time as the Dispose-A-Med program and over 11,500 pounds of material was collected and shredded.

Economic Development Manager Amanda Jacobs announced the launch of the Shop Oro Valley Summer Campaign in which residents and visitors were encouraged to shop locally and submit receipts totaling \$25.00 or more in a single transaction at the Oro Valley Town Hall Administration office for a chance to win weekly prizes.

Residents/visitors who purchase \$100 worth of OV Dollars from the Greater Oro Valley Chamber of Commerce would receive an additional \$10 incentive.

The next Musical Magic series was scheduled for Saturday, May 4th at 10:00 a.m. in the Council Chambers and the theme was "Dancing with Royalty".

The next Concert Series was scheduled for May 9th and would feature the group Full Sail.

ORDER OF BUSINESS

Mayor Hiremath reviewed the order of business and noted that regular agenda item #3 would be heard first.

CALL TO AUDIENCE

Oro Valley resident Glen Wells spoke on the need for communications to be accessible for deaf and hard of hearing individuals.

Oro Valley resident Don Bristow spoke on the use-permits process and recommended that the proper procedures be followed.

PRESENTATIONS

1. Proclamation - National Travel & Tourism Week, May 4th - 12th, 2013

Mayor Hiremath proclaimed May 4th - 12th as National Travel & Tourism Week.

2. Proclamation - Municipal Clerks Week, May 5th -11th, 2013

Mayor Hiremath proclaimed May 5th - 11th as Municipal Clerk's Week.

CONSENT AGENDA

Councilmember Burns requested that item (B) be removed from the Consent Agenda for discussion.

- A. Minutes - March 20, 2013

- C. Request for approval of a Final Plat for proposed Lots 1 & 2 within Innovation Corporate Center, Block 4
- D. Resolution No. (R)13-32, Approval of the Parks and Recreation Advisory Board's (PRAB) recommendation regarding meeting start time

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Burns to approve items (A) and (C)-(D).

MOTION carried, 7-0.

B. Resolution No. (R)13-30, Authorizing and Approving a Master Intergovernmental Agreement between Golder Ranch Fire District and the Town of Oro Valley for the Inter-Connection of Data Networks

Councilmember Burns was concerned with using the word "lost" as it pertained to data.

MOTION: A motion was made by Councilmember Burns and seconded by Mayor Hiremath to approve item (B) by striking the words "~~loss-or~~" under Section 8.

MOTION carried, 7-0.

REGULAR AGENDA

3. PUBLIC HEARING: RESOLUTION NO. (R)13-31, ADOPTION OF THE TENTATIVE BUDGET FOR FY 2013/14 AND SETTING THE LOCAL ALTERNATIVE EXPENDITURE LIMITATION FOR FY 2013/14

Town Manager Greg Caton gave an overview of the FY 2013/14 budget timeline and process.

Finance Director Stacey Lemos gave an overview of the FY 13/14 Tentative budget.

Mayor Hiremath opened the public hearing.

The following individuals spoke on item #3.

Oro Valley resident John Musolf
Oro Valley resident Richard Tracy Sr.
Oro Valley resident Bill Adler

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Mayor Hiremath and seconded by Vice Mayor Waters to approve Resolution No. (R)13-31, adopting the tentative budget for FY 2013/14 and setting the local alternative expenditure limitation for FY 2013/14 at \$93,913,429 with the direction to staff to increase the Greater Oro Valley Chamber of Commerce funding to \$30,000.

MOTION carried, 6-1 with Councilmember Garner opposed.

Mayor Hiremath recessed the meeting at 8:17 p.m.

Vice Mayor Lou Waters left the meeting at 8:17 p.m.

Mayor Hiremath reconvened the meeting at 8:26 p.m.

1. PRESENTATION OF FIVE-YEAR FINANCIAL FORECAST THROUGH FY 2017/18

Ms. Lemos presented the five-year financial forecast through FY 2017/18 and outlined the following funds:

- General Fund
- Highway Fund
- Bed Tax Fund

2. PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR SUSHI VALLEY LOCATED AT 10509 N ORACLE ROAD #131

Town Clerk Julie Bower gave an overview of item #2.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to recommend approval of the issuance of a Series 12 Liquor License to the Arizona Department of Liquor Licenses and Control for Johnathan Nguyen and principals for Sushi Valley located at 10509 N. Oracle Road #131.

MOTION carried, 6-0.

4. APPROVAL OF A PUBLIC PARTICIPATION PLAN FOR THE TOWN'S GENERAL PLAN UPDATE

Planning Manager David Williams gave an overview of item #4.

The following individual spoke on item #4.

Oro Valley resident Bill Adler

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Burns to approve the Public Participation Plan for the General Plan Update.

MOTION carried, 6-0.

5. UNIFORM CODE UPDATES

a. RESOLUTION NO.'S (R)13-19 THROUGH (R)13-28, DECLARING AS PUBLIC RECORDS CERTAIN DOCUMENTS COLLECTIVELY KNOWN AS THE 2012 INTERNATIONAL BUILDING CODES, THE 2011 ELECTRICAL CODE AND THE 2012 POOL AND SPA CODE

MOTION: A motion was made by Councilmember Garner and seconded by Councilmember Zinkin to approve Resolution No.'s (R)13-19 through (R)13-28, declaring as public records certain documents collectively known as the 2012 International Building Codes, the 2011 Electrical Code and the 2012 Pool and Spa Code.

MOTION carried, 5-0.

b. PUBLIC HEARING: ORDINANCE NO.'S (O)13-05 THROUGH (O)13-14, ADOPTING CERTAIN DOCUMENTS COLLECTIVELY KNOWN AS THE 2012 INTERNATIONAL BUILDING CODES, THE 2011 ELECTRICAL CODE AND THE 2012 POOL AND SPA CODE

Building Official Chuck King gave an overview of item #5b.

Mayor Hiremath opened the public hearing.

The following individuals spoke on item #5b.

Oro Valley resident Lynne St. Angelo
Oro Valley resident Shirl Lamonna

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Burns to approve Ordinance No.'s (O)13-05 through (O)13-14, adopting the 2012 editions of the International Residential Code, International Building Code,

International Plumbing Code, International Mechanical Code, International Fire Code, International Fuel Gas Code, International Energy Conservation Code, International Property Maintenance Code, the 2011 edition of the National Electrical Code, and the 2012 edition of the Oro Valley Pool and Spa Code, with amendments thereto, and to repeal all ordinances that are in conflict with these Codes and amendments.

Councilmember Zinkin requested that his vote be recorded as an abstention.

MOTION failed, 3-3 with Councilmember Garner, Councilmember Hornat, and Councilmember Zinkin opposed.

MOTION: A motion was made by Councilmember Burns and seconded by Councilmember Snider to continue item #5b to a future meeting date at which Vice Mayor Waters would be present.

MOTION carried, 6-0.

6. DISCUSSION AND POSSIBLE ACTION REGARDING THE REMAINING BALANCE OF COUNCIL-DESIGNATED CONTINGENCY FUNDS FROM THE LIBRARY TRANSFER TO THE PIMA COUNTY LIBRARY DISTRICT

Ms. Lemos gave an overview of item #6.

The following individual spoke on item #6.

Oro Valley resident John Musolf

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Zinkin to continue item #6 to no date certain and direct staff to bring back a recommendation for the accounting function to carry the remaining balance of the Council-designated Contingency Funds balance through as a designated expenditure fund in the 2013/14 Fiscal Year budget, at Council direction.

MOTION carried, 6-0.

FUTURE AGENDA ITEMS

No future agenda items were requested.

CALL TO AUDIENCE

No comments were received.

ADJOURNMENT

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Burns to adjourn the meeting at 10:28 p.m.

MOTION carried, 6-0.

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 1st day of May, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2013.

Julie K. Bower, MMC
Town Clerk



Town Council Regular Session

Item # **B.**

Meeting Date: 06/05/2013

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

Department: Town Clerk's Office

Information

SUBJECT:

Appointment of Eric Thomae to the Historic Preservation Commission (HPC)

RECOMMENDATION:

The selection committee for the Historic Preservation Commission recommends the following appointment:

Eric Thomae for a term expiring December 31, 2015

EXECUTIVE SUMMARY:

The selection committee interviewed Mr. Thomae on May 10, 2013 and his application is attached for your review.

BACKGROUND OR DETAILED INFORMATION:

Boards and Commissions in various areas of interest have been organized for residents to take an active role in the Town government. The service and dedication of the board and commission members is invaluable and helps the organization maintain the standards and expectations of the community.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (approve or deny) the appointment of Eric Thomae to the Historic Preservation Commission for a term expiring December 31, 2015.

Attachments

Application



ERIC J. THOMAE
ATTORNEY

Oro Valley, Arizona 85737



Town Council Regular Session

Item # **C.**

Meeting Date: 06/05/2013

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

Department: Town Manager's Office

Information

SUBJECT:

Resolution No. (R)13-41, Authorizing and approving a Financial Participation Agreement between the Town of Oro Valley and the Greater Oro Valley Chamber of Commerce

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Economic Development division worked with the Legal department to draft a Financial Participation Agreement (FPA) between the Town of Oro Valley and Greater Oro Valley Chamber of Commerce (the Chamber) that identifies specific performance measures for the agency, evaluation criteria and reporting requirements.

BACKGROUND OR DETAILED INFORMATION:

The Economic Development division and the Chamber developed the following performance measures, which are outlined in Section 2 of the FPA:

1. Business Recruitment, Retention and Outreach

- a. The Chamber will continue to participate in the Town's Business Retention and Expansion (BR&E) Program, conducting at least two site visits per month.
- b. The Chamber enhanced the Town's existing Shop Oro Valley campaign by creating a Shop Oro Valley Coupon Book in FY 2012/13. The Shop Oro Valley Coupon will be created annually by the Chamber. The final draft of the Shop Oro Valley Coupon Book will be coordinated between the Chamber President/CEO and the Economic Development Manager.
- c. The Chamber will create an Oro Valley Welcome Guide, designed for residents and visitors that will be distributed during third quarter. The final draft of the Oro Valley Welcome Guide will be coordinated between the Chamber President/CEO and the Economic Development Manager.
- d. The Chamber will serve as a second distribution point for OV Dollars and will provide minimum total sales of \$7,000 during the period of this contract.
- e. The Chamber shall work to assist the Town in emphasizing the importance of supporting local retailers/businesses through educational and promotional efforts and will display the following materials at the Chamber offices: Oro Valley Business Navigator, Shop Oro Valley Campaign and OV Dollars and other economic development related materials as deemed appropriate by the Chamber President/CEO and Economic Development Manager.

2. Special Events

- a. The Chamber will coordinate ribbon cuttings for new Oro Valley businesses.
- b. The Chamber will host four Oro Valley educational forums that will be open to members and non-members.
- c. During this Agreement, Town officials will attend Chamber breakfasts, luncheons and mixers free of charge as long as each official pre-registers for each event.
- d. The Town will receive one complimentary table of 10 for the Annual Chamber meeting.
- e. The Town will receive eight complimentary tables of 10 to the State of the Town of Oro Valley Address and Luncheon.
- f. Annual Chamber membership dues to be paid by the Town shall be included as part of the monetary consideration of this Agreement.
- g. During the term of this Agreement, the Agency will refrain from engaging in political activity which has the effect of endorsing any candidate for Mayor or Council member of the Town of Oro Valley.

FISCAL IMPACT:

The FY 2013/14 Town Manager's Recommended Budget includes funding for the Chamber in the amount of \$30,000 in the Bed Tax Fund.

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)13-41, Authorizing and Approving a Financial Participation Agreement Between the Town of Oro Valley and the Greater Oro Valley Chamber of Commerce.

Attachments

(R)13-41 FPA with Greater Oro Valley Chamber of Commerce
Chamber FPA

RESOLUTION NO. (R)13-41

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 GREATER ORO VALLEY CHAMBER OF COMMERCE

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 Greater Oro Valley Chamber of Commerce; and

WHEREAS, it is in the best interest of the Town to enter into the Financial Participation Agreement with the Greater Oro Valley Chamber of Commerce, 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 Greater Oro Valley Chamber of Commerce, attached hereto as Exhibit "A" and incorporated herein by this reference, 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 5th day of June, 2013.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk

Tobin Sidles, Legal Services Director

Date: _____

Date: _____

EXHIBIT “A”

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2013, by and between the Town of Oro Valley, a municipal corporation, hereinafter called the "Town" and the **Greater Oro Valley Chamber of Commerce**, 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 will provide tourism and visitor's services and information to Town residents and seasonal tourists and anyone indicating an interest in locating a business or residence in the Town.

Section 2: Services to be Performed by Agency

Agency performance measures for Fiscal Year 2013/14 are as follows:

1. Business Recruitment, Retention and Outreach
 - a. The Chamber will continue to participate in the Town's Business Retention and Expansion (BR&E) Program, conducting at least two site visits per month.
 - b. The Chamber enhanced the Town's existing Shop Oro Valley campaign by creating a Shop Oro Valley Coupon Book in FY2012/13. The Shop Oro Valley Coupon will be created annually by the Chamber. The final draft of the Shop Oro Valley Coupon Book will be coordinated between the Chamber President/CEO and the Economic Development Manager.
 - c. The Chamber will create an Oro Valley Welcome Guide, designed for residents and visitors that will be distributed during third quarter. The final draft of the Oro Valley Welcome Guide will be coordinated between the Chamber President/CEO and the Economic Development Manager.
 - d. The Chamber will serve as a second distribution point for OV Dollars and will provide minimum total sales of \$7,000 during the period of this contract.
 - e. The Chamber shall work to assist the Town in emphasizing the importance of supporting local retailers/businesses through educational and promotional efforts and will display the following materials at the Chamber offices: Oro Valley Business Navigator, Shop Oro Valley Campaign and OV Dollars and other

Town of Oro Valley

FINANCIAL PARTICIPATION AGREEMENT

economic development related materials as deemed appropriate by the Chamber President/CEO and Economic Development Manager.

2. Special Events

- a. The Chamber will coordinate ribbon cuttings for new Oro Valley businesses.
- b. The Chamber will host four Oro Valley educational forums that will be open to members and non-members.
- c. During this Agreement, Town officials will attend Chamber breakfasts, luncheons and mixers free of charge as long as each official pre-registers for each event.
- d. The Town will receive one complimentary table of 10 for the Annual Chamber meeting.
- e. The Town will receive eight complimentary tables of 10 to the State of the Town of Oro Valley Address and Luncheon.
- f. Annual Chamber membership dues to be paid by the Town shall be included as part of the monetary consideration of this Agreement.
- g. During the term of this Agreement, the Agency will refrain from engaging in political activity which has the effect of endorsing any candidate for Mayor or Council member of the Town of Oro Valley.

Section 3: Services to be Provided by the Town

All funding is subject to the Town's budget appropriations. For this Agreement, up to Thirty Thousand Dollars (\$30,000) 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

Town of Oro Valley

FINANCIAL PARTICIPATION AGREEMENT

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

Town of Oro Valley

FINANCIAL PARTICIPATION AGREEMENT

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.

Section 10: Term of Agreement

This Agreement shall be effective from July 1, 2013 through June 30, 2014. 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 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, 2014.

Section 12: Termination of Agreement

Town of Oro Valley

FINANCIAL PARTICIPATION 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 13: Method of Payment

The parties have agreed that Agency will receive up to \$30,000. 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, 2013. 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.

Town of Oro Valley
FINANCIAL PARTICIPATION 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:

APPROVED AS TO FORM:

 Julie K. Bower, as Town Clerk
 and not personally

 Tobin Sidles, as Interim Town Attorney
 and not personally

Date: _____

Date: _____

GREATER ORO VALLEY CHAMBER OF COMMERCE., a non-profit Corporation

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

Agency Representative
and not personally

Title _____

State of Arizona)
) ss.
County of)

On this ___ day of _____, 2013, _____, 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 _____, 2013.

Notary

My Commission Expires: _____



Town Council Regular Session

Item # **D.**

Meeting Date: 06/05/2013
Requested by: Aimee Ramsey
Submitted By: Aimee Ramsey, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

Resolution No. (R)13-42, Authorizing and approving Amendment Number 2 to the Intergovernmental Agreement between the Regional Transportation Authority of Pima County and the Town of Oro Valley for provision of circulator bus service

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Town of Oro Valley currently acts as a contractor to the Regional Transportation Authority (RTA) providing Sun Shuttle Dial-a-Ride service within and around the Oro Valley area. Under the current agreement, the RTA funds all trips within the Sun Shuttle Dial-a-Ride Blue Zone and all regional ADA dial-a-ride trips originating in the Sun Shuttle Dial-a-Ride service area. At the Town's discretion, we fund senior trips outside of the general public Sun Shuttle Dial-a-Ride Oro Valley zone. The Town operates these services under the regional dial-a-ride service policies and regional system brand.

Amendment number 2 extends the term of the service agreement until June 2018. The Regional Transportation Authority Regional Council approved Amendment 2 at their May 23rd meeting.

BACKGROUND OR DETAILED INFORMATION:

- Resolution No. (R)11-02 was approved by the Town Council on January 5, 2011, authorizing an Intergovernmental Agreement (IGA) between the RTA and the Town to provide circulator bus service to serve the Oro Valley/Catalina area.
- Resolution No. (R)12-07 was approved by the Town Council on February 1, 2012, authorizing and approving amendment number 1 to the Intergovernmental Agreement between the Regional Transportation Authority of Pima County and the Town of Oro Valley for provision of circulator bus service.

FISCAL IMPACT:

The total estimated revenue (\$944,000) is included in the Town Manager's Recommended Budget for FY 2013-14.

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)13-42, authorizing and approving amendment number 2 to the Intergovernmental Agreement between the Regional Transportation Authority of Pima County and the Town of Oro Valley for provision of circulator bus service.

Attachments

(R)13-42 RTA Amendment #2 Circulator Bus Service

Amendment2

RESOLUTION NO. (R)13-42

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING AMENDMENT NUMBER 2 TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY AND THE TOWN OF ORO VALLEY FOR PROVISION OF CIRCULATOR BUS SERVICE

WHEREAS, the Town is authorized by A.R.S. § 9-240(B)(3) to design, maintain, control and manage public roads within the boundaries of the Town; and

WHEREAS, the Town of Oro Valley and the Regional Transportation Authority of Pima County (RTA) may contract for services and enter into agreements with one another for joint or cooperative action pursuant to A.R.S. 11-952; and

WHEREAS, Resolution No. (R)12-07 was approved by Mayor and Council on February 1, 2012, authorizing and approving amendment number one to IGA between the Regional Transportation Authority of Pima County and the Town of Oro Valley for provision of circulator bus service; and

WHEREAS, the Town and the RTA desire to amend the IGA, attached hereto as Exhibit "A" and incorporated herein by this reference, to extend the term of the current agreement until June 2018; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona that Amendment Number 2 to the Intergovernmental Agreement by and between the Regional Transportation Authority of Pima County and the Town of Oro Valley for provision of circulator bus service, attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby approved.

NOW, BE IT FURTHER RESOLVED that the Mayor and any other administrative officials of the Town of Oro Valley are hereby authorized to take such steps as are necessary to execute and implement the terms of the Agreement.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 5th day of June, 2013.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk

Tobin Sidles, Legal Services Director

Date: _____

Date: _____

EXHIBIT “A”

**AMENDMENT NUMBER 2
TO
INTERGOVERNMENTAL TRANSPORTATION FUNDING AGREEMENT
BETWEEN
THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA
COUNTY
AND
THE TOWN OF ORO VALLEY
FOR
REGIONAL TRANSIT SERVICE IMPROVEMENTS:
PROJECT 48B- CIRCULATOR TRANSIT SERVICES IMPROVEMENTS
PROJECT 47B- SPECIAL NEEDS TRANSIT FOR ELDERLY AND DISABLED**

WHEREAS, the Regional Transportation Authority of Pima County (“RTA”) entered into an Intergovernmental Transportation Funding Agreement (hereinafter “the Agreement”) in January 2013 with Town of Oro Valley (“Town”) to provide funding for the implementation of the Circulator Transit Service Improvements and Special Need Transit Service for seniors and disabled persons in a greater Oro Valley service area; and

WHEREAS, the RTA intends to fund both services otherwise known as, Sun Shuttle Dial-a-Ride under the terms and conditions contained in the original Agreement, Amendment 1 and this Amendment; and

WHEREAS, the RTA and Town enter this agreement for the purpose of extending the current service duration and continue to provide transit services for the greater Oro Valley area while cooperatively working on the design, promotion and regionalization of the Sun Shuttle Dial-a-Ride system; and

NOW, THEREFORE, the Agreement is amended as follows:

CHANGES:

1. Replace Exhibit A (Project 48-b Oro Valley Circulator Transit Service) as attached hereto and incorporated herein by reference changes the estimated service start date, duration of service, and new Attachment B, attached herein. Changes are as follows:

TIP Project Number

From: 100.06

To: 42.10

Service Date and Duration of Service

From: “February 2011 – June 30, 2011
July 1, 2011 – June 30, 2012
July 1, 2012 – June 30, 2013”

To: “July 1, 2013 – June 30, 2018”

2. Replace Exhibit B (Project 47a Special Needs Transit For Elderly and Disabled) as attached hereto and incorporated herein by reference changes the estimated service start date, duration of service, and new Attachment B, attached herein. Changes are as follows:

TIP Project Number

From: 100.06

To: 97.06

Service Date and Duration of Service

From: “February 2011 – June 30, 2011
July 1, 2011 – June 30, 2012
July 1, 2012 – June 30, 2013”

To: “July 1, 2013 – June 30, 2018”

The effective date of this Amendment shall be July 1, 2013. All other provisions not specifically changed by this Amendment shall remain in full force and effect.

Exhibit A
Project 48b – Oro Valley Circulator Transit Service

RTA Ballot/Project Number: **Project 48b – Oro Valley Circulator Transit Service**

1. RTA Plan Project Element or Program Category: **Transit**
2. TIP Project Number: 42.10
3. Project Name: **Oro Valley Circulator Service – Sun Shuttle Dial-A-Ride**
4. Type of Work: Transit Operations
5. Project Manager for Status Reports (Include Contact Information):

Aimee Ramsey, Transit Service Administrator, Town of Oro Valley, 229-4980
aramsey@orovalleyaz.gov
6. Authorized representative for signing and submitting payment requests:
Aimee Ramsey, Transit Service Administrator, Town of Oro Valley, 229-4980
aramsey@orovalleyaz.gov

and/or

Lynn Garcia, Administrative Coordinator, Town of Oro Valley, 229-4875
lgarcia@orovalleyaz.gov
7. Map of transit routes effected by the IGA – Attachment A
8. Narrative description of scope of project, what improvements are included and intent of Project (Discuss any problems and how Project addresses same):

It is the intent of the Regional Transit Plan to enhance transit service throughout the greater Oro Valley area. The service contemplated under this Exhibit is scheduled to operate in a dial-a-ride service mode with connections to the other regional transit – services.

Characteristics Sun Shuttle – General Public

- Service Hours: 6:00 a.m. – 8 p.m.
- Monday through Friday operations
- No Operations on the following holidays: (New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas)
- Vehicles

- Origin to Destination in predefined area (see map)
- Fare equal to the regional fare

9. Estimated service start date and duration of service:

July 1, 2013 – June 30, 2018

10. Projected cost reimbursement timeline (to be used by Authority for cash flow planning).

- Attachment B – FY 2014 Cash Flow

11. Estimated RTA cost is defined as the sum of the total monthly expenditures minus fare box revenues minus “other revenues”.

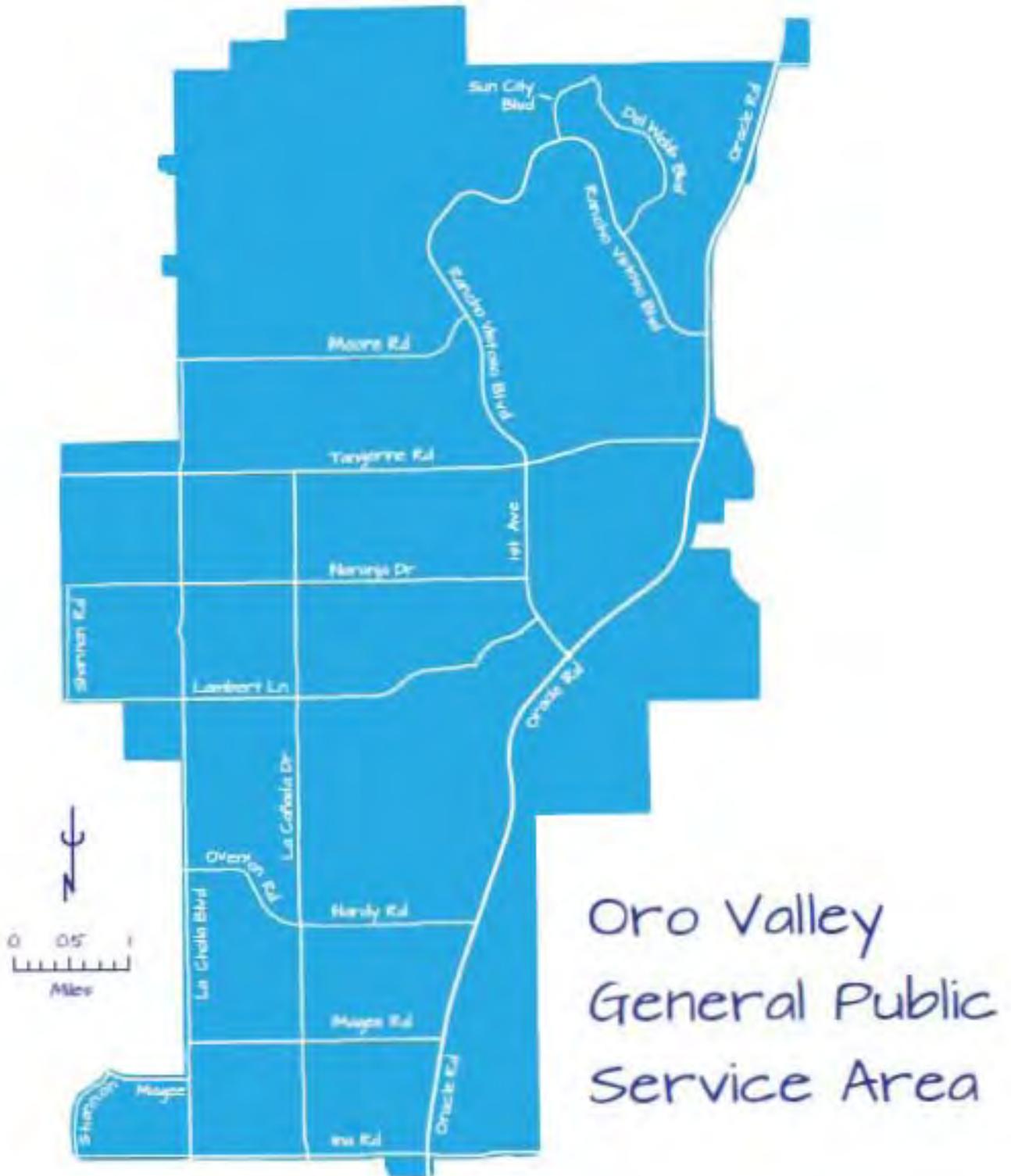


Exhibit A (Attachment A: Service Area Map)

Exhibit A (Attachment B: FY 2014 Cash Flow)

GENERAL SERVICES SUN SHUTTLE Dial-A-Ride						
Cost Per Hour			\$ 45.00			
Monthly Projected Gross Costs	mon.	Days	Hours	Monthly	Farebox	RTA Cost
Hours per Day	Jul-12	21	819.0	\$ 36,855	\$ 2,580	\$ 34,275
39	Aug-12	23	897.0	\$ 40,365	\$ 2,826	\$ 37,539
Sat/Sun Hours	Sep-12	19	741.0	\$ 33,345	\$ 2,334	\$ 31,011
na	Oct-12	23	897.0	\$ 40,365	\$ 2,826	\$ 37,539
	Nov-12	21	819.0	\$ 36,855	\$ 2,580	\$ 34,275
	Dec-12	23	897.0	\$ 40,365	\$ 2,826	\$ 37,539
	Jan-13	21	819.0	\$ 36,855	\$ 2,580	\$ 34,275
Day 2012/2013	Feb-13	20	780.0	\$ 35,100	\$ 2,457	\$ 32,643
258	Mar-13	23	897.0	\$ 40,365	\$ 2,826	\$ 37,539
	Apr-13	21	819.0	\$ 36,855	\$ 2,580	\$ 34,275
	May-13	21	819.0	\$ 36,855	\$ 2,580	\$ 34,275
	Jun-13	22	858.0	\$ 38,610	\$ 2,703	\$ 35,907
FY 2012/2013		258	10,062.0	\$ 452,790	\$ 31,695	\$ 421,095
				RTA CPH		\$ 41.85

Reimbursement rate per the terms and conditions contained in the original Agreement Section 5b.

Exhibit B
Project 47a – Special Needs Transit for Elderly and Disabled

RTA Ballot/Project Number: **Project 47a – Special Needs Transit Service**

1. RTA Plan Project Element or Program Category: **Transit**
2. TIP Project Number: 97.06
3. Project Name: **Special Needs – Sun Shuttle Dial-A-Ride**
4. Type of Work: Transit Operations
5. Project Manager for Status Reports (Include Contact Information): -
Aimee Ramsey, Transit Service Administrator, Town of Oro Valley, 229-4980
aramsey@orovalleyaz.gov
6. Authorized representative for signing and submitting payment requests:
Aimee Ramsey, Transit Service Administrator, Town of Oro Valley, 229-4980
aramsey@orovalleyaz.gov

and/or

Lynn Garcia, Administrative Coordinator, Town of Oro Valley, 229-4875
lgarcia@orovalleyaz.gov

7. Map of transit routes effected by the IGA – Attachment C
8. Narrative description of scope of project, what improvements are included and intent of Project (Discuss any problems and how Project addresses same):

It is the intent of the Regional Transit Plan to expand special needs transit service for elderly and disabled persons throughout the greater Oro Valley and Tucson area. The service contemplated under this Exhibit is scheduled to operate in a dial-a-ride service mode for eligible persons who are certified with Americans Disability Act (ADA) by the City of Tucson ADA office. At the Town’s discretion and funding, eligible senior trips may be also provided in accordance with regional dial-a-ride service policies.

Characteristics Sun Shuttle – ADA trips

- Service Hours: 6:00 a.m. – 8:00 p.m. Weekdays, 9:00 a.m. – 6:00 p.m. Weekends and Holidays
- 7 days a week
- Vehicles
- Origin to Destination in predefined area (see map)
- Fare equal to the regional fare

9. Estimated service start date and duration of service:

July 1, 2013 – June 30, 2018

10. Projected cost reimbursement timeline (to be used by Authority for cash flow planning).

- Attachment D – FY 2014 Cash Flow

11. Estimated RTA cost is defined as the sum of the total monthly expenditures minus fare box revenues minus “other revenues”.

Exhibit B (Attachment C: Service Area Map)

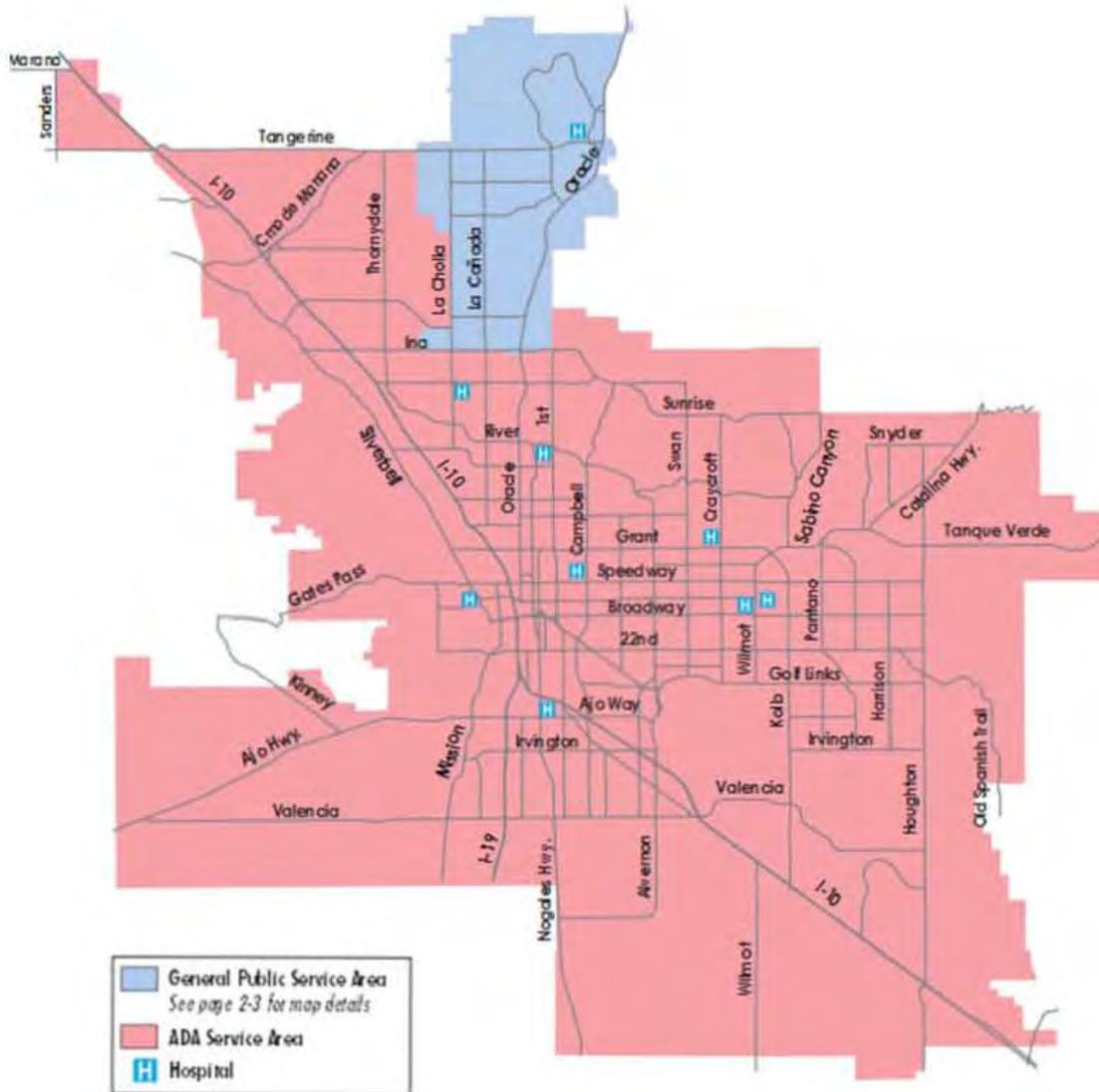


Exhibit B (Attachment D: FY 2014 Cash Flow)

ADA SERVICE SUN SHUTTLE Dial-A-Ride						
Cost Per Hour			\$ 40.08			
Monthly Projected Gross Costs	mon.	Days	Hours	Monthly	Farebox	RTA Cost
Hours per Day	Jul-12	31	1134.0	\$ 45,451	\$ 1,818	\$ 43,633
44	Aug-12	31	1180.0	\$ 47,294	\$ 1,892	\$ 45,403
Sat/Sun Hours	Sep-12	30	1067.0	\$ 42,765	\$ 1,711	\$ 41,055
21	Oct-12	31	1180.0	\$ 47,294	\$ 1,892	\$ 45,403
	Nov-12	30	1113.0	\$ 44,609	\$ 1,784	\$ 42,825
	Dec-12	31	1180.0	\$ 47,294	\$ 1,892	\$ 45,403
	Jan-13	31	1134.0	\$ 45,451	\$ 1,818	\$ 43,633
Day 2012/2013	Feb-13	28	1048.0	\$ 42,004	\$ 1,680	\$ 40,324
365	Mar-13	31	1180.0	\$ 47,294	\$ 1,892	\$ 45,403
	Apr-13	30	1113.0	\$ 44,609	\$ 1,784	\$ 42,825
	May-13	31	1134.0	\$ 45,451	\$ 1,818	\$ 43,633
	Jun-13	30	1136.0	\$ 45,531	\$ 1,821	\$ 43,710
FY 2012/2013		365	13,599.0	\$ 545,048	\$ 21,802	\$ 523,246
				RTA CPH		\$ 38.48

Reimbursement rate per the terms and conditions contained in the original Agreement Section 5b.

In Witness Whereof, the Town of Oro Valley has caused this Agreement to be executed by the Mayor and Council upon resolution of the Mayor and Council attested to by the Town Clerk and the Authority has caused this Agreement to be executed by its Chair of the Board.

REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY:

Jennifer Eckstrom, Board Chair

Date

TOWN OF ORO VALLEY:

Dr. Satish I. Hiremath, Mayor

Date

ATTEST:

Julie K. Bower, MMC, Town Clerk

Date

The foregoing Agreement between the Town of Oro Valley and the Authority has been approved as to content and is hereby recommended by the undersigned.

Cherie Campbell, Interim Executive Director

Date

ATTORNEY CERTIFICATION

The foregoing Agreement by and between the Regional Transportation Authority of Pima County and the Town of Oro Valley has been reviewed pursuant to A.R.S. Section 11-952 by the undersigned who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Agreement.

Regional Transportation Authority of Pima County:

Thomas Benavidez, Attorney for the Authority

Date

Town of Oro Valley:

Tobin Sidles, Interim Town Attorney

Date



Town Council Regular Session

Item # **E.**

Meeting Date: 06/05/2013

Requested by: Tobin Sidles

Submitted By: Caroline Standiford, Legal

Department: Legal

Information

SUBJECT:

Resolution No. (R)13-43, Approving an intergovernmental agreement for the shared use of parking facilities between the Town of Oro Valley and Amphitheater Unified School District No. 10 of Pima County

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

Historically, Amphitheater Unified School District has allowed the Town of Oro Valley to share its parking facilities at Canyon Del Oro High School. The previous IGA has expired and a new shared use agreement is needed.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)13-43, Approving an intergovernmental agreement for the shared use of parking facilities between the Town of Oro Valley and Amphitheater Unified School District No. 10 of Pima County.

Attachments

(R)13-43 Amphi Shared Parking IGA

IGA

RESOLUTION NO. (R)13-43

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR THE SHARED USE OF PARKING FACILITIES BETWEEN THE TOWN OF ORO VALLEY AND AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10 OF PIMA COUNTY

WHEREAS, the Town of Oro Valley has the responsibility for the welfare of its citizens; and

WHEREAS, pursuant to A.R.S. § 11-951 et seq., governmental entities are empowered to jointly exercise any power common to the contracting parties and may enter into agreements with one another for joint or cooperative action;

WHEREAS, pursuant to A.R.S. § 11-932, the Town may operate, maintain and improve public parks and may enter into contracts for purposes of the same;

WHEREAS, it is to the benefit of the common taxpayers and citizens of the Amphitheater and Oro Valley communities that Town and District parking facilities be made available to their common taxpayers and citizens when necessary and appropriate, thereby maximizing the value of the investment in both Town and School facilities;

WHEREAS, pursuant to A.R.S. § 15-364, counties, cities and schools may enter into agreements for the construction, development, cooperative maintenance, operation and use of parks and recreational facilities on properties used for public school purposes and under control of school districts;

WHEREAS, this Intergovernmental Agreement will be in furtherance of the public health, safety and welfare of the citizens of the Town;

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

1. The Intergovernmental Agreement for the use of the shared parking facilities of Amphitheater School District, Pima County, by the Town of Oro Valley, attached as Exhibit A, is approved.
2. The Mayor of the Town of Oro Valley is authorized to execute the Agreement, and the Town Manager and other administrative officials are authorized to take such steps as are necessary to implement its terms.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 5th day of June, 2013.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

Tobin Sidles, Legal Services Director

Date: _____

INTERGOVERNMENTAL AGREEMENT
FOR THE SHARED USE OF PARKING FACILITIES BETWEEN THE TOWN OF
ORO VALLEY AND AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10 OF
PIMA COUNTY

This Intergovernmental Agreement is entered into pursuant to Arizona Revised Statutes, § 11-951 between the Town of Oro Valley, a political subdivision of the State of Arizona, hereinafter referred to as the “Town” and the Amphitheater School District No 10 of Pima County, Arizona, a political subdivision of the State of Arizona, hereinafter referred to as the “District”, collectively the “Parties”.

RECITALS

WHEREAS, the Town and the District have determined that it is in the best interests of each to enter into this Agreement;

WHEREAS, the District and the Town serve and share a substantial number of common constituents and taxpayers;

WHEREAS, the Town and the District possess and operate neighboring properties – the District’s Canyon Del Oro High School and the Town’s James D. Kriegh Park and Oro Valley Aquatic Center (collectively, “the neighboring properties”);

WHEREAS, the parties’ neighboring properties include automobile parking facilities, but the Town presently lacks sufficient facilities to provide parking for major events held by the Town at James D. Kriegh Park and the Oro Valley Aquatic Center;

WHEREAS, the Town also lacks sufficient facilities to provide parking for major events held by the Town at other locations in the Town;

WHEREAS, on some occasions, the District also lacks sufficient parking capacity to meet public needs for major events held by the District;

WHEREAS, it is to the benefit of the common taxpayers and citizens of the Amphitheater and Oro Valley communities that Town and District parking facilities be made available to their common taxpayers and citizens when necessary and appropriate, thereby maximizing the value of the investment in both Town and School facilities;

WHEREAS, pursuant to A.R.S. § 11-951 *et seq.*, governmental entities are empowered to jointly exercise any power common to the contracting parties and may enter into agreements with one another for joint or cooperative action;

WHEREAS, pursuant to A.R.S. §§ 15-341, 15-363 *et seq.*, and 15-1101 *et seq.*, the District may operate school buildings and grounds for the purpose of providing public play and recreational activities;

WHEREAS, pursuant to A.R.S. § 11-932, the Town may operate, maintain and improve public parks and may enter into contracts for purposes of the same;

WHEREAS, the District has long made its school facilities available to a broad array of civic, recreation and school related groups for their use in providing programs and services of benefit to District students and the general public; and

WHEREAS, pursuant to A.R.S. § 15-364, counties, cities and schools may enter into agreements for the construction, development, cooperative maintenance, operation and use of parks and recreational facilities on properties used for public school purposes and under control of school districts;

NOW THEREFORE, the Town and the District, in consideration of these covenants and conditions hereinafter stated, and the faithful performance thereof, do mutually agree as follows:

Section I. Purpose

The purpose of this Agreement is to set forth in writing the agreement for additional shared parking in the Amphitheater and Oro Valley communities, and to set forth the rights and responsibilities of the parties relating to the use of one another's parking facilities.

Section II. Acknowledgements of Fiscal Restraints of the Parties.

- A.** The Town acknowledges that the District's parking facilities were constructed for the primary purpose of meeting the educational needs of the children of the Amphitheater community and that funding received by the District from the State of Arizona is limited to meeting those educational needs and that the District receives no state funding for public recreational facilities.
- B.** The District acknowledges that the Town's parking facilities were constructed for the primary purpose of meeting the recreational needs of the Oro Valley community and that improvements to Town facilities are subject to budgetary constraints of the Town.
- C.** Each party to this agreement acknowledges the right of either party to terminate this agreement in accordance with terms set forth herein in the event that one party's use of the other's facilities negatively impacts or impairs the capacity of the other party to maintain its facilities for their primary purpose.

///

Section II. Responsibilities of the Parties

A. Town Responsibilities

1. When the Town is planning a major event and requires additional parking, the Town will notify the District's Facilities Usage Department about the event as early as possible and will request reservation of appropriate District parking facilities.
2. When making a request to reserve District parking facilities, the Town will only request reservation of that amount of parking which the Town fully intends to utilize.
3. The Town shall only request use of the District's parking facilities for the purpose of providing additional event parking for Town events; the Town will not request District parking facilities pursuant to this agreement for third-party events.
4. The Town shall not charge a fee to any party for parking on District facilities.
5. The Town shall be responsible for making its own determinations as to the suitability of District parking facilities for Town purposes.
6. The Town shall notify the District immediately, in writing, if the Town observes or creates any safety hazards through its use of the District's facilities. This paragraph shall not, however, create any duty of the District to make any alteration or improvement to District facilities.
7. When Town uses of Town facilities permit, Town shall permit use of the Town's parking facilities located at James D. Kriegh Park and Oro Valley Aquatic Center by patrons and employees of the District, when use is requested pursuant to Section II(B) below. Such use shall be non-exclusive.

B. District Responsibilities

1. When the District is planning a major event and requires additional parking at a Town facility, the District will notify the Town about the event as early as possible and will request reservation of appropriate Town parking facilities.
2. When making a request to reserve Town parking facilities, the District will only request reservation of that amount of parking which the District fully intends to utilize.

3. The District shall only request use of the Town's parking facilities for the purpose of providing additional event parking for District events; the District will not request Town parking facilities pursuant to this agreement for third-party events.
4. The District shall not charge a fee to any party for parking on Town facilities.
5. The District shall be responsible for making its own determinations as to the suitability of Town parking facilities for District purposes.
6. The District shall notify the Town immediately, in writing, if the District observes or creates any safety hazards through its use of the Town's facilities. This paragraph shall not, however, create any duty of the Town to make any alteration or improvement to Town facilities.
7. When District uses of District facilities permit, District shall permit use of the District's parking facilities by patrons and employees of the District, when use is requested pursuant to Section II(A) above. Such use shall be non-exclusive.

Section II. Term

The term shall commence on the ____ day of _____, 2013, and the Agreement shall end on the ____ day of _____, 2018, unless otherwise extended by the parties.

Section III. Compensation

The reciprocity in use of one another's parking facilities and the reciprocity in the provisions of this Agreement shall be the sole form of compensation under this Agreement, the sufficiency of which is fully acknowledged by the parties.

Section IV. Termination

- A. This Intergovernmental Agreement may be terminated or suspended by the Town or District upon thirty (30) days written notice. Such termination shall not relieve either party from any liabilities or costs already incurred under this Intergovernmental Agreement.
- B. The parties understand that this Agreement is subject to cancellation pursuant to A.R.S. § 38-511 of Arizona Revised Statutes, without penalty or further obligation to either party, if any person significantly involved in initiating, negotiating, securing, drafting, or creating this Agreement on behalf of any party is, at any time while this Agreement or any extension hereof is in effect,

an employee or agent of the other party, in any capacity, or a consultant to the other party, with respect to the subject matter of this Agreement.

Section V. Insurance

- A. Town agrees to procure, at its expense, and maintain during the term of this agreement, a policy of general liability insurance, against claims for bodily injury, death, and property damage arising from or occurring in connection with Town's use of any portion of the District's facilities and/or the District facilities' contents. Such insurance shall name District as an additional insured and be primary and noncontributing to any coverage maintained by or on behalf of District. Such insurance shall have minimum limits of \$1,000,000.00 per occurrence, and Town shall provide District with a certificate evidencing that such insurance coverage is in effect.
- B. District agrees to procure, at its expense, and maintain during the term of this agreement, a policy of general liability insurance, against claims for bodily injury, death, and property damage arising from or occurring in connection with District's use of any portion of the Town's facilities and/or the Town facilities' contents. Such insurance shall name Town as an additional insured and be primary and noncontributing to any coverage maintained by or on behalf of Town. Such insurance shall have minimum limits of \$1,000,000.00 per occurrence, and District shall provide Town with a certificate evidencing that such insurance coverage is in effect.
- C. To the fullest extent permitted by Arizona law, each party to this Agreement shall indemnify, defend, and hold the other party, its governing board or body, officers, departments, employees and agents harmless from and against any and all suits, actions, legal or administrative proceedings, claims, demands, losses, fines or penalties, damages, liability, interest, attorney's, consultant's and accountant's fees or costs and expenses of whatsoever kind and nature, resulting from or arising out of any act or omission of the indemnifying party, its agents, employees or anyone acting under its direction or control, whether intentional, negligent, grossly negligent, or amounting to a breach of contract, in connection with or incident to the performance of this Agreement.

Section VI. Indemnification

- A. As a material part of the consideration to one another under this Agreement, Town hereby assumes all risk of damage to and loss or theft of property, as well as injury or death to persons, related in any way to Town's use or occupancy of any portion of District's facilities from any cause whatsoever, including when caused in whole or in part by Town, and Town hereby waives all claims in respect thereof against District. To the fullest extent permitted under Arizona law, Town shall indemnify, defend, and save harmless District, its governing board and officers, and all of its employees, agents, and

representatives from any and all claims, notices of claim(s), demands, suits, actions, proceedings, loss, cost, and damages of every kind and description, including any attorney's fees and/or litigation expenses, which may be brought or made against or incurred by District, on account of loss of or damages to any property and/or for injuries to or the death of any person(s) arising in whole or in part out of any act or omission by Town or its employees, agents, representatives, invitees, or subcontractors, or arising in whole or in part out of its and/or their use of District facilities, or arising in whole or in part out of workers' compensation claims or unemployment disability compensation claims of employees of Town or out of claims under similar such laws.

- B. As a material part of the consideration to one another under this Agreement, District hereby assumes all risk of damage to and loss or theft of property, as well as injury or death to persons, related in any way to District's use or occupancy of any portion of Town's facilities from any cause whatsoever, including when caused in whole or in part by District, and District hereby waives all claims in respect thereof against Town. To the fullest extent permitted under Arizona law, District shall indemnify, defend, and save harmless Town, its governing board and officers, and all of its employees, agents, and representatives from any and all claims, notices of claim(s), demands, suits, actions, proceedings, loss, cost, and damages of every kind and description, including any attorney's fees and/or litigation expenses, which may be brought or made against or incurred by Town, on account of loss of or damages to any property and/or for injuries to or the death of any person(s) arising in whole or in part out of any act or omission by District or its employees, agents, representatives, invitees, or subcontractors, or arising in whole or in part out of its and/or their use of Town facilities, or arising in whole or in part out of workers' compensation claims or unemployment disability compensation claims of employees of District or out of claims under similar such laws.

Section VII. Documents

Unless other forms or persons are designated otherwise, all notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows, unless designated:

To Amphitheater School District:

Todd A. Jaeger, J.D.
Assoc. to the Supt. & Gen. Counsel
Amphitheater Unified School District
701 W. Wetmore Rd.
Tucson, AZ 85705

To Town of Oro Valley

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

Oro Valley Police Department
11000 N. La Canada Dr.
Oro Valley, AZ 85737

Section VIII. Waiver

Waiver by either party of any breach of any term, covenant or condition herein contained shall not be deemed a waiver of any other term, covenant or condition, or any subsequent breach of the same or any other term, covenant, or condition herein contained.

Section IX. Arbitration

In the event of a dispute hereunder, the parties agree to use arbitration insofar as required by Sections 12-1518 and 12-133, Arizona Revised Statutes, and rules promulgated thereunder. To the extent arbitration is not required under the above-referenced laws, and then the parties shall submit any dispute hereunder for adjudication by Arizona's state courts.

Section X. Remedies

Either party may pursue any remedies provided by law for the breach of this Agreement. No right or remedy is intended to be exclusive of any other right or remedy and each shall be cumulative and in addition to any other right or remedy existing at law or in equity or by virtue of this Agreement.

Section XI. Non- Discrimination

The parties shall comply with Executive Order 99-4 and all other applicable State and Federal employment laws, rules, and regulations, mandating that all persons shall have equal access to employment opportunities, and that no person shall be discriminated against due to race, creed, color, religion, sex, national origin or disability.

Section XII. Applicable Law

The Parties to this Agreement shall comply with all federal, state, and local laws, rules, regulations, standards and Executive Orders, without limitation to those designated within these parties, the performance of this Agreement and any disputes hereunder. Any action relating to this Agreement shall be brought in an Arizona Court. The parties stipulate that this Agreement has been made and entered into, and shall be construed, enforced, and governed by the laws of the State of Arizona.

Section XIII. Miscellaneous

- A. **Headings.** The titles or headings used in this Agreement are for general reference only and are not a part of the Agreement.
- B. **Entire Contract.** This instrument 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. The parties shall not be bound by or be liable for any statement or representation of any nature not set forth in this Agreement.
- C. **Amendment.** This agreement shall not be modified, amended, altered or changed except by written agreement signed by both parties.
- D. **Construction and Interpretation.** All provisions of this Agreement shall be construed to be consistent with the intention of the parties as expressed in the recitals hereof.
- E. **Waiver.** The failure of either party to insist upon strict performance of any of the provisions of this Agreement or to exercise any rights or remedies provided by this Agreement or the party's delay in the exercise of any such rights or remedies available under this Agreement shall not release the other party from any of its responsibilities or obligations imposed by this Agreement and shall not be deemed a waiver of any right of either party to insist upon subsequent strict performance of this Agreement.
- F. **Severability.** In the event that any provision of this Agreement or the application thereof is declared invalid or void by statute or judicial decision, such action shall have no effect on other provisions and their application which can be given effect without the invalid or void provision or application, and to this extent the provisions of the Agreement are severable. In the event that any provision of this Agreement is declared invalid or void, the parties agree to meet promptly upon request of the other party in an attempt to reach an agreement on a substitute provision.
- G. **Non-Assignment.** Neither party may at any time assign this Agreement without the prior written consent of the other.
- H. **No Third Party Beneficiaries.** This Agreement is not intended to and shall not create any right in any person or entity as a third party beneficiary.
- I. **No Joint Venture.** This Intergovernmental Agreement does not, and nothing contained in this Intergovernmental Agreement shall be construed to, create any partnership, joint venture or employment relationship between the parties or create any employer-employee relationship between the District and any

Town employees, or between the Town and any District employees. Neither party shall be liable for any debts, accounts, obligations or other liabilities whatsoever of the other, including (without limitation) the other party's obligation to withhold Social Security and income taxes for itself or any of its employees.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first appearing.

TOWN OF ORO VALLEY

AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10 OF PIMA COUNTY

By: _____
Mayor Dr. Satish I. Hiremath

By: _____
Governing Board President

Date: _____

Date: _____

ATTEST

ATTEST

Julie K. Bower, Town Clerk

Governing Board Vice President

APPROVED AS TO FORM

APPROVED AS TO FORM

Tobin Sidles, Interim Town Attorney

Todd A. Jaeger, District Counsel



Town Council Regular Session

Item # **F.**

Meeting Date: 06/05/2013
Requested by: David Williams
Submitted By: Matt Michels, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

Request for approval of a Final Plat for San Dorado commercial and residential development, located on the east side of Oracle Road at First Avenue

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The applicant requests approval of a final plat for an 8-lot subdivision of the San Dorado property within the Oro Valley Town Centre Planned Area Development (PAD). The plat meets requirements and is ready for approval. Final plats must be approved by the Town Council prior to being recorded with Pima County.

BACKGROUND OR DETAILED INFORMATION:

Background

The property is part of the Oro Valley Town Centre Planned Area Development. The 27.8-acre property will be subdivided into eight (8) lots. Lots 1 through 7 will be developed with commercial buildings and Lot 8 is the 15.7-acre Mark Taylor apartment site. The zoning is Oro Valley Town Centre PAD.

A public access easement for the multi-use path along Rooney Wash and the civic space on Lot 6 will be granted to the Town to ensure public access to the path and civic space, with a requirement that organized events in the civic space be coordinated with the property manager prior to the event.

In addition, a public use easement is granted to the Town over a portion of the property at the corner of Oracle and First Avenue on the north side to allow for the placement of Town-sponsored public art or other public improvement. This easement was a condition of the Conceptual Site Plan approval. The easement language is contained in General Note #13 on Sheet 1 and is shown on Sheet 4 of the Final Plat.

Prior Approvals

- October 16, 2002, Oro Valley Town Centre PAD approved (Ordinance No. (O) 02-33)
- April 18, 2012, PAD Amendment approved (Ordinance No. (O) 12-06)
- November 7, 2012, Conceptual Site Plan approved (OV1212-08)

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to APPROVE the Final Plat for San Dorado Lots 1 through 8 within the Oro Valley Town Centre PAD, finding that it meets the requirements of Section 22.9.F of the Zoning Code.

or

I MOVE to DENY the Final Plat for San Dorado Lots 1 through 8 within the Oro Valley Town Centre PAD, finding that _____.

Attachments

Attachment 1 - Final Plat

GENERAL NOTES

- GROSS AREA OF SUBDIVISION IS 1,211,674 S.F. 27.82 ACRES)
- TOTAL NUMBER OF LOTS IS 8.
- TOTAL MILES OF NEW PUBLIC STREET IS 0.0 MILES.
- MINIMUM LOT SIZE IS 38,090 SQUARE FEET.
- AVERAGE LOT SIZE IS 151,459 SQUARE FEET.
- MAXIMUM BUILDING HEIGHT IS FORTY FIVE (45) FEET FOR C-1, C-2 & C-N. FIFTY (50) FEET FOR OFFICE USE AND SEVENTY FIVE (75) FEET FOR HOTEL
- BUILDING SETBACKS ARE THIRTY (30) FEET FRONT, FIFTEEN (15) FEET SIDE, AND FIFTEEN (15) FEET REAR.
- EXISTING ZONING IS ORO VALLEY TOWN CENTRE P.A.D. (MOST RECENT AMENDMENT: OV911-05 & ORDINANCE (O) NO. 12-06)
- NO FURTHER SUBDIVISION OF ANY LOT OR PARCEL SHOWN WILL BE DONE WITHOUT THE WRITTEN APPROVAL OF THE ORO VALLEY TOWN COUNCIL.
- THE BASIS OF BEARING FOR THIS PROJECT IS THE NORTH-SOUTH MID SECTION LINE OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 14 EAST, GILA AND SALT RIVER BASE & MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA. BEARING BEING S00°20'33"E.
- THE PROFESSIONAL ENGINEER OF RECORD SHALL CERTIFY AS TO THE FORM, LINE AND FUNCTION OF ALL PUBLIC AND PRIVATE ROADWAYS AND DRAINAGE STRUCTURES BEFORE THE RELEASE OF ASSURANCES.
- THE PROPERTY OWNER, HIS SUCCESSORS, ASSIGNS OR A DESIGNATED HOMEOWNERS ASSOCIATION AGREES 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.
- A PUBLIC USE EASEMENT IS GRANTED TO THE TOWN OF ORO VALLEY PER THIS PLAT FOR THE CONSTRUCTION, INSTALLATION, AND MAINTENANCE OF PUBLIC ART OR OTHER PUBLIC IMPROVEMENTS OF A MUTUALLY-AGREEABLE DESIGN, IN THE LOCATION SHOWN ON THE PLAT. ALL ELEMENTS OF THE ART OR PUBLIC IMPROVEMENT, INCLUDING THE SIZE, THEME, DESIGN, MATERIALS, COLOR, AND PLACEMENT WITHIN THE EASEMENT SHALL BE MUTUALLY AGREEABLE TO THE TOWN AND THE DEVELOPER. THE DEVELOPER MAY PLACE SIDEWALK, CURB, GUTTER, DRAINAGE IMPROVEMENTS, UTILITIES, REQUIRED LANDSCAPING, AND ANY OTHER ABOVE OR BELOW GROUND IMPROVEMENTS WITHIN THIS EASEMENT NECESSARY TO FULFILL TOWN CODE REQUIREMENTS OR OTHER AESTHETIC REQUIREMENTS. DEVELOPER SHALL HAVE NO OBLIGATION TO PAY ALL OR ANY PART OF THE COST OF THE PUBLIC ART OR PUBLIC IMPROVEMENTS LOCATED WITHIN THIS EASEMENT. THE TOWN OF ORO VALLEY HEREBY INDEMNIFIES AND HOLDS DEVELOPER HARMLESS FROM ALL DAMAGES AND LOSSES CAUSED BY THE PUBLIC ART OR OTHER PUBLIC IMPROVEMENTS LOCATED WITHIN THE EASEMENT, AND THE TOWN OF ORO VALLEY'S USE OF THE EASEMENT, THE EASEMENT PARCEL AND THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF SUCH PUBLIC ART OR OTHER PUBLIC IMPROVEMENTS.
- ORO VALLEY WATER UTILITY WILL BE THE WATER SERVICE PROVIDER FOR THIS DEVELOPMENT.

DEDICATION

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE ALL AND THE ONLY PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND SHOWN ON THIS PLAT AND WE CONSENT TO THE SUBDIVISION OF SAID LAND IN THE MANNER SHOWN HEREON. UTILITY EASEMENTS AS SHOWN HEREON ARE DEDICATED FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF UTILITIES AND SEWERS.

WE, THE UNDERSIGNED, OUR SUCCESSORS AND ASSIGNS, DO HEREBY SAVE THE TOWN OF ORO VALLEY, ITS SUCCESSORS AND ASSIGNS, THEIR EMPLOYEES, OFFICERS AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF SAID LANDS NOW AND IN THE FUTURE BY REASON OF FLOODING, FLOWAGE, EROSION OR DAMAGE CAUSED BY WATER, WHETHER SURFACE, FLOOD, OR RAINFALL. IT IS FURTHER UNDERSTOOD AND AGREED THAT NATURAL DRAINAGE SHALL NOT BE ALTERED, DISTURBED OR OBSTRUCTED WITHOUT APPROVAL OF THE ORO VALLEY TOWN COUNCIL.

CROSS-ACCESS, CROSS-PARKING, PUBLIC AND PRIVATE UTILITY MAINTENANCE AND ACCESS, STORM DRAIN MAINTENANCE AND ACCESS, SURFACE DRAINAGE BETWEEN LOTS, AND OVERALL MAINTENANCE RESPONSIBILITIES SHALL BE MAINTAINED AND OPERATED IN ACCORDANCE WITH THE RECORDED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, RECORDED APRIL 4, 2012 AS 2012-0950402 OF OFFICIAL RECORDS AND ANY AMENDMENTS THERETO. IMPROVEMENTS WITHIN INDIVIDUAL LOTS SHALL MAINTAIN THE OVERALL DRAINAGE PATTERNS OF THE APPROVED DRAINAGE REPORT.

THE PUBLIC ACCESS EASEMENT FOR THE MULTI-USE PATH LOCATED IN LOTS 1,6, AND 8 AND THE CIVIC SPACE LOCATED IN LOT 6 OF THE PLAT SHALL BE GRANTED TO THE TOWN OF ORO VALLEY AND THE GENERAL PUBLIC FOR USES TYPICALLY ASSOCIATED WITH THE FUNCTIONS OF A MULTI-USE PATH AND CIVIC SPACE. ORGANIZED EVENTS IN THE CIVIC SPACE SHALL BE COORDINATED WITH THE PROPERTY MANAGER PRIOR TO THE EVENT. USERS OF THE CIVIC SPACE AND THE MULTI-USE PATH MAY UTILIZE AREAS DESIGNATED FOR PARKING WITHIN LOTS 1-7.

CANADA DEL ORO PARTNERS

BY: _____

NOTARY

STATE OF ARIZONA)
COUNTY OF PIMA)SS

ON THIS THE ____ DAY OF _____, 2013, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HIMSELF (HERSELF) TO BE THE _____ OF CANADA DEL ORO PARTNERS AND BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED, BY SIGNING AS _____.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

WATER ADEQUACY

THE TOWN OF ORO VALLEY HAS BEEN DESIGNATED BY THE ARIZONA DEPARTMENT WATER RESOURCES AS HAVING AN ASSURED WATER SUPPLY, PURSUANT TO ARS § 45-576 AND HERBY CERTIFIES IN WRITING TO SUPPLY WATER TO THIS SUBDIVISION.

BY: _____
WATER UTILITY DIRECTOR

DATE: _____

RECORDING DATA

STATE OF ARIZONA) NO: _____
COUNTY OF PIMA)SS FEE: _____

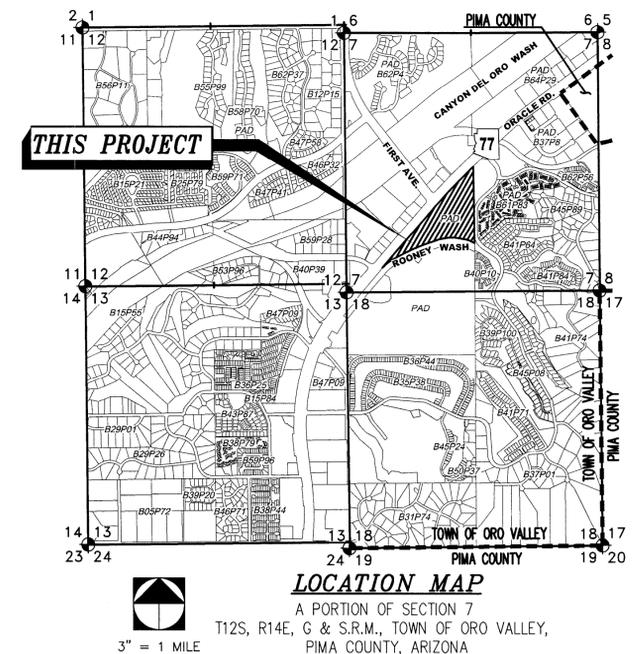
THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF THE WLB GROUP, INC., ON THIS _____ DAY OF _____, 20____, AT _____ M. IN SEQ. NO. _____, THEREOF.
F. ANN RODRIGUEZ, PIMA COUNTY RECORDER

BY: _____
DEPUTY FOR PIMA COUNTY RECORDER

APPROVALS

_____, CLERK OF THE TOWN OF ORO VALLEY, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY ON THE _____ DAY OF _____, 20____.

CLERK, TOWN OF ORO VALLEY	DATE
PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPT.	DATE
TOWN ENGINEER	DATE
ZONING ADMINISTRATOR	DATE
WATER UTILITY DIRECTOR	DATE



ASSURANCES

ASSURANCES IN THE FORM OF _____ FROM _____ AS RECORDED IN SEQ NO. _____, HAS BEEN PROVIDED TO GUARANTEE DRAINAGE AND STREET IMPROVEMENTS (INCLUDING MONUMENTS) AND UTILITY IMPROVEMENTS (ELECTRIC, TELEPHONE, GAS, SEWER, WATER) IN THIS SUBDIVISION.

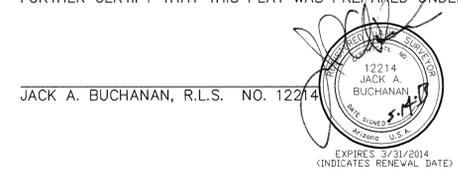
BY: _____
MAYOR - TOWN OF ORO VALLEY

DATE: _____

ASSURANCES IN THE FORM OF _____ FROM _____ IN THE AMOUNT OF \$ _____ HAVE BEEN PROVIDED TO GUARANTEE THE RESEEDING OF THIS SUBDIVISION IN THE EVENT THE PROJECT IS ABANDONED.

CERTIFICATION

I HEREBY CERTIFY THAT THE BOUNDARY SURVEY SHOWN ON THIS PLAT WAS PERFORMED UNDER MY DIRECTION AND THAT ALL EXISTING AND/OR PROPOSED SURVEY MONUMENTS AND MARKERS SHOWN ARE CORRECTLY DESCRIBED. I FURTHER CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECTION.



JACK A. BUCHANAN, R.L.S. NO. 12214

FINAL PLAT
SAN DORADO
LOTS 1 THROUGH 8
BEING A PORTION OF SECTION 7
TOWNSHIP 12 SOUTH, RANGE 14 EAST
GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

LEGEND

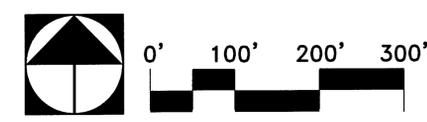
- FOUND 1/2" IRON PIN AS NOTED
- SET 1/2" IRON PIN TAGGED LS 12214
- △ FOUND BRASS CAP SURVEY MONUMENT
- BOUNDARY LINE
- LOT LINE
- CENTERLINE
- EASEMENT
- SECTION LINE

The **WLB** Group Inc.
Engineering Planning Surveying
Landscape Architecture Urban Design
Offices located in Tucson, Phoenix,
Flagstaff, AZ, and Las Vegas, NV.
4441 East Broadway
Tucson, Arizona (520) 881-7480

N:\181057\R-013\Final Plat\VP-SHT 01.dwg Plotted: May 14, 2013

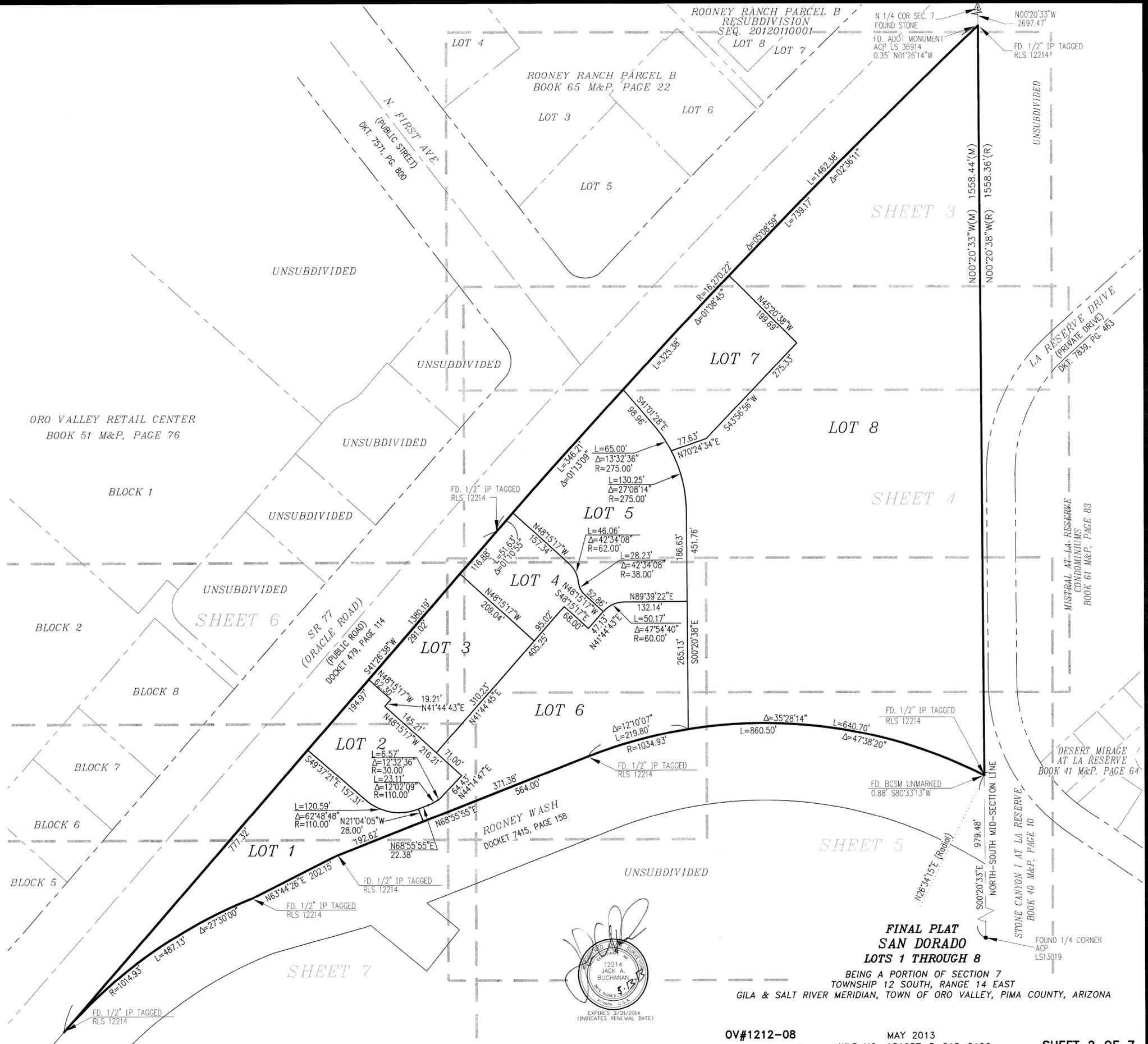
LEGEND

- FOUND 1/2" IRON PIN, OR AS NOTED
- SET 1/2" IRON PIN TAGGED LS 12214
- △ FOUND BRASS CAP SURVEY MONUMENT
- BOUNDARY LINE
- - - LOT LINE
- · - · - CENTERLINE
- · - - EASEMENT
- - - SECTION LINE



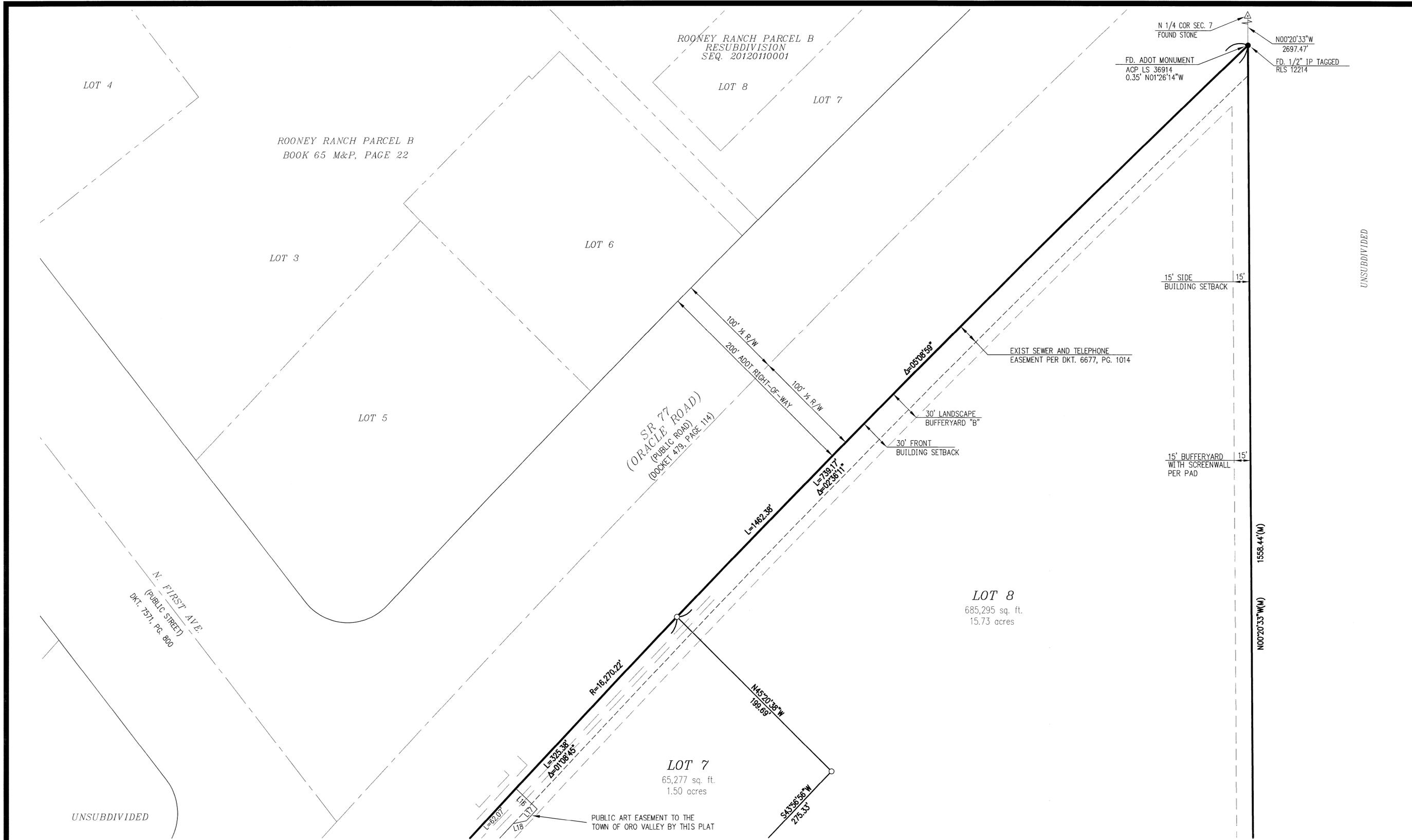
The **WLB** Group, Inc.

Engineering Planning Surveying
Landscape Architecture Urban Design
Offices located in Tucson, Phoenix,
Flagstaff, AZ, and Las Vegas, NV.
4444 East Broadway
Tucson, Arizona (520) 881-7480



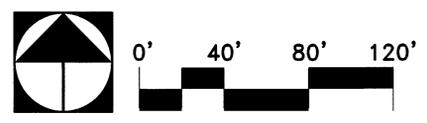
**FINAL PLAT
SAN DORADO
LOTS 1 THROUGH 8**
BEING A PORTION OF SECTION 7
TOWNSHIP 12 SOUTH, RANGE 14 EAST
GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

Plotted: May 13, 2013 N:\181057-R-013\Final\Plat\FP-SHT 02.dwg



SEE SHEET 4

The WLB Group Inc. **WLB** Engineering Planning Surveying Landscape Architecture Urban Design
 Offices located in Tucson, Phoenix, Flagstaff, AZ, and Las Vegas, NV.
 4444 East Broadway Tucson, Arizona (520) 881-7480



FINAL PLAT
SAN DORADO
LOTS 1 THROUGH 8
 BEING A PORTION OF SECTION 7
 TOWNSHIP 12 SOUTH, RANGE 14 EAST
 GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

OV#1212-08
 SCALE: 1"=40'
 MAY 2013
 WLB NO. 181057-R-013-0106
 SHEET 3 OF 7

N:\181057R-012\Final Plats\FP-SHT 03.dwg Plotted: Mdy, 13, 2013

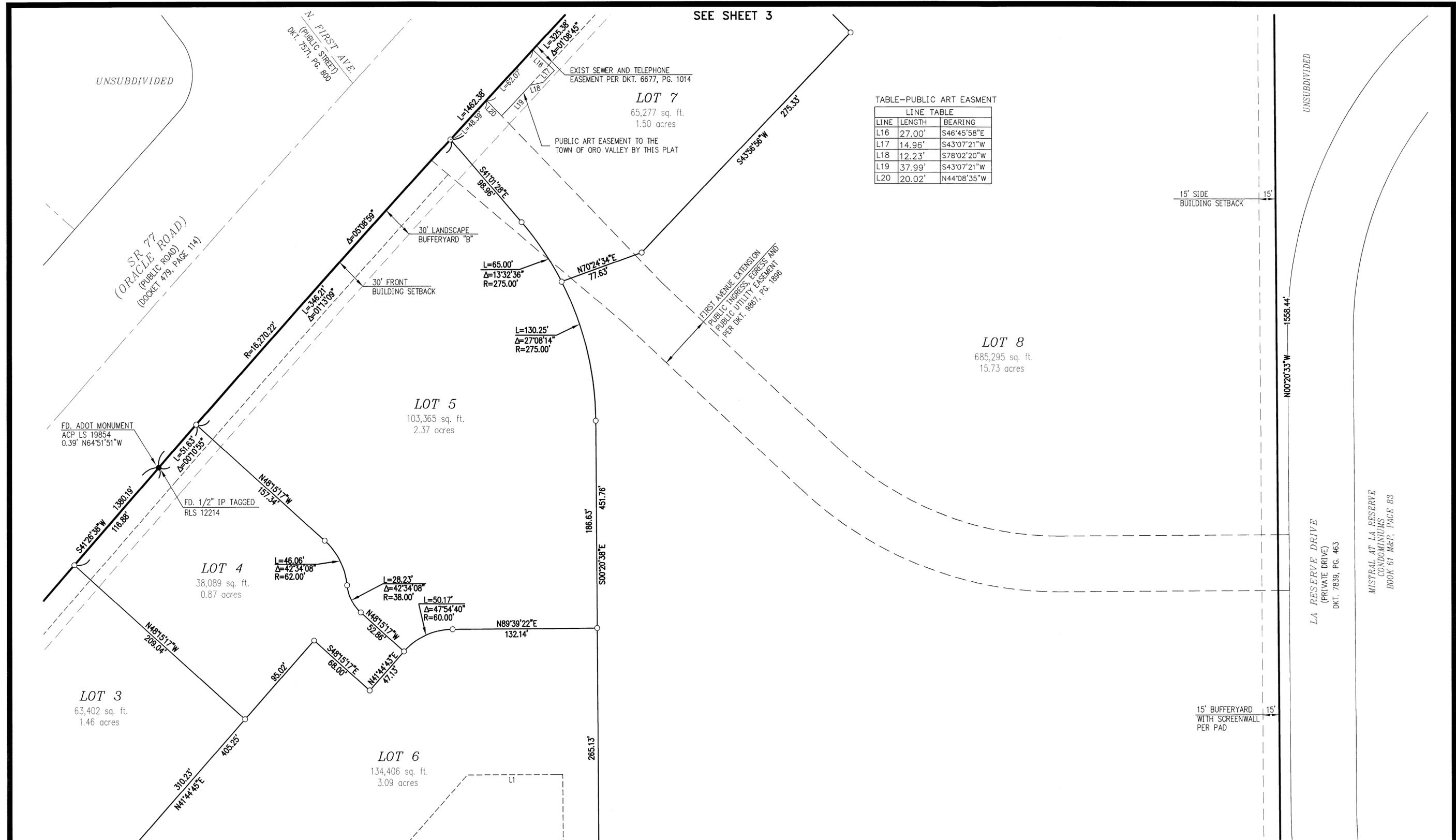
SEE SHEET 3

TABLE-PUBLIC ART EASMENT

LINE TABLE		
LINE	LENGTH	BEARING
L16	27.00'	S46°45'58"E
L17	14.96'	S43°07'21"W
L18	12.23'	S78°02'20"W
L19	37.99'	S43°07'21"W
L20	20.02'	N44°08'35"W

15' SIDE BUILDING SETBACK

15' BUFFERYARD WITH SCREENWALL PER PAD



SEE SHEET 5

The WLB Group Inc. **WLB**
 Engineering Planning Surveying
 Landscape Architecture Urban Design
 Offices located in Tucson, Phoenix,
 Flagstaff, AZ, and Las Vegas, NV.
 4444 East Broadway
 Tucson, Arizona (520) 881-7480

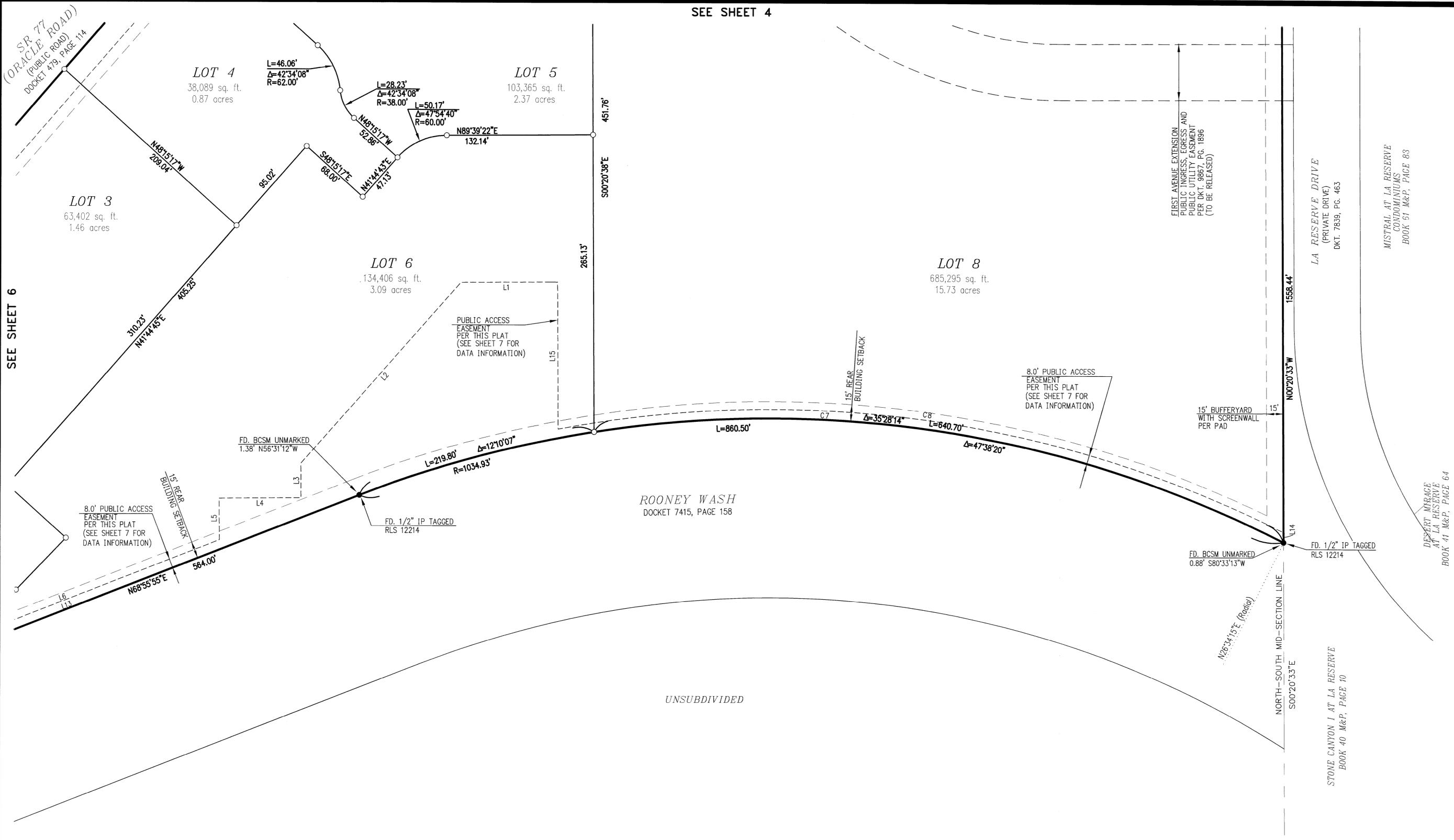


FINAL PLAT
SAN DORADO
LOTS 1 THROUGH 8
 BEING A PORTION OF SECTION 7
 TOWNSHIP 12 SOUTH, RANGE 14 EAST
 GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

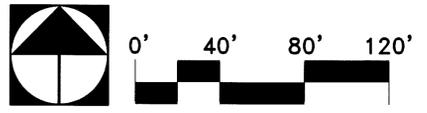
OV#1212-08
 SCALE: 1"=40'
 APRIL 2013
 WLB NO. 181057-R-013-0106
 SHEET 4 OF 7

N:\0181057R-012\Final Plats\FP-SHT 04.dwg Plotfile: May, 13, 2013

SEE SHEET 4



The **WLB** Group Inc.
 Engineering Planning Surveying
 Landscape Architecture Urban Design
 Offices located in Tucson, Phoenix,
 Flagstaff, AZ, and Las Vegas, NV.
 4444 East Broadway
 Tucson, Arizona (520) 881-7480



**FINAL PLAT
 SAN DORADO
 LOTS 1 THROUGH 8**
 BEING A PORTION OF SECTION 7
 TOWNSHIP 12 SOUTH, RANGE 14 EAST
 GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

OV#1212-08
 SCALE: 1"=40'
 MAY 2013
 WLB NO. 181057-R-013-0106
 SHEET 5 OF 7

Plotted: May-13, 2013 N:\181057\R-013\Final\Plat\FP-SHT-05.dwg

ORO VALLEY RETAIL CENTER
BOOK 51 M&P, PAGE 76

BLOCK 1

UNSUBDIVIDED

UNSUBDIVIDED

BLOCK 2

SR 77
(ORACLE ROAD)
(PUBLIC ROAD)
(DOCKET 479, PAGE 114)

BLOCK 8

BLOCK 7

SEE SHEET 7

LOT 4
38,089 sq. ft.
0.87 acres

LOT 3
63,402 sq. ft.
1.46 acres

LOT 6
134,406 sq. ft.
3.09 acres

LOT 2
45,674 sq. ft.
1.05 acres

LOT 1
76,165 sq. ft.
1.75 acres

ROONEY WASH
DOCKET 7415, PAGE 158

SEE SHEET 4

SEE SHEET 5

PUBLIC ACCESS
EASEMENT
PER THIS PLAT
(SEE SHEET 7 FOR
DATA INFORMATION)

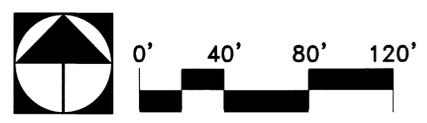
8.0' PUBLIC ACCESS
EASEMENT
PER THIS PLAT
(SEE SHEET 7 FOR
DATA INFORMATION)

15' REAR
SETBACK
BUILDING

FD. BCSD UNMARKED
1.38' N56°31'12"W

FD. 1/2" IP TAGGED
RLS 12214

The WLB Group, Inc. **WLB** Engineering Planning Surveying Landscape Architecture Urban Design
Offices located in Tucson, Phoenix, Flagstaff, AZ, and Las Vegas, NV.
4444 East Broadway Tucson, Arizona (520) 881-7480



FINAL PLAT
SAN DORADO
LOTS 1 THROUGH 8
BEING A PORTION OF SECTION 7
TOWNSHIP 12 SOUTH, RANGE 14 EAST
GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

OV#1212-08
SCALE: 1"=40'

MAY 2013
WLB NO. 181057-R-013-0106

SHEET 6 OF 7

N:\181057\181057-013-0106\Final Plots\FP-SHT-06.dwg Plotted: May 13, 2013

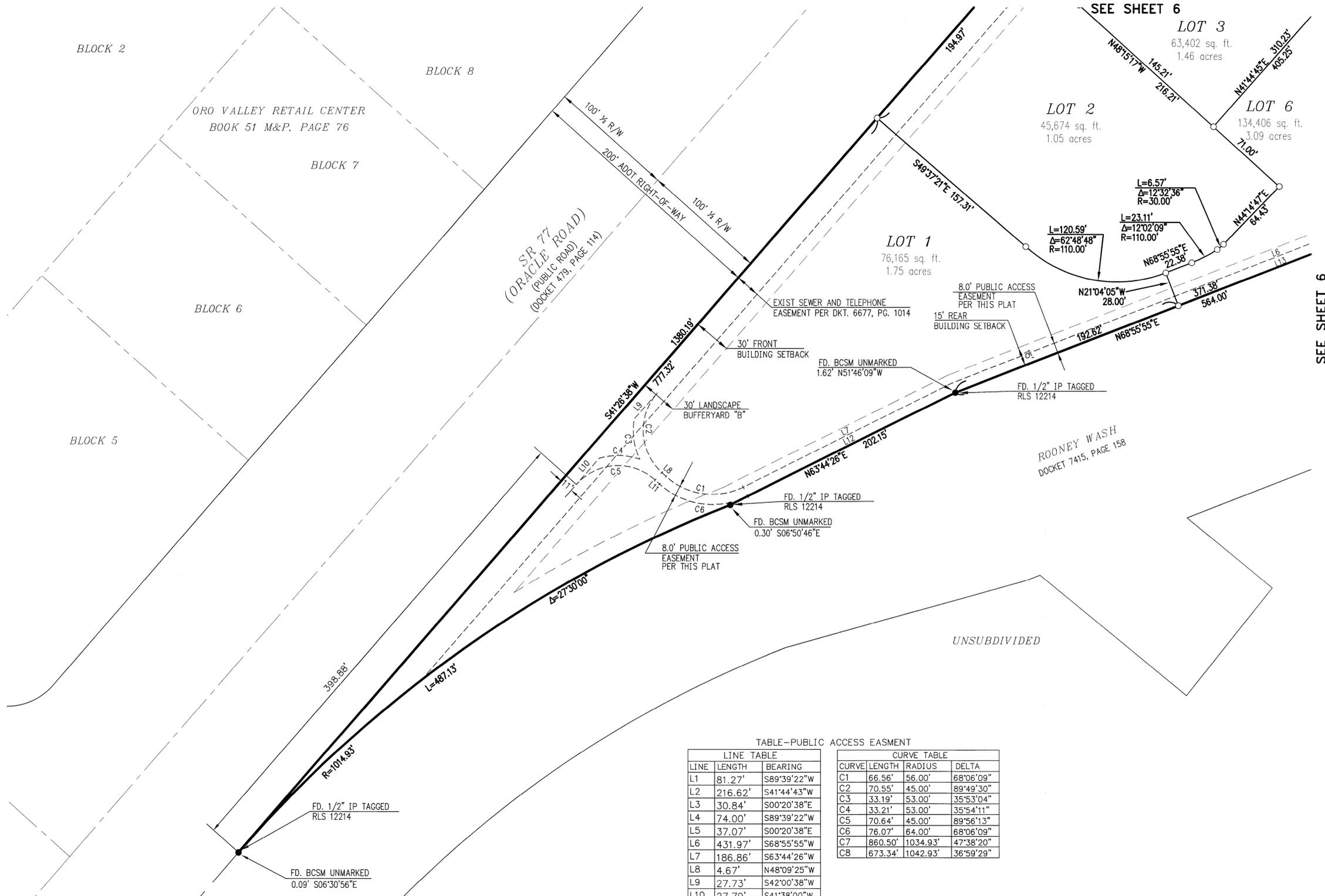


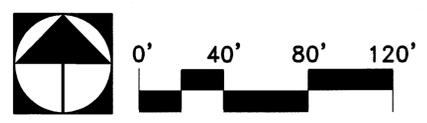
TABLE-PUBLIC ACCESS EASMENT

LINE TABLE			CURVE TABLE			
LINE	LENGTH	BEARING	CURVE	LENGTH	RADIUS	DELTA
L1	81.27'	S89°39'22"W	C1	66.56'	56.00'	68°06'09"
L2	216.62'	S41°44'43"W	C2	70.55'	45.00'	89°49'30"
L3	30.84'	S00°20'38"E	C3	33.19'	53.00'	35°53'04"
L4	74.00'	S89°39'22"W	C4	33.21'	53.00'	35°54'11"
L5	37.07'	S00°20'38"E	C5	70.64'	45.00'	89°56'13"
L6	431.97'	S68°55'55"W	C6	76.07'	64.00'	68°06'09"
L7	186.86'	S63°44'26"W	C7	860.50'	1034.93'	47°38'20"
L8	4.67'	N48°09'25"W	C8	673.34'	1042.93'	36°59'29"
L9	27.73'	S42°00'38"W				
L10	27.79'	S41°38'00"W				
L11	4.65'	S48°09'25"E				
L12	186.50'	N63°44'26"E				
L13	564.00'	N68°55'55"E				
L14	8.96'	N00°20'33"W				
L15	131.00'	N00°20'38"W				



FINAL PLAT
SAN DORADO
LOTS 1 THROUGH 8
 BEING A PORTION OF SECTION 7
 TOWNSHIP 12 SOUTH, RANGE 14 EAST
 GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

The **WLB** Group Inc.
 Engineering Planning Surveying
 Landscape Architecture Urban Design
 Offices located in Tucson, Phoenix,
 Flagstaff, AZ, and Las Vegas, NV.
 4444 East Broadway
 Tucson, Arizona (520) 881-7480



Plotted: May 13, 2013



Item # **G.**

Town Council Regular Session

Meeting Date: 06/05/2013
Requested by: Paul Keesler
Submitted By: David Laws, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

Resolution No. (R)13-44, Authorizing and approving vacating the La Reserve roadway access and north First Avenue between Oracle Road and La Reserve Drive

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Town maintains a right-of-way easement on North 1st Avenue between Oracle Road and La Reserve Drive, as shown in Attachment 2. Kitchell Development Company, on behalf of Canada Del Oro Partners, has requested that this easement be abandoned to allow construction of the San Dorado development to proceed.

The closure of North 1st Avenue will take place on June 17th, 2013 as requested by the property owner. Extensive public notice will be given prior to the actual road closure date.

BACKGROUND OR DETAILED INFORMATION:

The roadway easement for North 1st Avenue in this location was established by Town Council Resolution No. (R)94-30 dated June 15, 1994. Following this action four interested parties, (La Reserve Homeowners Association, Fidelity National Title Agency, Canada Del Oro Partners and the Town of Oro Valley) entered into an agreement regarding roadway and sign easements. The private parties agreed to grant the easements and the Town agreed to maintain the roadway and retains the right to abandon the roadway easement at any time.

In a separate action, the Town Council entered into an economic development agreement with Canada Del Oro Partners, (Ordinance No. (O)04-15, dated April 19, 2004). One of the stipulations of this agreement is the Town would initiate proceedings to abandon the First Avenue easement within 60-days written request from Canada Del Oro Partners. The request to abandon the right-of-way easement has been received from the property owner on xx-xx-xx. However due to the timing of the actual start of construction and accommodating the neighboring La Reserve community, this abandonment has been delayed until now.

FISCAL IMPACT:

There is a minor, positive fiscal impact because the Town will no longer maintain this portion of 1st Ave.

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)13-44, Authorizing and approving vacating the La Reserve roadway access and north First Avenue between Oracle Road and La Reserve Drive.

Attachments

(R)13-44 North First Avenue Vacation of right of way

Attachment 2 - Map

Attachment 3 - Kitchell First Ave Abandonment Request

RESOLUTION NO. (R)13-44

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING VACATING THE LA RESERVE ROADWAY ACCESS AND NORTH FIRST AVENUE BETWEEN ORACLE ROAD AND LA RESERVE DRIVE

WHEREAS, pursuant to A.R.S. § 9-276, the Town is authorized to lay out, maintain, control and manage public roads within its jurisdictional boundaries; and

WHEREAS, pursuant to A.R.S. § 28-7205, the Town has the authority to vacate any roadway that belongs to the Town by Resolution; and

WHEREAS, the Town desires to vacate the right-of-way for the La Reserve Roadway Access and North First Avenue between Oracle Road and La Reserve Drive; and

WHEREAS, it is in the best interest of the Town to vacate the right-of-way on the existing portion of the La Reserve Roadway Access and North First Avenue between Oracle Road and La Reserve Drive.

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

SECTION 1. The portion of the La Reserve Roadway Access and the North First Avenue right-of-way, described in Exhibit "A" and Exhibit "B" and attached hereto by this reference, is hereby vacated.

SECTION 2. The vacated La Reserve Roadway Access and the right-of-way of North First Avenue, described in Exhibit "A" and Exhibit "B" attached hereto and incorporated herein by this reference, is hereby approved.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this ___ 5th day of June, 2013.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk

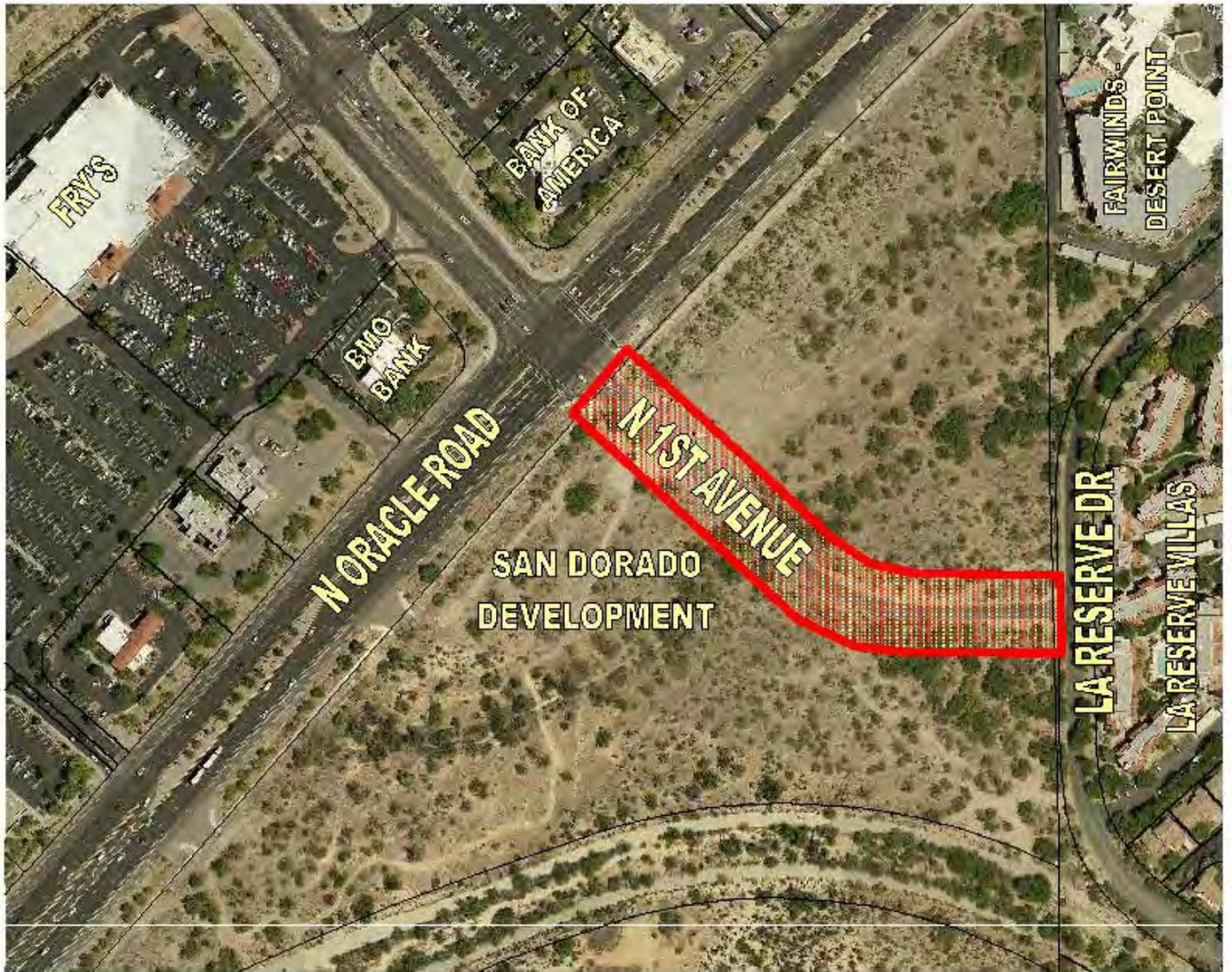
Tobin Sidles, Legal Services Director

Date: _____

Date: _____

EXHIBIT “A”

EXHIBIT “B”



LOCATION MAP

N 1st Avenue Easement Abandonment



January 25, 2013

Mr. David Laws
Town of Oro Valley
11000 N. La Canada Drive
Oro Valley, AZ 85737

Subject: 1st Ave. Abandonment at San Dorado

Dear David:

As you are aware, development of the San Dorado project requires abandonment of the First Avenue Easement within the Property. Pursuant to the executed Development / Economic Development Agreement dated April 19, 2004 ("EDA"), the Town will initiate proceedings to abandon the First Avenue Easement within sixty (60) days after written request by CDO Partners.

As we agreed in an e-mail dated August 30, 2012, in order to time the abandonment with the Phase 1 construction, we are formally submitting the written request in conjunction with our 1st submittal of the Phase 1 Construction Drawings (CD's).

Please consider this the formal request to abandon the First Avenue Easement through the Property pursuant to the EDA.

If you have any questions, please contact me at (602) 631-6101. Thank you.

Sincerely

A handwritten signature in black ink, appearing to read 'Brad Anderson'.

Brad Anderson
Kitchell
Director of Design and Construction



Town Council Regular Session

Item # **1.**

Meeting Date: 06/05/2013
Requested by: Roosevelt Arellano
Submitted By: Roosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

REQUEST FOR APPROVAL OF CONCEPTUAL PUBLIC ART FOR THE ORO VALLEY MEDICAL OFFICE BUILDING LOCATED ON THE NORTHWEST CORNER OF TANGERINE ROAD AND INNOVATION PARK DRIVE

RECOMMENDATION:

The Conceptual Design Review Board recommended approval of the Conceptual Public Art subject to the condition in Attachment 1.

EXECUTIVE SUMMARY:

The applicant proposes to remove and replace existing public artwork in a 3-story medical office building located next to the Oro Valley Hospital. The artist, Genia Parker, proposes to install eight stained glass panels in the ground floor lobby depicting desert animals in the Sonoran Desert, as shown in Attachment 2.

The artwork proposed to be removed is an existing tile floor mosaic located in the main lobby (see Attachment 3). The applicant states the reasons for replacing the existing artwork are due to maintenance difficulties and future lobby renovations.

BACKGROUND OR DETAILED INFORMATION:

Current Site Conditions

- 70,000 sq. ft. medical office building
- Existing artwork: tile floor mosaic in the main lobby where Proposed Improvements are planned
- Remove existing tile floor artwork.
- Install eight stained glass panels in the clerestory windows above the lobby entrance.

Approvals to Date

- September 2004: Existing public artwork approved
- February 2005: Certificate of Occupancy

Conceptual Design Review Board

The Conceptual Design Review Board considered this item at its regular meeting on May 14, 2013. The staff report is included as Attachment 4. The meeting discussion included maintenance, cost and design.

The Conceptual Design Review Board has recommended approval subject to a condition that the applicant install an identification plaque containing the artist's name, name of the artwork, installation date and reference to the Town's 1% Public Art requirement.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to approve the Conceptual Public Art for the Oro Valley Medical Office Building, subject to the condition in Attachment 1, finding that the proposed Conceptual Public Art meets all applicable Zoning Code requirements.

OR

I MOVE to deny the Conceptual Public Art for the Oro Valley Medical Office Building, finding that

_____.

Attachments

Attachment 1 - Conditions of Approval

Attachment 2 - Application

Attachment 3 - Previously Approved Artwork

Attachment 4 - 5/14/2013 CDRB Staff Report

Attachment 1
Conditions of Approval
Request for Conceptual Public Art
Oro Valley Medical Office Building
OV504-004A

1. The applicant shall install an identification plaque containing the artist's name, name of the artwork, installation date and reference to the Town's 1% Public Art Requirement.

**Oro Valley Medical Building
8 Panel Custom Glass Artworks**

“Sonoran Desert Life at Sunset”

Conceptual Design Review/Conceptual Art Plan

Project Proposal

Second Submittal/April 12, 2013

1521 East Tangerine Road

Oro Valley, AZ 85755

Oro Valley Medical Building 8 Panel Custom Glass Artworks/“Sonoran Desert Life at Sunset”

PROJECT NARRATIVE

The Oro Valley Medical Building 8 Panel Custom Glass Artworks project is a public artwork that is to be created for the Town of Oro Valley as part of the building remodel by Healthcare REIT Healthcare Property Managers of America, L.L.C. as an agent for the Oro Valley Medical Office Building located at 1521 E. Tangerine Road, Oro Valley, AZ 85755. The 8 panel custom glass artworks, entitled “Sonoran Desert Life at Sunset”, are to replace the Untitled Entryway Floor Tile Art installed by Santa Theresa Tileworks as part of the original 2007 construction, which must now be removed as part of the building remodel, due to poor durability and cleanliness standards. The building architect had a local artist design the entryway tile as a southwestern landscape respective with the Town of Oro Valley’s approval, which included cacti and other desert plants.

The current building remodeling project maintains the desert theme throughout and will feature the “Sonoran Desert Life at Sunset” artworks interpreted in stained glass as a distinctive and integral element of the overall design for the development. The entire remodeling project carries out this theme by also featuring southwestern art with framed photos of Arizona landscapes and historical sites on each floor.

The 8 Panel Custom Glass Artworks are to provide a panoramic snapshot of the desert come to life at sunset in the Catalinas, through the ambient glow of art glass created by Ochoa Stained Glass Owner/Artist Genia Parker. The custom glass artworks will include Parker’s interpretation in stained glass of indigenous southwest creatures moving through the cactus spotted landscape as the sun rests behind the mountains. Parker will interpret the beauty of the Oro Valley landscape with hand-rolled art glass selections that capture the dramatic colors of the desert in the glow of the setting sun and provide movement in the ever-changing source of natural light provided. She will combine traditional copper-foil stained glass methods with kiln-formed glass pieces and overlay techniques to add depth and dimension to the artworks that add to the impact on the public upon their view.

The new original stained glass artwork, with its view into the Oro Valley desert landscape and its indigenous wildlife, can be seen from the lobby as well as through the atrium of all three floors of the building. The 8 panels, which will encompass approximately 66 square feet of the entryway storefront, will be highly visible to the public as they approach, enter and exit the Oro Valley Medical Building. They will be placed in the four clerestory windows, measuring 45-1/2” wide by 25” high, directly above the entryway doors; and in the four clerestory windows, measuring 34” wide by 36” high, to the left and to the right of the entryway storefront windows. The location of the artwork more than 8 feet above the doorway will prevent any hazards to the public and ensure the durability and safety of the stained glass art by preventing any direct contact which could lead to excessive wear and tear or possible damage. The maintenance of the artwork will also be minimal in this location. Each of the 8 stained glass panels will be finished with a glass polish that works like a carnauba wax which maintains the glimmer of the glass and requires only a periodic light dusting.

The 8 Panel Custom Glass Artworks are to be installed as an overlay atop of the existing storefront clerestory panels, using custom aluminum stops--painted and powder-coated to match the existing storefront window framework—that will be mounted in front of the stained glass panels to hold them securely in place. The 8 tinted clerestory window panes that are to be the site of the glass artworks installation will need to be removed and replaced with clear tempered glass panes with a clear UV film that meets all current building and safety codes by Romanoski Glass Company of Tucson Arizona, the original glass company responsible for the entryway storefront glass installations at the Oro Valley Medical Building when it was built in 2007. This will ensure that the magnificence of the art glass compositions is fully illuminated with natural light, without sacrificing any energy efficiencies or the structural integrity of the clerestory windows. Ochoa Stained Glass Owner/Artist Genia Parker will work directly with Romanoski Glass Company to ensure that the stained glass installations are structurally sound and meet all building and safety codes.

Once installed, the majestic beauty of the Sonoran Desert and the various life forms it supports will forever be captured and on display to the public in this multi-panel glass art interpretation of the natural grandeur of the Oro Valley landscape.

Genia Parker – Artist’s Biography

Genia Parker has been providing professional artistry and expertise in the custom creation and restoration of decorative glass artworks for more than a dozen years as the Owner and Lead Artist for Ochoa Stained Glass. She has designed, created and installed thousands of stained glass, kiln-formed glass and glass mosaic artworks throughout Southern Arizona and around the country. Her artworks bring the beauty of the Arizona landscape and the texture of the Sonoran Desert to life through her interpretations in glass. Genia’s glass artworks are diverse in their design and have many varied applications. She works closely with clients to create the extraordinary custom residential, liturgical and commercial glass artworks they desire, hand-crafted using classic glass traditions with modern technology and current methods.

Her artworks have become the showpiece for many of the Southwest’s finest homes and are also a welcome source of inspiration in churches, synagogues, and other places of spiritual worship throughout the region, including Tucson’s VA Hospital Chapel.

Genia is also a respected expert in the restoration of historically significant stained glass artworks. She was hired as a glass restoration expert to evaluate the risks and make recommendations on how to protect the extraordinary collection of liturgical stained glass of St. Mary’s Basilica in Phoenix during the Phoenix Convention Center’s expansion project. She has restored the beauty of one hundred year old historic Luxfer prismatic glass tile panels for the Phelps Dodge building in Douglas which was converted to the new Cochise County Government Center project in 2012. And again for the Chicago Music Store renovations in downtown Tucson which were completed in January of 2013.

Genia has received several prestigious Design Excellence Awards for product design from the American Society of Interior Designers, Arizona South Chapter over the past decade. And her artwork has been featured in several Designer Showcase homes in that same time period. The Designer Showcase is a fundraiser for the Tucson Museum of Art, sponsored by ASID Arizona South.

Ochoa Stained Glass is one of Tucson’s finest glass art establishments, founded in 1975. The Ochoa Stained Glass Custom Glass Art Studio is located in the Metal Arts Village--Arizona’s premier collaboration of metal artisans in the heart of the Ft. Lowell Furniture and Arts District. The Metal Arts Village is home to more than a dozen artist’s studios and has a sculpture garden that features their work and the works of several other regional artists.

Ochoa Stained Glass Custom Glass Art Studio

Celebrating More Than 35 Years of Custom Glass Art Creation & Restoration

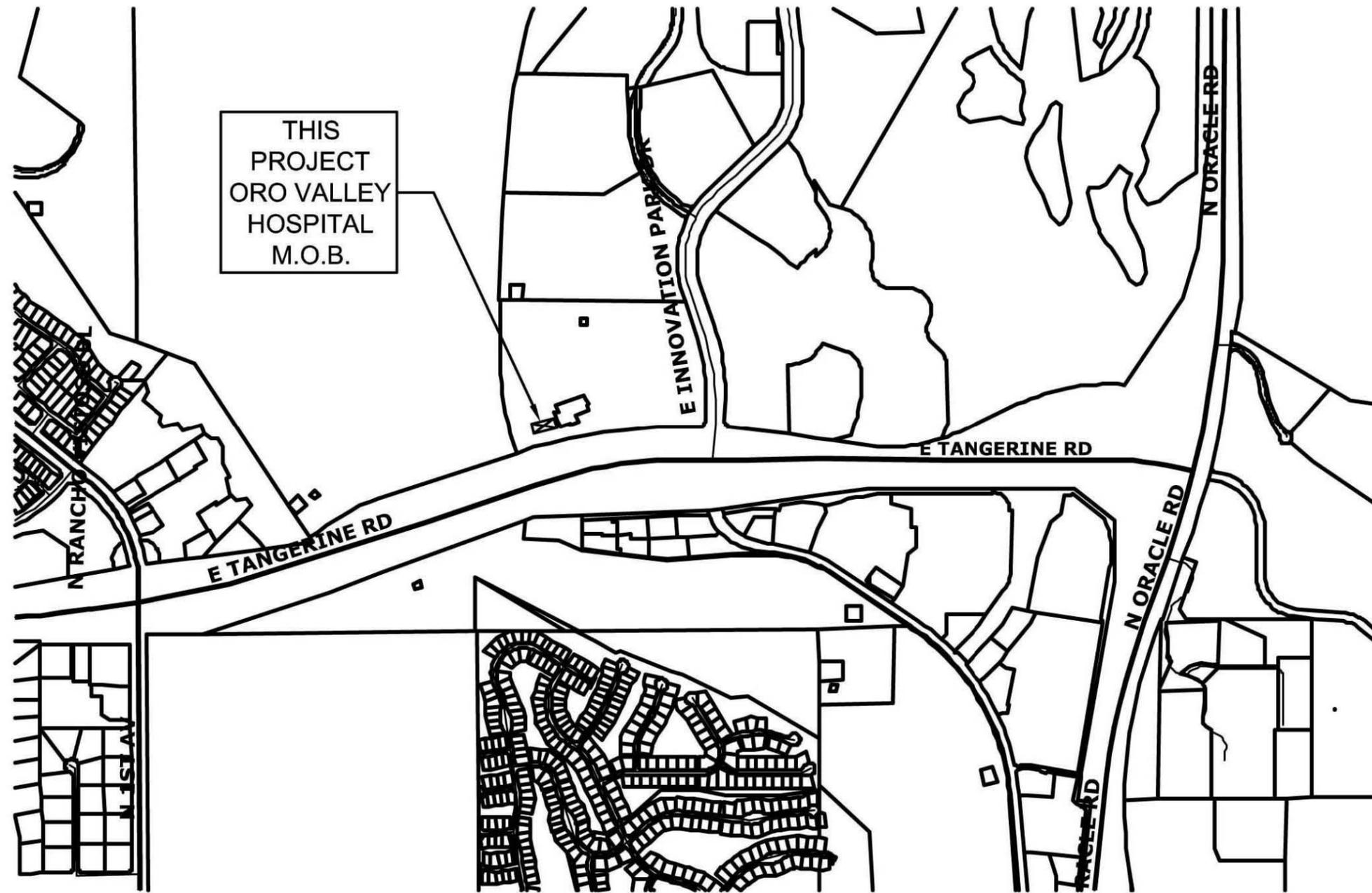
3230 North Dodge Blvd./Studio B in the Metal Arts Village/Tucson, AZ 85716

Phone: 520-325-8791/Fax: 520-325-0318

Web Site: www.ochoasg.com E-Mail: stainedglass@ochoasg.com

Oro Valley Medical Building 8 Panel Custom Glass Artworks Timeline

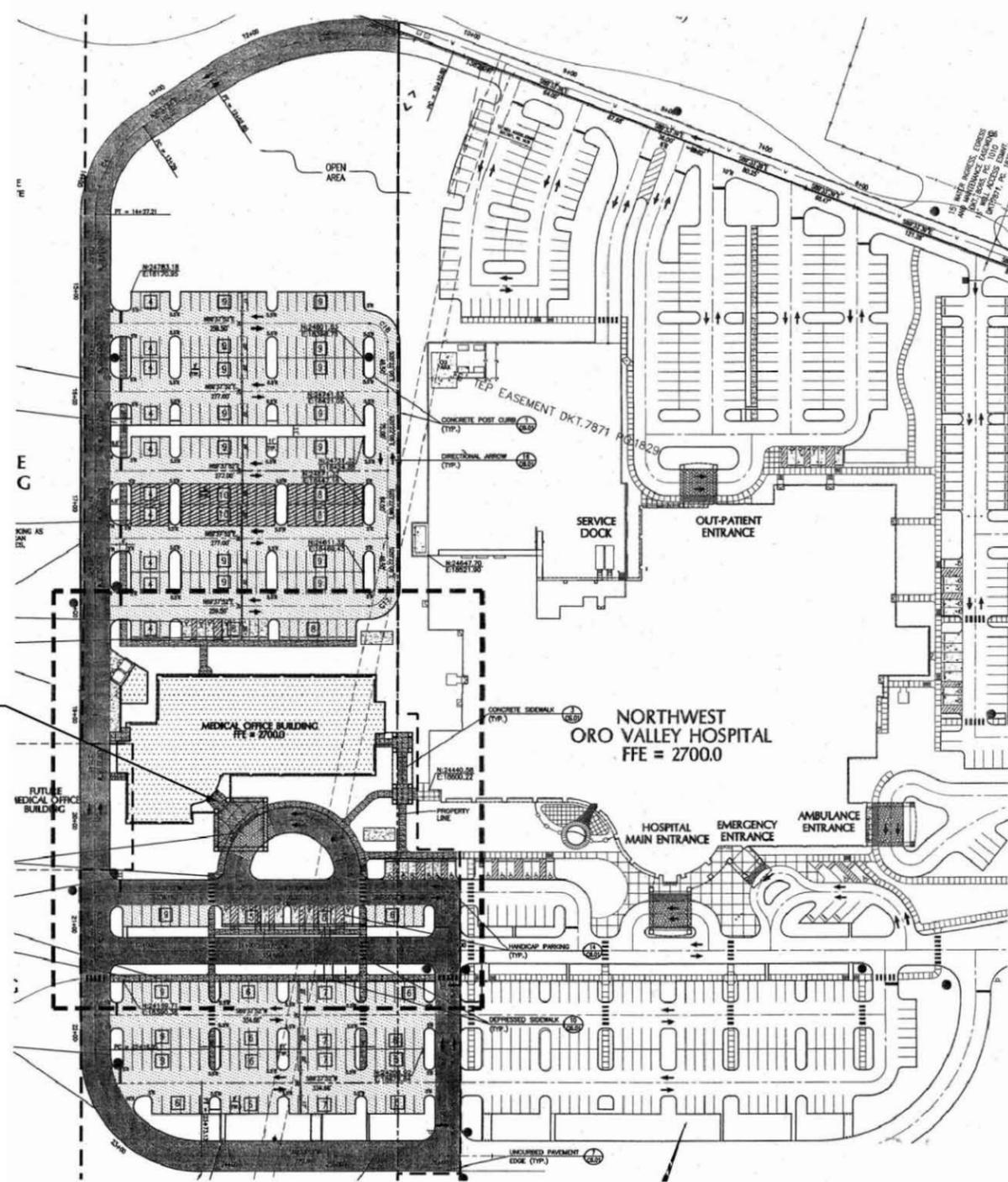
1. Prepare Project Proposal and Cost Estimate for Healthcare Reit Approval	2 weeks
2. Prepare Conceptual Design Review /Conceptual Art Plan Project Proposal and Submit to Town of Oro Valley	4 weeks
3. Design Review Process for Town of Oro Valley	3 to 5 months
4. Render Final Full Scale Drawings for 8 Panel Custom Glass Artworks Fabrication	2 to 3 weeks
5. Fabricate 8 Panel Custom Glass Artworks	2 to 3 months
6. Site Preparation for Installation (Removal of Tinted Glass and Install Clear Tempered w/Clear UV Film	2 weeks
7. Installation of 8 Panel Custom Glass Artworks w/Custom Aluminum Stops	1 to 2 days



LOCATION MAP

NOT TO SCALE

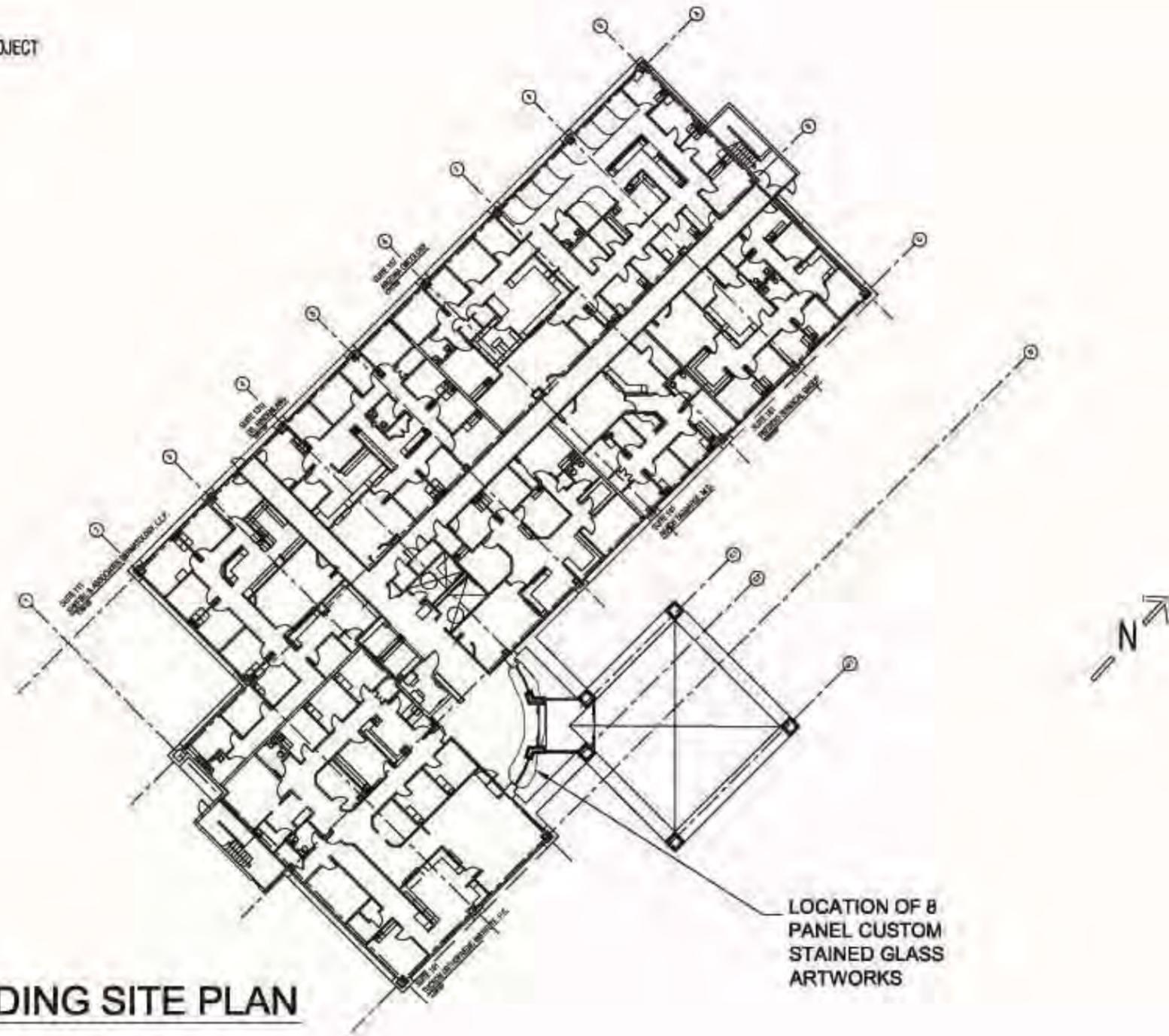
Oro Valley
Medical Building
8 Panel Custom
Stained Glass
Artworks



FULL SITE PLAN

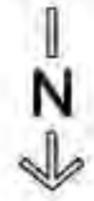
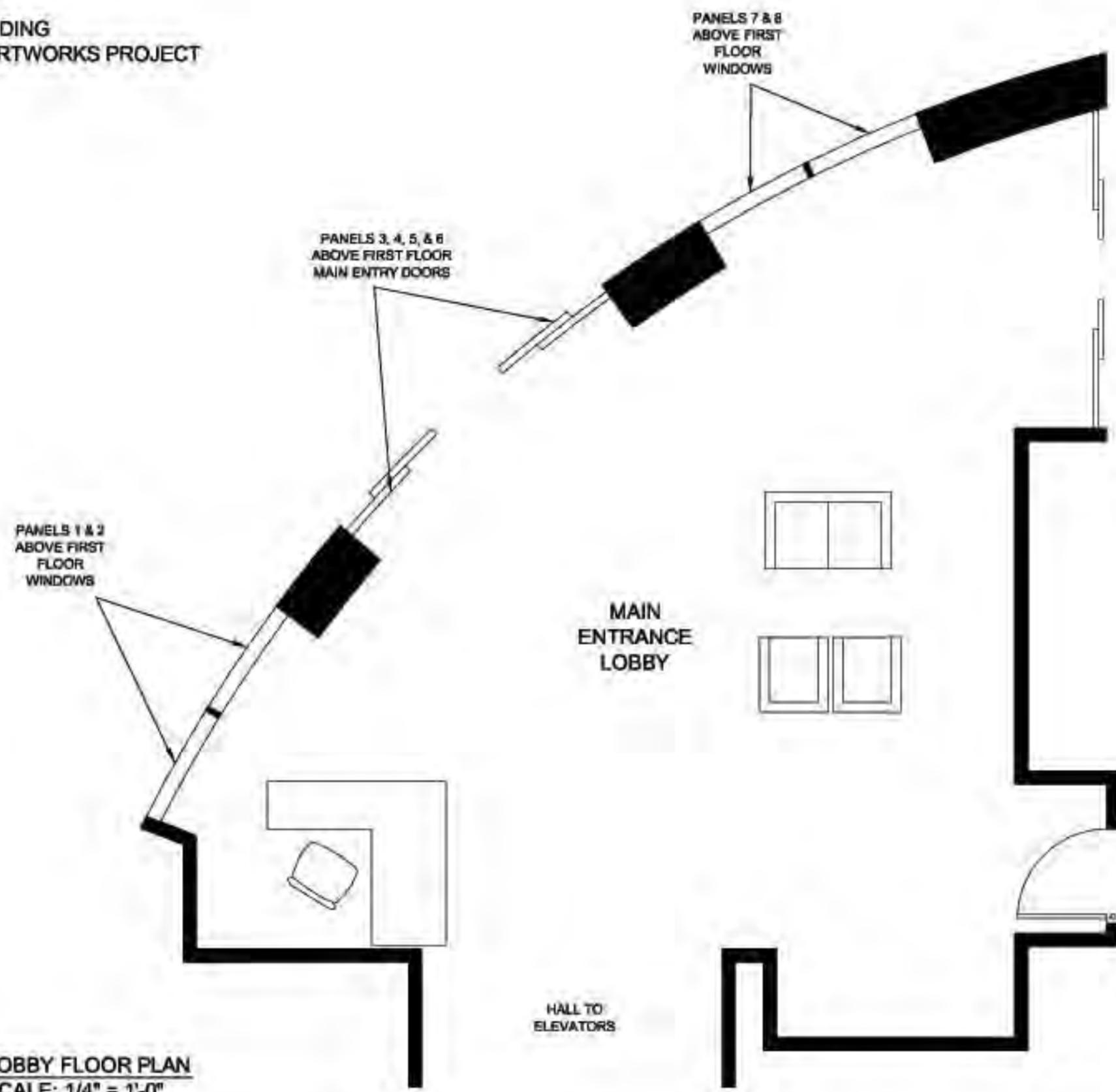
NOT TO SCALE

ORD VALLEY MEDICAL BUILDING
8 PANEL CUSTOM GLASS ARTWORKS PROJECT
1521 E TANGERINE ROAD
ORD VALLEY, AZ 85755



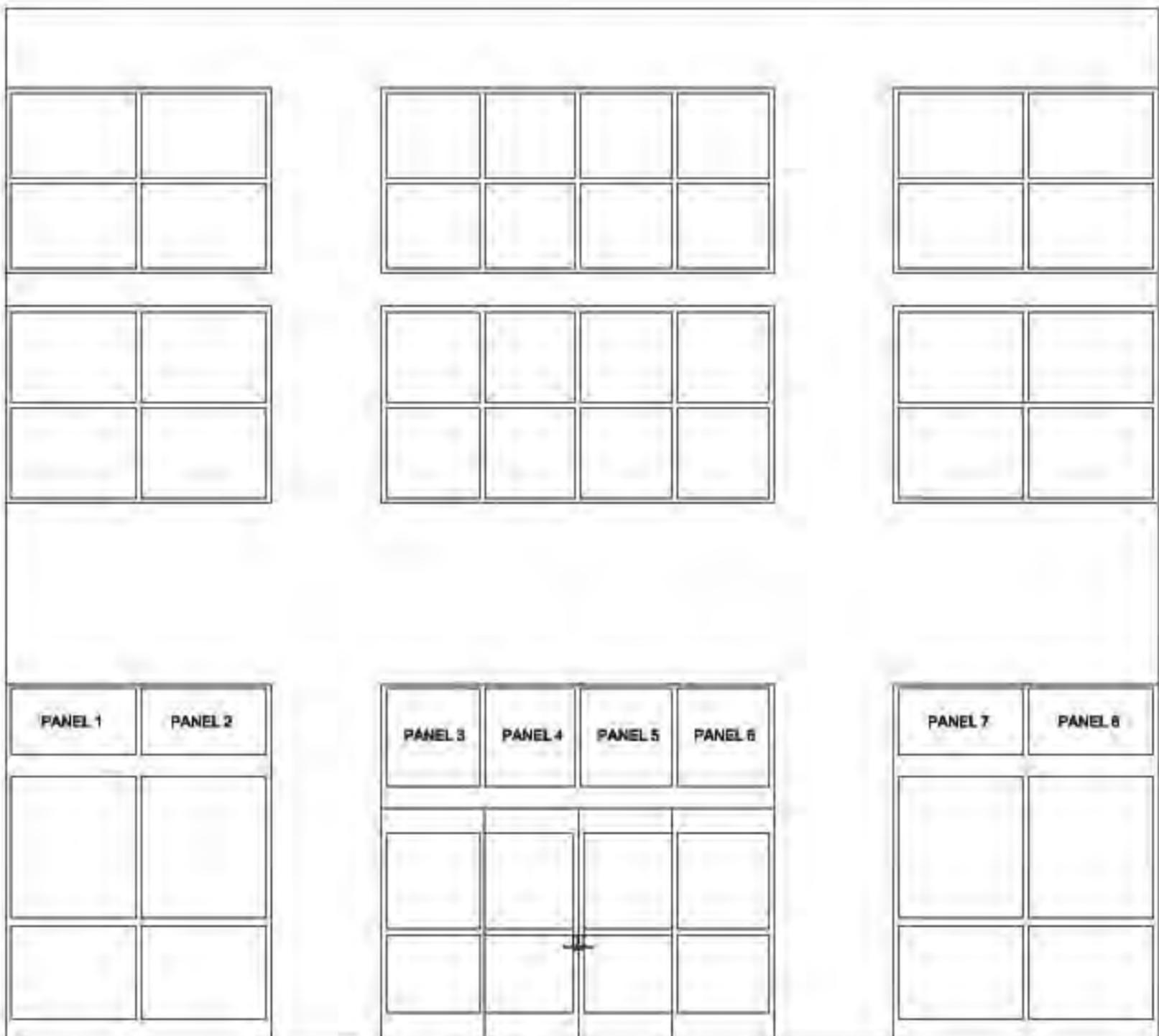
MEDICAL BUILDING SITE PLAN
NOT TO SCALE

ORO VALLEY MEDICAL BUILDING
8 PANEL CUSTOM GLASS ARTWORKS PROJECT
1521 E TANGERINE ROAD
ORO VALLEY, AZ 85755

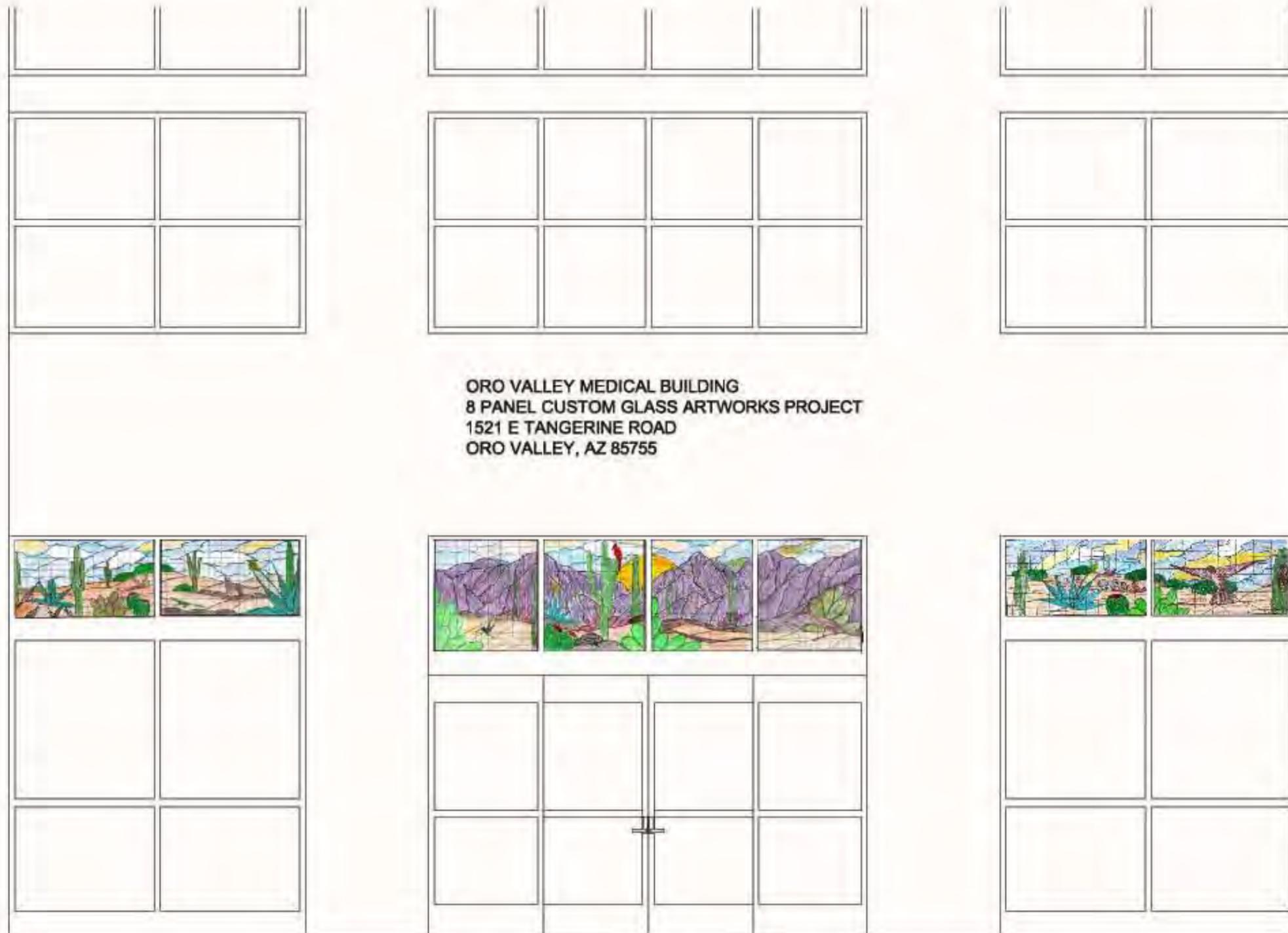


1 LOBBY FLOOR PLAN
SCALE: 1/4" = 1'-0"

ORO VALLEY MEDICAL BUILDING
8 PANEL CUSTOM GLASS ARTWORKS PROJECT
1521 E TANGERINE ROAD
ORO VALLEY, AZ 85755



2 ENTRYWAY ELEVATION
SCALE: 1/4" = 1'-0"



ORO VALLEY MEDICAL BUILDING
8 PANEL CUSTOM GLASS ARTWORKS PROJECT
1521 E TANGERINE ROAD
ORO VALLEY, AZ 85755

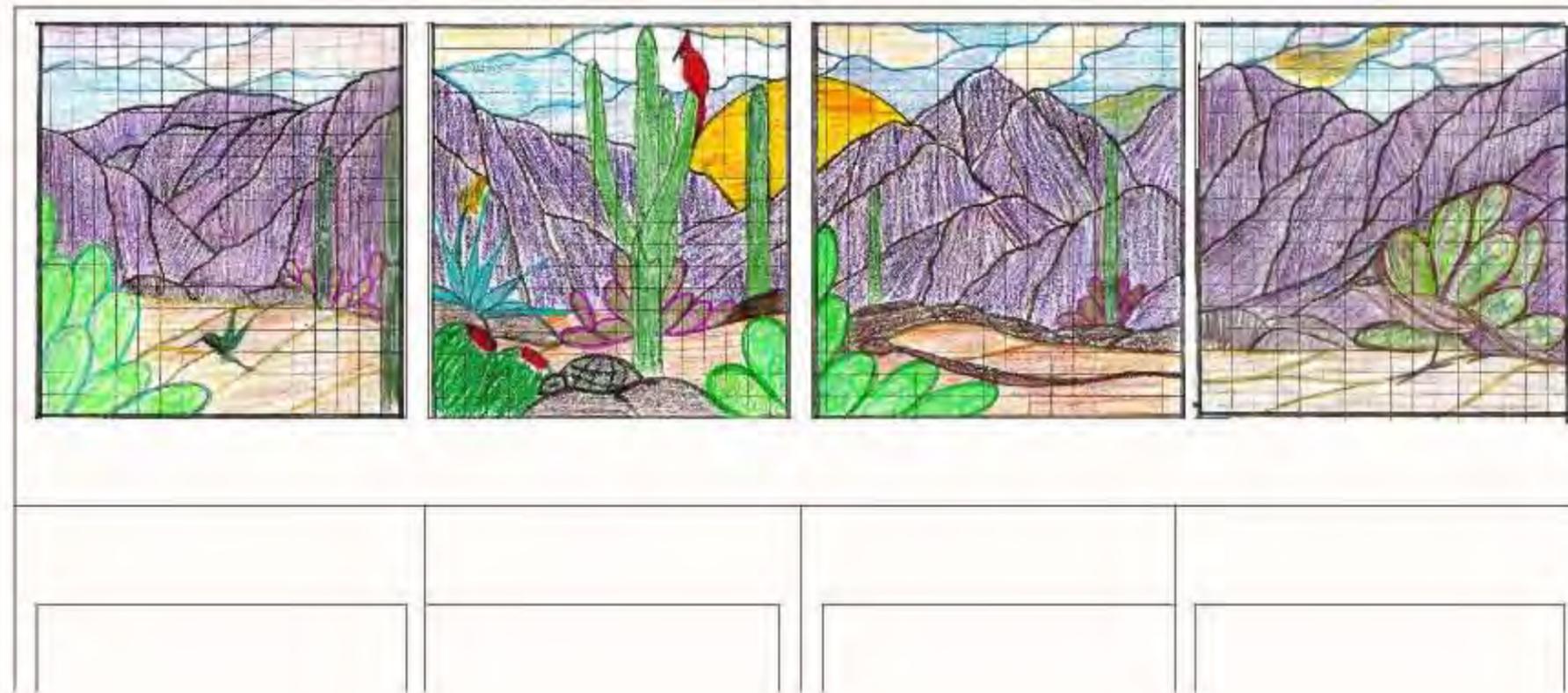
PANELS 1-8 ELEVATION
SCALE: 3/8" = 1'-0"

ORO VALLEY MEDICAL BUILDING
8 PANEL CUSTOM GLASS ARTWORKS PROJECT
1521 E TANGERINE ROAD
ORO VALLEY, AZ 85755



PANEL 1 & 2 ELEVATION
SCALE: 1" = 1'-0"

ORO VALLEY MEDICAL BUILDING
8 PANEL CUSTOM GLASS ARTWORKS PROJECT
1521 E TANGERINE ROAD
ORO VALLEY, AZ 85755

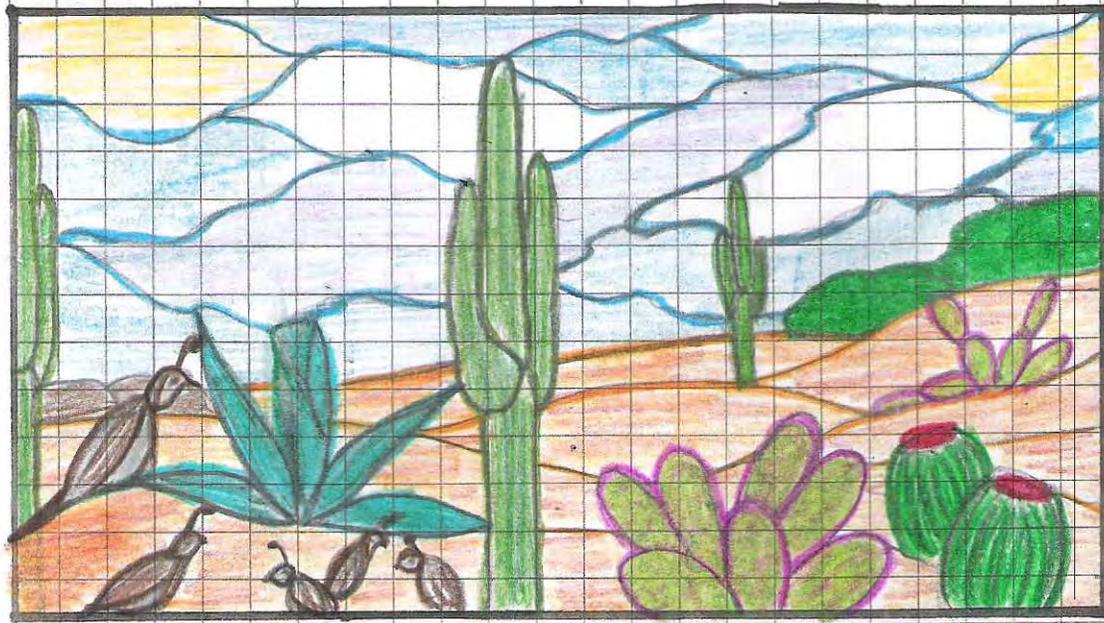


PANELS 3-6 ELEVATION
SCALE: 1" = 1'-0"

ORO VALLEY MEDICAL BUILDING
8 PANEL CUSTOM GLASS ARTWORKS PROJECT
1521 E TANGERINE ROAD
ORO VALLEY, AZ 85755



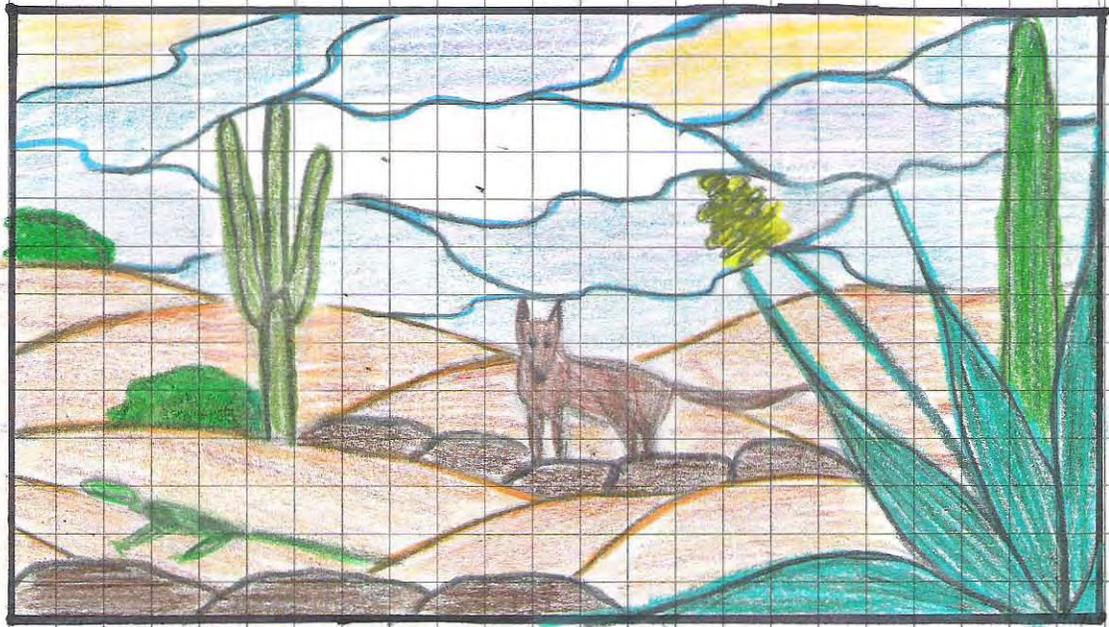
PANELS 7 & 8 ELEVATION
SCALE: 1" = 1'-0"



Panel 1

Left of Entryway Doors

Bevy of Quail Feed Among Cactus



Panel 2

Coyote emerging from rocks
to scout for food
while lizard suns himself.

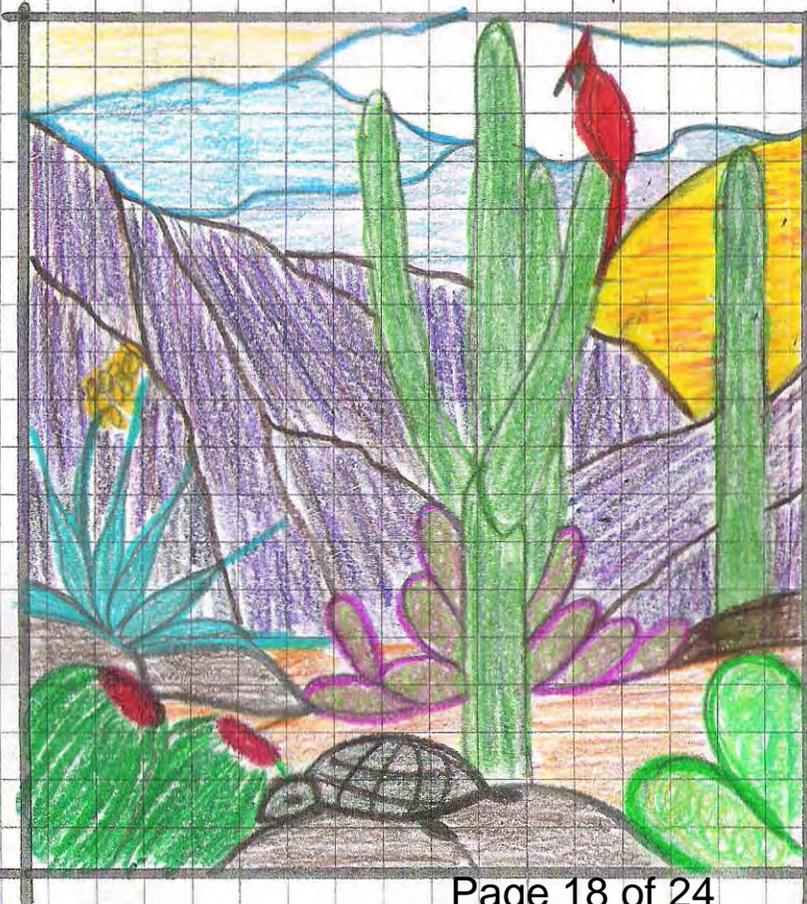
36" H x 33" W
X 4
Above
Entryway
Doors

Above Entryway Doors (3)
Hummingbird in flight



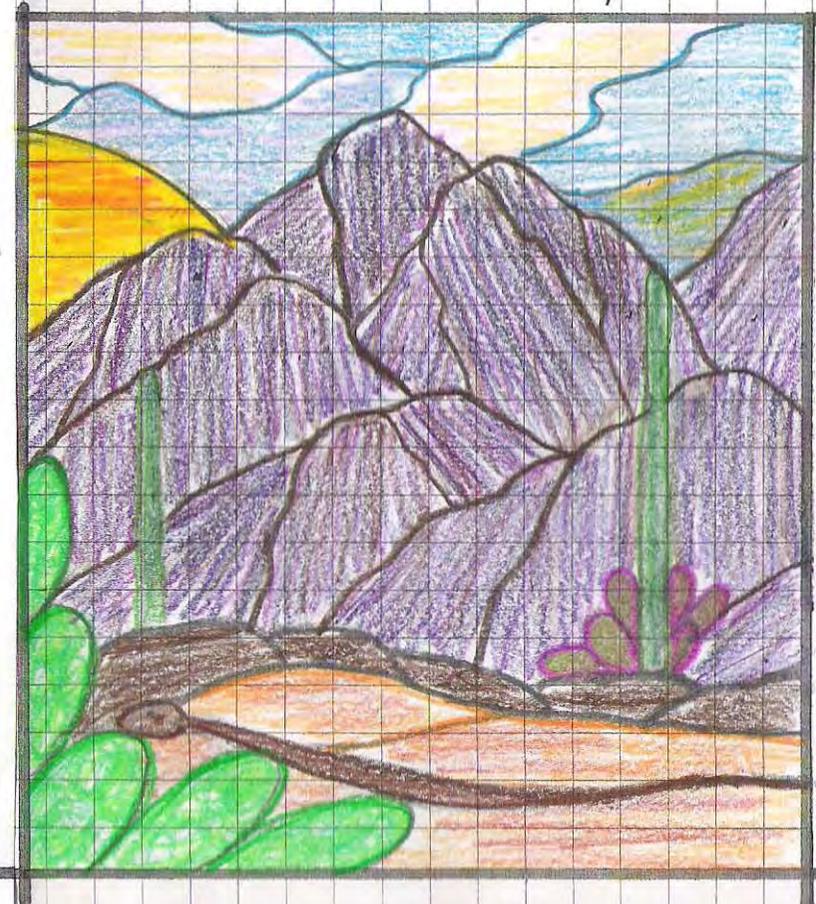
Above Entryway Doors
Panel 4

Cardinal rests atop saguaro arm
while Desert Tortoise sits on rock



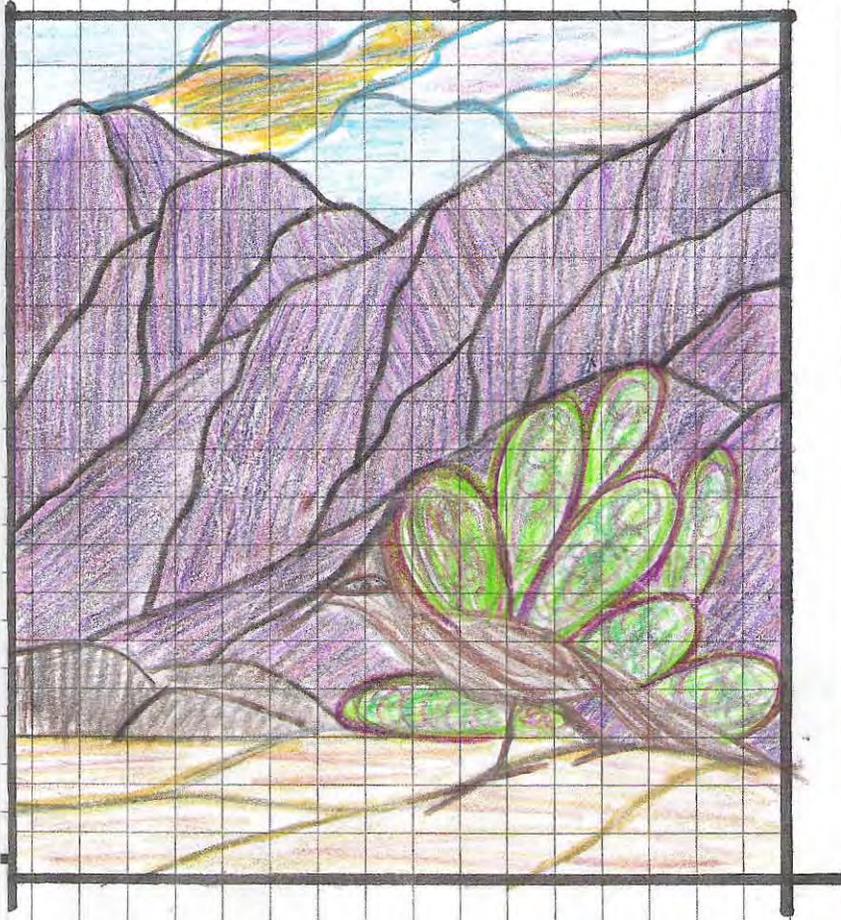
Above Entryway Doors
Panel 5

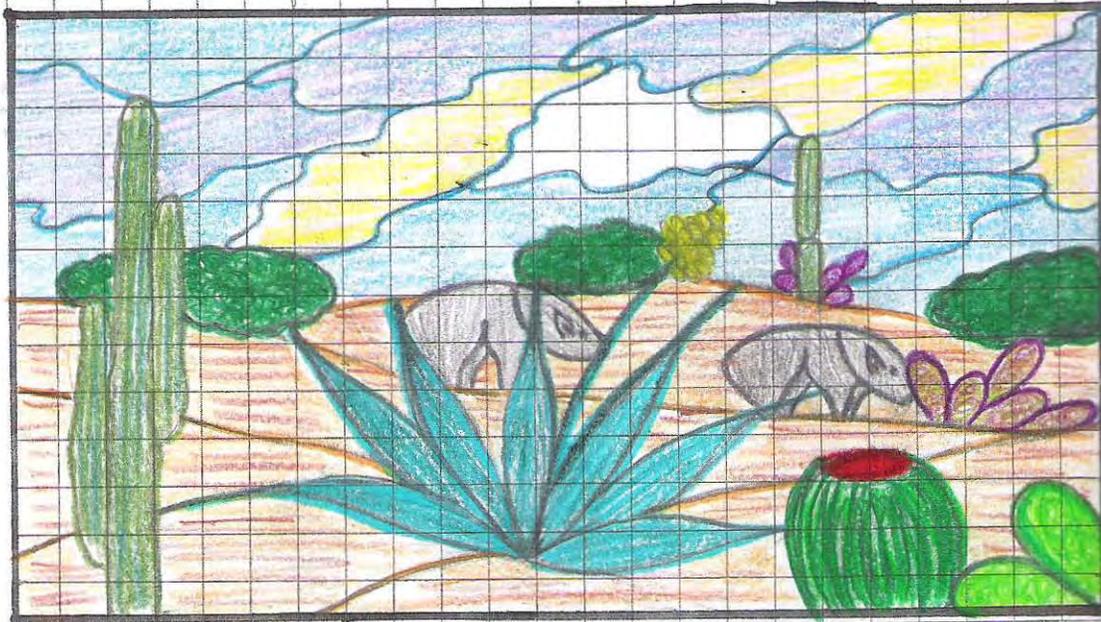
Sun sets behind mountains
as snake slithers by.



6

Roadrunner & the snake





Panel 7
Right of Entryway Doors
Javalinas forage at sunset.

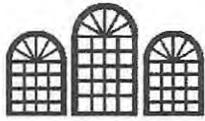


Panel 8

Right of Entryway Doors
Red Tail Hawk Hunts as
Owl perches inside Saguaro cavity

Oro Valley Medical Building 8 Panel Custom Glass Artworks Budget
"Sonoran Desert Life at Sunset"

<u>VENDOR</u>	<u>EXPENSE ITEM DESCRIPTION</u>	<u>AMOUNT</u>
Ochoa Stained Glass	Presentation Preparation for 8 Panel Custom Glass Artworks Approval	\$3,000.00
Ochoa Stained Glass	Design Fees for 8 Panel Custom Glass Artworks	\$4,000.00
Ochoa Stained Glass	Fabrication of 8 Panel Custom Glass Artworks/Labor & Materials	\$19,800.00
Ochoa Stained Glass	Delivery and Installation of 8 Panel Custom Glass Artworks	\$2,000.00
Ochoa Stained Glass	Applicable Sales Tax on Custom Materials Used in Creation of Artworks	\$478.54
Ochoa Stained Glass	Liability Insurance Coverage	\$460.00
	Ochoa Stained Glass Total Fees for Project = \$29,738.54	
Romanoski Company Inc.	Removal of Existing Tinted Windows and Prep for Custom Artworks	
Romanoski Company Inc.	Installation of Clear/Clear Annealed, Tempered Glass with Clear UV Film	\$4,000.00
Romanoski Company Inc.	Applicable Sales Tax	\$236.80
Romanoski Company Inc.	Installation of Stained Glass Panels and Matching Aluminum Stops	\$1,763.20
	Romanoski Total Fees for Project = \$6,000.00	
Healthcare Reit Management Services	Administrative Project Management Fees (47 Hours Billed @ \$100/Hr.)	\$4,700.00
	Healthcare Reit Management Services Total Fees for Project = \$4,700.00	
		\$40,438.54



Ochoa Stained Glass

3230 North Dodge Blvd.
 Studio B in the Metal Arts Village
 Tucson, AZ 85716
 Phone: 520-325-8791/Fax: 520-325-0318
 E-Mail: stainedglass@ochoasg.com
 Web Site: www.ochoasg.com

Invoice

Date	Invoice #
3/12/2013	378

**Celebrating More Than 35 Years of
 Custom Glass Art Creation and Restoration**

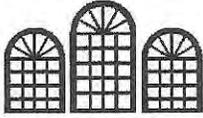
Bill To
Health Care REIT Sharon Bradley 2222 E. Highland Ave. Suite 110 Phoenix, AZ 85016

P.O. No.	Terms	Project

Description	Qty	Rate	Amount
Presentation Preparation for Oro Valley Public Art Review Process. Based on an estimated 60 Hours at \$50/Hr. will include cost to prepare any and all materials required as part of review process for Health Care REIT or the Town of Oro Valley including CAD Drawings, Design Sketches, Site Plans, Design Narratives, Fabrication Specs, Implementation Timelines, Budget Details, Installation Plans, Etc.	60	50.00	3,000.00
Design Fee to Render Initial Sketches for Health Care REIT Consideration and Approval which will be the basis for the completion of Full Scale Drawings for each of 8 Southwest Landscape Panels to create a Sonoran Desert Sunset Scene. This line item will include both Initial Designs for the approval process and Full Scale Renderings for Fabrication.	8	500.00	4,000.00
Fabrication/Labor & Materials to Build 8 Southwest Landscape Panels based on approved designs to create a Sonoran Desert Sunset Scene/4 clerestory overlay panels @ 45-5/8"W X 25-1/2"H and 4 clerestory overlay panels @ 33"W X 36"H	66	300.00	19,800.00
Installation/Labor & Materials based on an overlay installation from the inside of the building on top of existing clerestory windows above doorway and sidelights using metal stops drilled into metal window frames to hold stained glass art panels in place. Estimate includes 8 hours of labor for a 3 person installation team 8 X \$150.00/Hr. = \$1,200.00 Labor. Estimate also includes cost to fabricate custom metal stops for each of 8 windows -- \$100.00 per window X 8 windows = \$800.00	1	2,000.00	2,000.00

Subtotal
Sales Tax (7.1%)
Total
Payments/Credits
Balance Due

Revised P. 1 of 2



Ochoa Stained Glass

3230 North Dodge Blvd.
 Studio B in the Metal Arts Village
 Tucson, AZ 85716
 Phone: 520-325-8791/Fax: 520-325-0318
 E-Mail: stainedglass@ochoasg.com
 Web Site: www.ochoasg.com

Invoice

Date	Invoice #
3/12/2013	378

**Celebrating More Than 35 Years of
 Custom Glass Art Creation and Restoration**

Bill To

Health Care REIT
 Sharon Bradley
 2222 E. Highland Ave.
 Suite 110
 Phoenix, AZ 85016

P.O. No.	Terms	Project

Description	Qty	Rate	Amount
Sales Tax on Custom Materials	1	478.54	478.54
Cost for Additional Insurance Coverages Required Per Service Agreement	1	460.00	460.00

Subtotal		\$29,738.54
Sales Tax (7.1%)		\$0.00
Total		\$29,738.54
Payments/Credits		\$0.00
Balance Due		\$29,738.54

Revised P. 2 of 2



APPROVED BY: TC/PZ/DRB/BOA
Susan Gause
DATE: *7/27/04*
Rene Casper
PZ PROJECT MANAGER

ENTRANCE LOBBY TILE MOSAIC PLAN VIEW

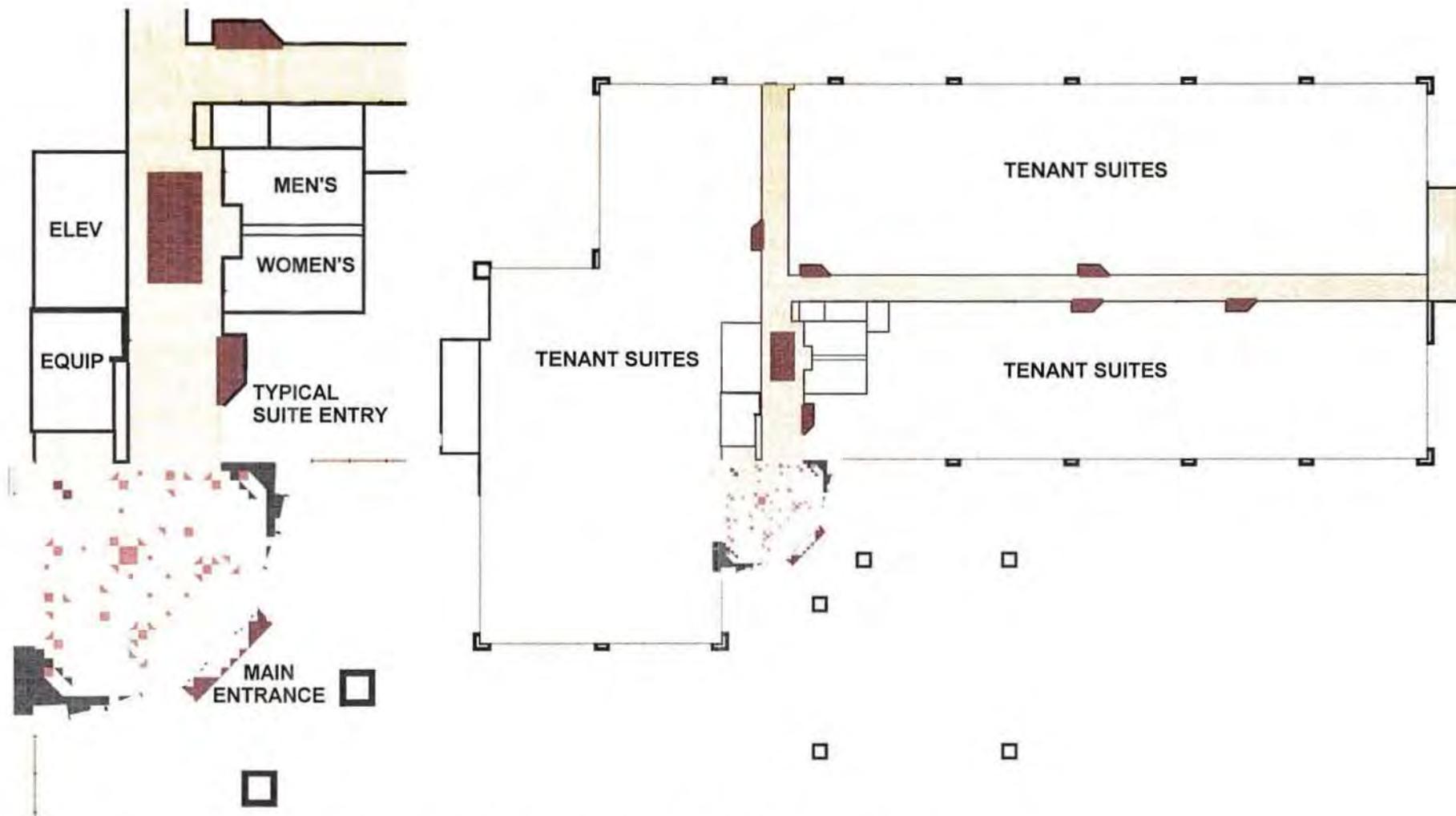
Oro Valley Medical Office Building
Public Art Proposal

7/27/2004



RENDINA COMPANIES





APPROVED BY TC/PZ/DRB/BOA
Sgt. P. Boer
 DATE
Value Concept
 PZ PROJECT MANAGER

BUILDING CONTEXT AND INTEGRATION

Oro Valley Medical Office Building

Public Art Proposal

7/27/2004



RENDINA COMPANIES





APPROVED BY: TC/PZ/DRB/BOA
[Signature]
DATE: *7/27/04*
[Signature]
PZ PROJECT MANAGER

ENTRANCE LOBBY TILE MOSAIC PERSPECTIVE FROM 2nd FLOOR BALCONY

Oro Valley Medical Office Building
Public Art Proposal

7/27/2004



RENDINA COMPANIES





APPROVED BY: TC/PZ/DRB/BOA
Sue P. 2004
DATE
Adrian Cannon
PZ PROJECT MANAGER

ENTRANCE LOBBY TILE MOSAIC ISOMETRIC VIEW

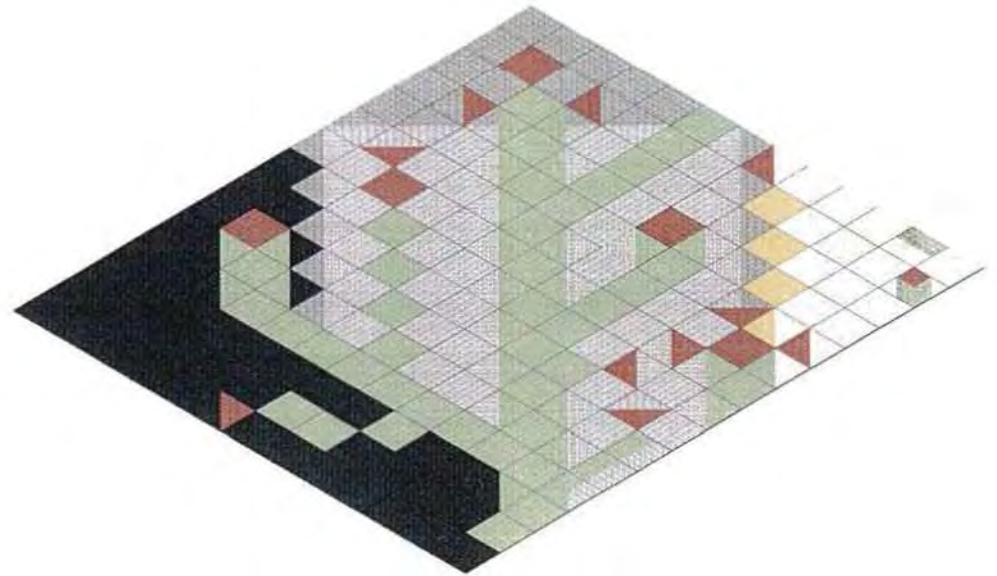
Oro Valley Medical Office Building
Public Art Proposal

7/27/2004



RENDINA COMPANIES





APPROVED BY: TC/PZ/DRB/BOA
Sgt. [Signature]
 DATE
[Signature]
 PZ PROJECT MANAGER

ENTRANCE LOBBY TILE MOSAIC DETAILS

Oro Valley Medical Office Building
 Public Art Proposal

7/27/2004



RENDINA COMPANIES





Conceptual Public Art Conceptual Design Review Board Staff Report

CASE NUMBER: OV504-004A
MEETING DATE: May 14, 2013
AGENDA ITEM: 2
STAFF CONTACT: Roosevelt Arellano, Planner
rarellano@orovalleyaz.gov (520) 229-4817

Applicant: Genia Parker, Ochoa Stained Glass (520) 325-8791
Request: **Conceptual Public Art for Oro Valley Medical Building**
Location: 1521 E. Tangerine Road
Recommendation: Approve requested Public Artwork with condition

SUMMARY:

The applicant proposes to remove and replace an existing public artwork in a 3-story medical office building located next to the Oro Valley Hospital. The proposed artwork will be installed in the clerestory windows located above the lobby entrance. The lobby entrance faces south and contains a porte cochère, circular driveway, and a pedestrian sidewalk.

The artist, Genia Parker, proposes to install eight (8) stained glass panels using kiln-formed glass pieces. The proposed artwork is entitled "Sonoran Desert Life at Sunset." The artwork proposed to be removed is an existing tile floor artwork located in the lobby entrance. The reasons for replacing the existing artwork are due to future lobby renovations and cleanliness.

The applicant's description of the proposal is provided as Attachment 1.

BACKGROUND / DETAIL INFORMATION:

Approvals-to-Date

The following approvals are related to the request:

September 2004: Existing public artwork approved (see Attachment 2)
March 2007: Development Plan approved for the medical building

Request Details

- Remove existing tile floor artwork.
 - Install Eight (8) stained glass panels in the clerestory windows above the lobby entrance.
 - Design theme is desert animals moving through the Sonoran Desert.
 - Total size is approximately 66 sq. ft.
 - Material: Kiln-formed glass pieces
 - Maintenance: Occasional dusting
-

DISCUSSION / ANALYSIS:

Zoning Code Analysis

Section 27.3.F, Public Art Installation and Maintenance, of the Zoning Code provides that public artwork cannot be permanently removed, relocated or altered without the review and approval of the Conceptual Design Review Board, as long as the establishment remains open for business or maintain an Oro Valley business license.

Staff Commentary: The applicant's request to permanently remove and replace an existing public artwork complies with the Zoning Code criteria. In staff opinion, the proposed artwork is better suited for the project site because it is more easily accessible, viewable, and requires less cleaning. The proposed artwork meets the 1% construction cost of the original building permit valuation. The cost of the replacement public artwork is \$40,438.00.

Design Principle Analysis

The Design Principles contained in Section 27.3.H provide the primary guidance for evaluating Public Art.

Public art should serve as a distinctive and integral element in the overall design of a project or development.

Staff Commentary: The proposed artwork will be integrated into the existing lobby design to meet this standard. The lobby is a three-story unobstructed volume with a glass wall at the entry raising the entire height. The proposed artwork will be installed in eight (8) clerestory glass panels above the lobby entrance, and will provide a prominent presence when natural lights shines through the stained glass. The project narrative notes that the proposed Sonoran Desert design theme will be incorporated throughout the building using frame photographs.

Public art should relate to the context and character of the project. Where appropriate, public art may employ themes associated with the activities within the development.

Public art should relate to the historical, cultural or natural context of the project area, the neighborhood or the Town.

Staff Commentary: The proposed artwork contains images of local wildlife and the Sonoran Desert to meet this standard.

Public art shall not include corporate advertising elements of a business including colors, graphics, logos, or other representations of corporate identity.

Staff Commentary: The proposed stained glass panels do not contain elements of corporate advertising. To better recognize the Town's public art collection, a condition requiring a small metal plaque containing the artist's name, name of the artwork and installation date has been added.

Public art 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.

Staff Commentary: The proposed artwork will be installed approximately eight (8') feet above the lobby entrance and in compliance with the Town's adopted building codes. Staff has determined that no unreasonable hazards or excessive wear or damages will be created. The design standard has been met.

Public art shall be original and not duplicate existing artwork in the Town and shall conform to community standards.

Staff Commentary: The project narrative states that the proposal is an original design which meets this standard.

Design Standards Analysis

The Design Standards contained in Addendum "A" provide the secondary guidance for evaluating Conceptual Public Art.

Public art shall be integrated into the overall design of the project and shall be located in areas of high visibility and use such as courtyards, seating areas, and along public roadways.

Staff Commentary: The proposed artwork will be integrated into the clerestory windows above the lobby entrance and is considered to be a better fit for the project site. In staff opinion, the existing tile floor artwork has low visibility and cannot be easily recognized due to the existing office furniture and floor mat placed on top of the artwork. Due to its location, staff believes the proposed artwork is more accessible, viewable and recognizable than the existing tile floor artwork.

SUMMARY / CONCLUSION

Summary of analysis and conclusion statement either in support or against Conceptual Public Art.

RECOMMENDATION:

Based on the following findings:

- The request is consistent with the Zoning Code provision to permanently remove and replace an existing artwork.
- The request is consistent with the Design Principles and Design Standards.

It is recommended that the Conceptual Design Review Board take the following action:

Recommend approval to the Town Council of the requested Conceptual Public Art under case OV504-004A, subject to the condition below.

SUGGESTED MOTIONS:

I move to recommend approval of the Conceptual Public Art for the Oro Valley Medical Building, based on the findings that the proposed public art replacement is consistent with the Zoning Code criteria, subject to the following condition:

1. The applicant shall install a small metal plaque containing the artist's name, name of the artwork and installation date.

OR

I move to recommend denial of the Conceptual Public Art for the Oro Valley Medical Building, as it does not meet the findings that _____.

ATTACHMENTS:

1. Application
2. Previously Approved Artwork

Chad Daines, AICP Principal Planner



Town Council Regular Session

Item # **2.**

Meeting Date: 06/05/2013
Requested by: David Williams
Submitted By: Patty Hayes, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

REQUEST FOR APPROVAL OF A PLAT AMENDMENT FOR MODIFICATION OF A CONSERVATION EASEMENT ON LOT 8 IN THE SUNRIDGE II SUBDIVISION LOCATED AT 752 WEST SEDONA RIDGE PLACE

RECOMMENDATION:

On April 23, 2013 the Board of Adjustment approved a motion granting an exception to the Hillside Development Zone (HDZ) Applicability to allow building into 25% slopes.

EXECUTIVE SUMMARY:

This item is a request to modify an existing conservation easement by subdivision plat amendment for Lot 8 of the Sunridge II subdivision. The subject property is shown in Attachment 1. A portion of the subdivision plat map showing Lot 8 and the existing conservation easement is included as Attachment 2. The applicant proposes to build a custom single family residence on the lot. A portion of the home and yard is proposed to be constructed in the existing conservation easement as shown in Attachment 3.

On April 23, 2013, the Board of Adjustment approved a Hillside Development Zone (HDZ) Exception and variance allowing building into 25% slopes and reducing the rear yard setback. The applicant cannot build into the 25% slopes unless the conservation easement on the plat is modified by Town Council action. That modification would include leaving a minor portion of the conservation easement intact as shown in Attachment 4.

Approving a modification of the conservation easement would have the affect of allowing the applicant to build a home into an area with 25% slopes. Denying the modification of the conservation easement would require the applicant to redesign the home layout on the lot in order to build in the area outside of the conservation easement.

BACKGROUND OR DETAILED INFORMATION:

Background

Sunridge II is a 65 lot custom home subdivision on custom graded lots with an average lot size of 24,000 square feet. The subject lot is vacant. During the rezoning of the Sunridge II area, conservation easements were applied to specific areas in order to preserve land with 25% slopes. The conservation easements were placed on specific lots during the final platting process which was approved by Town Council in 1996. Changes to those conservation easements require approval of the Council.

Typically, in a situation where a portion of land is proposed to be removed from a no-build area such as a conservation easement, there is an equally sized portion of land designated as a new no-build area that has similar qualities and features (referred to as a "like for like" trade off). The applicant has not proposed a hillside trade off. The applicant has proposed to leave the remaining portion of the easement undisturbed.

Current Site Conditions:

- Zoning is R1-20 which allows single family detached homes.
- Lot 8 is surrounded by built homes on three sides of the property.
- The subject lot is currently vacant and contains a conservation easement through a portion of the lot.

Prior approvals

- Property was Rezoned from R1-144 to R1-20 in 1994.
- Sunridge II final plat approved in 1996.
- On April 23, 2013, the Board of Adjustment approved a Hillside Development Zone (HDZ) Exception allowing building into 25% slopes.

Board of Adjustment Action

The Zoning Code allows a property owner to request an exception to the applicability of the Hillside Development Zone. The applicant submitted a case to the Board of Adjustment to build into the 25% slopes and to reduce the rear yard setback from 30' to 20'. The case was approved on April 23, 2013; however, the applicant cannot build into the 25% slopes until the conservation easement on the plat is modified by Town Council action.

Public Notification and Comment

The neighbors who were previously notified of the Board of Adjustment case have submitted emails and written concerns about this Plat Amendment case. Copies of those emails and documents are included in Attachments 5 and 6.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (approve or deny) OV1212-07, a Plat Amendment to modify the Conservation Easement on Lot 8 of the Sunridge II subdivision, as shown in Attachment 4.

Attachments

Attachment 1 Location Map

Attachment 2 Plat Map

Attachment 3 Applicant's Site Plan

Attachment 4 - Site Plan Modified

Attachment 5 Neighbors Letters

Attachment 6 Neighbors Letters



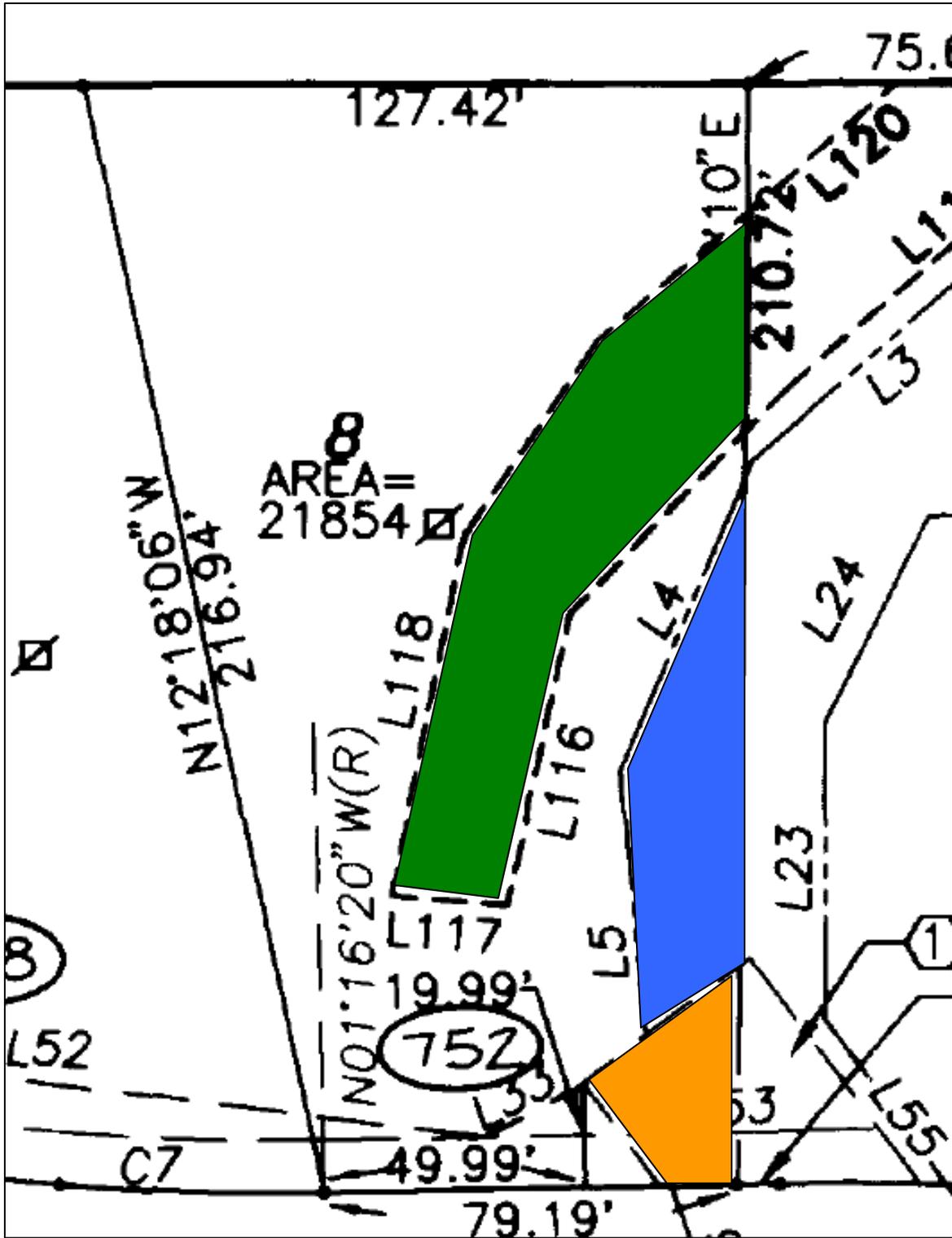
Note: Lot lines are off center

Location Map Aerial Photo

Arnold – Plat Amendment (OV1212-07)

Attachment 1





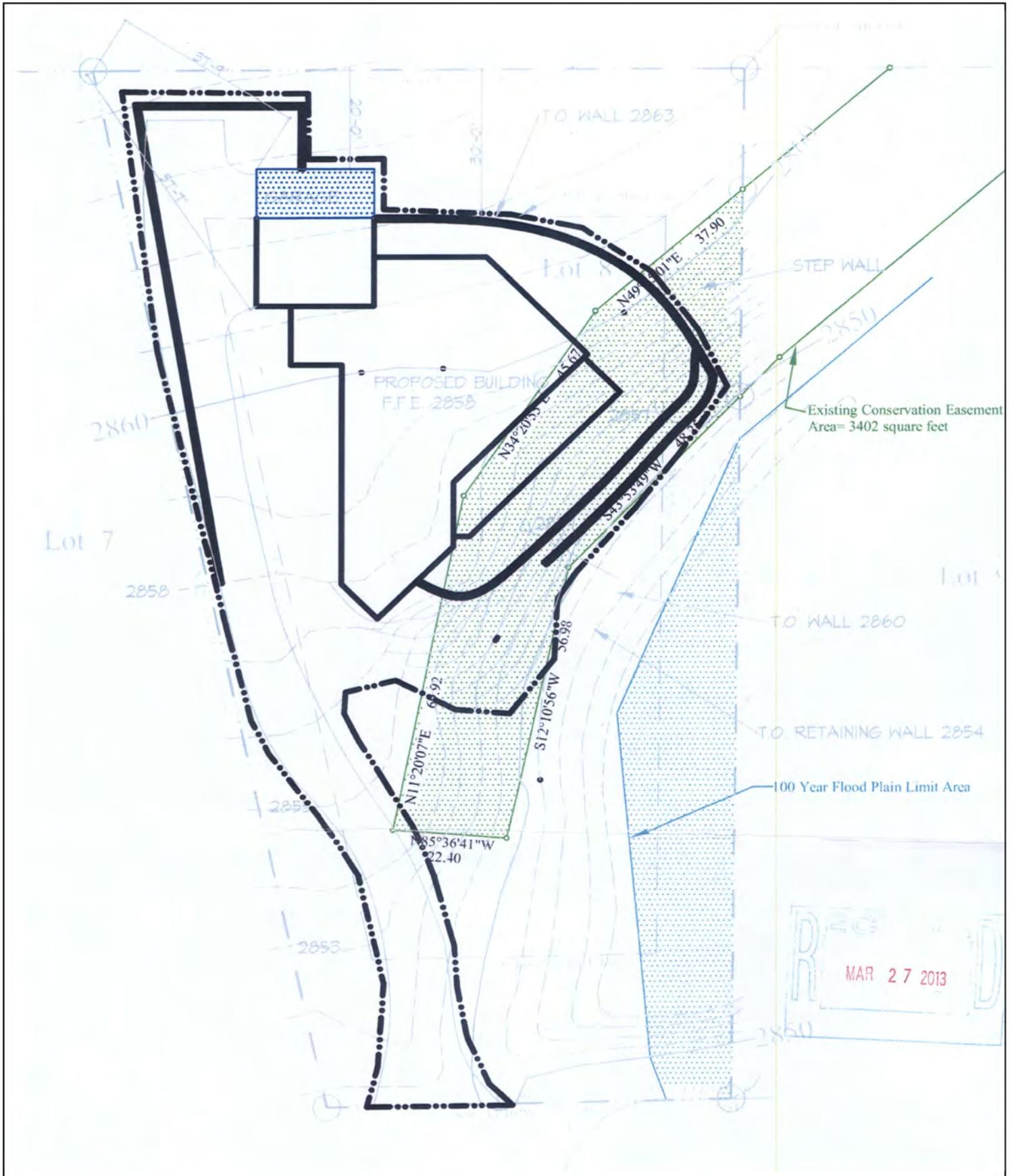
Green = Conservation Easement, Blue = Floodplain, Orange = Drainage Easement



Plat Map

Arnold – Plat Amendment (OV1212-07)

Attachment 2



Applicant's Site Plan
 Arnold – Plat Amendment (OV1212-07)
Attachment 3

From: Pfeffer Washek [washek@q.com]
Sent: Monday, May 13, 2013 8:19 AM
To: Hayes, Patty
Subject: Case No. OV12-12-07

Ms. Patty Hayes
Zoning Plans Examiner
Town of Oro Valley, AZ

Dear Ms. Hayes:

I am writing to support my neighbors in their opposition to the Sunridge II Plat Amendment, case number OV12-12-07.

Conservation easements play important role in the architectural structure of every subdivision. While they are valuable assets to the whole neighborhood, they are particularly important to houses located in the proximity of such easements. A purchase of a property is largely influenced by the layout of adjacent properties. When a conservation easement is indicated on a particular lot, people who buy houses on adjacent lots have a right to expect that such an easement will be honored. Thus I believe very strongly that variances to conservation easements should be given only in cases where no alternative design of a house is possible. This is certainly not the case to which I am addressing my concern.

Prior to moving to Sun Ridge Subdivision, I lived in Albion, California, where I served for 15 years as the Chair of the Architectural Approval Committee for the Pacific Reefs Subdivision. Pacific Reefs is an ocean property where the position and design of each house is critical to achieving a harmonious neighborhood. Based on my experience, I see

no reason whatsoever for the house on lot #8, 752 West Sedona Ridge, to encroach on the Conservation Easement specified on the Subdivision Map. The submitted position plans for the house are drawn with a complete disregard for the existing restriction. They should be modified, since there is an ample space outside the Easement where a spacious house can be build.

Sincerely yours,

Washek F. Pfeffer

12510 North Piping Rock Road
Oro Valley, AZ 85755
(520) 297-7755

May 16, 2013

Oro Valley Town Council

cc: Patty Hayes

Re: Sunridge II, Lot 8, Plat Amendment

Oro Valley Town Council,

I am writing this letter to express my opposition to the above Plat Amendment.

I plan to attend and speak at the Town Council meeting on June 5th, but I wanted you to be aware of my concerns with these proposed changes in advance. When we purchased our home in 2012, we researched the flood zone and conservation areas adjacent to our property to help us make an informed decision about the long term planning of the surrounding properties. The natural beauty and privacy, as well as the erosion protection provided by the native vegetation, afforded by the flood zone and conservation were naturally expected to remain.

A main consideration in our move to Oro Valley had been our impression that the Town Council has an eye toward responsible growth and development and the preservation of this unique and rare vegetation zone within the greater Sonoran desert. The precedent set by planning and zoning in the adjudication of native preservation zones and building restrictions should stand as we all, including Mr. Arnold, were provided the benefit of perfect foreknowledge of any such protected areas and/or building restriction long before each of our individual investments were made. These standards are relied upon and, in fact, stood upon as mainstays in some of the most significant investment decisions made by the residents of this town. Furthermore, as these planning and zoning decisions were made on the behalf of the betterment and good of all Oro Valley citizens, I expect not to be alone in saying that a precedent such as this should not be undone for the betterment and good of only one.

Since it is my understanding that it is possible for Mr. Arnold to build the same sized home under the present zoning, it is also difficult to understand why he would be interested in destroying this natural, mature landscaping and leave potential buyers backing up to neighboring lots with little to no buffer. The current zoning seems much more appealing to potential buyers as it offers more natural beauty and privacy and an increased value to the home.

By no means do we wish to impede Mr. Arnold's ability to build on his property; however, we do expect him to honor the restrictions agreed upon and in place when he purchased the property, especially as it seems to benefit most, if not all, parties involved.

I trust that the Town of Oro Valley will determine what is in the best interest of the majority of its citizens involved in this issue. Thank you for your consideration and service.

Respectfully,

Scott Speder

735 West Granite View Drive

520.906.7630

From: plw_dae@q.com

Sent: Wednesday, May 15, 2013 11:47 AM

To: Hayes, Patty

Subject: Proposed plat amendment for Sunridge II, Lot 8 (752 Sedona Ridge Place)

Dear Ms. Hayes,

We are writing you (and the Town of Oro Valley) to register our objections to the subject amendment. My wife and I live in Sunridge II (lot 61) and have a vested interest in maintaining the existing conservation easement untouched, especially since the proposed home could be sited on Lot 8 without infringing on the conservation easement. Thus, we are asking you to maintain the conservation easement as it is and deny this amendment. Thank you.

Peter and Ann Wallace

From: RWard65501@aol.com
Sent: Tuesday, May 14, 2013 11:38 AM
To: Hayes, Patty
Cc: hbwitlow@yahoo.com
Subject: 752 W Sedona Ridge, Lot 8, Sunridge II
Ms Hayes,

Could you please pass along this letter to the Town Council members.

Thank you,
Rick Ward

Oro Valley Town Council members;

I am writing this letter to express my objection to the current zoning changes for Lot 8, SunRidge II, 752 W Sedona Ridge. My opposition is to the infringement into the green zone which contains mature desert growth. In my opinion, there is no need for destroying this much desert growth because the proposed house could simply be moved further west. This would not change the size of the house or affect any neighboring properties. Building into the green zone seems to be merely a convenience for the builder. I'm sure none of the zoning committee members viewed the property to see what the impact would be. However, as a resident living on Sedona Ridge, I view the lot every day.

I moved to Oro Valley because I had heard that the town had a strict policy concerning the merging of the natural desert landscape and building construction. I hope that I wasn't wrong in my assumption.

Thank you for your attention to this matter.

Sincerely,

Richard L Ward
817 W Sedona Ridge
577-8446

May 14, 2013

Town Council
11000 N La Cañada Dr
Tucson, Arizona 85737
(520) 229-4700

Dear Councilmembers,

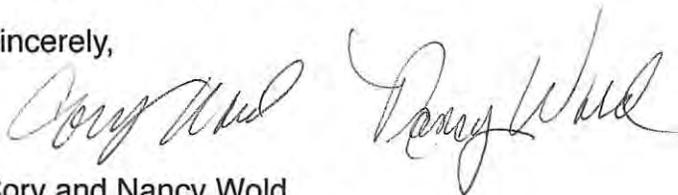
As homeowners in the Sunridge II community, we would like to make it known that we oppose the Sunridge II Plat Amendment, Case number OV12-12-07.

Several of our reasons include but are not limited to:

- 1) We have chosen to live in a riparian community and the conservation easements designed to maintain these areas should be protected.
- 2) We should reserve the right to enjoy these areas as established homeowners in this community.
- 3) We believe after examining the proposed site plan of Mr. Arnold, that other comparable options for building exist and should be considered by the Council as a way to eliminate, if not all, then a significantly modified need for passing the amendment, which still permits "reasonable" use of the lot.
- 4) Removing vegetation especially from hillsides, such as that in the conservation easement, leads to excessive drainage and water runoff.

We appreciate your consideration.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is 'Cory Wold' and the signature on the right is 'Nancy Wold'. Both signatures are written in a cursive, flowing style.

Cory and Nancy Wold
12595 North Piping Rock Lane
Oro Valley, Arizona 85755

Mayor Satish I Hiremath, D.D.S
Vice Mayor Lou Waters
Councilmembers Brendan Burns, Joe Hornat, Mary Snider, William Garner, Mike Zinkin
Town of Oro Valley
11000 North La Canada Drive
Oro Valley, Arizona 85737

May 16, 2013

Dear Councilmembers,

We are writing to oppose the Sunridge II Plat Ammendment, case number OV12-12-07, as current homeowners adjacent to the east of Lot 8, owned by Mike Arnold.

Our intent is not to analyze the previous Board of Adjustment meeting regarding Lot 8 and Mr. Arnold's request for an exception to the applicability of the Hillside Development Zone (HDZ) on April 23, 2013, however, we do believe some information has relevance to this case. Moreover, we would like it to be noted that Chairman Bill Adler voted against the exception to the HDZ for that request and we have attached his reasonings transcribed from the meetings minutes.

In addition, we would also like to point out that we do not oppose the building of a home on Lot 8, nor have we opposed any home being built by Mr. Arnold. Unfortunately, we feel inclined to express this because it was stated at the Board of Adjustment Meeting, by Mr. Arnold, that my husband and I have had an "issue with him building next to us from day one," referring to a build he completed beside us last year, as the reason we now oppose the development into the hillside/conservation easement to Lot 8. However, that is not true. On the contrary, we signed documentation, at Mr. Arnold's request, allowing for an extension of the rear yard for that home. Following completion of the build, we had an obvious issue with drainage (we have attached photos of the drainage issue for reference). That "issue" has long since been resolved; our concerns now are legitimate and pertain exclusively to the current matter at hand.

My husband and I purchased our home, (736 W Sedona Ridge Place,) after considering other properties. Outside of appealing to us aesthetically, we most appreciated the benefit of residing beside a flood plain/conservation area, and consequently, an abundance of vegetation. Granted, we did not realize Lot 8 was buildable when we bought our home. But we knew, at the very least, we were purchasing beside a conservation easement. As such, we felt confident choosing our home and forewent on a home with more marketable views. Sometime later we discovered that Lot 8 was buildable. However, we had always known the easement existed and therefore remained fervent about our decision to buy adjacent to a: designated "green area," zoned conservation easement and 100-year wash, and were assured it would remain exactly as it was intended because they were designed to be preserved and protected by Oro Valley.

Unfortunately, we are now at an impasse as my husband and I have decided to sell our home and have been made to feel that we shouldn't have an opinion about the impending amendment to the adjacent plat. And although we may not be witness to the final developed property and therefore our personal interests may not hold weight, we are unsettled and deeply concerned about the interests of our property, including and most importantly the value, and the interests of potential buyers. Had we known, when considering the purchase of our home, there was even a remote chance for building within conservation easement, we would have **unquestionably passed** on the purchase of this home. Our home does not have mountain views, the elevation is lower than all adjacent lots so with that receives an excessive amount of rain run-off, and all adjacent homes are built considerably higher than our ground floor. Therefore some might consider this lot at a disadvantage. What does keep this lot premium and comparable to neighboring lots, and what we hope will continue to do so, is the substantial width between any neighboring home to be built on Lot 8, as well as, an impressive row of mature vegetation and trees (located within the proposed area to be amended) to help block/screen any eventual home. Feeling as though we are rational homeowners, we maintain it is realistic to assume potential buyers would hold that same degree of objection now in the purchasing of our home, should the amendment pass.

We have spoken/met with architects and an engineering firm regarding the build on Lot 8; they have assured us there are definitely suitable design options that substantially minimize and/or eliminate encroachment into the conservation easement while maintaining comparable/ "reasonable" value for the builder. As such, we have attached their work, recommendations, and reasonings. In addition, we have included photographs of our views to Lot 8 and have highlighted the vegetation that would be removed as corresponded with the information produced by the the engineering team and as presented by Mr. Arnold. As well, we also invite Councilmembers or appropriate staff to view Lot 8 from our yard in order to gain accurate perspective, especially if the photographs are in any way ambiguous. Finally, we have attached both Mr. Arnold's reasonings for proposing a home requiring the amendment (as transcribed from the Board of Adjustment meeting) and our supportive material refuting his justification.

In closing, we believe that we have shown without a doubt, the need for and availability of, alternative options not requiring, or minimally so, encroachment into the conservation easement. We hope to have moved Councilmembers to require, at the very least, a reconfigured site plan that is as mindful of minimal encroachment as our examples have offered you, before making a decision about amending the plat. We appreciate your consideration.

Sincerely,

Heather and Lonny Nenadovich
736 West Sedona Ridge Place
Oro Valley, Arizona 85755
HbWhitlow@yahoo.com 520.440.6214

SUMMARY OF ATTACHMENTS

I. PHOTOGRAPHS:

1) **Nenadovich View of Lot 8 (I)**- View from our backyard facing Lot 8 to the west. It includes the neighbors to the west of Lot 8, as well as the trees that would be removed as a part of the amended plat notated in red. They are the only vegetation to provide privacy to our home. It was suggested by Mr. Arnold that there is plenty of vegetation to screen his proposed home that remain untouched as part of the flood plain. In reality the vegetation highlighted in the green box would serve as the only screening remaining to his proposed house and the location. It was also suggested Mr. Arnold would be required to replace any trees removed. However, it is our understanding they can be replaced to any where on the property, which does little to help our cause.

2) **Nenadovich View of Lot 8 (II)**- This is a continuation of Nenadovich View of Lot 8 (I) to show a panoramic view of the lot to include the adjacent neighbor to the north. Trees and vegetation to be removed are notated in red.

3) **Nenadovich View of Lot 8 (III)**- Confirmation that the vegetation in the flood plain is lower than our wall and view line, and in most cases lower than our ground floor as the flood plain elevation is lower than that. Though there is an abundance of vegetation in the flood plain, it does not provide any privacy from the proposed home and is primarily out of our line of sight. To rehash, this was a primary reason we purchased our home.

4) **Nenadovich Vegetation Identified**- (as borrowed from attachment 2342 proposed Lot 8 building envelope.pdf (1))This depicts the palo verde trees and other vegetation, highlighted with red arrows, that would be removed as part of the amendment as they are located inside the easement. Once again, these are the only trees that would provide any sort of privacy for our primary living space and backyard. Although it appears the extensive vegetation to the east of the conservation easement would provide screening, highlighted with green arrows, the vegetation sits well BELOW our wall and ground floor, as it is part of the flood plain, and does not offer any privacy.

5) **Nenadovich Drainage Issue (I)**- depicts the issue with drainage to the side of our yard, in July of 2012, following the build by Mr. Arnold.

6) **Nenadovich Drainage Issue (II)**- Erosion began to change the grading of our yard and ultimately we involved The Planning Division of Oro Valley. The issue was addressed by Mr. Arnold.

II. DOCUMENTATION FROM BAKER AND ASSOCIATES ENGINEERING, INC.:

7) **2342 bldg env comparison color.pdf (1 page)**- William Baker Jr. P.E., R.L.S. of Baker and Associates Engineering, Inc. has provided plausible alternative build options for Mr. Arnold while keeping in mind his requirements for a: 2800 sq. ft., 3 car garage home with east facing views. In doing so, Mr. Baker and his team have rendered a more than comparable building envelope with little to no encroachment into the easement, which overlay in pink, Mr. Arnold's proposed plans.

8) **2342 proposed Lot 8 building envelope.pdf (1page)**- a view of the plat of the proposed building envelope, by Baker and Associates, which illustrates two alternative options for placement of the garage, thereby minimizing or eliminating the need for encroachment into the easement.

9) **2342 summary memorandum.pdf (1page)**- Summary of findings as provided by Mr. Baker P.E., R.L.S.

III. DOCUMENTATION FROM KELSI MONTGOMERY RA, NCARB :

10) **KM-analysis.pdf (3 pages)**- Includes summary of analysis and potential for alternative development option, comparable site layout and buildable area overlaying (in pink) Mr. Arnold's site proposal, and viewshed and context diagrams. The architect allowed for rear yard space to the north. Mr. Arnold did not propose for yard space as to not put adjacent yards close together. That option can be disregarded. Buildable area at 5480 sq. ft. exceeds comparability to that of Mr. Arnold's sq. ft. requirements with no encroachment to the conservation easement. Sq. ft. used on the northeast corner, would block some views for the northern neighbors and that concerned us. Because of time constraints, as we wanted to submit this to Council within the deadline, she made us aware that the large portion of unused buildable area to the west not impeding on the space provided for the driveway could be maximized instead, protecting the views for those neighbors.

IV. SUPPORTING REASONINGS

11) **Chairman William Adler Reasons for Opposing Exception to HDZ-As** transcribed from the Board of Adjustment Hearing on April 23, 2013, case number OV 1013-01. This section of the hillside is within the conservation easement pertaining to this case.

12) **Mr. Arnold's Reasons for Encroachment into The Conservation Easement** - As transcribed from Board of Adjustment Meeting April 23, 2013 for case OV 1013-01.

V. Conclusion

N 00° 14' 49" 51
20,2

135.00'

127.42'
REVISED REAR SETBACK (20')

3-CAR GARAGE OPTION
BUILDING ENVELOPE
NOM. 4000 s.f.

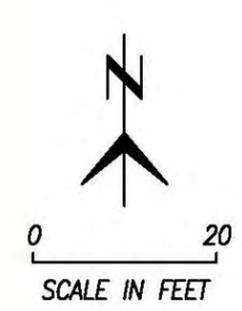
3-CAR GARAGE OPTION

ENCROACHMENT OPTION

DRIVEWAY

CONSENT EASEMENT

Existing Conserv Area= 3402 squ



L=50.65'

79.19'

8.25'

SEDONA RIDGE PLACE

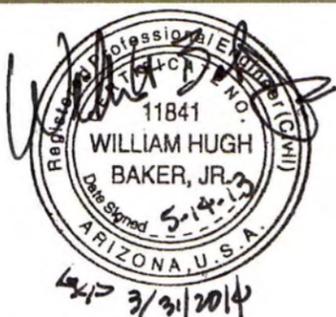
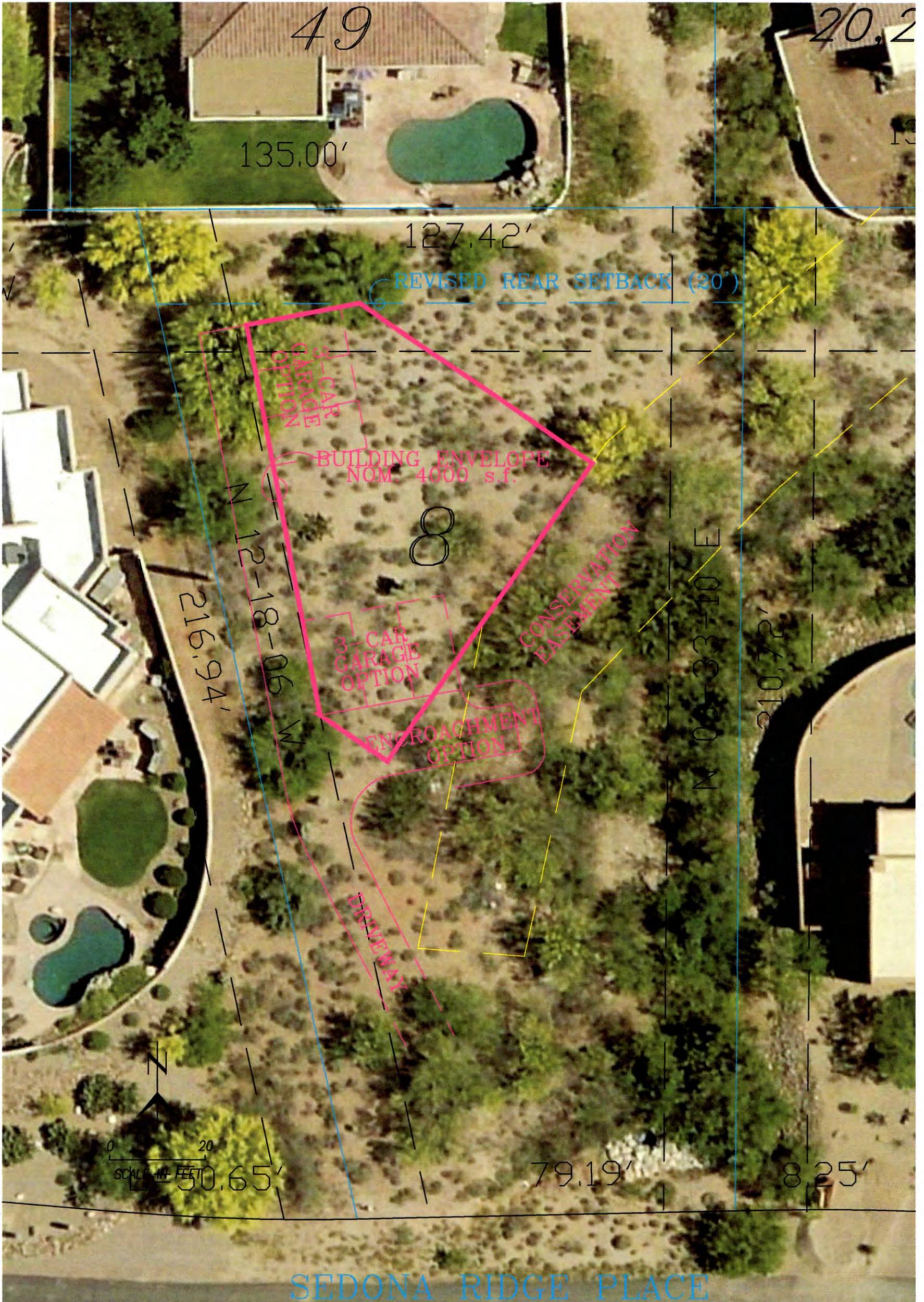
PROPOSED BUILDING ENVELOPES COMPARISON



Baker & Associates Engineering, Inc.

3561 E. Sunrise Drive, Suite #225 Tucson, Arizona 85718 (520) 318-1950 Fax (520) 318-1930

MAR 27



PROPOSED BUILDING ENVELOPE FOR LOT 8
of SUNRIDGE II (M&P 48/33)



Baker & Associates Engineering, Inc.

3561 E. Sunrise Drive, Suite #225 Tucson, Arizona 85718 (520) 318-1950 Fax (520) 318-1930



William H. Baker Jr., P.E., R.L.S.
Martin V. Magelli, P.E.

3561 E. Sunrise Dr., Suite 225
Tucson, Arizona 85718
520.318.1950 Fax 318.1930

SUMMARY MEMORANDUM

At the request of Heather Nenadovich, Baker & Associates Engineering, Inc. has prepared a conceptual building envelope for Lot 8 of Sunridge II, Lots 1 through 65 (and Common Area "A"), M&P 48/33.

The proposed building envelope was constrained by the existing 15' building setback along the west lot line, the revised 20' building setback along the north lot line and the conservation easement reflected on the recorded final plat. The proposed building envelope was configured with right angle and 45° corners to facilitate eventual house configuration. The resultant building envelope is nominal 4000 square feet.

Two options were shown for typical 3-car garage configuration, with the rear-garage option entirely within the proposed building envelope; and the front-garage option primarily within the envelope. The front-garage option as shown, would require some encroachment into the conservation easement.

Grading can be expected to be nominally at existing grade (other than the encroachment option shown for the front-garage option) therefore no significant grading or retaining walls are expected to be necessary outside of the proposed building envelope.

Baker & Associates Engineering, Inc.



William H. Baker, Jr. P.E.

5/14/13

2342 Summary Memorandum.wpd

**CHAIRMAN WILLIAM ADLER'S OPPOSITION OF MR. ARNOLD'S REQUEST FOR
EXCEPTION TO HILLSIDE DEVELOPMENT ZONE**

As transcribed from Board of Adjustment Hearing on April 23, 2013, case number OV 1013-01 for request for exception from the Hillside Development Zone (HDZ) heard from audio files located on the Oro Valley Town Website (www.orovalleyaz.gov) under Live and Archive Media Page.

(As transcribed 01:21:08 minutes into the meeting):

“I would prefer that the variance to the rear setback be actually be increased to reduce the setback further, at the back, in order to try to reduce to some degree, maybe to some large degree, the encroachment into the hills. I feel strongly about our Hillside Ordinance, which is not terrific, but it tries to prevent the destruction of slopes and I feel that is one of the amenities that people want to continue to enjoy.”

-Chairman Adler

MR. ARNOLD'S REASONS FOR PROPOSING A HOME REQUIRING ENCROACHMENT INTO THE CONSERVATION EASEMENT

As transcribed from Board of Adjustment Hearing on April 23, 2013, case number OV 1013-01 for request for exception from the Hillside Development Zone (HDZ) audio files on the Oro Valley Town Website (www.orovalleyaz.gov) under Live and Archive Media Page. Time into the meeting minutes have been notated in parentheses.

1) (36:08) Referring to the plat as is if the request to HDZ not pass:

“You can get 2800 feet in there, it’s just how you do it. Where you put the garage is the big one ‘cause it needs so much space to get in and out of. It’s why it can’t be at the front because the front comes down so narrow. We’ve tried it and you’re either backing in over towards the wash or you’re into the side yard set back.” - Mr. Arnold

2) (1:08:46) Responding to a Board member’s need for clarification of why the garage couldn’t be placed in front:

“You’re not going to back straight all the way back out to the street ‘cause that’s...it’s about sixty, seventy feet back there so you’ve gotta be able to back out of the garage and go either to the west, to the east. Well, the east has a conservation easement, a part that I’m not touching, and the west has a property line. You need thirty feet to turn a car around. Any garage has gotta have that.” - Mr. Arnold

I ask Council to consider that Mr. Arnold has said putting the garage in front requires 30 feet (meaning a turnaround to be able to drive out forward facing toward the street) and is in part of the easement he would not be touching. However, it would be significantly less encroachment to the easement would Mr. Arnold modify his plans to use “that part” he wasn’t “touching” for a turnaround given that it would only require 30 feet of encroachment verses a majority of the 3,401 square feet he has proposed. In addition, this notion to sacrifice 30 feet for the purpose of the turnaround as opposed to the majority of the easement has been substantiated by both an architect and engineer (see documentation attached.) They have also purported that it is entirely possible to avoid all encroachment into the easement, maintaining garage placement where Mr. Arnold currently proposes, by slightly reconfiguring the design.

3) (35:17)

“And remember too, you look at that rough outline of a house there, you know that’s not the house. That’s just a, OK...a roughly, what we’re trying to do, ‘cause it costs about five to six thousand to design a house...that was drawn to say, ‘OK, this is roughly where we need to be.’” - Mr. Arnold

I bring to Council’s attention the proposed home/site plan is a spec build and Mr. Arnold does not have floor plans or a buyer. I believe this should allow adequate time and motivation for Mr. Arnold to reconsider his design.

CONCLUSION

To conclude, since floor plans and a buyer do not yet exist for the proposed home, we hope Council would take into consideration the interests and opinions of: neighbors, and owners of adjacent homes, as well as Mr. Arnold, when making a decision. Do recall that Mr. Arnold's primary reason for encroachment into the conservation easement is because the front of the lot does not offer, "**enough space...so the garage has to be in the back on that lot...**," and he believes that considerably prohibits his options. However, we feel that we have provided: sound proof that it would be possible for Mr. Arnold to build a comparable home and reasonable alternative(s) that minimize and/or eliminate the need, altogether, for encroachment into the conservation easement. We understand that Mr. Arnold strongly believes that he only has but one option available to build. As such, we have submitted documentation from professionals (i.e., both an architect and engineer) who attest otherwise. Therefore, if Mr. Arnold can be just as profitable with a comparable build without having to bleed into the conservation easement, allowing homeowners the enjoyment of areas deemed protected for many years to come, then there doesn't appear to be an obvious reason why Council would move to approve Sunridge II Plat Amendment Lot 8, case number OV12-12-07.







Site Analysis Summary of Lot 8 of Sunridge II,
752 Sedona Ridge Place, Oro Valley, AZ
for Heather Nenadovich:

My analysis with the goals of displaying sensitivity to context, views, privacy, and the achievement of a comparable solution for the lot in question, is outlined in the attached sheets.

The hypothetical dwelling outline with porches and 3-car garage was placed and sized based on the criteria supplied including the reduction of the rear setback to 20', and aims to represent a comparable structure to that previously proposed for the lot. I have proposed an actual structure outline for my own comfort in supplying reasonable alternative, however the "buildable area" outlined provides further flexibility.

The following are points to supplement the info. on the attached sheets:

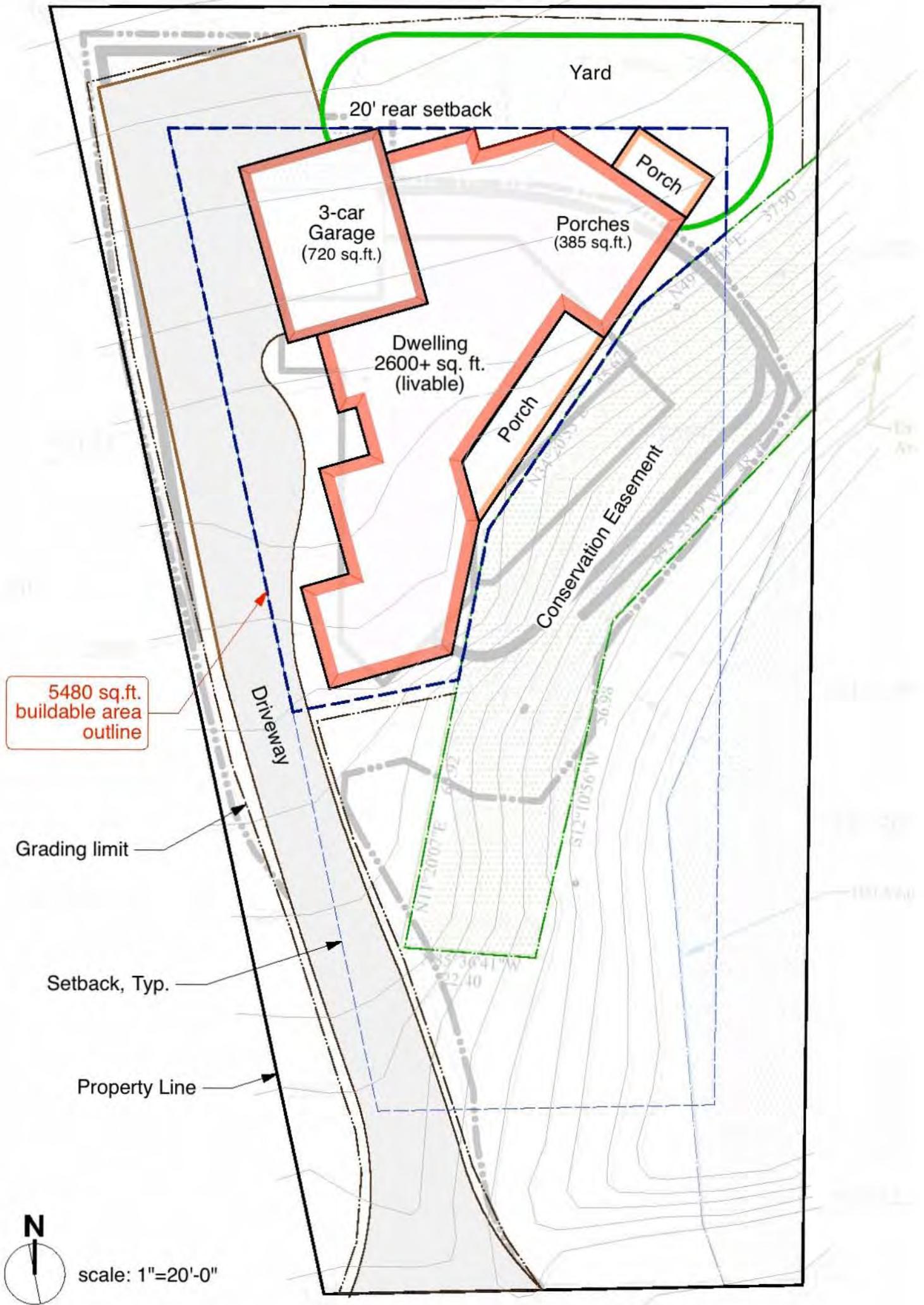
- the proposal pushes the buildable area to the flattest area of the site with the aim to minimize tall retaining walls while remaining sensitive to adjacent lots
- a finished floor elevation was not noted although this provides more mitigation flexibility based on the desired building height; the building can also step on the site if that meets salability criteria
- the garage location does have alternatives, however the northwest location will have the least impact on adjacent yards and views from living areas
- the yard area is on a fairly level part of the site and provides comparable orientation to other yard areas; yard walls and vegetation provide privacy
- attention was paid to maneuverability at the garage and the drive allows for guest parking to the north of the garage

It is my opinion that there is a viable alternative to encroaching into the existing conservation easement.

Sincerely,
Kelsi Montgomery, RA



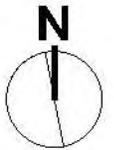
Kelsi Montgomery
Exp. 3-31-16



Hypothetical comparable site layout and buildable area for 752 Sedona Ridge Place to avoid Conservation Easement



Viewshed & context diagrams.



752 Sedona Ridge Place



135.00'

1152.71' 127.42'

EVIS REAR SLIPBACK (CD)

SPRING TROUBLE

BACK SLIP

21.85' ST

121.88-06'

16.94'

97 ST

EDDONA

Neighbors west of
Lot 8

TO BE
REMOVED

TO BE
REMOVED

TO BE
REMOVED

TO BE REMOVED
NOT SHOWN IN
PHOTO

Only vegetation viable for
screening purposes with
passed amendment in box

TO BE
REMOVED



Neighbors North
of Lot 8

TO BE
REMOVED

TO BE
REMOVED



TOP OF NENADIVICH
BACK YARD WALL

NEIGHBORS WEST
BELOW



From: Pfeffer Washek [washek@q.com]
Sent: Monday, May 13, 2013 8:19 AM
To: Hayes, Patty
Subject: Case No. OV12-12-07

Ms. Patty Hayes
Zoning Plans Examiner
Town of Oro Valley, AZ

Dear Ms. Hayes:

I am writing to support my neighbors in their opposition to the Sunridge II Plat Amendment, case number OV12-12-07.

Conservation easements play important role in the architectural structure of every subdivision. While they are valuable assets to the whole neighborhood, they are particularly important to houses located in the proximity of such easements. A purchase of a property is largely influenced by the layout of adjacent properties. When a conservation easement is indicated on a particular lot, people who buy houses on adjacent lots have a right to expect that such an easement will be honored. Thus I believe very strongly that variances to conservation easements should be given only in cases where no alternative design of a house is possible. This is certainly not the case to which I am addressing my concern.

Prior to moving to Sun Ridge Subdivision, I lived in Albion, California, where I served for 15 years as the Chair of the Architectural Approval Committee for the Pacific Reefs Subdivision. Pacific Reefs is an ocean property where the position and design of each house is critical to achieving a harmonious neighborhood. Based on my experience, I see

no reason whatsoever for the house on lot #8, 752 West Sedona Ridge, to encroach on the Conservation Easement specified on the Subdivision Map. The submitted position plans for the house are drawn with a complete disregard for the existing restriction. They should be modified, since there is an ample space outside the Easement where a spacious house can be build.

Sincerely yours,

Washek F. Pfeffer

12510 North Piping Rock Road
Oro Valley, AZ 85755
(520) 297-7755

May 16, 2013

Oro Valley Town Council

cc: Patty Hayes

Re: Sunridge II, Lot 8, Plat Amendment

Oro Valley Town Council,

I am writing this letter to express my opposition to the above Plat Amendment.

I plan to attend and speak at the Town Council meeting on June 5th, but I wanted you to be aware of my concerns with these proposed changes in advance. When we purchased our home in 2012, we researched the flood zone and conservation areas adjacent to our property to help us make an informed decision about the long term planning of the surrounding properties. The natural beauty and privacy, as well as the erosion protection provided by the native vegetation, afforded by the flood zone and conservation were naturally expected to remain.

A main consideration in our move to Oro Valley had been our impression that the Town Council has an eye toward responsible growth and development and the preservation of this unique and rare vegetation zone within the greater Sonoran desert. The precedent set by planning and zoning in the adjudication of native preservation zones and building restrictions should stand as we all, including Mr. Arnold, were provided the benefit of perfect foreknowledge of any such protected areas and/or building restriction long before each of our individual investments were made. These standards are relied upon and, in fact, stood upon as mainstays in some of the most significant investment decisions made by the residents of this town. Furthermore, as these planning and zoning decisions were made on the behalf of the betterment and good of all Oro Valley citizens, I expect not to be alone in saying that a precedent such as this should not be undone for the betterment and good of only one.

Since it is my understanding that it is possible for Mr. Arnold to build the same sized home under the present zoning, it is also difficult to understand why he would be interested in destroying this natural, mature landscaping and leave potential buyers backing up to neighboring lots with little to no buffer. The current zoning seems much more appealing to potential buyers as it offers more natural beauty and privacy and an increased value to the home.

By no means do we wish to impede Mr. Arnold's ability to build on his property; however, we do expect him to honor the restrictions agreed upon and in place when he purchased the property, especially as it seems to benefit most, if not all, parties involved.

I trust that the Town of Oro Valley will determine what is in the best interest of the majority of its citizens involved in this issue. Thank you for your consideration and service.

Respectfully,

Scott Speder

735 West Granite View Drive

520.906.7630

From: plw_dae@q.com

Sent: Wednesday, May 15, 2013 11:47 AM

To: Hayes, Patty

Subject: Proposed plat amendment for Sunridge II, Lot 8 (752 Sedona Ridge Place)

Dear Ms. Hayes,

We are writing you (and the Town of Oro Valley) to register our objections to the subject amendment. My wife and I live in Sunridge II (lot 61) and have a vested interest in maintaining the existing conservation easement untouched, especially since the proposed home could be sited on Lot 8 without infringing on the conservation easement. Thus, we are asking you to maintain the conservation easement as it is and deny this amendment. Thank you.

Peter and Ann Wallace

From: RWard65501@aol.com
Sent: Tuesday, May 14, 2013 11:38 AM
To: Hayes, Patty
Cc: hbwitlow@yahoo.com
Subject: 752 W Sedona Ridge, Lot 8, Sunridge II
Ms Hayes,

Could you please pass along this letter to the Town Council members.

Thank you,
Rick Ward

Oro Valley Town Council members;

I am writing this letter to express my objection to the current zoning changes for Lot 8, SunRidge II, 752 W Sedona Ridge. My opposition is to the infringement into the green zone which contains mature desert growth. In my opinion, there is no need for destroying this much desert growth because the proposed house could simply be moved further west. This would not change the size of the house or affect any neighboring properties. Building into the green zone seems to be merely a convenience for the builder. I'm sure none of the zoning committee members viewed the property to see what the impact would be. However, as a resident living on Sedona Ridge, I view the lot every day.

I moved to Oro Valley because I had heard that the town had a strict policy concerning the merging of the natural desert landscape and building construction. I hope that I wasn't wrong in my assumption.

Thank you for your attention to this matter.

Sincerely,

Richard L Ward
817 W Sedona Ridge
577-8446

May 14, 2013

Town Council
11000 N La Cañada Dr
Tucson, Arizona 85737
(520) 229-4700

Dear Councilmembers,

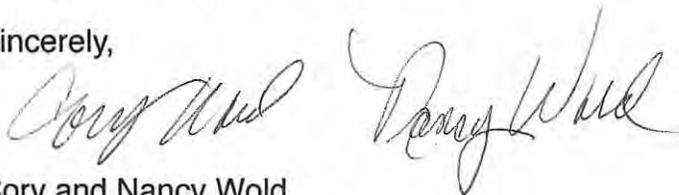
As homeowners in the Sunridge II community, we would like to make it known that we oppose the Sunridge II Plat Amendment, Case number OV12-12-07.

Several of our reasons include but are not limited to:

- 1) We have chosen to live in a riparian community and the conservation easements designed to maintain these areas should be protected.
- 2) We should reserve the right to enjoy these areas as established homeowners in this community.
- 3) We believe after examining the proposed site plan of Mr. Arnold, that other comparable options for building exist and should be considered by the Council as a way to eliminate, if not all, then a significantly modified need for passing the amendment, which still permits "reasonable" use of the lot.
- 4) Removing vegetation especially from hillsides, such as that in the conservation easement, leads to excessive drainage and water runoff.

We appreciate your consideration.

Sincerely,

The image shows two handwritten signatures in cursive ink. The signature on the left is 'Cory Wold' and the signature on the right is 'Nancy Wold'. Both signatures are written in a fluid, connected style.

Cory and Nancy Wold
12595 North Piping Rock Lane
Oro Valley, Arizona 85755

Mayor Satish I Hiremath, D.D.S
Vice Mayor Lou Waters
Councilmembers Brendan Burns, Joe Hornat, Mary Snider, William Garner, Mike Zinkin
Town of Oro Valley
11000 North La Canada Drive
Oro Valley, Arizona 85737

May 16, 2013

Dear Councilmembers,

We are writing to oppose the Sunridge II Plat Ammendment, case number OV12-12-07, as current homeowners adjacent to the east of Lot 8, owned by Mike Arnold.

Our intent is not to analyze the previous Board of Adjustment meeting regarding Lot 8 and Mr. Arnold's request for an exception to the applicability of the Hillside Development Zone (HDZ) on April 23, 2013, however, we do believe some information has relevance to this case. Moreover, we would like it to be noted that Chairman Bill Adler voted against the exception to the HDZ for that request and we have attached his reasonings transcribed from the meetings minutes.

In addition, we would also like to point out that we do not oppose the building of a home on Lot 8, nor have we opposed any home being built by Mr. Arnold. Unfortunately, we feel inclined to express this because it was stated at the Board of Adjustment Meeting, by Mr. Arnold, that my husband and I have had an "issue with him building next to us from day one," referring to a build he completed beside us last year, as the reason we now oppose the development into the hillside/conservation easement to Lot 8. However, that is not true. On the contrary, we signed documentation, at Mr. Arnold's request, allowing for an extension of the rear yard for that home. Following completion of the build, we had an obvious issue with drainage (we have attached photos of the drainage issue for reference). That "issue" has long since been resolved; our concerns now are legitimate and pertain exclusively to the current matter at hand.

My husband and I purchased our home, (736 W Sedona Ridge Place,) after considering other properties. Outside of appealing to us aesthetically, we most appreciated the benefit of residing beside a flood plain/conservation area, and consequently, an abundance of vegetation. Granted, we did not realize Lot 8 was buildable when we bought our home. But we knew, at the very least, we were purchasing beside a conservation easement. As such, we felt confident choosing our home and forewent on a home with more marketable views. Sometime later we discovered that Lot 8 was buildable. However, we had always known the easement existed and therefore remained fervent about our decision to buy adjacent to a: designated "green area," zoned conservation easement and 100-year wash, and were assured it would remain exactly as it was intended because they were designed to be preserved and protected by Oro Valley.

Unfortunately, we are now at an impasse as my husband and I have decided to sell our home and have been made to feel that we shouldn't have an opinion about the impending amendment to the adjacent plat. And although we may not be witness to the final developed property and therefore our personal interests may not hold weight, we are unsettled and deeply concerned about the interests of our property, including and most importantly the value, and the interests of potential buyers. Had we known, when considering the purchase of our home, there was even a remote chance for building within conservation easement, we would have **unquestionably passed** on the purchase of this home. Our home does not have mountain views, the elevation is lower than all adjacent lots so with that receives an excessive amount of rain run-off, and all adjacent homes are built considerably higher than our ground floor. Therefore some might consider this lot at a disadvantage. What does keep this lot premium and comparable to neighboring lots, and what we hope will continue to do so, is the substantial width between any neighboring home to be built on Lot 8, as well as, an impressive row of mature vegetation and trees (located within the proposed area to be amended) to help block/screen any eventual home. Feeling as though we are rational homeowners, we maintain it is realistic to assume potential buyers would hold that same degree of objection now in the purchasing of our home, should the amendment pass.

We have spoken/met with architects and an engineering firm regarding the build on Lot 8; they have assured us there are definitely suitable design options that substantially minimize and/or eliminate encroachment into the conservation easement while maintaining comparable/ "reasonable" value for the builder. As such, we have attached their work, recommendations, and reasonings. In addition, we have included photographs of our views to Lot 8 and have highlighted the vegetation that would be removed as corresponded with the information produced by the the engineering team and as presented by Mr. Arnold. As well, we also invite Councilmembers or appropriate staff to view Lot 8 from our yard in order to gain accurate perspective, especially if the photographs are in any way ambiguous. Finally, we have attached both Mr. Arnold's reasonings for proposing a home requiring the amendment (as transcribed from the Board of Adjustment meeting) and our supportive material refuting his justification.

In closing, we believe that we have shown without a doubt, the need for and availability of, alternative options not requiring, or minimally so, encroachment into the conservation easement. We hope to have moved Councilmembers to require, at the very least, a reconfigured site plan that is as mindful of minimal encroachment as our examples have offered you, before making a decision about amending the plat. We appreciate your consideration.

Sincerely,

Heather and Lonny Nenadovich
736 West Sedona Ridge Place
Oro Valley, Arizona 85755
HbWhitlow@yahoo.com 520.440.6214

SUMMARY OF ATTACHMENTS

I. PHOTOGRAPHS:

1) **Nenadovich View of Lot 8 (I)**- View from our backyard facing Lot 8 to the west. It includes the neighbors to the west of Lot 8, as well as the trees that would be removed as a part of the amended plat notated in red. They are the only vegetation to provide privacy to our home. It was suggested by Mr. Arnold that there is plenty of vegetation to screen his proposed home that remain untouched as part of the flood plain. In reality the vegetation highlighted in the green box would serve as the only screening remaining to his proposed house and the location. It was also suggested Mr. Arnold would be required to replace any trees removed. However, it is our understanding they can be replaced to any where on the property, which does little to help our cause.

2) **Nenadovich View of Lot 8 (II)**- This is a continuation of Nenadovich View of Lot 8 (I) to show a panoramic view of the lot to include the adjacent neighbor to the north. Trees and vegetation to be removed are notated in red.

3) **Nenadovich View of Lot 8 (III)**- Confirmation that the vegetation in the flood plain is lower than our wall and view line, and in most cases lower than our ground floor as the flood plain elevation is lower than that. Though there is an abundance of vegetation in the flood plain, it does not provide any privacy from the proposed home and is primarily out of our line of sight. To rehash, this was a primary reason we purchased our home.

4) **Nenadovich Vegetation Identified**- (as borrowed from attachment 2342 proposed Lot 8 building envelope.pdf (1))This depicts the palo verde trees and other vegetation, highlighted with red arrows, that would be removed as part of the amendment as they are located inside the easement. Once again, these are the only trees that would provide any sort of privacy for our primary living space and backyard. Although it appears the extensive vegetation to the east of the conservation easement would provide screening, highlighted with green arrows, the vegetation sits well BELOW our wall and ground floor, as it is part of the flood plain, and does not offer any privacy.

5) **Nenadovich Drainage Issue (I)**- depicts the issue with drainage to the side of our yard, in July of 2012, following the build by Mr. Arnold.

6) **Nenadovich Drainage Issue (II)**- Erosion began to change the grading of our yard and ultimately we involved The Planning Division of Oro Valley. The issue was addressed by Mr. Arnold.

II. DOCUMENTATION FROM BAKER AND ASSOCIATES ENGINEERING, INC.:

7) **2342 bldg env comparison color.pdf (1 page)**- William Baker Jr. P.E., R.L.S. of Baker and Associates Engineering, Inc. has provided plausible alternative build options for Mr. Arnold while keeping in mind his requirements for a: 2800 sq. ft., 3 car garage home with east facing views. In doing so, Mr. Baker and his team have rendered a more than comparable building envelope with little to no encroachment into the easement, which overlay in pink, Mr. Arnold's proposed plans.

8) **2342 proposed Lot 8 building envelope.pdf (1page)**- a view of the plat of the proposed building envelope, by Baker and Associates, which illustrates two alternative options for placement of the garage, thereby minimizing or eliminating the need for encroachment into the easement.

9) **2342 summary memorandum.pdf (1page)**- Summary of findings as provided by Mr. Baker P.E., R.L.S.

III. DOCUMENTATION FROM KELSI MONTGOMERY RA, NCARB :

10) **KM-analysis.pdf (3 pages)**- Includes summary of analysis and potential for alternative development option, comparable site layout and buildable area overlaying (in pink) Mr. Arnold's site proposal, and viewshed and context diagrams. The architect allowed for rear yard space to the north. Mr. Arnold did not propose for yard space as to not put adjacent yards close together. That option can be disregarded. Buildable area at 5480 sq. ft. exceeds comparability to that of Mr. Arnold's sq. ft. requirements with no encroachment to the conservation easement. Sq. ft. used on the northeast corner, would block some views for the northern neighbors and that concerned us. Because of time constraints, as we wanted to submit this to Council within the deadline, she made us aware that the large portion of unused buildable area to the west not impeding on the space provided for the driveway could be maximized instead, protecting the views for those neighbors.

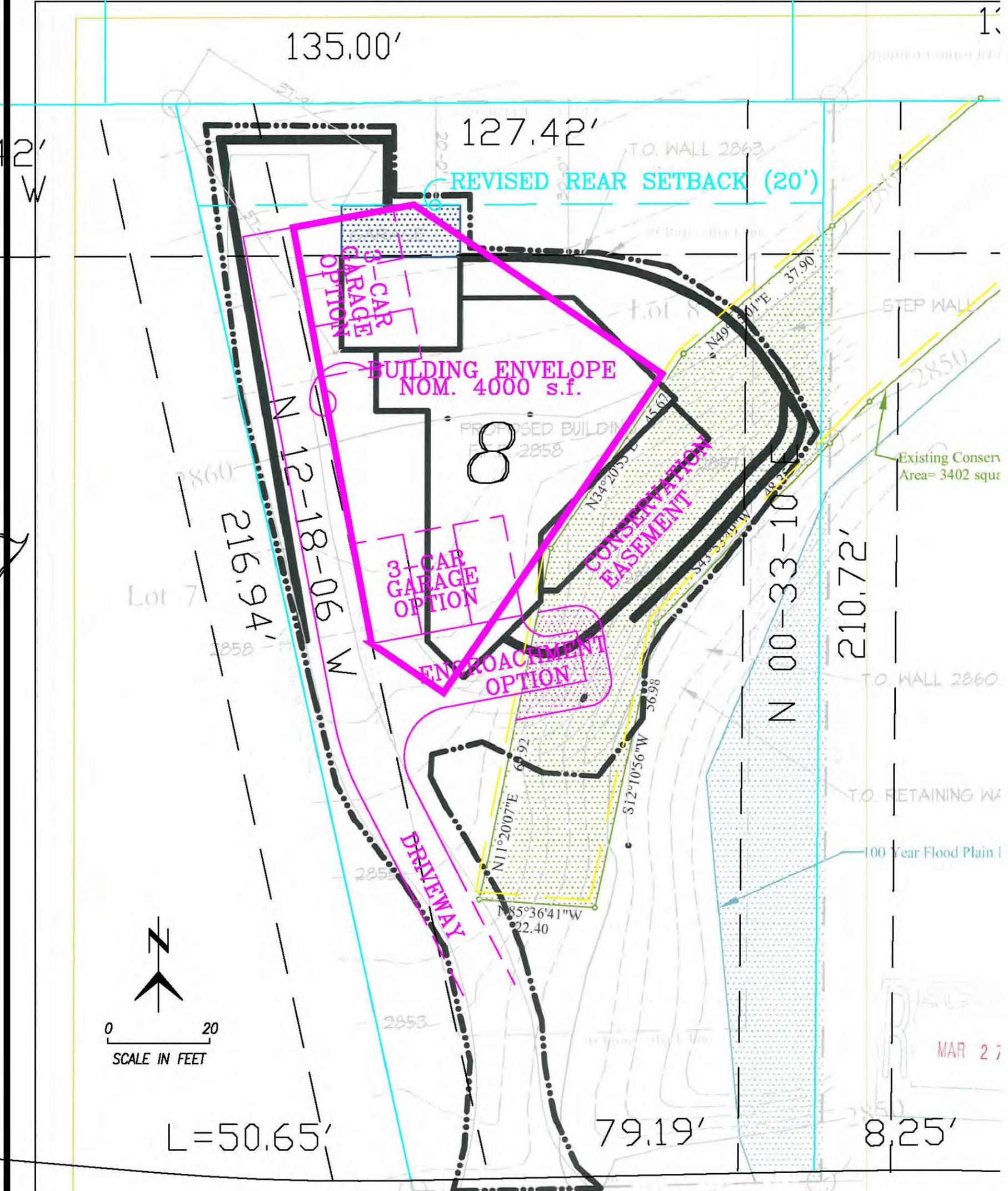
IV. SUPPORTING REASONINGS

11) **Chairman William Adler Reasons for Opposing Exception to HDZ-As** transcribed from the Board of Adjustment Hearing on April 23, 2013, case number OV 1013-01. This section of the hillside is within the conservation easement pertaining to this case.

12) **Mr. Arnold's Reasons for Encroachment into The Conservation Easement** - As transcribed from Board of Adjustment Meeting April 23, 2013 for case OV 1013-01.

V. Conclusion

N 00° 14' 49" 51
20,2



SEDONA RIDGE PLACE

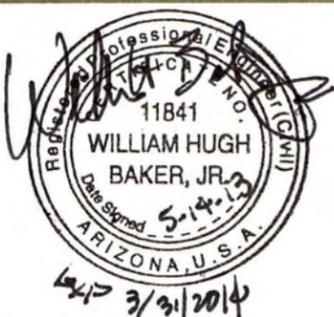
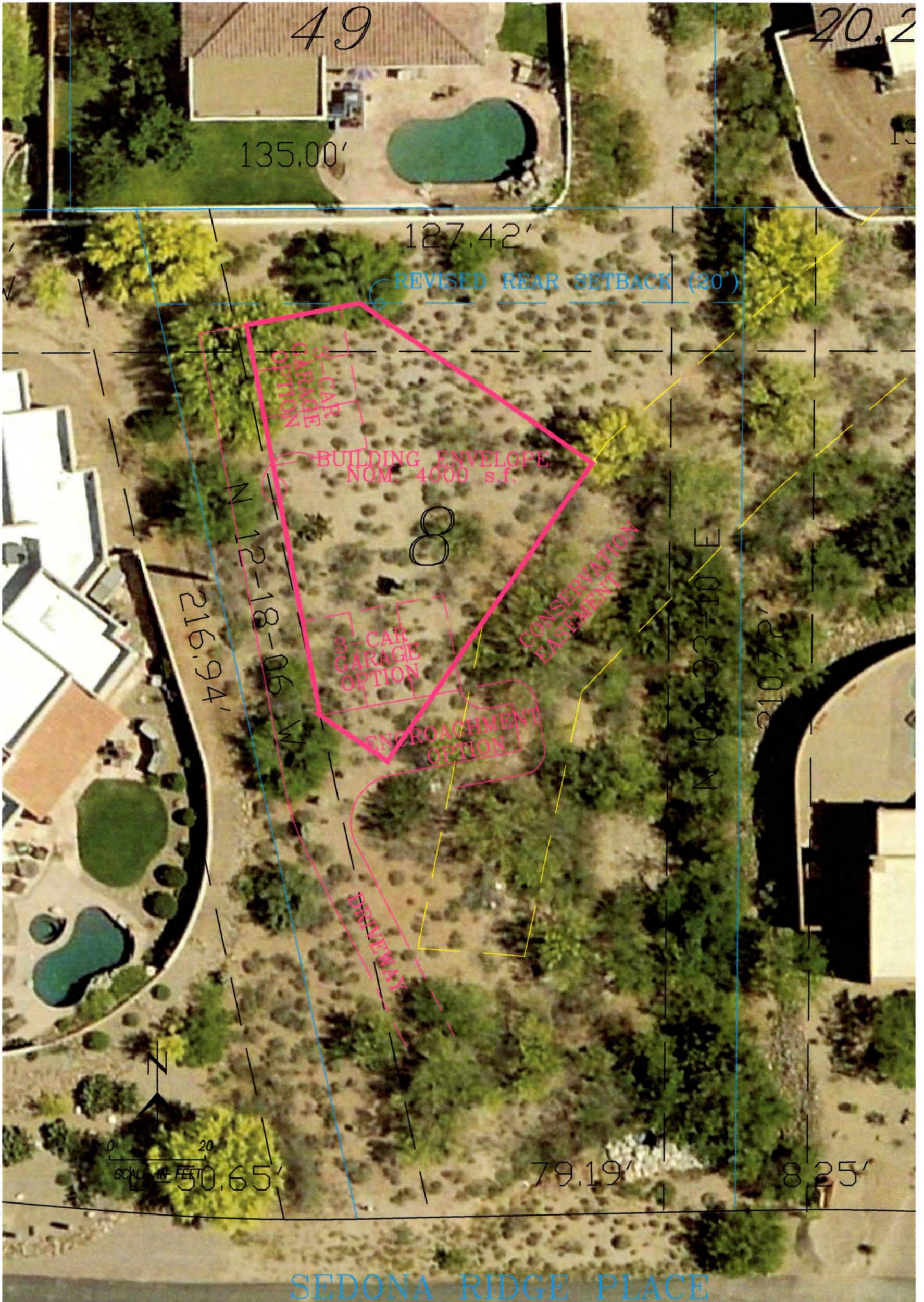
PROPOSED BUILDING ENVELOPES COMPARISION



Baker & Associates Engineering, Inc.

3561 E. Sunrise Drive, Suite #225 Tucson, Arizona 85718 (520) 318-1950 Fax (520) 318-1930

MAR 27



PROPOSED BUILDING ENVELOPE FOR LOT 8
of SUNRIDGE II (M&P 48/33)



Baker & Associates Engineering, Inc.

3561 E. Sunrise Drive, Suite #225 Tucson, Arizona 85718 (520) 318-1950 Fax (520) 318-1930



William H. Baker Jr., P.E., R.L.S.
Martin V. Magelli, P.E.

3561 E. Sunrise Dr., Suite 225
Tucson, Arizona 85718
520.318.1950 Fax 318.1930

SUMMARY MEMORANDUM

At the request of Heather Nenadovich, Baker & Associates Engineering, Inc. has prepared a conceptual building envelope for Lot 8 of Sunridge II, Lots 1 through 65 (and Common Area "A"), M&P 48/33.

The proposed building envelope was constrained by the existing 15' building setback along the west lot line, the revised 20' building setback along the north lot line and the conservation easement reflected on the recorded final plat. The proposed building envelope was configured with right angle and 45° corners to facilitate eventual house configuration. The resultant building envelope is nominal 4000 square feet.

Two options were shown for typical 3-car garage configuration, with the rear-garage option entirely within the proposed building envelope; and the front-garage option primarily within the envelope. The front-garage option as shown, would require some encroachment into the conservation easement.

Grading can be expected to be nominally at existing grade (other than the encroachment option shown for the front-garage option) therefore no significant grading or retaining walls are expected to be necessary outside of the proposed building envelope.

Baker & Associates Engineering, Inc.



William H. Baker, Jr. P.E.

5/14/13

2342 Summary Memorandum.wpd

**CHAIRMAN WILLIAM ADLER'S OPPOSITION OF MR. ARNOLD'S REQUEST FOR
EXCEPTION TO HILLSIDE DEVELOPMENT ZONE**

As transcribed from Board of Adjustment Hearing on April 23, 2013, case number OV 1013-01 for request for exception from the Hillside Development Zone (HDZ) heard from audio files located on the Oro Valley Town Website (www.orovalleyaz.gov) under Live and Archive Media Page.

(As transcribed 01:21:08 minutes into the meeting):

“I would prefer that the variance to the rear setback be actually be increased to reduce the setback further, at the back, in order to try to reduce to some degree, maybe to some large degree, the encroachment into the hills. I feel strongly about our Hillside Ordinance, which is not terrific, but it tries to prevent the destruction of slopes and I feel that is one of the amenities that people want to continue to enjoy.”

-Chairman Adler

MR. ARNOLD'S REASONS FOR PROPOSING A HOME REQUIRING ENCROACHMENT INTO THE CONSERVATION EASEMENT

As transcribed from Board of Adjustment Hearing on April 23, 2013, case number OV 1013-01 for request for exception from the Hillside Development Zone (HDZ) audio files on the Oro Valley Town Website (www.orovalleyaz.gov) under Live and Archive Media Page. Time into the meeting minutes have been notated in parentheses.

1) (36:08) Referring to the plat as is if the request to HDZ not pass:

“You can get 2800 feet in there, it’s just how you do it. Where you put the garage is the big one ‘cause it needs so much space to get in and out of. It’s why it can’t be at the front because the front comes down so narrow. We’ve tried it and you’re either backing in over towards the wash or you’re into the side yard set back.” - Mr. Arnold

2) (1:08:46) Responding to a Board member’s need for clarification of why the garage couldn’t be placed in front:

“You’re not going to back straight all the way back out to the street ‘cause that’s...it’s about sixty, seventy feet back there so you’ve gotta be able to back out of the garage and go either to the west, to the east. Well, the east has a conservation easement, a part that I’m not touching, and the west has a property line. You need thirty feet to turn a car around. Any garage has gotta have that.” - Mr. Arnold

I ask Council to consider that Mr. Arnold has said putting the garage in front requires 30 feet (meaning a turnaround to be able to drive out forward facing toward the street) and is in part of the easement he would not be touching. However, it would be significantly less encroachment to the easement would Mr. Arnold modify his plans to use “that part” he wasn’t “touching” for a turnaround given that it would only require 30 feet of encroachment verses a majority of the 3,401 square feet he has proposed. In addition, this notion to sacrifice 30 feet for the purpose of the turnaround as opposed to the majority of the easement has been substantiated by both an architect and engineer (see documentation attached.) They have also purported that it is entirely possible to avoid all encroachment into the easement, maintaining garage placement where Mr. Arnold currently proposes, by slightly reconfiguring the design.

3) (35:17)

“And remember too, you look at that rough outline of a house there, you know that’s not the house. That’s just a, OK...a roughly, what we’re trying to do, ‘cause it costs about five to six thousand to design a house...that was drawn to say, ‘OK, this is roughly where we need to be.’” - Mr. Arnold

I bring to Council’s attention the proposed home/site plan is a spec build and Mr. Arnold does not have floor plans or a buyer. I believe this should allow adequate time and motivation for Mr. Arnold to reconsider his design.

CONCLUSION

To conclude, since floor plans and a buyer do not yet exist for the proposed home, we hope Council would take into consideration the interests and opinions of: neighbors, and owners of adjacent homes, as well as Mr. Arnold, when making a decision. Do recall that Mr. Arnold's primary reason for encroachment into the conservation easement is because the front of the lot does not offer, "**enough space...so the garage has to be in the back on that lot...**," and he believes that considerably prohibits his options. However, we feel that we have provided: sound proof that it would be possible for Mr. Arnold to build a comparable home and reasonable alternative(s) that minimize and/or eliminate the need, altogether, for encroachment into the conservation easement. We understand that Mr. Arnold strongly believes that he only has but one option available to build. As such, we have submitted documentation from professionals (i.e., both an architect and engineer) who attest otherwise. Therefore, if Mr. Arnold can be just as profitable with a comparable build without having to bleed into the conservation easement, allowing homeowners the enjoyment of areas deemed protected for many years to come, then there doesn't appear to be an obvious reason why Council would move to approve Sunridge II Plat Amendment Lot 8, case number OV12-12-07.







Site Analysis Summary of Lot 8 of Sunridge II,
752 Sedona Ridge Place, Oro Valley, AZ
for Heather Nenadovich:

My analysis with the goals of displaying sensitivity to context, views, privacy, and the achievement of a comparable solution for the lot in question, is outlined in the attached sheets.

The hypothetical dwelling outline with porches and 3-car garage was placed and sized based on the criteria supplied including the reduction of the rear setback to 20', and aims to represent a comparable structure to that previously proposed for the lot. I have proposed an actual structure outline for my own comfort in supplying reasonable alternative, however the "buildable area" outlined provides further flexibility.

The following are points to supplement the info. on the attached sheets:

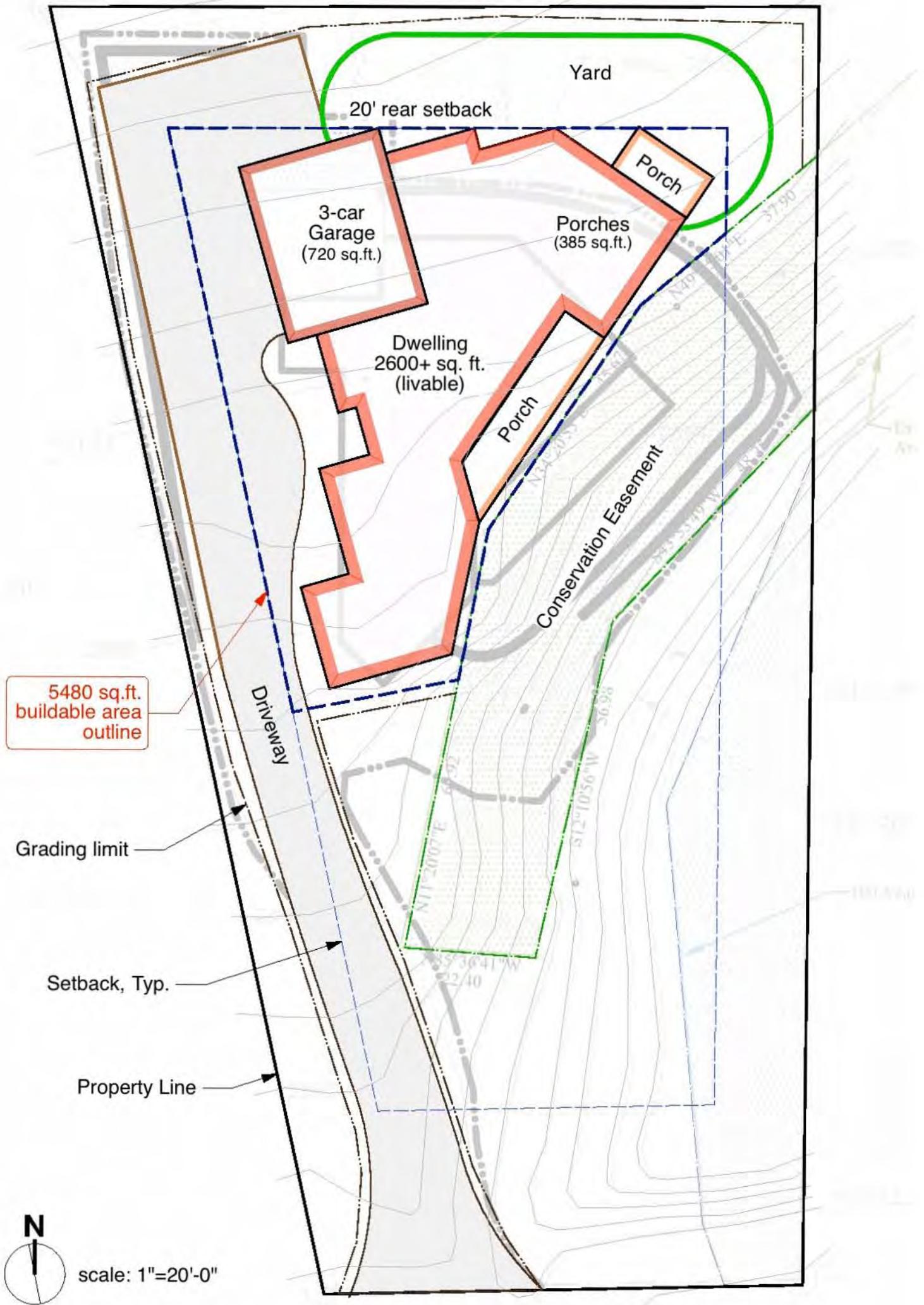
- the proposal pushes the buildable area to the flattest area of the site with the aim to minimize tall retaining walls while remaining sensitive to adjacent lots
- a finished floor elevation was not noted although this provides more mitigation flexibility based on the desired building height; the building can also step on the site if that meets salability criteria
- the garage location does have alternatives, however the northwest location will have the least impact on adjacent yards and views from living areas
- the yard area is on a fairly level part of the site and provides comparable orientation to other yard areas; yard walls and vegetation provide privacy
- attention was paid to maneuverability at the garage and the drive allows for guest parking to the north of the garage

It is my opinion that there is a viable alternative to encroaching into the existing conservation easement.

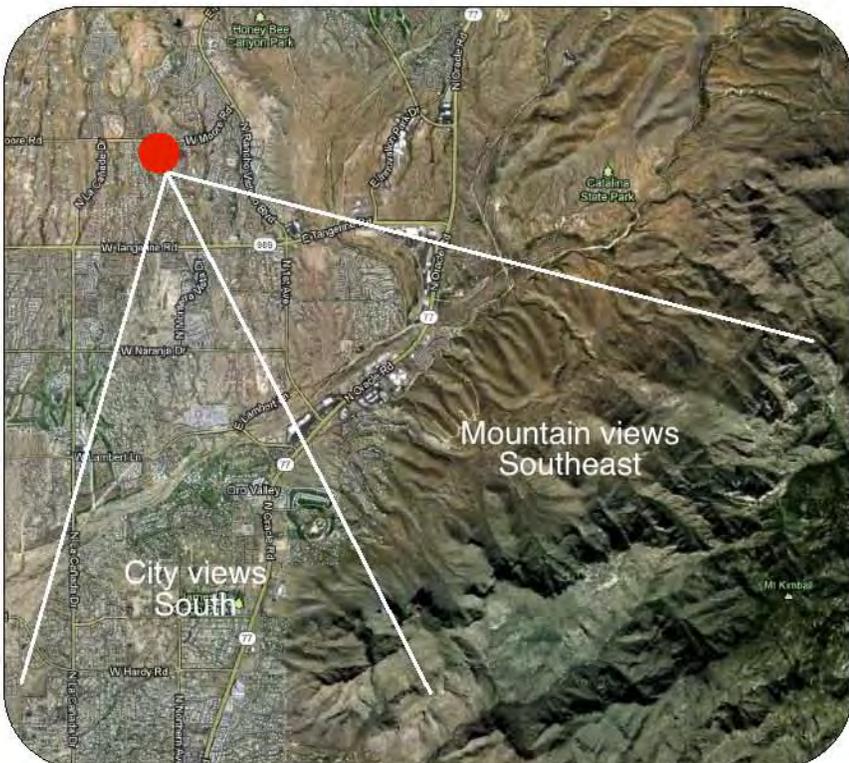
Sincerely,
Kelsi Montgomery, RA



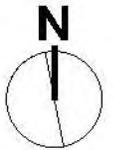
Kelsi Montgomery
Exp. 3-31-16



Hypothetical comparable site layout and buildable area for 752 Sedona Ridge Place to avoid Conservation Easement



Viewshed & context diagrams.



752 Sedona Ridge Place



135.00'

1152.71' 127.42'

EVIS REAR SLITBACK (ED)

SPRING TRENCH



121.885' ST

121.885' ST

121.88-06

16.94'

97 ST

EDDONA

Neighbors west of
Lot 8

TO BE
REMOVED

TO BE
REMOVED

TO BE
REMOVED

TO BE REMOVED
NOT SHOWN IN
PHOTO

Only vegetation viable for
screening purposes with
passed amendment in box

TO BE
REMOVED



Neighbors North
of Lot 8

TO BE
REMOVED

TO BE
REMOVED



TOP OF NENADIVICH
BACK YARD WALL

NEIGHBORS WEST
BELOW





Town Council Regular Session

Item # **3.**

Meeting Date: 06/05/2013
Requested by: Chad Daines
Submitted By: Roosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

RESOLUTION NO. (R)13-45, AUTHORIZING AND APPROVING A CONDITIONAL USE PERMIT (CUP) TO ALLOW A U-HAUL BUSINESS TO BE OPERATED OUT OF THE ACE HARDWARE STORE LOCATED IN THE PLACITA DE ORO SHOPPING CENTER

RECOMMENDATION:

The Planning and Zoning Commission recommends approval of the Conditional Use Permit subject to the conditions in Attachment 2.

EXECUTIVE SUMMARY:

The applicant requests approval of a Conditional Use Permit (see Attachment 3) to allow a U-Haul business to be operated from the Ace Hardware Store located on the southwest corner of First Avenue and Tangerine Road. The proposed U-Haul business is considered a car rental facility and requires a Conditional Use Permit. The applicant's request includes parking rental vehicles behind the Ace Hardware Store, and temporarily parking customer-returned, rental vehicles in front of the Ace Hardware Store.

The Planning and Zoning Commission staff report is included as Attachment 4 and the Planning and Zoning Commission draft minutes are included as Attachment 5.

BACKGROUND OR DETAILED INFORMATION:

Proposed Operations

- Parking no more than 18 rental vehicles
 - Rental vehicle drop offs in front of the Ace Hardware Store
 - Not parking rental vehicles in front of other store fronts
- Rental facility operation hours:
 - M-F: 9 am – 6 pm
 - Sat: 9 am – 5 pm
 - Sun: 10 am – 4 pm

Surrounding Land Uses

- West: Residential subdivision (Tangerine Hills)
- South: Residential subdivision (Tangerine Hills)
- East: First Avenue and vacant residential land
- North: Tangerine Road and vacant commercial land

Approvals to Date

- November 1994: Property annexed into the Town of Oro Valley
- June 2005: Ace Hardware Store and Retail Shops Development Plans approved by Town Council

Car Rental Facility Definition

The Zoning Code permits car rental facilities with an approved Conditional Use Permit. The Zoning Code does not define or differentiate a “car rental facility” from other vehicle rentals. To clarify this issue, the Planning and Zoning Administrator has determined that the proposed use is equivalent to a car rental facility. This decision allowed the application to be accepted for review. As such, the Town Council retains the discretion to approve or deny the CUP application.

Planning and Zoning Commission

Four residents spoke in opposition and three residents spoke with concerns at the May 7th, 2013, Planning and Zoning Commission meeting. The residents’ main issues and concerns included: traffic, noise, screening and visibility from the adjoining residential properties.

The Planning and Zoning Commission found that the application will be in substantial conformance with Conditional Use Permit criteria, and has recommended approval subject to the conditions in Attachment 2. Condition #1 requires additional trees to be installed by the applicant to reduce visibility of the parked trucks from the homes to the west and the south. A graphic depiction of the required landscape screen is provided within Attachment 2.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to adopt Resolution No. (R)13-45, authorizing and approving a Conditional Use Permit for the Ace Hardware Store in the Placita de Oro Shopping Center, subject to the conditions in Attachment 2, finding that the proposed U-Haul business meets all applicable Zoning Code requirements.

OR

I MOVE to deny Resolution No. (R)13-45, finding that the proposed U-Haul business does not meet all applicable Zoning Code requirements, specifically _____.

Attachments

(R)13-45 CUP U-HAUL

Attachment 2 - Conditions of Approval

Attachment 3 - Application

Attachment 4 - PZC Staff Report

Attachment 5 - P&ZC Draft Minutes

RESOLUTION NO. (R)13-45

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING A CONDITIONAL USE PERMIT (CUP) TO ALLOW A U-HAUL BUSINESS TO BE OPERATED OUT OF THE ACE HARDWARE STORE LOCATED IN THE PLACITA DE ORO SHOPPING CENTER

WHEREAS, the Applicant, John Piccoli of Ace Hardware, requests approval of a Conditional Use Permit (CUP) to allow a U-Haul business to be operated out of the Ace Hardware Store located in the Placita De Oro Shopping Center; and,

WHEREAS, the applicant's request consists of parking rental vehicles; and,

WHEREAS, the property is zoned Retail Commercial (C-2), and a CUP is required to operate a U-Haul business from the Ace Hardware Store; and

WHEREAS, the Planning and Zoning Commission reviewed said CUP at a duly noticed May 7, 2013 Public Hearing in accordance with State statutes was recommended for approval by the Town Council; and

WHEREAS, the Oro Valley Town Council has duly considered the proposed CUP request by John Piccoli of Ace Hardware Store and the Planning and Zoning Commission's recommendations and conditions at a Public Hearing, and finds that granting the requested CUP with conditions (Exhibit "A") is consistent with the Town's General Plan and Town regulations.

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

SECTION 1. In accordance with Section 22.5 of the Oro Valley Zoning Code Revised, a Conditional Use Permit is hereby granted to John Piccoli to operate a U-Haul business from the Ace Hardware Store located in the Placita de Oro Shopping Center and that all applicable standards of the OVZCR and conditions attached hereto as Exhibit "A" shall apply to the property.

SECTION 2. This Resolution and the various parts thereof are hereby declared to be revocable. If any section, sub-section, sentence, clause, word or phrase of this Resolution is, for any reason, held to be unconstitutional, such

holdings shall not affect the validity of the remaining portions of this Resolution.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 5th day of June, 2013.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk

Tobin Sidles, Legal Services Director

Date: _____

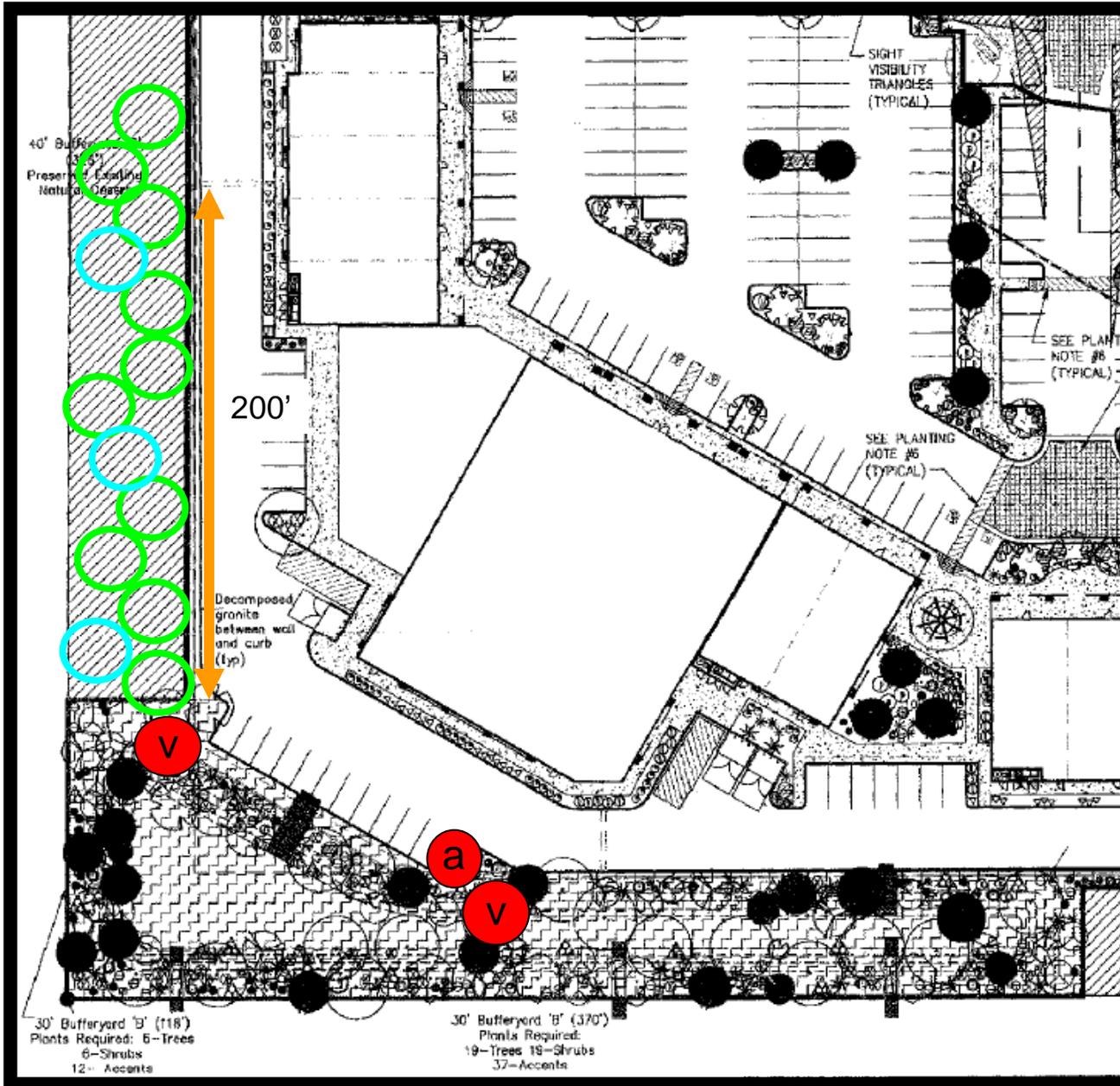
Date: _____

EXHIBIT “A”

Attachment 2
P&ZC Conditions of Approval
Request for Conditional Use Permit
Car Rental Facility at Placita de Oro
OV812-004

1. The applicant shall install 36" box trees in the locations depicted on the attached sketch. All trees shall be maintained during the duration of the U-Haul business.
2. Any rental vehicle parked in front of the Ace Hardware Store shall be removed within a period of forty-eight (48) hours.
3. The total number of vehicles associated with the U-Haul business shall not exceed eight (8) moving trucks and a combination of ten (10) cargo vans, trailers, and passenger trucks.
4. Eighteen (18) parking stalls located behind the Ace Hardware store shall be designated for parking rental vehicles and equipment (trailers, tow halls, etc.) as depicted on Attachment 4.
5. All rental vehicles shall not overhang into the adjacent drives. Rental vehicles may overhang into the adjacent sidewalk provided that a four (4') foot wide, clear pathway is maintained.
6. No diesel vehicles shall be permitted.
7. Hours of operation shall be from 9:00 am to 6:00 pm Monday thru Friday, 9:00 am to 5:00 pm Saturday, and 10:00 am to 4:00 pm Sunday.

Map of Required Trees

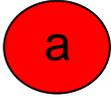


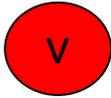
Trees to be Added per
U-Haul CUP

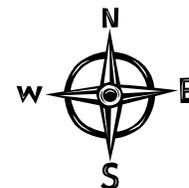
 36" Box
Velvet Mesquite

 Existing Native
Vegetation

Missing Trees to be
Replaced per Approved
Landscape Plan

 Acacia

 Velvet Mesquite



Oro Valley Ace Hardware
Conditional Use Permit Project Narrative
December 26, 2012

Project Description

Oro Valley Ace Hardware wants to rent U-haul trucks and trailers as a service to the community.

Overview of Planned Use

Number of vehicles stored will vary with rental traffic, but generally will not be more than 8.

Rental hours will begin one hour after the store opens, and terminate one hour before closing, M-F 9am-6pm, Sat 9am-5pm, Sun 10am-4pm.

Vehicles will be stored in rear and along the side of our Garden Center - see highlighted areas on site plan.

To ensure proper egress, larger trucks (24' & 26') will be stored lengthwise in parking area at rear of the store. These trucks will be moved by U-Haul to a central storage yard, generally within 48 hours. They are larger than we want to store on the property for any length of time.

Trucks will not be stored in the customer parking areas except under extraordinary circumstances. Parking spaces in front of any other storefront will never be utilized.

The property is surrounded by a 6ft high concrete wall, which screens the view from neighbors.

No site improvements are needed.

No added noise or light will be generated.

Advantages to community/town

- Convenience - Currently the closest truck rental is located in Catalina to the north, or River Road to the south
- Customer needs met by an in-town business, see attached list of over 400 signatures collected during a single 5 week period
- Reduced costs - Since we are in-town, renters pay lower mileage charges
- Reduced air-pollution - Anyone wishing to rent a vehicle or trailer will drive less
- Tax revenue - All taxes collected stay in Oro Valley



Conditional Use Permit Planning and Zoning Commission Staff Report

CASE NUMBER: OV812-004

MEETING DATE: May 7, 2013

AGENDA ITEM: #2

STAFF CONTACT: Rosevelt Arellano, Planner
rarellano@orovalleyaz.gov (520) 229-4817

Applicant: John Piccoli, Ace Hardware Store (520) 297-0222

Request: Conditional Use Permit to allow a U-Haul business to be operated out of the Ace Hardware Store

Location: Placita de Oro Shopping Center, southwest corner of First Avenue and Tangerine Road

Recommendation: Approve requested Conditional Use Permit subject to the conditions outlined on Attachment 1

SUMMARY:

The applicant requests a Conditional Use Permit (CUP) to operate a U-Haul business from the Ace Hardware Store located in the Placita de Oro Shopping Center. The proposed U-Haul business is considered a vehicle rental facility per the Zoning Code and requires a CUP. The applicant's request consists of parking rental vehicles and equipment in front and behind the Ace Hardware Store. These parking areas are proposed in three separate locations and depicted on Attachment 3 as Parking Areas "A", "B" and "C". A narrative further describing the request is provided as Attachment 2.

At the applicant's request, the Planning and Zoning Commission (PZC) on February 5, 2013, voted to continue this item to a later date to allow the applicant time to review the conditions of approval. Staff met with the applicant and explained the basis for the recommendation and discussed a number of options to address the visual impact of the parked moving trucks. Staff also suggested an additional neighborhood meeting to attempt to address neighborhood concerns with the request. Subsequent to this meeting, the applicant informed staff that they would not be making any changes to their application and requested that their original proposal be considered by the Commission.

BACKGROUND/DETAILED INFORMATION:

The existing site conditions, land use, and zoning for the property and the surrounding area are summarized below.

Existing Site Conditions

- 3.5' high block wall located along the Tangerine and First Avenue frontages
- 6' high block wall located on the 50' rear building setback lines
- 50' bufferyard with native vegetation located between the 6' high block wall and adjacent properties
- Surrounding land uses:

Land Use and Zoning

Orientation	Zoning	Land Uses
Site	C-2	Ace Hardware Store and retail shops
North	PAD	Street frontage and vacant commercial
East	R1-144	Street frontage and vacant land
West	R1-36	Built out residential subdivision
South	R1-36	Built out residential subdivision

Approvals to Date

The following approvals are associated with this project:

- November 1994: Property annexed into the Town of Oro Valley
- June 2005: Ace Hardware Store and Retail Shops Development Plans approved by Town Council

Request Details

Parking no more than eight (8) moving trucks and a combination of passenger vehicles and equipment in front and behind the Ace Hardware Store.

- Occasionally parking rental vehicles in front of the Ace Hardware Store
- Designate eighteen (18) parking stalls behind the Ace Hardware Store
- Parallel parking 24' and 26' moving trucks for up to 48 hours
- Never parking vehicles in front of other store fronts

Hours of operation:

- M-F: 9 am – 6 pm
- Sat: 9 am – 5 pm
- Sun: 10 am – 4 pm

No outdoor loud speakers

No diesel trucks

No onsite maintenance or cleaning

DISCUSSION/ANALYSIS:

Conditional Use Permit Analysis

The Use Permit criteria contained in Section 22.5 provide the primary guidance for evaluating CUPs. CUPs may be granted based on consideration of the following criteria:

That the characteristics of the use proposed in such use permit are reasonably compatible with types of uses permitted in the surrounding area.

Staff Commentary: The applicant's request raises compatibility concerns within the shopping center and with adjacent properties. In staff's opinion, the applicant's request is not consistent with the above criteria based on the visual impacts of the height and location of the parked vehicles and equipment. The shopping center's existing parking areas were not designed nor intended for parking rental vehicles and equipment, and therefore do not contain typical screening elements such as high walls.

The applicant's request consists of parking rental trucks, vehicles and equipment (cargo and flat bed trailers, tow halls, etc.) in three separate parking areas (see Attachment 3). Parking Area "A" is located directly behind the garden center and consists of seven (7) parking spaces. This parking area is highly visible from the residential area to the west due to its close proximity and lack of screening. Photos taken from the adjacent property of a moving truck has been provided as Attachment 5. Parking Area "B" is located behind the Ace Hardware Store and consists of eleven (11) parking spaces. This parking area abuts a bufferyard with denser native vegetation and is partially screened from two adjacent properties to the southwest and southeast. Photos of the visual impact from a moving truck have been provided as Attachment 6.

To ensure compliance with the above criteria, staff recommends the existing wall adjacent to Parking Areas "A" and "B" be extended to a height of eight (8') feet in the location shown on Attachment 4. The proposed rental vehicles and equipment are approximately ten (10') feet tall and will be predominately screened by the extended wall. Staff believes the extended wall will establish better compatibility with the applicant's request and adjacent properties. The Engineering Staff notes that the existing wall must be replaced with an engineered wall. A condition requiring an extended wall has been added to Attachment 1.

The third parking area, Area "C", is located directly in front of the Ace Hardware Store and consists of thirteen (13) parking spaces. Staff does not support the applicant's request to park vehicles in this area or any portion in front of the shopping center based on high visibility and non-compliance with the CUP criteria. A condition prohibiting rental vehicles and other equipment associated

with the use to be parked in front of the shopping center has been added to Attachment 1 and depicted on Attachment 4.

The applicant has proposed to limit the hours of operation to one hour after the Ace Hardware Store opens and ending one hour before the store closes. Engineering Staff has determined that no unreasonable traffic hazards will be created by the proposed hours of operation. A condition reflecting the proposed hours has been added to Attachment 1.

That the granting of such conditional use permit will not be materially detrimental to the public health, safety, or welfare. In arriving at this determination, the factors which shall be considered shall include the following:

a. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination;

Staff Commentary: The applicant proposes to rent non-diesel fueled vehicles which do not generate more noise than a passenger vehicle. A condition prohibiting the rental of diesel fueled vehicles has been added to ensure compliance with the CUP criteria (see Attachment 1).

b. Hazard to persons and property from possible explosion, contamination, fire or flood;

Staff Commentary: The project must meet all Building Safety requirements for commercial occupancies. Hazardous materials are not proposed with the proposed vehicle rental facility.

c. Hazard occasioned by unusual volume or character of traffic.

Staff Commentary: The CUP request has been reviewed by the Engineering Staff who has determined that no unreasonable hazards will be created provided the rental vehicles do not overhang into the adjacent access drives nor block pedestrian sidewalks. A 17' moving truck is approximately twenty-four (24') feet long and is the largest moving truck that can fit within an existing parking stall (see Attachment 7 for a photo). Rental vehicles may overhang into the adjacent sidewalks provided that a four (4') wide, clear pathway is maintained. A condition prohibiting rental vehicles to overhang into the adjacent drives and maintain a four (4') wide, clear pathway along the sidewalks has been added (see Attachment 1).

Zoning Code Analysis

Staff Commentary: There are two specific provisions in the Zoning Code that apply to a vehicle rental facility. The first provision prohibits onsite car washing, cleaning or repairs. The applicant does not propose onsite cleaning and repairs, and therefore this provision has been met. The second provision restricts the parking lot to contain twenty-five (25) spaces or less dedicated to parking rental vehicles. The applicant proposes to park rental vehicles and equipment in thirty-

one (31) parking stalls (see Attachment 3). This request does not comply with the code requirement. A condition requiring rental vehicles and equipment to park in eighteen parking spaces located in Areas "A" and "B" has been added to Attachment 1.

The proposed vehicle rental facility must also comply with all applicable provisions of the Zoning Code including screening, landscaping and bufferyards. These provisions have been addressed with the existing site conditions and the previously approved Development Plans. The existing site conditions include: six (6') high block walls located between the residential zoned properties, three and half (3.5') foot high block walls located between the parking lots and the abutting rights-of-ways, a surplus of parking spaces for customers, landscaping, and a fifty (50') foot bufferyard located between the shopping center and the abutting residential properties.

The site meets applicable wall and bufferyard requirements for retail uses within enclosed buildings. The property was not designed as a parking area for large trucks and therefore lacks necessary screening elements to mitigate the visual impact of rental truck parking. As a Conditional Use, the Commission and Council has the discretion to require taller site walls or other screening methods to ensure compatibility with the adjoining residential area.

The pertinent requirements of Tangerine Road Scenic Corridor Overlay District (TRSCOD) have been addressed on the previous Development Plans.

PUBLIC PARTICIPATION:

Summary of Public Notice

Notice to the public was provided consistent with Town-adopted noticing procedures, which includes the following:

- Notification of residents within 600 feet
- Posting at Town Hall
- All registered HOAs

Neighborhood Meetings

A neighborhood meeting was held on August 28. Two residents attended the meeting and objected to the applicant's request. A copy of the neighborhood meeting minutes has been attached (see Attachment 8).

Accompanying this request is a petition of support with 425 signatures from local residents (see Attachment 9).

The main issues discussed at the meeting included:

- Property values

- Wall and screening options
 - Number and location of rental vehicles
-

SUMMARY / CONCLUSION

The applicant's request consists of parking rental vehicles in three separate parking areas located in front and behind the Ace Hardware Store. These parking areas were not intended for parking rental vehicles, and therefore do not contain typical screening elements. As a result, the applicant's request raises compatibility concerns with the adjacent properties and within the shopping center.

RECOMMENDATION:

Based on the following findings:

- The proposed CUP as mitigated through recommended conditions will meet all applicable Zoning Code requirements and will have minimal impacts to the commercial center and the adjacent residential area to the south and west.

It is recommended that the Planning and Zoning Commission take the following action:

Recommend approval to the Town Council of the requested Conditional Use Permit OV 812-004, subject to the conditions on Attachment 1.

SUGGESTED MOTIONS:

I move to recommend approval of the CUP for the U-Haul business in the Placita de Oro Shopping Center, based on the findings that the proposed use as mitigated through the conditions of Attachment 1 will meet all applicable Zoning Code requirements and have minimal impacts on the shopping center and adjacent residents.

OR

I move to recommend denial of the CUP for the U-Haul business in the Placita de Oro Shopping Center finding that the proposed CUP as the request does not meet the Zoning Code criteria for Conditional Use Permit, specifically _____.

ATTACHMENTS:

1. Conditions of Approval
2. Applicant's Written Request
3. Satellite Image – Applicant's Proposed Parking Areas

4. Satellite Image – Staff’s Recommendation
5. Photos from adjacent property to the west
6. Photos from adjacent property to the southwest and southeast
7. Photo of 17’ U-Haul moving truck
8. Neighborhood Meeting Minutes
9. Petition of Support

Chad Daines, AICP Principal Planner

Location Map Attachment 3



Photos looking east and southeast from adjacent property
Attachment #5



- Photo Orientation
- Photo #1
 - Photo #2

Photo #1



Photo #2



Photos looking southwest and southeast from parking area
Attachment #6



- Photo Orientation
- Photo #1
 - Photo #2

Photo #1



Photo #2



Attachment 7



Photo of a 17' moving truck parked directly behind the garden center

Attachment 7



Photo of a 17' moving truck parked directly behind the Ace Hardware Store

Neighborhood Meeting Summary
Conditional Use Permit for U-Haul Business
Located in the Placita de Oro Shopping Center
August 28, 2012
Hopi Conference
6:00 – 7:30 PM

Prepared by Rosevelt Arellano

1. Introductions and Welcome

Chad Daines introduced OV staff David Laws, Permitting Division Manager, Rosevelt Arellano, Planner, William Vicen, Economic Development Specialist, and Amanda Jacobs, Economic Development Director. He introduced project team members Anne and John Picolli, Ace Hardware Store, Kirk Fiehler and Tom Corr, U-Haul Business Company. Two residents attended the meeting.

2. Staff Presentation

Rosevelt Arellano provided a presentation that included:

- General information of the project site
- Conditional Use Permit Review and Approval Process
- Section 25.1.C, Automobile Rental Requirements, of the Zoning Code
 - Screening requirements
 - Limitations of outdoor activities
 - Number of allowed rental vehicles

To establish a car rental business, a Conditional Use Permit is required. Four criteria are applied to evaluate the proposed use in a specific location. For Conditional Use Permit review, the Planning and Zoning Commission provides a recommendation to Town Council, which makes the final decision.

3. Applicant Presentation

The project team explained that the Ace Hardware Store in the Placita de Oro Shopping Center would like to establish a U-Haul business. The proposal includes:

- Business hours from 9 am – 6 pm M-F, 9 am – 5 pm Sat, 10 am – 4 pm Sun
- No loud speakers
- No trucks over 17' will be stored on the property, except for special reservations
- No diesel trucks are proposed to be stored on the property
- All stored vehicle requiring maintenance or repair will be serviced at an off-site location

4. Public Comment

- Concern with property values of the adjacent residents due to visibility of the trucks
- Concern with the number of rental trucks to be stored on the site
- Concern with wall height along the west boundary
- The applicant noted that they are willing to mitigate the site visibility issue by installing trees along the west boundary.
- The neighbor informed the project team that they would not support the proposed U-Haul business, regardless of any mitigation.

5. Next Steps

- Individuals are invited to attend the Planning and Zoning Commission meeting. This meeting date will be determined upon receipt of a Conditional Use Permit application. For more information, please feel free to contact the Town Staff: Rosevelt Arellano, Planner, at rarellano@orovalleyaz.gov or (520) 229-4817.

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Jean Sherrett
Address 12390 E. Slapping Rock Way
Oro Valley AZ 85737
Signature Jean Sherrett Date 8/31/12

Name CHARLES WALKER
Address 12771 N Margen Ranch Rd
Oro Valley AZ 85755
Signature Charles Walker Date 31 Aug/2012

Name Kris Allstrand
Address 1660 E. Fwy, Oro Valley 85755
Signature Kris Allstrand Date 8/31/12

Name Janice Wagner
Address 12158 N. Kyle Canyon Dr.
Oro Valley AZ 85755
Signature Janice Wagner Date 8/31/12

Name K. DOHERTY
Address 12542 N VISTOSO VIEWS PL
Oro Valley AZ 85755
Signature K. Doherty Date 8-31-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name MAURICE BERGH
Address 13401 N RANCHO VISTOSO BLVD #157
ORO VALLEY AZ
Signature Maurice C Bergh Date 8-31-12

Name Richard Brown
Address 1892 Eagle Hill Pl.
Signature Richard Brown Date 8/31/12

Name Stephanie Phillips
Address 2372 E. Ram Rock Rd
Signature [Signature] Date 8-31-12

Name Kimberly Baker
Address 427 W Gray Rd
Oro Valley AZ 85737
Signature [Signature] Date 8-31-12

Name DONALD M. KELLY
Address 421 W. RIDGE PEAK RD.
ORO VALLEY AZ 85737
Signature Donald M Kelly Date 08-31-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name LARRY ABERNETHY
Address 13500 Rancho Vista
Oro Valley AZ
Signature [Signature] Date 8/31/12

Name Penny Stansfield
Address 11940 N. Labyrinth Dr
Oro Valley 85737
Signature [Signature] Date 8/31/12

Name Shannon Overton
Address 10756 N. Pomegranate Dr
Oro Valley 85737
Signature [Signature] Date 8/31/12

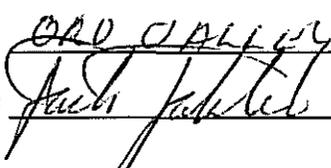
Name [Signature]
Address 1496 E Tascal Loop
85737
Signature Nancy Wyllw Date 8/31/12
38130 S Bido

Name Richard Crane
Address 997 N Par 4 drive
Oro Valley, AZ
Signature [Signature] Date 08/31/12

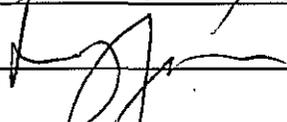
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

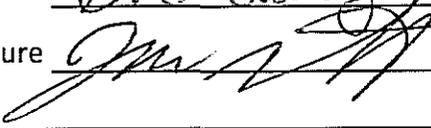
Town Residents Only Please

Name JACK JAGURSKI
Address 13744 N. TOSALI WAY
ORO VALLEY, AZ 85755
Signature  Date Aug 31, 2012

Name Ken Lisowski
Address 2175 E. Belrock
Tucson AZ 85715
Signature  Date 8-31-12

Name LARRY MYERS
Address 1798 E. ROYAL RIDGE (LMA)
OROVILLE, 85755
Signature  Date 8/31/12

Name ANTHONY GIOIA
Address 14751 N FLAGSTONE DR
ORO VALLEY, AZ 85755
Signature  Date 8-31-12

Name Joe Starfo
Address 7715 N. Arundel Dr. 85704
Oro Valley
Signature  Date 8/31/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name MARION + ROGER SMITH
Address 13965 N WILLOW BEND DRIVE
ORO VALLEY AZ 85755
Signature Marion Smith Date 8-31-12

Name DAVID WARD
Address 10205 N. ALDER SPRINGS
ORO VALLEY AZ 85737
Signature David Ward Date 8/31/12

Name Joan Burns
Address 2166 Sahasita Wash Way
Signature Joan Burns Date 8/31/12

Name JAMES GEISSEMT
Address 1295 N. ~~COFFEE~~ SPRING DR
ORO VALLEY, AZ 85755
Signature James Geissem Date 8/31/12

Name Brad Schmit
Address 491 W TESTOW CRT ORO VALLEY AZ 85737
Signature Brad Schmit Date 8-31-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Andrew J. Hogan
Address 12231 W. Sterling Ave.
Oro Valley AZ 85755

Signature Andrew J. Hogan Date 8/31/12

Name Jessica DeSerna
Address 2349 E. Agave Avenue
Oro Valley, AZ 85755

Signature Jessica DeSerna Date 8-31-12

Name GARY C. CHIELEWSKI
Address 14010 N. DESERT ROUTE DR
Oro Valley

Signature [Signature] Date 8.31.12

Name Nort Mackey
Address 170 W Mack Canyon Dr

Signature [Signature] Date 8/31/12

Name Gail Brandt
Address 1027 E Coachwood Dr.
Oro Valley AZ.

Signature Gail Brandt Date 8/31/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name JULES RAPAPORT
Address 12900 N. CARLSBAD PL
ORO VALLEY, AZ 85755
Signature *J Rapaport* Date _____

Name Dennis Floyd
Address 2483 E LITTLE VIEW PL
ORO VALLEY - AZ 85755
Signature _____ Date _____

Name Nicole Bryan
Address 11424 N Centaurus
Oro Valley AZ 85737
Signature *Nicole Bryan* Date 8/31/12

Name John Hill
Address 554 E. Channel View Pl.
Oro Valley, Az. 85737
Signature *John Hill* Date 8-31-12

Name Dennis Duval
Address 11211 N. Sawtooth Rd
Oro Valley, AZ
Signature *Dennis Duval* Date 8-31-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name DONALD E NOLAN
Address 1082 E. ROYAL OAK RD
ORO VALLEY, AZ 85755
Signature Donald E. Nolan Date 8/31/12

Name PATRICIA H. NOLAN
Address 1082 E. Royal Oak Rd
Oro Valley, AZ 85755
Signature Patricia H. Nolan Date 8/31/12

Name Tom Atkinson
Address 11027 N. Joy Faith Dr
Oro Valley
Signature Tom Atkinson Date 8/31/12

Name MIKE WOITYRA
Address 12236 W. New Dawn Ave
ORO VALLEY 85755
Signature Mike Woityra Date 08-31-2012

Name Chris A. Clark
Address 14523 N. Spanish Garden Ln
Signature CHRIS A. CLARK Date 8-31-2012

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Myrna Peterson
Address 11825 N. Cassiopeia Dr
Oro Valley
Signature Myrna Peterson Date 8/31/12

Name Tom Peterson
Address 11825 N CASSIOPEIA DR
ORO VALLEY, AZ 85737
Signature Tom Peterson Date 8/31/12

Name MILIE LEWSON
Address 9285 N DESEER ST
Signature Milie Lewson Date 8/31/2012

Name Jennifer Dwyer
Address 11768 N. Menckel PKWY
Oro Valley 85737
Signature _____ Date 8/31/2012

Name Erik Godtliebsen
Address 12922 N. LANTERN WAY
Oro Valley AZ 85755
Signature Erik Godtliebsen Date 8-31-12

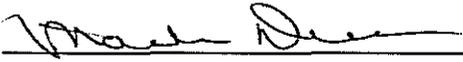
To the Town Council:

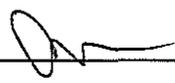
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name John R. Thibault
Address 12899 N. Westminster Dr.
Oro Valley AZ 85735
Signature  Date 8-30-12

Name NICHOLAS DANNA
Address 14251 N Giant Saguaro Place
Oro Valley
Signature Nicholas Danna Date 8-30-2012

Name Marline Dunn
Address 1641 E Mingus Lane
Signature  Date 8-31-12

Name Chad Wilson
Address 12571 N. Granite Ckn W/Ch
Oro Valley, AZ 85755
Signature  Date 8-31-12

Name Ruth Miller
Address 14348 N Sky Oro Valley St 755
Signature Ruth Miller Date 8/30/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Keleka Kik Quiroz
Address 9095 N. Oracle Rd #2307
Oro Valley, Az 85704
Signature Keleka Quiroz Date 8-30-12

Name Connie L. Jahnke
Address 2035 W Moore Rd
Oro Valley, Az 85755
Signature Connie L. Jahnke Date 8-30-2012

Name Don Tapp
Address 11915 N Cassinera St
Oro Valley, Az 85737
Signature Don Tapp Date 8/30/12

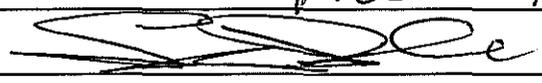
Name Gerardo Martinez
Address 11911 N Pecos Point Dr
Oro Valley, Az 85737
Signature Gerardo Martinez Date 8/30/12

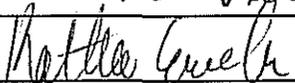
Name John Perez
Address 9095 N. Oracle #4105
Oro Valley, Az 85704
Signature John Perez Date 8-30-12

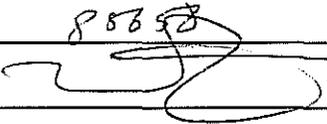
To the Town Council:

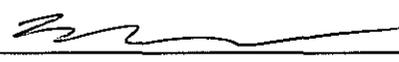
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

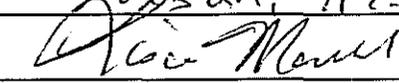
Town Residents Only Please

Name Larry Blair
Address 5756 W. New Shadow Way
Marana 85658
Signature  Date 8/31/12

Name Kathleen Engelmann
Address 13283 N. LOST ARTIFACT LN
Oro Valley AZ 85755
Signature  Date 8-29-12

Name Nick Rose
Address 12663 N. Fallen Shadows Dr
85658
Signature  Date 8/31/12

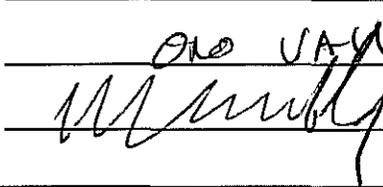
Name Mike Wiley
Address 9000 E. Calle Biscaya
Tucson AZ 85745
Signature  Date 31/11/12

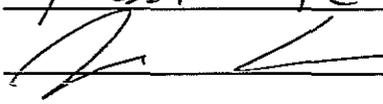
Name Shira Mauer
Address 342 S E Armstrong Ln
Tucson, AZ 85739
Signature  Date 8/21/12

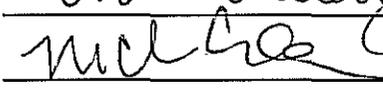
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

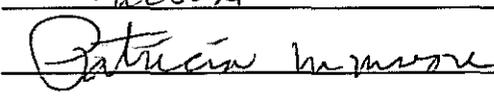
Town Residents Only Please

Name Bill REIMBOLD
Address 2161 E. AMARANTHA ST
ORO VALLEY, AZ
Signature  Date _____

Name Josh Carrizosa
Address 1357 N Laguna Pl
Tucson, AZ 85742
Signature  Date _____

Name Nicole Schneider
Address 12936 N Westminster
Oro Valley 85755
Signature  Date 8/31

Name VINCE ROBERTS
Address 66 W. BOXER DR
ORO VALLEY, AZ
Signature  Date 8-31

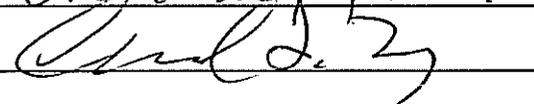
Name Pat Moore
Address 35855 S Golfcourse Dr
Tucson
Signature  Date 8-31-2012

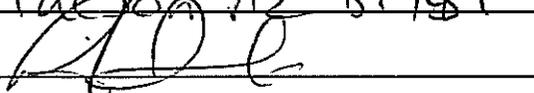
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

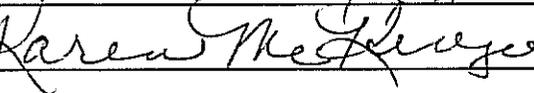
Town Residents Only Please

Name Hans & Cemelita Koeller
Address 11843 N Copper Butte Dr
OR AZ 85737
Signature  Date 31/8/12

Name Chad Frey
Address 250 W. Marlboro Road
Oro Valley, AZ. 85755
Signature  Date 8-31-12

Name David Christian
Address 16000 N. Wagon Train Place
Theresa AZ 85739
Signature  Date 8/31/2012

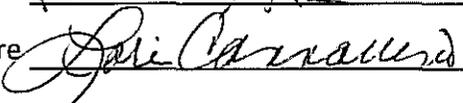
Name DAVID DELGROSSO
Address 11886 N Prospect Point Pl
Oro Valley AZ 85737
Signature  Date 8/31/2012

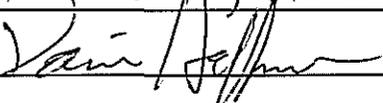
Name Karen McKenzie
Address 620 W. ADAGIO LN
Oro Valley, AZ 85737
Signature  Date 8/31/12

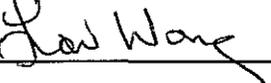
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Lori Cannavino
Address 12708 N New Reflection Dr.
Marana Az
Signature  Date 8-31-12

Name Drew Hoffmann
Address 1494 E. GANYMEDE AZ 85737
Oro, Valley
Signature  Date 8/31/12

Name Lord Wong
Address 12558 N. Vistoso View Pl
O.V 85755
Signature  Date 8/31/12

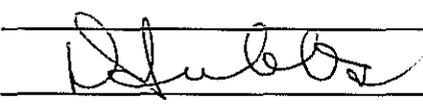
Name Diana Childress
Address 998 E BOWDER PASS DR
O.V 85755
Signature  Date 8-31-12

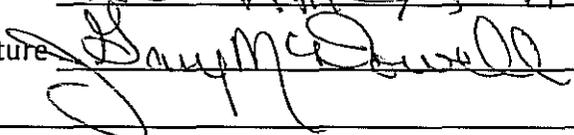
Name Judy Ferris
Address 11751 N Quandy Dr
Oro Valley AZ 85737
Signature  Date _____

To the Town Council:

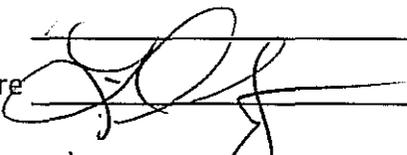
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

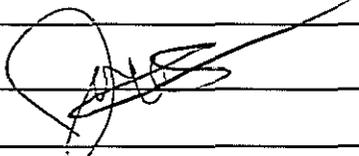
Town Residents Only Please

Name TUBBS, DENNIS
Address 13976 LOBELLA WAY
Signature  Date 8/31/12

Name JOSEPH G. MCDOWELL
Address 12427 N. ECHO VALLEY DR.
ORO VALLEY, AZ.
Signature  Date 85755

Name Joseph Cherry
Address 1174 W. DODER DR
Oro Valley AZ 85755
Signature  Date 31 Aug 12

Name Leslie Stephens
Address 11651 N Quandy Dr
Signature  Date 8/31/12

Name John Conte
Address 11651 N Quandy
Signature  Date 8/31/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Myron Malosso
Address 14244 N. FAIRBROOKS DR
4th Floor AZ 85755
Signature [Signature] Date 8/31/12

Name Isidoro Hernandez
Address 12181 Makaya Canyon
O.V.
Signature [Signature] Date _____

Name Darin Berlowe
Address 14323 N. Sky Tr
O.V.
Signature [Signature] Date 8-31-12

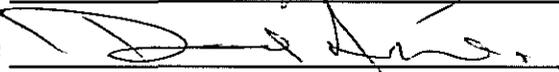
Name Dorothea Mahler
Address 14740 Summerstar Blvd.
Signature [Signature] Date _____

Name Michael O. Walsh
Address 11808 N. Labyrinth
Signature [Signature] Date 31 Aug 12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Darryl Arnold
Address 13100 N. LINBERG RD
ORO VALLEY, AZ
Signature  Date 8/31/12

Name Shelbie Schauf
Address 12470 N. Granville Canyon way
Signature Shelbie Schauf Date 8/31/12

Name BOB MAXWELL
Address 12221 N. CLOUD RIDGE DR.
ORO VALLEY
Signature Bob Maxwell Date 8/31/2012

Name WALTER FOX
Address 14061 N TRADE WINDS Wy
ORO VALLEY AZ 85755
Signature Walter Fox Date 8-31-2012

Name Beryl Bjernfelk
Address 14172 N Honey Bee Trl
OV AZ 85755
Signature B. Bjernfelk Date 8/31/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Robert P Mack
Address 10215 N Alder sp Dr
Oro Valley, AZ 85737
Signature RP Mack Date 8/31/12

Name John Nelson Jr.
Address 13285 W Boudin Dr
Oro Valley AZ 85755
Signature John Nelson Jr. Date 8/31/12

Name MARY STONECKER + ROGER STONECKER
Address 1419 E. Chisholm Ln
Oro Valley 85755
Signature Mary J. Stonecker Date 8-31-12

Name STEVE HARPER
Address 1501 CALLE CONCORDIA
ORO VALLEY
Signature Steve Harper Date 8/31/12

Name Justin Cahn
Address 12960 N. Mesquite Crest Way
Signature Justin Cahn Date 8/31/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Cindy Strawn
Address 3431 W. Montgomery St
Signature Cindy Strawn Date 31 Aug 2012

Name Lynn Hudson
Address 981 W. Par Four Drive
Oro Valley
Signature Lynn P. Hudson Date Sept 1, 2012

Name ROBERT HANKEL
Address 12707 N. PINE ROCK DR.
O.V.
Signature R Hankel Date 9/1/12

Name J. LAWLEY
Address 14540 N LONG WOLF LN
ORO VALLEY, AZ
Signature J Lawley Date 9/1/12

Name John Newport
Address 1795 E GARDYMEADE
ORO, AZ 85732
Signature John Newport Date 9/1/2012

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Sue Wilson
Address 14531 N Sky Trail
Oro Valley, AZ
Signature Sue Wilson Date 8/31/12

Name Donald Propenberg
Address 13851 W Eddington Pl
Oro Valley AZ
Signature Donald D Propenberg Date 8-31-12

Name Nicholas Shreve
Address 1690 W. Cescabell Dr
Oro Valley, AZ 85737
Signature NMS Date 31 AUG 2012

Name Frank Bennett
Address 117 E Rising Sun Dr
Oro Valley, AZ 85704
Signature F Bennett Date 8/31/12

Name Darryl Tubbs
Address 13926 Labelea
Signature Darryl Tubbs Date 8/31/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name EMMA DE LOS SANTOS
Address 11752 N. PEACEFUL NIGHT Rd
O.V. AZ. 85737
Signature Emma De Los Santos Date 8/31/12

Name ERIC RIGGS
Address 600 W ADRIANO Ln
O.V. AZ 85737
Signature [Signature] Date 8/3/12

Name Mary Poston
Address 63 E Big Wash Pl
O.V. AZ 85765
Signature M Poston Date 8/31/12

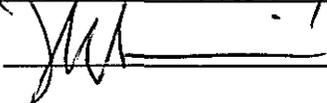
Name Chery Roberts
Address 11955 N. Potosi Pt Drive
Signature Chery Roberts Date 9/1/2012

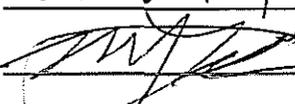
Name Kyle Kimble
Address 11970 N. Copper Mtn
Tucson AZ 85737
Signature [Signature] Date 9/1/2012

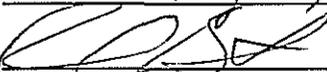
To the Town Council:

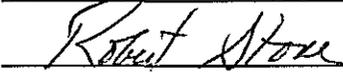
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name MARK SIMPSON
Address 14026 N GREEN TREES DRIVE
ORO VALLEY, AZ 85755
Signature  Date 9/1/2012

Name Michael Fehninger
Address 801 E. Bentwater Pl
Oro Valley, AZ 85255
Signature  Date 9/1/12

Name Robert Smith
Address 473 E Marshall Peak Dr
Oro Valley AZ 85755
Signature  Date 9-1-2012

Name ROBERT STONE
Address 795 E. EGGWORTH DR.
OV AZ
Signature  Date 9/1/12

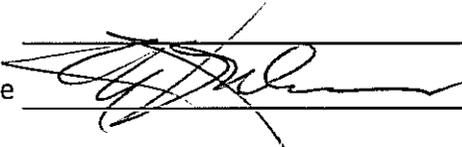
Name Andrew Tuohy
Address 12117 N Makayla Canyon Ln
Oro Valley AZ
Signature  Date 9/1/12

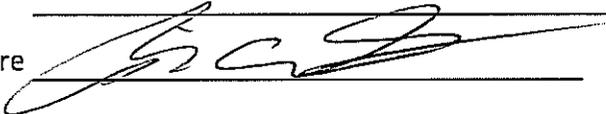
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Celina Mendez
Address 1003 W. Thornbush Place
Oro Valley AZ 85755
Signature  Date 9-1-12

Name Michael J. Monahan
Address 13985 N. Bentwater Dr.
Signature  Date 9-1-12

Name ERIC STEEL
Address 12137 N MAKAYLA CANYON LN
Signature  Date 9-1-12

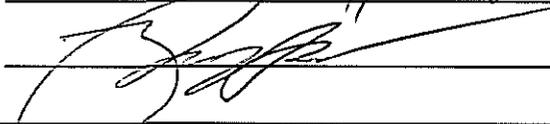
Name Linde Mylenbaal
Address 13401 N Rancho Vistoso #254
Signature Linde Mylenbaal Date 9-1-12

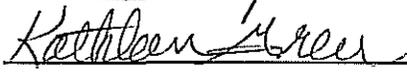
Name Thomas Duran
Address 622 W. SILVER EAGLE CT
OU AZ 85755
Signature  Date 9-1-12

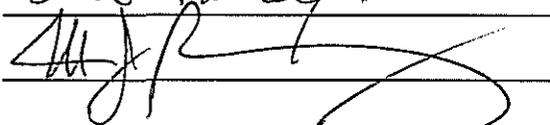
To the Town Council:

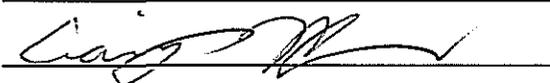
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

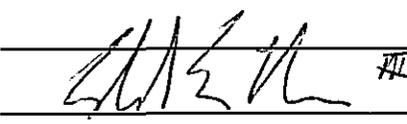
Town Residents Only Please

Name BRIAN PARADIS
Address 250 E STRADA PATANIA
ORO VALLEY, 85737
Signature  Date 9/1/12

Name Kathleen Greer
Address 11801 NiTami Pl
Oro Valley 85737
Signature  Date 9-12-12

Name MICHAEL ROSENBERG
Address 14123 N. HOKORAM VILLAGE PL
Oro Valley.
Signature  Date 9/1/12

Name Craig M. Rogers
Address 11630 N. Oceanus Pl.
Signature  Date Sep 1, 2012

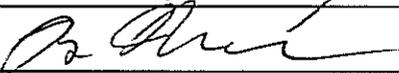
Name Ed Maine
Address 272 W Vistoso Highlands Drive
85755
Signature  Date Sep 1, 2012

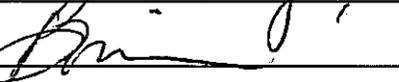
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

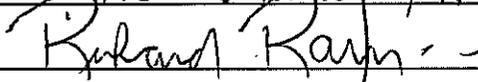
Town Residents Only Please

Name MIKE NAISH
Address 12140 N. MAYA CANYON LN
ORO VALLEY 85755
Signature  Date 9/1/12

Name BRIAN MITCHELL
Address 13933 N. STEEL ROCK CANYON AL
ORO VALLEY AZ 85755
Signature  Date 9/1/2012

Name BRIAN MCCRAH
Address 174 W. BLACKSTONE RD
ORO VALLEY, AZ 85755
Signature  Date 9/1/12

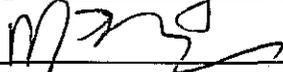
Name AUSTIN MILLER
Address 13047 N. DESERT OLIVE
ORO VALLEY AZ 85755
Signature  Date 9/1/12

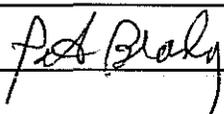
Name RICHARD RAVNER
Address 1986 W SILVER ROSE PLACE
ORO VALLEY, AZ 85737
Signature  Date 9/1/12

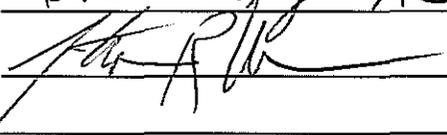
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

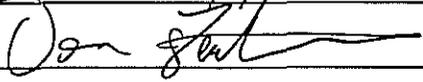
Town Residents Only Please

Name Matthew Larson
Address 13129 N. Player Pl
Oro Valley AZ 85755
Signature  Date 8-31-12

Name Pat Brady
Address 12958 N. V. Willocky Canyon
85755
Signature  Date _____

Name Stephen Vivona
Address 202 W. Milbrae Springs Dr
Oro Valley AZ 85755
Signature  Date 9/1/12

Name Beverly Schessler
Address 13401 N. Rancho Vistoso Blvd., #48
Oro Valley, AZ. 85755
Signature _____ Date _____

Name Don Featherstone
Address 13255 N. Booming Dr.
Oro Valley, AZ
Signature  Date 9/1/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Tyler Maine
Address 272 W Vistoso Highlands Dr
Signature Tyler Maine Date 9/1/12

Name DAVE SHOFFER
Address 1607 E. BULK ROAD P
Signature [Signature] Date 9/1/12

Name Dawn Reddington
Address 13488 N. Piemonte Way
Oro Valley
Signature [Signature] Date 9/1/2012

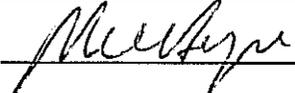
Name Blake Redhead
Address 12238 N Tall Grass
Oro Valley 85755
Signature [Signature] Date 9-1-12

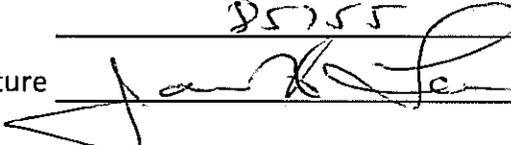
Name Becy Halverson
Address 1835 E. Ganymede Drive
Oro Valley Arizona 85737
Signature Becy Halverson Date 9-1-12

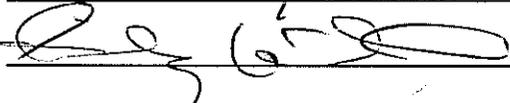
To the Town Council:

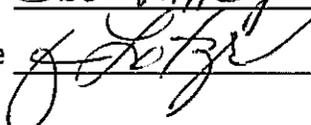
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Mike Neypore
Address 90 W. Marble Canyon Rd
OV 85755
Signature  Date 09/01/12

Name Jan Sen
Address 1018 W TORTOLITA MTN CIR
85755
Signature  Date 9/1/12

Name Sid Wiles
Address 39273 S. Mountain Shadow Dr
Tucson, AZ 85734
Signature  Date 9-1-12

Name Julie Lotzer
Address 14565 N. Lone Wolf Lane
Oro Valley
Signature  Date 9-1-12

Name James A. Johnson
Address 12324 N Mt Bischoff Rd
Oro Valley 83755
Signature  Date 9-1-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Anita Dixon
Address 1004 W. Thornbush Pl
Signature ^{OK} Anita Dixon Date 9-2-12

Name Don Pomeroy
Address 14094 N WILLOW BEND DR
Signature ^{OK} Don Pomeroy Date 9-2-12

Name Paul Cifton
Address 14005 N Honey Tree Pl
Oro Valley, AZ 85755
Signature Paul T. Cifton Date 9/2/12

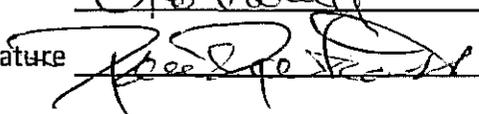
Name RICK DOWNS
Address 11096 N PURCH RIDGE VIEW PL
Oro Valley AZ 85757
Signature [Signature] Date 9/2/12

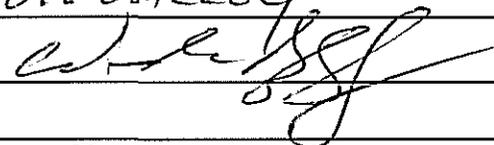
Name D. Atkinson
Address 954 W. DANIELS RAIN CT
Signature Donna Atkinson Date 9/2/12

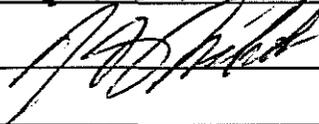
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

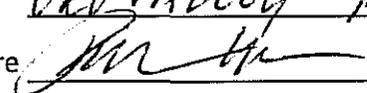
Town Residents Only Please

Name PAUL STRASS
Address 11905 N Deerclaw Lane
Oro Valley
Signature  Date Sept 2, 2012

Name WADSWORTH
Address 12316 Mossite Crest Way
Oro Valley
Signature  Date Sept 2 2012

Name Joe Bonifazi
Address 12250 N. Pinnacle Canyon Dr
Oro Valley
Signature  Date 9/2/12

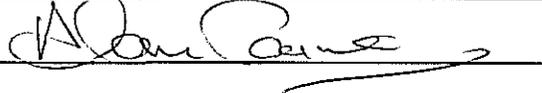
Name Theresa Kim West
Address 2370 E Wide View Ct
Oro Valley AZ 85755
Signature Theresa Kim West Date 9-2-12

Name PAT WALKER
Address 2370 E WIDE VIEW CT
Oro Valley AZ 85755
Signature  Date 9-2-12

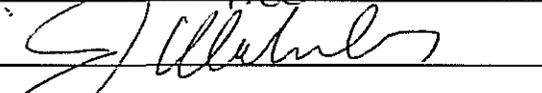
To the Town Council:

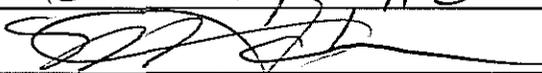
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

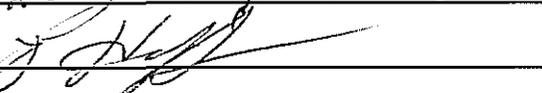
Town Residents Only Please

Name ALAN CAINE
Address 12647 N. Morgan Ranch Rd.
ORV 85755
Signature  Date 9/2/12

Name Sue Morris
Address Oro valley resident
Signature  Date 9/1/12

Name JULIE VLATAKIS
Address 12176 N KYLENE CANYON
ORO VALLEY
Signature  Date 9/1/12

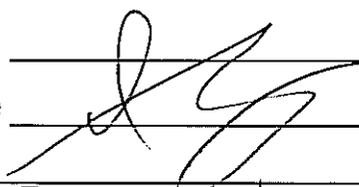
Name Mark Hamer
Address 11677 N Rain Rockwy
Oro Valley AZ 85737
Signature  Date 9/2/12

Name Rick Hoff
Address 202 W. BLACKSTONE Rd
ORO VALLEY AZ 85755
Signature  Date 9-2-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

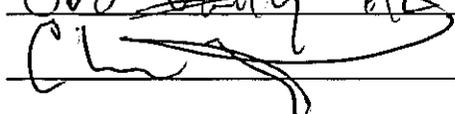
Town Residents Only Please

Name DAVID EMERY
Address 10333 W. DEACLE RD # 17205
Signature  Date 9/2/12

Name Barbara Harrison
Address 12420 N. Wayfork Way
Oro Valley AZ. 85755
Signature Barbara Harrison Date 9/2/12

Name LISA HOGAN
Address 1310 E. EQUINOX #1
Tucson 85737
Signature  Date 9/2/12

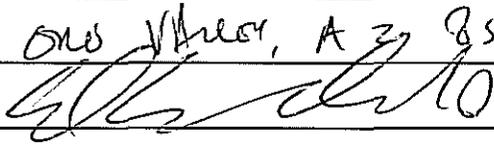
Name TON DOLAN
Address 1111 W. MONTELUPO DR.
Oro Valley, AZ 85755
Signature Thomas Dolan Date 9.2.12

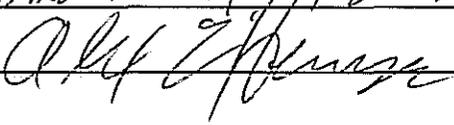
Name Chris Westermeyer
Address 13801 W Savanna Springs P
Oro Valley AZ 85755
Signature  Date 9/2/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name ED BUBANKS
Address 12254 N. MAKAYCA CANYON DR.
ORO VALLEY, AZ 85755
Signature  Date 9.1.12

Name ALEX HEINZE
Address 11506 N. CIVANO PL
ORO VALLEY, AZ 85737
Signature  Date 9-3-2012

Name Robert W. Speke
Address 1329 E. Dejerine Ph.
Oro Valley, AZ.
Signature Robert W. Speke Date 09/04/2012

Name David Shain
Address 12441 N. Copper Queen Way
Oro Valley, AZ
Signature  Date 9-4-12

Name Jim Freeman
Address 546 W. WOODLAND BLVD
Oro Valley, AZ
Signature  Date 9/4/2012

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Janet Fogel
Address 1551 E. Bright Angel Dr
Oro Valley AZ 85755
Signature Janet Fogel Date 9-5-12

Name Jr Cook
Address 12031 N. Coon-Sun Tol
Signature Jr Cook Date 9-5-12

Name Larry Busboom
Address 11709 N Crescendo Dr
Oro Valley AZ
Signature Larry Busboom Date 9-5-12

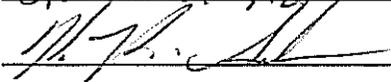
Name BILL SCHAEFER
Address 14571 N LINE POST LN
ORO VALLEY AZ 85755
Signature [Signature] Date 9.6.12

Name Lawrence Garet
Address 1471 E TRITON
TUCSON, AZ 85736
Signature [Signature] Date 9/6/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name KENNETH R. SOUDER
Address 12591 N. GRANVILLE CANYON WAY
ORO VALLEY AZ
Signature  Date 3 SEP 2012

Name D. M. Dabel
Address _____
Oro Valley, AZ
Signature Margie A. Dabel Date 9-4-12

Name Robert A. Daniels R
Address 11396 N. Sawtooth
85737
Signature Robert A Daniels Date 9-4-12

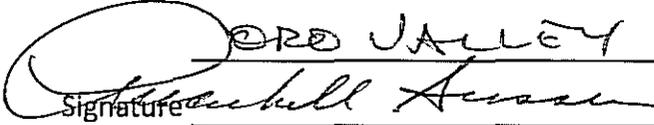
Name Jean Appello
Address 14352 N. Alamo Canyon Dr
85755
Signature Jean Appello Date 9-4-12

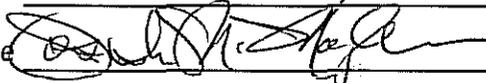
Name 7th Street
Address 13621 N. PIMA SPRING WAY
ORO VALLEY, 85755
Signature  Date 9/9/12

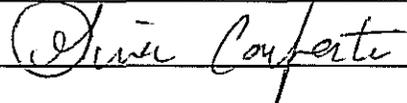
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

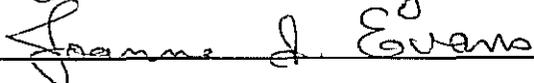
Town Residents Only Please

Name MARSHALL SUSSMAN
Address 14421 N. QUIET RAIN DR
ORO VALLEY, AZ 85755
Signature  Date 9/4/12

Name JOSEPH M. MARGHERONE
Address 12755 N. WILDLIFE
ORO VALLEY AZ 85755
Signature  Date 5, SEPT 2012

Name Gina Conforti
Address 12759 White Diamond
B.V. AZ. 85755
Signature  Date 9/5/12

Name Diana Moore
Address 14290 N. Alamo Canyon
Oro Valley, AZ - 85755
Signature  Date 9/5/12

Name Joanne J. Evans
Address 14365 N. Coyote Canyon Ln.
Oro Valley
Signature  Date 9/5/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Judy McDonald
Address 12356 N. Echo Valley Dr.
Oro Valley, Az 85755
Signature Judy McDonald Date 9/05/12

Name Donald Siglin
Address 526 W Woodlawn Dr.
Oro Valley, - AZ 85755
Signature Donald Siglin Date Sept 5, 2012

Name Kathleen W. Murphy
Address 1800 S Donwald St
Oro Valley 85755
Signature Kathleen W. Murphy Date Sept 5/12

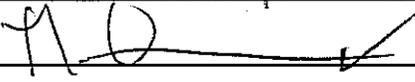
Name GIL ALEXANDER
Address 1546 W MOORE RD
O.V. 85755
Signature GW Alex Date 9-5-12

Name DANNY DUMAS
Address 11855 N. GARY EAGLE AVE CV. 85137
Signature Dumas Date 9-5-12

To the Town Council:

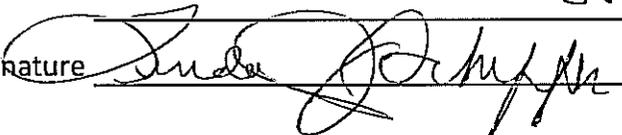
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

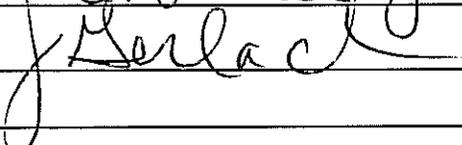
Town Residents Only Please

Name MARVIN OCHAMOR
Address 1836 N. DESERT SLOPES WAY
Oro Valley AZ
Signature  Date 09/05/12

Name Ray Dissing
Address 12245 N. Tall Grass Drive
Oro Valley AZ 85755
Signature  Date 9-5-12

Name BRAD STENINGER
Address 12680 N BANDANA WAY
85755
Signature  Date 9/5/12

Name LINDA SCHOPFER
Address 1150 E RISING SUN
85755
Signature  Date 9-5-12

Name Jeannette Gerlach
Address 67 E. Vineyard
Oro Valley 85755
Signature  Date 9-5-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Maureen Steg
Address 14435 N. Glen Hollow Pl.
Oro Valley, AZ 85755
Signature Maureen Steg Date 9/4/12

Name Patricia Saunders
Address 13957 N. Willow Bend Dr
Oro Valley AZ 85755
Signature Patricia Saunders Date 9/4/12

Name Sam Drouard
Address 11445 N Mandarin
Oro Valley 85737
Signature Drouard Date 9/4/12

Name John A Nelson
Address 2372 E Sierra Pioneer Ln
Oro Valley 85755
Signature John A Nelson Date 9-4-12

Name Katharine Haines
Address 13266 N Morton Postle Ct.
O.V. 85733
Signature MH Haines Date 9/4/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Nancy Crouse
Address 14264 - N ALAMO CANYON DR
ORO VALLEY AZ 85755
Signature Nancy Crouse Date 9/3

Name Brenda Kentfield
Address 12143 N Seasons Loop
ORO VALLEY AZ 85755
Signature Brenda Kentfield Date 9/3/12

Name Shirley Lamanna
Address 12119 N. Kytara Canyon Dr
Oro Valley AZ 85755
Signature Shirley Lamanna Date 9/3/12

Name Nancy Bingham
Address 11845 N Cassiopeia Dr
Oro Valley, AZ 85737
Signature Nancy Bingham Date 9/3/12

Name DEAN HALBERG
Address 13401 RANCITO VISTOSO #117
Signature Dean H. Halberg Date 9/3/12

To the Town Council:

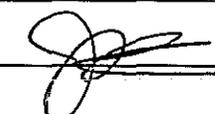
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Gary Scheer
Address 11688 N. Labyrinth

Signature  Date 9-2-12

Name JIM PINDZUSKI
Address 12226 N. REFLECTION RIDGE
AND UNION, AZ

Signature  Date 9-2-12

Name ~~David~~ Rodyk Soly
Address 13050 N Sunrise Canyon Ln
Maricopa AZ

Signature Rodyk Soly Date 9-3-12

Name David Friedman
Address 1328 W Zilphus
CV, AZ 85758

Signature  Date 9/3/12

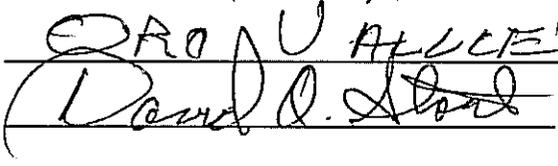
Name Virginia Keefuszel
Address 1210 E Volcan Pl.
85737

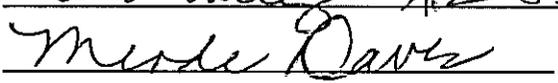
Signature V.R. Keefuszel Date 9/3/12

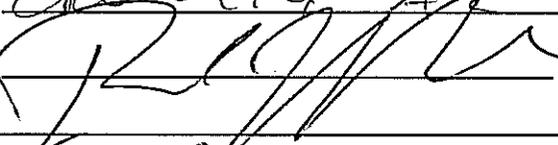
To the Town Council:

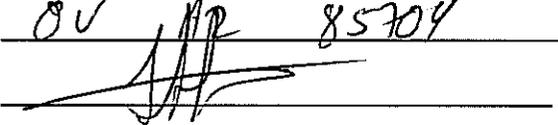
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

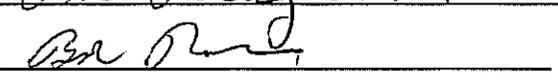
Town Residents Only Please

Name DAVID A. STOUT
Address 461 HEATHERBERRY LN
ORO VALLEY, AZ 85755
Signature  Date 9/5/12

Name Merde Davis
Address 14120 N. Lobelia Way
Oro Valley AZ 85755
Signature  Date 9/5/12

Name Richard M. Ho
Address 321 W Crescent CT
Oro Valley AZ 85737
Signature  Date 9-5-12

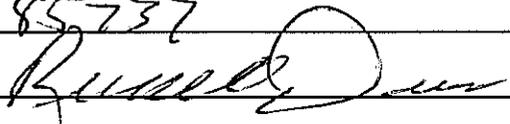
Name Tim Carver
Address 8373 N. Mesquite Shadows Dr
OU AZ 85704
Signature  Date 9/5/12

Name Bob Rowe
Address 11435 N. Meadow Sage Dr.
Oro Valley 85757
Signature  Date 9/5/12

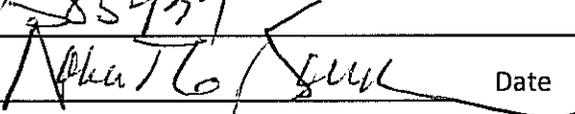
To the Town Council:

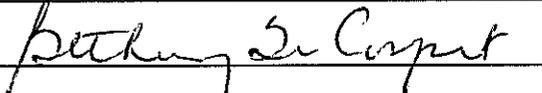
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

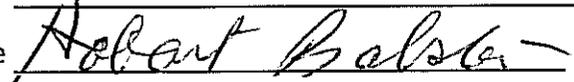
Town Residents Only Please

Name Russell Dees
Address 2284 E. Stone Stable Dr.
85737
Signature  Date 9-3-12

Name Breanna Edwards
Address 1250 W. Humphreys Dr
Oro, AZ 85755
Signature  Date 9/3/12

Name ROBERT SIMPLE
Address 527 W WHEELER RD
Oro Valley 85737
Signature  Date 9/3/12

Name Beth Conquist
Address 1027 W PAR FOUR DR
ORO VALLEY 85755
Signature  Date 9/3/12

Name Robert Balster
Address 930 E Cleveland
Signature  Date 9/3/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name John P. Howell
Address 3125 E. Armstrong Cir
O.V. 85755
Signature John Howell Date 9/3/12

Name Bruce Cox
Address 1043 E. DESERT GLEN DR
O.V.
Signature Bruce Cox Date 9/3/12

Name Jalae Hata
Address 11014 E. Boulder Pass
OK.
Signature Jalae Hata Date 9/3/12
Dore Schaefer 9/3/12

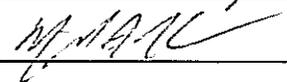
Name Dan Johnson
Address 2566 W. Tobacco Pl
Signature Dan Johnson Date 9/3/12

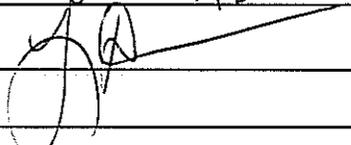
Name T. BRANNAN
Address 46 W. BERRY KNOLL
O.V. 85757
Signature T. Brannan Date 9-30-12

To the Town Council:

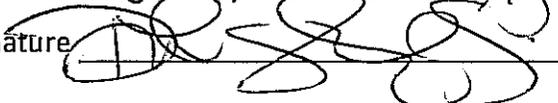
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

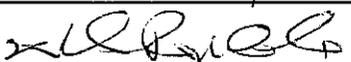
Town Residents Only Please

Name Michael Koss
Address 731 W Bougainvillea Dr
Oro Valley AZ 85755
Signature  Date 9/3/12

Name Lisa Dora
Address 17387 N Tall Grass Dr
OV AZ 85755
Signature  Date 9/3/12

Name LARRY HUNT
Address 114 W. FREDIE CANYON WAY
Signature  Date 9/3/12

Name Dina Westor meyer
Address 13801 N. Navelina Spring Pl.
Oro Valley AZ 85737
Signature  Date 9/3/2012

Name MICHAEL RUMBURG
Address 1232 W. CALABRIA CT
Oro Valley AZ 85755
Signature  Date 9/3/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Steve + Susan Johnson

Address 1231 W. Versilia Dr.
Oro Valley, AZ 85755

Signature Susan Johnson Date Sept 3, 2012

Name DAVE Oller

Address 12427 Mesquite Crest

Signature D. Oller Date 9/3/12

Name Dr. Barbara Adams Perkin, D.C.

Address 11671 N. Oceanus Pl
Tucson AZ 85737

Signature Dr. Barbara Adams Perkin, D.C. Date 9-3-12

Name SCOT WATHORNE

Address 11621 N. OCEANUS PL
TUCSON AZ 85737

Signature [Signature] Date 9/3/2012

Name Scott Ingram

Address 504 E. Marshall Park Dr

Signature [Signature] Date 9/3/2012

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name TED RIGGS
Address 585 W TWILIGHT MTN CIR
ORO VALLEY, AZ
Signature  Date 2 SEP 12

Name W. J. Phillips
Address 14070 N CURRAN HILL DR
Oro Valley Az 85755
Signature Wanda J Phillips Date 9/2/12

Name Ingrid Novodvorsky
Address 11910 N JOI DR
Oro Valley 85737
Signature I. Novodvorsky Date 9/2/12

Name Christopher Johnson
Address 11910 N JOI DR.
Oro Valley 85737
Signature Ch Johnson Date 9/2/12

Name Kirk Hunt
Address 12428 N. Mesquite Crest Way
Oro Valley AZ 85755
Signature Kirk Hunt Date 9-3-2012

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Diana Acosta
Address 1303 W Desert Cloud PC
Oro Valley Az 85737
Signature D Acosta Date 9/2/12

Name ENS Hanson
Address 238 W. Shenandoah St
Signature E Hanson Date 9/2/2012

Name JOHN FORTENBERRY
Address 12245 N BRIDGE DR 85755
Signature John Fortenberry Date 9/2/12

Name MARVIN SILVERMAN
Address 655 W. VISTOSO HIGHLANDS DR
ORO VALLEY
Signature M Silverman Date 9/2/12

Name Gene Penhagat
Address O.V. Resident
Signature _____ Date 9-2

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Catherine Reynolds
Address 11733 N Robi Pl
Oro Valley, AZ 85737
Signature C Reynolds Date 9/7/12

Name TOM DANIELSON
Address 13401 RANCHO VISTOSO
ORO VALLEY AZ 85755
Signature _____ Date 9-8-12

Name John CARBONE
Address 12978 N CARLSBAD PLACE
ORO VALLEY AZ 85755
Signature John Carbone Date 9-8-12

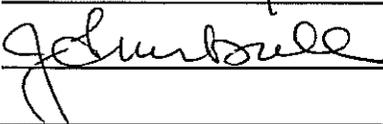
Name Daniel Krizan
Address 13731 N. OLD FOREST TRAIL
Oro Valley 85735
Signature _____ Date 9/8/12

Name SAL PERNICIANO
Address 10700 N. LA RESERVE #14205
Signature Sal P Date 9/8/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

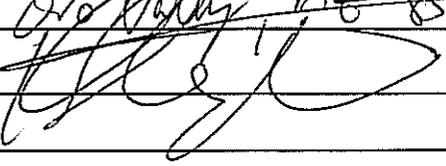
Town Residents Only Please

Name JoAnn Turnbull
Address 12921 N Pioneer Way
Oro Valley AZ 85755
Signature  Date 9/8/12

Name TIM DIUREL
Address 11671 N. PYRAMID POINT DR
Oro Valley AZ 85737
Signature  Date 9-8-12

Name TERRY GANN
Address 13401 N RANCHO VISTA
Signature  Date 9/8/12

Name Dave meadows
Address 13856 Azure Springs
Oro Valley
Signature D meadows Date 9/8/2012

Name Kath Stepter
Address 12959 n. White Lake Canyon Dr
Oro Valley AZ 85755
Signature  Date 9/8/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name RICHARD STRANG
 Address 310 E. SUNTREE ST
ORO VALLEY 85737
 Signature [Signature] Date 9/7/12

Name FRANK JIMENEZ
 Address 8851 N. ORACLE RD TUESO ORO VALLEY AZ
85704 APT# 188
 Signature [Signature] Date 07-SEP-2012

Name LEWIS FOSTER
 Address 282 W. BRINKLEY SPGS DR
Oro Valley, AZ 85755
 Signature [Signature] Date 9/7/2012

Name GARY M DUNSKY
 Address 921 W. SILVER HILLS ST
ORO VALLEY, AZ 85737
 Signature [Signature] Date 9-8-12

Name DJ QUINN
 Address n camino paramino
OR 85737
 Signature [Signature] Date 9/8

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Karen Arndt
Address 13 E. Big Wash Place
Oro Valley AZ 85755
Signature Karen Arndt Date 9-6-12

Name Robert Vampati
Address 66 W Freddie Canyon Way
Oro Valley 85755
Signature [Signature] Date 9/6/2012

Name Charles Chen
Address 1633 W. Moor Rd
Tucson - AZ
Signature Charles Chen Date 9/6/12

Name Patrick Brown
Address 12136 Malaya Canyon Ln
Oro Valley AZ 85755
Signature [Signature] Date 9/6/2012

Name Mary Pat Stuebel
Address 12727 N Spirit Mountain Rd
ORO VALLEY AZ
Signature Mary Pat Stuebel Date 9-7-12

To the Town Council:

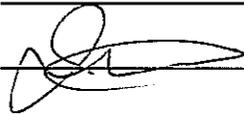
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name JOHN NELSON

Address 13275 N BIRMINGHAM DR

Signature



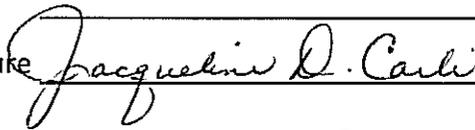
Date

9/6/12

Name JACQUELINE D. CARLI

Address 701 W. LANDORAN LANE 85737

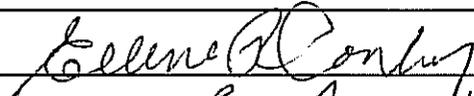
Signature



Date

9-6-12

Name



Address

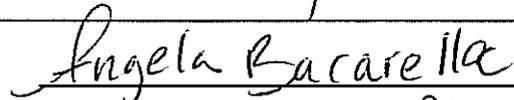
2442 E Astorham

Signature



Date

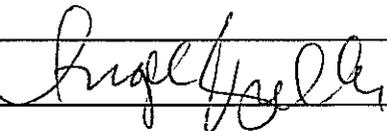
Name



Address

11378 N. Silver Pheasant loop

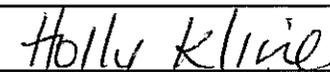
Signature



Date

Sept 6, 2012

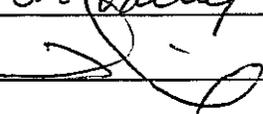
Name



Address

12951 N. Yellow Orchid Dr.
Oro Valley AZ. 85755

Signature



Date

9/6/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Stephen Schaefer

Address 1100 W. Graystone Pl.

Signature Stephen Schaefer Date 9/3/12

Name Bonnie Lindesmith

Address 12417 N. Copper Queen

Signature Bonnie Lindesmith Date 9-3

Name Nanette E

Address 1222 W. Catalina
Or Valley

Signature Nanette E Date 9-3-12

Name Mark Gamba

Address 13611 N. P.A. Multnomah Ave
OU 85755

Signature Mark Gamba Date 9/3/12

Name TONY ARBAM

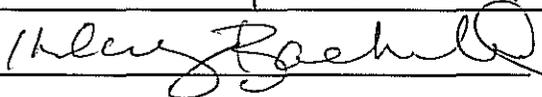
Address 10700 N. La Reserve Dr. #6204
Oro Valley, AZ 85737

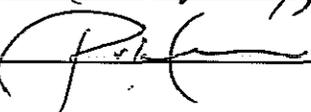
Signature Tony Arbam Date 9/3/12

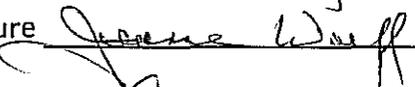
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

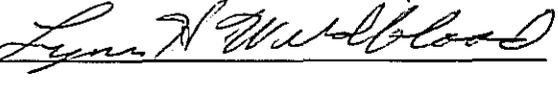
Town Residents Only Please

Name Hilary Backlund
Address 11955 N. Labyrinth Drive
Oro Valley AZ 85737
Signature  Date 9/3/2012

Name Dolette vonHamm
Address 11800 N. Tami Place
Oro Valley, AZ 85737
Signature  Date 9/4/12

Name Jeanne Wolff
Address 12616 N. Burning Coyote Dr.
Oro Valley, Az 85755
Signature  Date 9-4-2012

Name Rita Greber
Address 12289 N. Washbed Dr.
Oro Valley
Signature  Date 9/4/12

Name Lynn H. Wildblood
Address 12337 N. Copper Spg Trl
ORO VALLEY AZ 85755
Signature  Date 9/4/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Kristine Lavandero
Address 13330 N. Pilot Dr.
Oro Valley, AZ
Signature Kristine Lavandero Date 9/9/12

Name Jim Haug
Address 14247 N Copperstone
Oro Valley
Signature Jim Haug Date 9-9-12

Name Nicole C. Pone-Ramsey
Address 10831 Pusch Ridge View Place
Oro Valley
Signature Nicole C. Pone-Ramsey Date 9.9.12

Name Joe Winfield
Address 1481 E. Grimaldi Pl
Oro Valley, AZ
Signature Joe Winfield Date 9/10/12

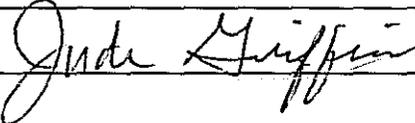
Name Tom Wiedebush
Address 1089 W Mulligan Driv
Oro Valley, AZ
Signature Tom Wiedebush Date 9/10/2012

To the Town Council:

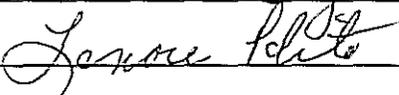
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

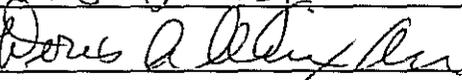
Town Residents Only Please

Name George Crossley
Address 10038 N. Roxbury Dr.
Tucson, AZ 85737
Signature  Date 9-6-12

Name Judi Griffin
Address 1815 E Starmist Pl
Signature  Date 9-9-12

Name A. SEMAC
Address 374 W KNIGHTER CANYON DR
Signature  Date 9/10/12

Name Lorore Polito
Address 3975 S. Justin Ln
Mesa, AZ
Signature  Date 9-10-12

Name Doris A. Wynn
Address 1546 W. Moore Rd
Oro Valley, AZ 85755
Signature  Date 9-11-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Stacy Wolff
Address 11858 N Verisma Dr
Oro Valley, Ac
Signature [Signature] Date 9/10/12

Name TERRY SWITZ
Address 2463 E. SPRING PIONEER LN.
ORO VALLEY AZ 85755
Signature [Signature] Date 9/10/12

Name Glenann Hanson
Address 11294 N. Cactus Rose Dr.
Oro Valley, AZ 85737
Signature [Signature] Date 9-10-12

Name Daniel Keranen
Address 13016 N Salt Cedar Dr
Oro Valley AZ 85755
Signature [Signature] Date 9-10-12

Name DWIGHT MEARS
Address 11919 N. POTOSI Pt Dr
ORO VALLEY AZ 85737
Signature [Signature] Date 9-11-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Glenn Stephard
Address 1226 W Moodie Pk
Oro Valley AZ 85755
Signature Glenn Stephard Date 9-11-2012

Name ~~Linda~~ ROBT SANDBANK
Address 2378 E BIG VIEW DR
ORO VALLEY, AZ 85855
Signature [Signature] Date 9/11/2012

Name Phil Swanson
Address 2313 E Coreopsis Way
O.V.
Signature Phil Swanson Date 9/11/12

Name [Signature] Sally Furzane
Address 26 W Valle PL
OR 85737
Signature [Signature] Date 9-11-12

Name JOHN R. LANE
Address 10980 N. BROADSTONE DR
85737
Signature [Signature] Date 9/11/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name L. E. RASTOFFEN
Address 1742 E Mellow TR
Oro Valley, Az
Signature [Signature] Date 9-8-2012

Name GIC WATSON
Address 448 W. DREAM WEAVER
O.V.
Signature [Signature] Date 9/8/12

Name NORENE LINTON
Address 14283 N. Copperstone
O.V.
Signature [Signature] Date 9-12-12

Name Grace Lenhart
Address 14722 N. Alamo Canyon Dr.
O.V.
Signature [Signature] Date 9-12-12

Name Nick Aman
Address 1140 S Smokethorn Ave
Oro Valley AZ 85737
Signature [Signature] Date 9-14-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Karen Pfalzgrat
Address 1130 N. Mandarin Lane
Oro Valley AZ 85737
Signature Karen Pfalzgrat Date _____

Name BILL TILLEY
Address 13450 N. PIPER DR
ORO VALLEY 85755
Signature Bill Tilley Date 9-11-12

Name Bart Schannep
Address 11420 N. Mandarin Lane
Oro Valley, AZ 85737
Signature Bart Schannep Date 9/11/12

Name Roy Henry
Address 1221 N. Desert Ridge Dr
OV 85755
Signature Roy Henry Date 9/11/12

Name Gary Tindall
Address 65839 E Desert Ridge
Tucson, AZ 85739
Signature Gary Tindall Date 9/12/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Louise Whitney
Address 2347 E wide view CT
OV 85755
Signature [Signature] Date 9-12-12

Name Merritt McGlothlin
Address 958 E Seven Palms Dr
Oro Valley, AZ 85755
Signature Merritt McGlothlin Date 9/12/12

Name W R Saiful
Address 335 E KIEZAR
Oro Valley
Signature WRS Date 9/12/12

Name Jon Stillet
Address 11708 N CASSIDETA
Oro Valley, AZ 85737
Signature [Signature] Date 9/12/12

Name Walt Connolly
Address 430 W. atua Pl.
Oro Valley
Signature Walt Connolly Date 9/12/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Elizabeth Larson
Address 12894 N. Lantern Way
OR
Signature Elizabeth Larson Date 9/14/12

Name Carl Thibault
Address 11664 N. Sunset Blvd
Oro Valley AZ 85737
Signature Carl Thibault Date 9/14/12

Name Robert Hefner
Address 936 Sedona Place
Oro Valley 85755
Signature Robert Hefner Date 9/14/12

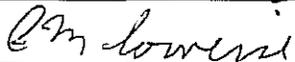
Name Stephen Davis
Address 13850 N. Bentwater
Oro Valley, AZ
Signature Stephen Davis Date 9/14/12

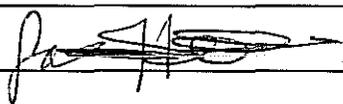
Name Bill Crown
Address 860 E PALISADES Rd
Oro Valley AZ
Signature Bill Crown Date 9/15/12

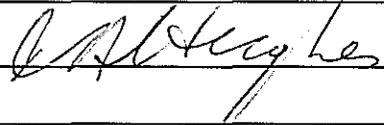
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

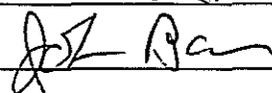
Town Residents Only Please

Name Charles M. Converse
Address 14520 Del Norte Blvd
85755
Signature  Date 9/14/12

Name Samantha Hartin
Address 2836 W. Darley Woods Drive
Signature  Date 9/14/12

Name BRYAN HUGHES
Address 910 E. CAMINO CONIDA
Oro Valley / AZ 85704
Signature  Date 9-14-12

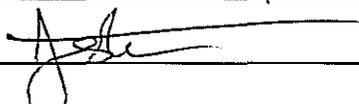
Name Robert Lueck
Address 352 W Ridge Peak Rd
Oro Valley, AZ 85737
Signature  Date 9/14/12

Name John Bauer
Address 14584 N. Spanish Garden Ln
Oro Valley, AZ 85755
Signature  Date 9/15/12

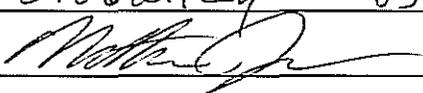
To the Town Council:

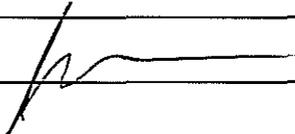
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

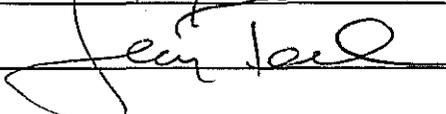
Town Residents Only Please

Name JAMES HOCTHOUSE
Address 12337 N. CLOUD RIDGE DR
ORO VALLEY 85755
Signature  Date 9/12/12

Name Shane Northrup
Address 223 W Breakersprng Dr
OR
Signature  Date 9-12-12

Name Matt Jones
Address ~~2356~~ 2356 E Ram Rock
Oro Valley 85737
Signature  Date 9/13/12

Name Justin Michaelson
Address 11802 N. Robi Pl 85737
Signature  Date 9/13/12

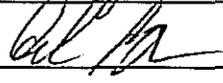
Name Sean Teel
Address 11534 N. Vach Way
Oro Valley 85737
Signature  Date 9/13/12

To the Town Council:

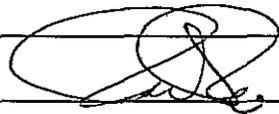
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Kevin M. Davis
Address 614 E. River Walk
Oro Valley AZ 85737
Signature  Date 9/15/12

Name Dale Beyer
Address 298 W Ridge Peak Rd
Oro Valley, AZ
Signature  Date 9/15/12

Name Willow Sibert
Address 11961 N Tami Pl
Oro Valley AZ 85737
Signature Willow Sibert Date 9/15/12

Name Jennie Dice
Address 349 W Ridge Peak Rd
Signature  Date 9-15-12

Name _____
Address 2065 E. BIGHORN AVE DR
O V AZ 85735
Signature Edward C. Bender Date 9-15-12

2008 11 3002

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name C PROBERT
 Address 2396 E. AGAPANTHUS ST
ORO VALLEY
 Signature *C. Probert* Date 9/15/12

Name Redney Rhodes
 Address 3888 W Sacaton Canyon Dr
Oro Valley, AZ
 Signature *Redney Rhodes* Date 9/15/12

Name Gary Greber
 Address 14301 N. TRADE WINDS WAY
Oro Valley, AZ 85755
 Signature *Gary Greber* Date 9-15-12

Name Rick Kinkel
 Address 704 W Sedona Ridge
OU - AZ - 85755
 Signature *Rick Kinkel* Date 9/17/12

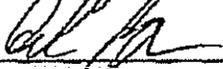
Name Bob DeMarco
 Address 11657 N. Oceanus Pl
Oro Valley 85737
 Signature *Bob DeMarco* Date 9/17/12

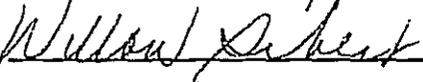
To the Town Council:

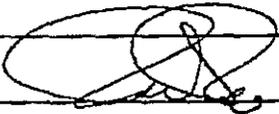
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Kevin M. Davis
Address 614 E. River Walk
Oro Valley AZ 85737
Signature  Date 9/15/12

Name Dale Beyer
Address 298 W Ridge Peak Rd
Oro Valley, AZ
Signature  Date 9/15/12

Name Willow Sibert
Address 11961 N Tami Pl
Oro Valley AZ 85737
Signature  Date 9/15/12

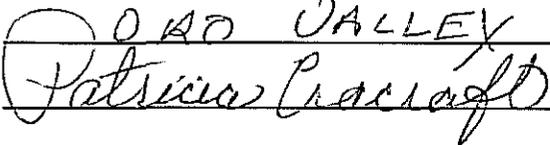
Name Jennie Dice
Address 349 W Ridge Peak Rd
Signature  Date 9-15-12

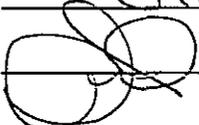
Name _____
Address 2065 E. BIGHORN AVE DR
O V, AZ 85735
Signature Edward E. Bender Date 9-15-12

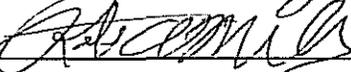
To the Town Council:

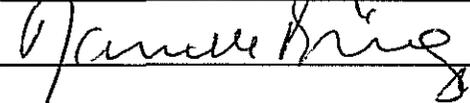
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

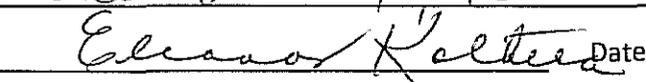
Town Residents Only Please

Name PAT CRAFT
Address 435 W. SUGAR LOAF
ORO VALLEY
Signature  Date 9-14

Name JUDITH VIBERT
Address 13563 N WIDEVIEW DR
ORO VALLEY AZ 85755
Signature  Date Sept 14th/12

Name Bob Milkey
Address 244 W Sycaton Canyon Dr
Oro Valley AZ
Signature  Date 9/14/12

Name Danielle Breckenridge
Address 12029 N - Washbed Dr.
Oro Valley AZ
Signature  Date 9/15/12

Name ELEANOR KOTHERA
Address 980 E RISING SUN
ORO VALLEY AZ
Signature  Date 9/15/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Stu Huattos
Address 226 W PECANITA LUNA BONITA
ORO VALLEY AZ
Signature S. Huattos Date 9/15/12

Name DeJoy Wolfley
Address 10401 N. PECAN
Signature DeJoy Wolfley Date 9-15-12

Name MINDY TENSER
Address 961 W. TURNSTONE PLACE
ORO VALLEY, AZ 85737
Signature Mindy Tenser Date 9/15/12

Name Chris Curbert
Address 12759 W White Mountain
Oro Valley AZ
Signature Chris Curbert Date 9/10/2012

Name Sara E. Friend
Address 30 W. Rensselaer Ln.
Oro Valley 85737
Signature Sara Friend Date _____

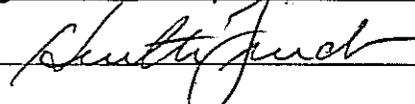
To the Town Council:

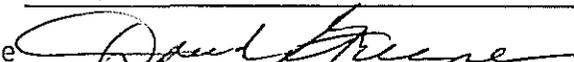
I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

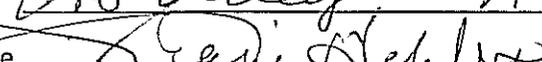
Town Residents Only Please

Name Mark Stickroth
Address 13206 Lost Artifact Ln
Oro Valley Az. 85755
Signature  Date 9-17-12

Name Lorna Paskovich
Address 13401 N. Rancho Vistoso Blvd. #243
Oro Valley Az 85755
Signature Lorna R. Paskovich Date 9/17/2012

Name Kent French
Address 12651 N. Rock Creek Rd
Oro Valley Az 85755
Signature  Date

Name DAVID GREENE
Address 2 E. Big Wash Pl
OV 85755
Signature  Date

Name Trani Heblow
Address 12254 N Sterling Av
Oro Valley Az
Signature  Date 9-18-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name

N.A. Mesa

Address

13401 N Rancho Vistoso #170
Oro Valley AZ 85755

Signature

N.A. Mesa

Date

9.19.2012

Name

Steve MacLellan

Address

59E Yucca Cove Pl
Oro Valley AZ 85755

Signature

Steve MacLellan

Date

9-19-2012

Name

Kathleen Anderson

Address

14274 N Trade Winds Way
OV AZ 85755

Signature

Kathleen Anderson

Date

9/19/2012

Name

Tom Decker

Address

13101 N. Woodburne Ave
Oro Valley, AZ

Signature

Tom Decker

Date

9/19/2012

Name

Jeanne Stepling

Address

41 W Golden Spur Pl
Oro Valley AZ 85755

Signature

Jeanne Stepling

Date

9-20-2012

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name THOMAS HARDING

Address 11806 N. CASSIOPEIA DR

Signature Tom Harding

Date 9-21-12

Name ANTHONY FLORIDAN

Address 12269 N. PINECRESTON RIDGE DR

Signature Anthony Floridan

Date 9/21/12

Name Barbara Seward

Address 11644 N Quincey DR

Signature Barbara Seward

Date 9-21-12

Name Heather Uewell

Address 12481 N. Granville Canyon
Oro Valley, AZ 85753

Signature [Signature]

Date 9.21.12

Name ROBERT ALCALA

Address 12625 N. PIONEER WAY
TUCSON, 85755

Signature Robert Alcala

Date 9/28/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Phillip Davis
Address 11475 N. LaTanya Dr
Oro Valley, AZ 85737
Signature Phillip Davis Date 9-17-2012

Name JOE DE ROUSE
Address 207 W. GRANT CANYON PL
ORO VALLEY, AZ 85755
Signature Joe DeRouse Date 9/17/2012

Name DANIEL BELL
Address 126 W. FREDDIE CANYON WAY
ORO VALLEY
Signature Dan Bell Date 9/17/12

Name Jim Zicarelli
Address 11561 W Copper Mountain Dr
Oro Valley, AZ 85737
Signature Jim Zicarelli Date 9/17/12

Name Paul Albers
Address 12303 N. Mount Bigelow Rd.
Oro Valley, AZ 85737
Signature Paul Albers Date 9/17/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Jon + Karen McIver
Address 684 W- Adagio Lane
Oro Valley, AZ 85737
Signature Karen McIver Date 9/16/12

Name Rachel Morabito
Address 12379 N. Echo Valley Dr.
Oro Valley 85755
Signature Rachel Morabito Date 9/16/12

Name SUSANNA MORAN
Address 14440 N. Chalk Creek Dr
Oro Valley 85755
Signature Susanna Moran Date 9/16/12

Name Linda Begega
Address 11500 N. Mandarin Ln
Oro Valley AZ 85737
Signature _____ Date _____

Name Scott Smithers
Address 11731 W Caspersen Ave
Oro Valley AZ 85737
Signature Scott Smithers Date 09/17/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Shoupson
 Address 1
Oro Valley AZ 85755
 Signature [Signature] Date 9-22-12

Name Raymond
 Address 2451 E. Sleeping Uth Way
 Signature [Signature] Date 9-22-12

Name Annette Russell
 Address 12528 N. Piping Rock Rd.
Oro Valley
 Signature Annette Russell Date 9-22-2012

Name Penny J. Goldwater
 Address 2690 E. Mingus Ln
Oro Valley
 Signature [Signature] Date 9-22-12

Name Wm Muth
 Address 38265 Elbow Bend 85739
 Signature [Signature] Date 9-23-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Jennifer Simmons
Address 12435 N Mesquite Crest Way
Oro Valley, AZ 85755
Signature Jennifer Simmons Date 9-17-12

Name MILDRED SPARLING
Address 14411 N SKY TRL
ORO VALLEY, AZ 85755
Signature Mildred Sparling Date 9-18-12

Name Pat Carey
Address 14149 N. Acacia Way
OV AZ 85755
Signature _____ Date _____

Name ARTHUR LEE
Address 1913 W. Desert Highlands
ORO VALLEY 85737
Signature Arthur J. Lee Date 9-18-12

Name Arnellie Clayton
Address Oro Valley 85739
Signature Arnellie Clayton Date 9-18-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name MaryAnn Flaten
Address 11525 N. Skywire Way
Oro Valley AZ 85737
Signature M. A. Flaten Date 9/19/12

Name Joseph H. Tillotson
Address 12794 N. Seneliff Pl
Oro Valley
Signature [Signature] Date 9-19-12

Name Sidney Lloyd
Address 12791 N. Meadowview Way
Oro Valley
Signature [Signature] Date 9/22/12

Name KATHRYN E. WALKER
Address 14156 NO. TRADE WINDS WAY
ORO VALLEY
Signature [Signature] Date 9/22/12

Name DARRIN WHITESIDE
Address 12651 N GRANDVILLE CANYON WAY
ORO VALLEY AZ 85755
Signature [Signature] Date 9-22-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Sharon Helling
Address 3249 N Mortar Pestle Ct
Oro Valley, AZ 85755
Signature [Signature] Date 9/23/12

Name R Wantuck
Address 36519 S Stone-1 Flower Rd
Tucson
Signature [Signature] Date 9-24-2012

Name CARMEN KELLY
Address 14500 Crown Pt
Oro Valley, AZ
Signature _____ Date 9-24-2012

Name Rita West
Address 350 W. ATAR PL
Oro Valley AZ 85737
Signature [Signature] Date 9-24-12

Name Nicole Berg
Address 12229 N Brightbridge
Oro Valley AZ 85755
Signature [Signature] Date 9/24/12

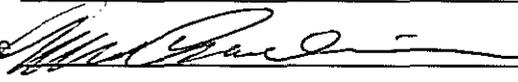
To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Mark Tranchina

Address 419 Dream Weaver Dr

Signature 

Date 9-23-12

Name Jan Backer

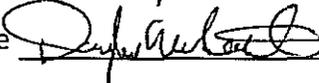
Address 2637 E. Blue View Dr
Oro Valley, AZ

Signature Jan Backer

Date 9-24-12

Name Doug Steele

Address 12323 N. Kyle Canyon Dr
Tucson, AZ 85745

Signature 

Date 9-25-12

Name SAUDY O'BITZ

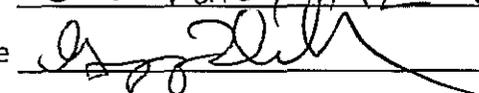
Address 105 E. FIREWHEEL PL.

Signature 

Date 9/25-12

Name Greg Welch

Address 11411 N. Palmetto Dunes Ave
Oro Valley, AZ 85737

Signature 

Date 9-25-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name C.M. PLATTNER
Address 11334 N. MANDARINE LN.
ORO VALLEY, AZ 85737
Signature C.M. Plattner Date 9-26-12

Name Pat Owens
Address 13500 N Rancho Vistoso #139
TUCSON, AZ 85755
Signature Patricia Owens Date 9-26-12

Name Lionel Johnson
Address 101 E Elixir Place
Oro Valley AZ 85755
Signature Lionel Johnson Date 9-26-2012

Name DEAN ROSEN
Address PO BOX 69483 85737
Signature Dean Rosen Date 9-27-12

Name Jay B Vaget
Address 14709 N. Sunset Hawk
Signature Jay B. Vaget Date 9-28-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name SUZANNE FLAX
Address 819 E. EDGEWORTH DR
ORO VALLEY 85758
Signature S. Flax Date 9/25/12

Name BOB GIBER
Address 437 W. SPEARHEAD
ORO VALLEY, 85737
Signature Bob Giber Date 9/25/12

Name Mary A Dabney
Address 150 W Freddie Canyon
Signature Mary A Dabney Date 9-25/12

Name Jenny Friedland
Address 10180 N Alder Spring Dr.
Oro Valley
Signature Jenny Friedland Date 9/26/12

Name Jennifer Alderson
Address 11784 N Sage Brook Rd.
Oro Valley, AZ 85737
Signature Jennifer Alderson Date 9/26/12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name LAWRANCE CASTRO/OTTI
Address 1055 W Ironwood Valley Dr.
Oro Valley
Signature [Signature] Date _____

Name Dianne + Mike DeGroff
Address 13736 N Tessali Way
Oro Valley AZ
Signature Dianne + Michael DeGroff Date 9/29/2012

Name Bill Stehling
Address 11940 N. Whispering Ridge Dr.
OU AZ 85737
Signature Bill Stehling Date 9-30-12

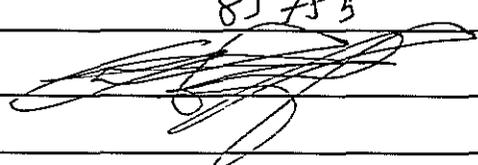
Name MIKE HENNING
Address 13010 N. LIND BERRY
OU AZ 85755
Signature Mike H Date 9-30-12

Name GRAN KNOX
Address 17581 ALAMO CANYON
[Signature]
Signature _____ Date 9-30-12

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Alan LATOUREM
Address 1750 W. Tangerine Rd
85755
Signature  Date 28 Sept '12

Name _____
Address _____
Signature _____ Date _____

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name Mary Heeburn
Address 25 W. Marble Canyon
Oro Valley 85755
Signature M. Heeburn Date 9-30-12

Name Henry J. Timislak
Address 1815 E. GANYMEDE DR.
Oro Valley 85737
Signature Henry J. Timislak Date 9.30.12

Name _____
Address _____
Signature _____ Date _____

Name _____
Address _____
Signature _____ Date _____

Name _____
Address _____
Signature _____ Date _____

To the Town Council:

I would like the convenience of being able to rent a U-Haul vehicle at Oro Valley Ace Hardware

Town Residents Only Please

Name ROBERT LARSON
Address 14381 N. SKY TR.
ORO VALLEY, AZ 85755
Signature  Date 9/20/2012

Name warren Braun
Address 11702 N Peasegul Night
Oro Valley AZ 85737
Signature Warren Braun Date 9-21-12

Name Larry Vancey
Address 11860 N Gray Eagle Ave
Oro Valley
Signature  Date _____

Name _____
Address _____
Signature _____ Date _____

Name _____
Address _____
Signature _____ Date _____

**DRAFT MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
REGULAR SESSION
May 7, 2013
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

CALL TO ORDER AT OR AFTER 6:00 P.M.

ROLL CALL

PRESENT:

Don Cox, Vice Chair
John Buette, Commissioner
Alan Caine, Commissioner
Bill Leedy, Commissioner
Bill Rodman, Commissioner
Tom Drzazgowski, Commissioner

EXCUSED:

Robert Swope, Chair

PLEDGE OF ALLEGIANCE

CALL TO AUDIENCE - At this time, any member of the public is allowed to address the Commission on any issue not listed on today's agenda. Pursuant to the Arizona Open Meeting Law, individual Commission 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 Commission 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.

Bill Adler Oro Valley Resident - Reviewed the definition of the term impartiality as applied to the process from the perspective of citizens, when coming before a Board

COUNCIL LIAISON COMMENTS

Update from Joe Hornat, Council Liaison. Council update.

- 1. REVIEW AND/OR APPROVAL OF THE APRIL 2, 2013 REGULAR SESSION MEETING MINUTES**

MOTION: A motion was made by Commissioner Rodman and seconded by Commissioner Leedy to Approve the Minutes from the April 2, 2013 Planning and Zoning Commission Regular Session meeting

MOTION carried, 6-0.

2. PUBLIC HEARING: CONDITIONAL USE PERMIT FOR A PROPOSED U-HAUL BUSINESS IN THE PLACITA DE ORO SHOPPING CENTER LOCATED ON THE SOUTHWEST CORNER OF TANGERINE ROAD AND 1ST AVENUE OV812-004

Staff Report was presented by Rosevelt Arellano, Planner.

Conditional Use Permit for Uhaul Business

- Area context
- Site Context
- Conditional use permit request details
- Proposed parking areas
- Zoning code requirements car rental facility
- Screening and bufferyards
- Zoning code requirements conditional use permit criteria
- Proposed parking areas
- Conditions if approved
- Neighborhood mtg/public input
- Summary

Member Caine referenced the email concerning the proposed use. David Williams and Joe Andrews provided a staff response.

Applicant Presentation John Peccoli, of Ace Hardware. Addressed concerns regarding parking of Uhaul vehicles, creating jobs, screening concerns (building a new wall or planting and maintaining vegetation), and addressed customer parking concerns. Mr. Peccoli does not support conditions of Approval Requests numbers 1 and 2, on Attachment 1.

Kirt Fiehler, Uhaul Southern Arizona Marketing Company President, addressed concerns with regard to the trucks being at the Ace store long term, and parking in customer area's.

Dawn Raymond - Oro Valley Resident - Was opposed to the proposed Uhaul services at Ace Hardware due to current loss of views and increased noise pollution.

Cedric Hopkins - Oro Valley Resident requested trees be installed and maintained to block views and allow for privacy.

Bill Adler - Oro Valley Resident - Expressed aesthetic concerns, and suggested signage to direct people where to park the vehicles.

Rachel Martin - Oro Valley Resident - Was opposed to the proposed Uhaul business due to the negative affect on her property.

Paul Baker - Oro Valley Resident - Was opposed due to the impact on homeowners, infrastructure, air quality and noise pollution.

John Musolf - Oro Valley Resident - disputed the explanation given by staff regarding the definition of "vehicle".

Carly Hopkins - Oro Valley Resident - questioned traffic flow and suggested the vegetation be maintained.

The Vice Chair Closed the Public Hearing.

Staff answered questions regarding the traffic flow and impact

Uhaul representative spoke regarding the traffic impact, and the average vehicle use per day. About 3/4 of the truck rentals will be local and are typically out about 8 hours per day.

MOTION carried, 6-0.

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Caine to Approve the Request for Conditional Use Permit, OV812-004, provided conditions of approval 1 and 2, in attachment 1, are modified as follows:

1. Submission of a landscaping plan reasonably acceptable to the Town of Oro Valley which accomplishes the screening objective of the neighbors, with a minimum of 5 year maintenance requirement.
2. No parking allowed except in area "C", with exception to temporary associated with the after hours return of vehicles, those vehicles must be moved quickly as is reasonable by either Uhaul or Ace Hardware.

Commissioner Rodman requested a Friendly Amendment to Commissioner Leedy's

Motion, requiring Ace Hardware and or UHaul provide maintenance to the landscaping in Condition 1

3. MARGARET POLITES OF ORO VALLEY, ARIZONA IS REQUESTING APPROVAL OF A TYPE II HOME OCCUPATION PERMIT TO ALLOW A MASSAGE THERAPY BUSINESS LOCATED AT 12214 N. ECHO VALLEY DRIVE, ORO VALLEY, ARIZONA OV413-005

Staff Report by Patty Hayes, Zoning Plans Examiner

- Home occupations
- Location Map
- Request details
- Zoning code
- Summary/conclusion

The applicant, Margaret Polites Oro Valley Resident presented her business plan as well as answered questions regarding the number of clients she would see per business day, parking for her clients, and the number of employees she would have on staff.

James Vadis Oro Valley Resident stated he was opposed to the in home business as there are alternative locations for massage therapy which would not be in residential neighborhoods.

Diane Mercer Oro Valley Resident - stated she was opposed to having a home run business in her neighborhood due to the potential for increased traffic, parking concerns and who might oversee enforcement. Mrs. Mercer expressed concern regarding the potential impact on the property values.

MOTION: A motion was made by Commissioner Rodman and seconded by Commissioner Drzazgowski to Approve with the stipulations there be only one therapist on staff, the business owner herself.

MOTION carried, 6-0.

4. DISCUSSION AND RECOMMENDATION ON THE FY 2013-2015 PLANNING WORK PLAN, WHICH ESTABLISHES PRIMARY WORK TASKS FOR THE PLANNING DIVISION OVER THIS TWO YEAR PERIOD

Chad Daines presented the Planning Work Plan

- Division Work Overview
- Why a Work Plan
- Purpose of Work Plan
- Work Plan format
- Project priorities
- Previous Work Plan
- Proposed Work Plan
- Projects on hold
- Summary

Bill Adler Oro Valley Resident - reviewed issues raised in his email. Mr. Adler felt strongly regarding mixed use and suggested that the commission advocate for this issue to be brought back for consideration.

The Commission and David Williams also discussed Form Based Code, and it's use as a tool with custom zoning, implementation tool for mixed use zoning in a jurisdiction.

PLANNING UPDATE (INFORMATIONAL ONLY)

Three Major General Plan Amendments have been filed; the Olson Property, Miller Ranch and Rancho Vistoso 11-J. All applicants are requesting a medium density residential designation.

Mr. Williams reminded the Commissioners of the upcoming Spring Training session on May 16th.

The Public Participation Plan for the General Plan Update has been approved by Council. Staff will be working to ensure younger groups are included throughout the update process. Mr. Williams provided an overview of next steps on the process.

FUTURE AGENDA ITEMS

ADJOURNMENT

MOTION: A motion was made by Vice Chair Cox and seconded by Commissioner Rodman to Approve

MOTION carried, 6-0.