

**AGENDA
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
October 1, 2014
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

DEPARTMENT REPORTS

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

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

INFORMATIONAL ITEMS

1. 2014 AZ League Annual Conference Trip Report
2. Letter of Appreciation - Oro Valley Police Department
3. Letter of Appreciation - Water Utility Department

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. Introduction of Youth Advisory Council Members
2. Proclamation - Fire Prevention Week

CONSENT AGENDA

(Consideration and/or possible action)

- A. Minutes - September 3, 2014
- B. Fiscal Year 2014/2015 Financial Update through July 2014
- C. Appointment to the Public Safety Personnel Retirement System (PSPRS) Local Board
- D. Appointment to the Historic Preservation Commission (HPC)
- E. Request for approval of a Final Plat for Block 1 of the Maracay at Vistoso subdivision, located southwest of the Pebble Creek Drive and La Canada Drive intersection
- F. Resolution No. (R)14-50, authorizing and approving compensation for a water easement from Pima County
- G. Resolution No. (R)14-51, authorizing and approving the State Historic Preservation Office Pass-Through Grant Agreement for the Building Condition Assessment Update for structures at Steam Pump Ranch
- H. Resolution No. (R)14-52, authorizing and approving a task force agreement between the Drug Enforcement Administration ("DEA") and the Town of Oro Valley ("Town") for the participation of two (2) Oro Valley police officers in the DEA Tucson Task Force
- I. Authorization to proceed with a \$125,000 appropriation for a protective cover over the pump house at Steam Pump Ranch as requested in FY 2014/15 Budget

REGULAR AGENDA

- 1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR ZPIZZA LOCATED AT 11165 N. LA CANADA DRIVE, SUITE 131
- 2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR RED LOBSTER #6350 LOCATED AT 11695 N. ORACLE ROAD
- 3. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR DICKEY'S BARBECUE PIT LOCATED AT 7850 N. ORACLE ROAD
- 4. PUBLIC HEARING: ORDINANCE NO. (O)14-10, AMENDING ORO VALLEY TOWN CODE, CHAPTER 2, MAYOR AND COUNCIL, ARTICLE 2-3 COUNCIL ELECTION, SECTION 2-3-1 PRIMARY ELECTION AND 2-3-3 GENERAL ELECTION NOMINATION
- 5. CONCEPTUAL SITE PLAN, LANDSCAPE PLAN AND ARCHITECTURE FOR STONE CANYON CLUBHOUSE, LOCATED AT 14320 N HOHOKAM VILLAGE PLACE, IN NEIGHBORHOOD 11 OF THE RANCHO VISTOSO PLANNED AREA DEVELOPMENT

6. AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 27.9.E.4 AND CHAPTER 27
 - a. RESOLUTION NO. (R)14-53, DECLARING THE PROPOSED AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 27.9.E.4 AND CHAPTER 27, RELATING TO GRADING REGULATIONS, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD
 - b. PUBLIC HEARING: ORDINANCE NO. (O)14-11, AMENDING SECTION 27.9.E.4 OF THE ORO VALLEY ZONING CODE REVISED TO GRADE UP TO OR BEYOND THEIR PROPERTY LINE WITH THE ADJACENT OWNER'S CONSENT
7. AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 27.10.F.2.c.iii AND CHAPTER 27
 - a. RESOLUTION NO. (R)14-54, DECLARING THE PROPOSED AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 27.10.F.2.c.iii AND CHAPTER 27, RELATING TO ENVIRONMENTALLY SENSITIVE LANDS FLEXIBLE DESIGN OPTIONS, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD
 - b. PUBLIC HEARING: ORDINANCE NO. (O)14-12, AMENDING SECTION 27.10.F.2.c.iii, ENVIRONMENTALLY SENSITIVE LANDS, OF THE ORO VALLEY ZONING CODE REVISED TO ALLOW LOT WIDTHS TO BE MODIFIED AS A FLEXIBLE DESIGN OPTION
8. PUBLIC HEARING: ORDINANCE NO. (O)14-13, APPLICANT REQUESTS APPROVAL TO: 1. INCORPORATE A 39-ACRE PROPERTY LOCATED ON THE NORTH SIDE OF MOORE ROAD, BETWEEN YELLOW ORCHID DRIVE AND MYSTIC VIEW PLACE, INTO THE RANCHO VISTOSO PLANNED AREA DEVELOPMENT (PAD) AND ESTABLISH NEIGHBORHOOD DEVELOPMENT POLICIES FOR THE SUBJECT PROPERTY; 2. REZONE THE PROPERTY TO RANCHO VISTOSO PAD MEDIUM DENSITY RESIDENTIAL; AND 3. UTILIZE THE ENVIRONMENTALLY SENSITIVE LANDS (ESL) MODIFIED REVIEW PROCESS
9. NARANJA PARK PROGRAMMING & DESIGN MASTER PLAN UPDATE PRESENTATION AND APPROVAL OF PROGRAMMING ELEMENTS
10. DISCUSSION AND POSSIBLE ACTION TO APPROVE A YOUTH SCHOLARSHIP PROGRAM IN CONJUNCTION WITH ORO VALLEY PARKS AND RECREATION PROGRAMS

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: 9/24/14 at 5:00 p.m. 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: 10/01/2014

Submitted By: Arinda Asper, Town Manager's Office

Information

Subject

2014 AZ League Annual Conference Trip Report

Attachments

[2014 AZ League Annual Conference Trip Report](#)



Office of the Mayor & Town Council

Trip Report

Purpose:

2014 League of Arizona Cities and Towns Annual Conference

Date:

August 19 – August 22, 2014

Location:

Sheraton Downtown Hotel
Phoenix, AZ

Attendees:

Mayor Satish Hiremath
Vice Mayor Lou Waters
Councilmember Brendan Burns
Councilmember Bill Garner
Councilmember Joe Hornat
Councilmember Mary Snider
Councilmember Mike Zinkin
Town Manager Greg Caton

Summary:

The 2014 League of Arizona Cities and Towns Annual Conference was hosted by the City of Phoenix, Arizona. The theme of this year's conference was "Arizona Cities & Towns @ Work."

The conference was attended by over 1200 elected officials and guests from cities and towns across Arizona. Highlights of the conference included: the last major gubernatorial forum of the 2014 primary campaign; and over 25 sessions dealing with issues of importance to local, regional and statewide officials. The conference "schedule at a glance" is attached.

Report submitted to the Town Clerk on August 25, 2014.

Dr. Satish I. Hiremath
Mayor

Caring for our heritage, our community, our future.

www.orovalleyaz.gov

11000 N. La Cañada Drive • Oro Valley, Arizona 85737

phone: (520) 229-4700 • fax: (520) 297-0428

LEAGUE ANNUAL CONFERENCE

Sheraton Downtown Hotel | Phoenix, AZ

August 19-22

TUESDAY, August 19

7:30 a.m. - Golf Tournament

City of Phoenix Encanto Golf Course

1:30 p.m. - Pre Conference Session: Public Safety Personnel Retirement System (PSPRS) Pension Overview

Encanto A and B

1:30 p.m. - Resolutions Committee Meeting

Phoenix Ballroom D

4:00 p.m. - AMRRP Annual Meeting

Ahwatukee B

5:00 p.m. - Gubernatorial Forum

Phoenix Ballroom

6:30 p.m. (or at conclusion of debate) - Welcome Reception

Phoenix Ballroom Foyer

WEDNESDAY, August 20

8:30 a.m. - Youth Program

Maryvale

9:00 a.m. - Opening General Session

Valley of the Sun Ballroom

12:00 p.m. - Lunch On Your Own

1:30 p.m. - Concurrent Sessions

- Wildland Fire: Local Government's Role
- The Arizona We Want 2.0 in Action
- Financing Strategies for Transportation Projects
- Media Training
- National Incident Management System (NIMS)
- City/Town Records Management Program

Encanto A
Encanto B
Deer Valley
Paradise Valley
Camelback
Alhambra

1:30 p.m. - Affiliate Group Meeting

- Arizona City Attorneys Association

Estrella

3:15 p.m. - Concurrent Sessions

- Rapid Fire Innovation
- What Makes a Young Person Stay or Go?
- What You Do as a Leader Matters
- I-11 Corridor/CANAMEX
- Military Veteran Issues
- How to Read Your Municipal Budget

Encanto A
Encanto B
Deer Valley
Paradise Valley
Camelback
Alhambra

5:00 p.m. - Rural Discussion and Update from Rural Policy Forum: Lessons Learned and Best Practices

Maryvale

6:30 p.m. - Service Award Dinner and Entertainment

Phoenix Ballroom

THURSDAY, August 21

8:00 a.m. - Spouse/Guest Mobile Tour

Tour of the Musical Instrument Museum
Meet in South Mountain

8:15 a.m. - Concurrent Sessions

- Arizona-Sonora Bi-National Mega Region
- Five Things about Arizona Water
- League 2014 Legislative Report
- Public Service Ethics & Open Gov.
- FirstNet's Technology Partnerships

Encanto A
Encanto B
Deer Valley
Paradise Valley
Camelback

10:00 a.m. - Concurrent Sessions

- On the Ballot and in the News
- Wastewater Effluent and Reclaimed Water
- The Coming Infrastructure Cliff
- Intergovernmental Agreements (IGAs)
- Council/Manager: A Tale of Three Cities
- Rural Economic Development Tools

Encanto A
Encanto B
Deer Valley
Paradise Valley
Camelback
Alhambra

12:00 p.m. - General Luncheon

Phoenix Ballroom

2:30 p.m. - Concurrent Sessions

- Citizens Boards and Commissions
- Arizona's Municipal Airports
- All Politics Is Not Local
- Update from ADOT
- Arizona's Energy Future

Encanto A
Encanto B
Deer Valley
Paradise Valley
Camelback

2:30 p.m. - Affiliate Group Meeting

- Greater Arizona Mayors Association (GAMA)

Arcadia

2:30 p.m. - Mobile Tour - State Capitol Meet at League Registration Desk

3:30 p.m. - Affiliate Group Meeting

- COG Directors Meeting

South Mountain

4:00 p.m. - Annual Business Meeting Ahwatukee

5:00 p.m. - Affiliate Group Meeting

- Arizona Grants Professionals

Maryvale

6:00 p.m. - Showcase of Cities and Towns Valley of the Sun Ballroom

FRIDAY, August 22

8:00 a.m. - Speed Networking Breakfast for Municipal Officials

Valley of the Sun D

9:30 a.m. - The Dynamic Baker's Dozen of Effective Leadership

Valley of the Sun C

Conference Adjourned



Town Council Regular Session

Item # 2.

Meeting Date: 10/01/2014

Submitted By: Catherine Hendrix, Police Department

Information

Subject

Letter of Appreciation - Oro Valley Police Department

Attachments

[081914 Ltr of Appreciation](#)

From: Kathy W. Smith [<mailto:kwsmith@psychiatry.arizona.edu>]
Sent: Tuesday, August 19, 2014 8:29 AM
To: Sharp, Daniel
Subject: Thank you!



Dear Chief Sharp,

I just wanted to send a quick note to say Thank You to you and your department for the kind way in everyone responded to a call from me early Sunday morning.

On Sunday, 9/17/2014 at 1:00am, my house alarm went off. My husband was out of town so when I went to investigate the alarm, I saw the door to my garage was ajar. I must have dialed 911 on my way to check the alarm and hung up before I saw the door was open. When I was going to check my children, about to call 911 again, the dispatcher, whom I later learned was Bree DeVolder, was calling me to see if we were OK. She stayed on the phone with me offering very reassuring words while an officer, Mr. Jason Horetski, came to my house and checked the perimeter before searching the inside for me. Everything was fine and he spoke to my children for a minute before going on his way.

I have to tell you, in the light of the morning, it was quite obvious as soon as the sun came up, that I obviously had set the house alarm with the door closed but not locked, and wind must have shaken it ajar. But, in the middle of the night and small children in my charge, there was no way I would have believed someone wasn't in the house without it being proven to me by someone searching it for me.

I just wanted to say "Thank You" for what was perhaps to you all a seemingly small event, but for me was incredibly reassuring and kind. The best part was watching my kids just go off back to their rooms and fall back to sleep, safe in the knowledge that the policeman had said everything was fine and they were secure. (I was up until the sun came up, convinced that someone must have had a key to get into the house and set off the alarm ☺) As I say, the light of day brought with it the return of Reason to my brain but very appreciative for the work of the Oro Valley Police Department on an early Sunday morning!

Please let both Mr. Horetski and Ms. DeVolder know my family and I are very grateful to both of them.

Sincerely,

Kathy Smith

Kathy W. Smith, M.D.

*Director, Division of Child and Adolescent Psychiatry
Director, Child and Adolescent Psychiatry Fellowship Training Program*

*University of Arizona College of Medicine
Department of Psychiatry*

*Behavioral Health Pavilion
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"CONFIDENTIALITY NOTICE: This message and any included attachments are from The University of Arizona Health Network and are intended only for the addressee. The information contained in this message is confidential and may constitute inside or non-public information under international, federal, or state laws and is intended only for the use of the addressee. Unauthorized forwarding, copying, printing, distributing, or using such information is strictly prohibited and may be unlawful. If you are not the addressee, please promptly delete this message and notify the sender of the delivery error by e-mail or you may call The University of Arizona Health Network in Tucson, Arizona, USA at (520) 694-4357."



Town Council Regular Session

Item # 3.

Meeting Date: 10/01/2014

Submitted By: Julie Bower, Town Clerk's Office

Information

Subject

Letter of Appreciation - Water Utility Department

Attachments

[Letter of Appreciation](#)

- September 19, 2014

- Oro Valley Water Utility
- 11000 N. La Canada
- Oro Valley, AZ 85737

- To Whom It May Concern:

- As we all know the town of Oro Valley was hit with a good storm on Monday, September 8th. Our home is adjacent to a wash. Due to the heavy rains the rocks and debris from Linda Vista Blvd came down quick and furious on to our cul de sac. The wash was eroded so quickly from the rain that the water pipes were exposed and I guess a large rock caused a break in the pipe. Thankfully my neighbors were quick to report the incident to the police and water utility Departments of Oro Valley.

Your superintendent Mary and her crew were quick to handle and repair what could have been Quite a disastrous situation. We were only without water for a couple of hours. She and her crew were there till it was stabilized.

Kudos to Mary and her crew! It's nice to know we have such fine individuals employed by our town.

As of today my driveway is still compromised but that is for other utility departments to repair!

Sincerely,



Jeanie and Darvis Gary





Town Council Regular Session

Item # 1.

Meeting Date: 10/01/2014
Introduction of Youth Advisory Council Members

Information

Subject
Introduction of Youth Advisory Council Members

Summary



Town Council Regular Session

Item # 2.

Meeting Date: 10/01/2014

Proclamation - Fire Prevention Week

Information

Subject

Proclamation - Fire Prevention Week

Summary

The Golder Ranch Fire District has requested that Mayor Hiremath proclaim October 5th - 11th as Fire Prevention Week in the Town of Oro Valley.

Attachments

Proclamation

Office of the Mayor
Oro Valley, Arizona
Proclamation
FIRE PREVENTION WEEK
OCTOBER 5 – 11, 2014

WHEREAS, the Town of Oro Valley, is committed to ensuring the safety and security of all those living in and visiting Oro Valley and fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,300 people in the United States and fire departments responded to 365,000 home fires in 2012, according to the National Fire Protection Association; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half yet three out of five home fire deaths result from fires in properties without working smoke alarms and in one-fifth of all homes with smoke alarms, none were working and when smoke alarms should have operated but did not do so it was usually because batteries were missing, disconnected or dead; and

WHEREAS, Oro Valley's residents should install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home and install smoke alarms and alert devices that meet the needs of people who are deaf or hard of hearing; and

WHEREAS, Oro Valley's residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Oro Valley's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education and residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2014 Fire Prevention Week theme, "Working Smoke Alarms Save Lives: Test Yours Every Month!" effectively serves to remind us that we need working smoke alarms to give us the time to get out safely.

NOW, THEREFORE, I, Dr. Satish I. Hiremath, Mayor of Oro Valley, hereby proclaim the week of October 5th through 11th as **Fire Prevention Week** and urge all Oro Valley residents to test their smoke alarms at least every month by pushing the test button and support the many public safety activities and efforts of Oro Valley's fire and emergency services.

Dated this 1st day of October, 2014


Dr. Satish I. Hiremath, Mayor



ATTEST:


Julie K. Bower, Town Clerk



Town Council Regular Session

Item # A.

Meeting Date: 10/01/2014

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

Department: Town Clerk's Office

Information

SUBJECT:

Minutes - September 3, 2014

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

N/A

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (approve, approve with the following changes) the September 3, 2014 minutes.

Attachments

9/3/14 Draft Minutes

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
September 3, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

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

Economic Development Manager Amanda Jacobs announced the upcoming town meetings and events.

COUNCIL REPORTS

Councilmember Zinkin reported on his attendance at the National League of Cities Summer Policy Forum and Leadership Summit conferences.

DEPARTMENT REPORTS

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

ORDER OF BUSINESS

Mayor Hiremath said the agenda would stand as posted.

INFORMATIONAL ITEMS

1. Councilmember Zinkin NLC Summer Policy Forum Trip Report
2. Councilmember Zinkin NLC University Annual Leadership Summit Trip Report
3. Letters of Appreciation for Oro Valley Police Department
4. Public Safety Providers Quarterly Reports

CALL TO AUDIENCE

Cathy Workman, Chair of the Greater Oro Valley Chamber of Commerce Board of Directors, introduced herself and said the Chamber was excited to continue their positive working relationship with the town.

PRESENTATIONS

1. Proclamation - Celebration of Wilderness Month and the 50th anniversary of the Wilderness Act

Mayor Hiremath proclaimed the month of September, 2014 to be Celebration of Wilderness in Oro Valley Month and encouraged all residents to celebrate the Wilderness Act of 1964.

Meg Weesner invited the Town Council and the public to attend the Wild for Wilderness Festival at Sabino Canyon on November 8, 2014 from 9:00 a.m. to 3:00 p.m.

2. Proclamation - National Preparedness Month

Mayor Hiremath proclaimed September, 2014 to be Preparedness Month and encouraged all residents to take steps to be prepared for any emergency.

3. Presentation - Jae Dale, CEO of Oro Valley Hospital

Jae Dale, CEO of Oro Valley Hospital, discussed the following topics:

- Quality and Safety
- Tru-D Report
- Emergency Room Certifications
- Growth
- New Services
- Community Integrated Healthcare Program
- 2013 Community Benefits
- The Future?

CONSENT AGENDA

- A. Minutes - July 2, 2014 Study/Regular Session
- C. Visit Tucson Quarterly Report: April 1, 2014 - June 30, 2014
- D. Greater Oro Valley Chamber of Commerce Quarterly Report: April 1, 2014 - June 30, 2014
- E. Appointment to the Parks and Recreation Advisory Board (PRAB)
- G. Resolution No. (R)14-43, authorizing and approving an Intergovernmental Agreement (IGA) among the parties that form the Pima County/Tucson Metropolitan Counter Narcotics Alliance (CNA), a law enforcement task force. CNA members include: Tucson Police Department, Arizona Department of Public Safety, University of Arizona Police Department, Oro Valley Police Department, Marana Police Department and Sahuarita Police Department
- H. * ~~Resolution No. (R)14-44, authorizing and approving a task force agreement between the Drug Enforcement Administration (DEA) and the Town of Oro Valley for the participation of two (2) Oro Valley police officers in the High Intensity Drug Trafficking Area (HIDTA) Pima County/Tucson Metro Counter Narcotics Alliance (CNA) Task Force (Removed from the agenda on 9/2/14 at 4:00 p.m.)~~
- I. Resolution No. (R)14-45, authorizing and approving Grant Contract No. 2015-405d--010 between the Oro Valley Police Department and the Governor's Office of Highway Safety (GOHS) for funding Impaired Driver/DUI Alcohol Enforcement overtime and employee-related expenses, as well as portable breath testing devices (PBTs)
- K. Resolution No. (R)14-47, authorizing and approving a task force agreement between the Drug Enforcement Administration (DEA) and the Town of Oro Valley for the participation of one (1) police officer in the Pima County HIDTA Investigative Task Force (PCHITF)
- L. Resolution No. (R)14-48, authorizing and approving an easement agreement between the Town of Oro Valley and Tucson Electric Power Company for the construction of the electric primary feeders used to power Naranja Park
- M. Resolution No. (R)14-49, declaring and adopting the results of the Oro Valley Primary Election held on August 26, 2014 (Updated on 9/2/14)

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Consent agenda items (A), (C-E), (G-I) and (K-M).

MOTION carried, 7-0.

B. Fiscal Year 2013/14 Financial Update Through June 2014 (Year-End)

Councilmember Snider requested clarification regarding the General Fund and General Fund Reserves.

Finance Director Stacey Lemos said the General Fund balance at the end of FY 13/14 was \$11.5 million dollars which equated to 39% of the budget.

Councilmember Zinkin asked why state grant revenues were lower than projected.

Ms. Lemos said that grant capacity was built into the budget to allow for the use of various grants but not all budgeted grants were awarded to the town. Should the grant not be awarded to the town, the money would simply not be spent.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to accept the Fiscal Year 2013/14 Financial Update through June 2014 (Year-End).

MOTION carried, 7-0.

F. Request for approval of a two year extension of the Miller Ranch Master Development Plan and Phase 1 and 2 Development Plan, located on the northwest corner of Tangerine Road and La Canada Drive

Councilmember Garner asked when the developer first applied.

Interim Planning Manager Bayer Vella said the developer applied before July, 2014.

Councilmember Garner inquired as to whether the applicant was actively trying to secure retail development.

Applicant James Hardman said they were actively marketing the property.

MOTION: A motion was made by Councilmember Garner and seconded by Councilmember Zinkin to approve the request for a two year extension of the Miller Ranch Master Development Plan and Phase 1 and 2 Development Plan, located on the northwest corner of Tangerine Road and La Canada Drive.

MOTION carried, 7-0.

J. Resolution No. (R)14-46, authorizing and approving an Intergovernmental Agreement (IGA) between Pima County and the Town of Oro Valley for the Pima County Wireless Integrated Network (PCWIN) to reimburse the Town of Oro Valley for the purchase of a NICE Radio Logging Recorder Software License

Vice Mayor Waters requested clarification regarding the NICE radio logging recorder system.

Deputy Police Chief Larry Stevens said the NICE radio recording system recorded the radio and telephone calls that came into the emergency operations center.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve Resolution No. (R)14-46, authorizing and approving an Intergovernmental Agreement between Pima County and the Town of Oro Valley for the Pima County Wireless Integrated Network (PCWIN) to reimburse the Town of Oro Valley for the purchase of a NICE Radio Logging Recorder Software License.

MOTION carried, 7-0.

REGULAR AGENDA

1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 14 (PRIVATE CLUB) LIQUOR LICENSE FOR STONE CANYON CLUB LOCATED AT 14200 N. HOHOKAM VILLAGE PLACE

Town Clerk Julie Bower gave an overview of item #1.

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 Vice Mayor Waters to recommend approval of the issuance of a Series 14 liquor license to the Arizona Department of Liquor Licenses and Control for Philip Green Sr. and principals for Stone Canyon Club located at 14200 N. Hohokam Village Place.

MOTION carried, 7-0.

2. PUBLIC HEARING: ORDINANCE NO. (O)14-08, AMENDING THE TOHONO CHUL PARK ZONING (PLANNED AREA DEVELOPMENT) FOR FESTIVAL BANNER SIGNS, LOCATED AT THE NORTHEAST CORNER OF INA ROAD AND PASEO DEL NORTE

Planner Rosevelt Arellano gave an overview of item #2.

Marcia Ring, Director of Marketing for Tohono Chul Park, gave an overview of the request to increase the existing banner size and gain additional identification space.

Discussion ensued amongst Council and the applicant regarding the proposed banner amendment request.

Mayor Hiremath opened the public hearing.

The following individual spoke in opposition to item #2.

Oro Valley resident Bill Adler

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Ordinance No. (O)14-08, amending the Tohono Chul Park Planned Area Development relating to festival banner signs, subject to the revisions depicted in Attachment 1, Exhibit "A".

Exhibit "A"

Additions shown in **ALL CAPS**

Deletions shown in ~~strikethrough font~~

Festival Banner Sign Standards

~~- Maximum Dimension: 54" x 18"~~ **THE MAXIMUM DIMENSIONS FOR THE TWO BANNER SIGN AREAS ARE AS FOLLOWS:**

TCP SPACE (TOP PORTION): 72" X 30"

LOGO SPACE (BOTTOM PORTION): 30" X 30". THE LOGO SPACE MAY CONTAIN THE TOWN SEAL TO PROMOTE ORO VALLEY BRANDING WITH COST SHARE OR THE PARK LOGO ON ALTERNATING BANNER SIGNS.

~~- An addition 18" x 18" area below the Park banner may be utilized by the Town to promote Oro Valley branding with cost share.~~

- Cost share of associated expenses may include but are not limited to: design, printing, installation and equipment.

- Each festival banner sign design shall be reviewed and approved by the Town prior to use.

- Approved festival banner sign designs shall not expire or require additional permits once approved.

- Banner signs may be replaced if Town light poles are replaced.

MOTION carried, 7-0.

3. PUBLIC HEARING: ORDINANCE NO. (O)14-09, TUCSON KOI & WATER GARDENS REQUESTS A REZONING FOR APPROXIMATELY 2.8 ACRES LOCATED ON THE EAST SIDE OF ORACLE ROAD, APPROXIMATELY 1/4 MILE SOUTH OF MAGEE ROAD FROM R1-144 AND R-S TO C-N AND USE OF A MODIFIED REVIEW PROCESS AS ENABLED BY THE ENVIRONMENTALLY SENSITIVE LANDS SECTION OF THE ZONING CODE

Senior Planner Michael Spaeth gave an overview of item #3.

Paul Oland, representative for the WLB Group, gave an overview of the proposed rezoning request.

Mayor Hiremath opened the public hearing.

The following individual spoke in opposition to item #3.

Oro Valley resident Bill Adler

Mayor Hiremath closed the public hearing.

Discussion ensued amongst Council, staff and the applicant regarding the proposed rezoning request.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve Ordinance No. (O)14-09, rezoning the Tucson Koi & Water Gardens property totaling 2.8 acres from R1-144 and R-S to C-N, subject to conditions in Attachment 2, using the ESL modified review process and finding that the request is consistent with the General Plan's Future Land Use Map and Vision, Goals and Policies.

**Attachment 2
Conditions of Approval**

Planning

1. A cultural resource survey, in accordance with Section 27.10.D.3.e.v.b., must be completed prior to the approval of the Final Site Plan.
2. Relocate the proposed nursery showroom to maintain the minimum Critical Resource Area setback, per Section 27.10.F.3.b.i.b.
3. Add open space percentage to table on Tentative Development Plan.

Engineering

1. An in-lieu fee will be required for future construction of a 5' sidewalk along the Oracle Road frontage. An easement dedicated to the Town of Oro Valley will also be required for construction of the sidewalk. The fee and easement will need to be in place prior to issuance of a Certificate of Occupancy. The fee shall be held for a period of time not to exceed ten (10) years, after which, if the sidewalk has not been constructed, the in-lieu fee shall be returned to the applicant. (Town Subdivision Street Standards: Sec 6.3.2.)
2. Revise the Tentative Development Plan to incorporate adequate off-street maneuvering area. (Zoning Code: Sec. 27.7.H. and 27.8.C.)
3. The sidewalk that is adjacent to the head in parking will be obstructed by the vehicle overhang from the parking space. Revise the TDP to incorporate an increased sidewalk width. (Zoning Code: Sec. 27.7.H.)
4. Correct text to remove the language about providing a secondary access to the office complex to the south on page 27 of the Site Analysis.

Councilmember Zinkin requested an amendment to the motion to allow the applicant to modify their parking analysis plus or minus two (2) parking spaces without obtaining future Town Council approval. Vice Mayor Waters and Councilmember Snider agreed to the amendment.

MOTION AS AMENDED carried, 7-0.

4. PUBLIC HEARING: CONDITIONAL USE PERMIT FOR A PROPOSED RETAIL PLANT NURSERY, SHOWROOM AND SALES AREA FOR TUCSON KOI & WATER GARDENS LOCATED ON THE EAST SIDE OF ORACLE ROAD, APPROXIMATELY 1/4 MILE SOUTH OF MAGEE ROAD

Mr. Spaeth presented item #4.

Paul Oland, representative for the WLB Group, was present to answer questions.

Bruce McDonald said that rain water would be harvested and utilized to fill the koi pond and to water nursery plants on site.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Garner to approve the Conditional Use Permit for the Tucson Koi & Water Gardens, subject to the conditions in Attachment 1, based on the findings that the proposed request is consistent with all Zoning Code review criteria and the use of water harvesting shall be utilized to sustain the koi ponds.

Attachment 1 Condition of Approval

Engineering

1. Show that sufficient room is provided for delivery vehicle and trash collection vehicle maneuverability within the revised parking layout. Specifically, demonstrate that the vehicles can turn around and will not be required to back out of the parking lot to Oracle Road.

MOTION carried, 7-0.

Mayor Hiremath recessed the meeting at 7:50 p.m.

Mayor Hiremath reconvened the meeting at 7:57 p.m.

5. PUBLIC HEARING: REQUEST FOR A REVISION TO AN APPROVED TENTATIVE DEVELOPMENT PLAN ASSOCIATED WITH A REZONING FROM R1-144 TO R1-10, FOR A 120-LOT SINGLE-FAMILY DEVELOPMENT ON APPROXIMATELY 45 ACRES LOCATED EAST OF IRONWOOD RIDGE HIGH SCHOOL, ON THE SOUTH SIDE OF NARANJA DRIVE AND A REQUEST TO UTILIZE THE MODIFIED REVIEW PROCESS ENABLED BY THE ENVIRONMENTALLY SENSITIVE LANDS (ESL) SECTION OF THE ZONING CODE

Interim Planning Manager Bayer Vella presented item #5.

Paul Oland, representative for the WLB Group, gave a brief overview of the tentative development plan revision request.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

Discussion ensued amongst the Council regarding the proposed tentative development plan revision request.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve the proposed revisions to the approved Tentative Development Plan and use of the modified review process for the Kai Naranja Development, finding that the revisions are consistent with the design and integrity of the original Tentative Development Plan.

MOTION carried, 7-0.

6. DISCUSSION AND POSSIBLE ADOPTION OF A TOWN COUNCIL CODE OF ETHICS

Councilmember Zinkin gave an overview of item #6.

Discussion ensued amongst Council and staff regarding the proposed Town Council Code of Ethics.

No action was taken on item #6.

FUTURE AGENDA ITEMS

Mayor Hiremath requested a future agenda item to discuss the modified review process, seconded by Councilmember Snider.

Councilmember Zinkin requested a future agenda item to discuss the Environmentally Sensitive Lands Ordinance (ESLO), seconded by Councilmember Garner.

Councilmember Burns requested a future agenda item to discuss a bike-share program, seconded by Councilmember Garner.

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 8:38 p.m.

MOTION carried, 7-0.

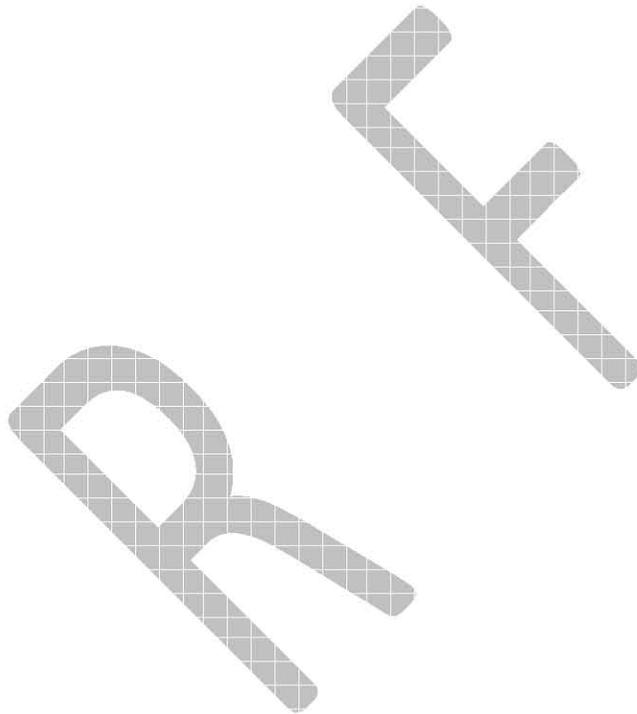
Prepared by:

Michael Standish, CMC
Deputy Town Clerk

I hereby certify 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 September, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2014.

Julie K. Bower, MMC
Town Clerk





Town Council Regular Session

Item # **B.**

Meeting Date: 10/01/2014

Requested by: Stacey Lemos

Submitted By: Wendy Gomez, Finance

Department: Finance

Information

SUBJECT:

Fiscal Year 2014/2015 Financial Update through July 2014

RECOMMENDATION:

This item is for information only.

EXECUTIVE SUMMARY:

In the General Fund (see attachment A), revenues collected through July totaled \$2.5 million, or 7.9% of the budget amount of \$32.3 million. Year-to-date expenditures through July totaled \$1.3 million, or 3.9% of the budget amount of \$32.5 million. Please note that the expenditure budget includes the authorized use of contingency reserves in the amount of \$190,000 to fund the purchase of a modular building to address Town space needs, including the onsite health clinic, which was approved by Council on July 2, 2014. This amount is included in the budgeted transfer out to the General Government CIP Fund.

In the Highway Fund (see attachment B), revenues collected through July totaled \$247,807, or 8.4% of the budget amount of \$3.0 million. Year-to-date expenditures through July totaled \$75,370, or 1.7% of the budget amount of \$4.4 million. It is important to note that the Highway Fund budget includes the planned use of \$1.4 million in reserves, as all construction sales tax revenues are now fully accounted for in the General Fund.

In the Bed Tax Fund (see attachment C), revenues collected through July totaled \$66,530, or 7.0% of the budget amount of \$949,000. Year-to-date expenditures through July totaled \$180,166, or 18.7% of the budget amount of \$961,000.

BACKGROUND OR DETAILED INFORMATION:

GENERAL FUND

Attachment A shows General Fund revenues and expenditures through July, as well as year-end estimates for each category. The estimated year-end projections in the General Fund are as follows:

Revenues	\$32,335,255
<u>Less:</u>	
Expenditures	(\$32,317,966)
Est. Increase in Fund Balance	\$ 17,289

General Fund Revenues

- Local sales tax collections in the General Fund total \$1.2 million or 8.0% of the budget amount of \$15.7 million. Sales tax collections in the General Fund are estimated to come in on budget at this time.
- Federal Grant revenues are estimated to come in over budget by about \$44,000 or 7.4%, due to grant funds received for a Police DUI Tahoe funded by the Governor's Office of Highway Safety.
- Charges for Services revenues are estimated to come in slightly over budget by about \$15,000 or 0.9%, due primarily to revenue trends at the Aquatic Center and in recreation programs.
- Interest Income collections are negative for July due to an unrealized interest loss, which is expected to be recovered throughout the remainder of the fiscal year.

Staff will continue to monitor revenue collections and may adjust the year-end estimates based on actual trends.

General Fund Expenditures

- Expenditures are estimated to come in slightly under budget by nearly \$139,000 or 0.4%, due to projected vacancy savings. Note that these savings are estimates and are subject to change.

HIGHWAY FUND

Highway Fund Revenues

- State shared highway user funds total \$235,453, or 8.5% of the budget amount of \$2.8 million and are estimated to come in on budget at this time.

Highway Fund Expenditures

- Expenditures are estimated to come in on budget at this time.

BED TAX FUND

Bed Tax Revenues

- Bed tax revenues total \$66,980, or 7.1% of the budget amount of \$945,000 and are estimated to come in on budget at this time.

Bed Tax Fund Expenditures

- Expenditures are estimated to come in on budget at this time.

Please see Attachments A, B, and C for additional details on the General Fund, Highway Fund and Bed Tax Fund respectively. See Attachment D for a fiscal year-to-date consolidated summary of all Town funds.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

This item is for information only.

Attachments

Attachment A - General Fund

Attachment B - HW Fund

Attachment C - Bed Tax Fund

Attachment D - Summary All Funds



July YTD Financial Status

ATTACHMENT C

FY 2014/2015

Bed Tax Fund

% Budget Completion through July --- 8.3%

	Actuals thru 7/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
BED TAXES	66,980	944,571	7.1%	944,571	0.0%
INTEREST INCOME	(450)	4,125	-10.9%	4,125	0.0%
MISCELLANEOUS	-	-	0.0%	-	0.0%
TOTAL REVENUES	66,530	948,696	7.0%	948,696	0.0%

	Actuals thru 7/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
ECONOMIC DEVELOPMENT	12,623	608,457	2.1%	608,457	0.0%
TRANSFERS OUT	167,543	352,543	47.5%	352,543	0.0%
TOTAL EXPENDITURES	180,166	961,000	18.7%	961,000	0.0%

SURPLUS / (DEFICIT) (113,636) (12,304) (12,304)

BEGINNING FUND BALANCE ** 425,099

Plus: Surplus / (Deficit) (12,304)

ENDING FUND BALANCE ** 412,795

* Year-end estimates are subject to further revision

** Beginning and ending fund balance amounts are estimates and are subject to further revision

CONSOLIDATED YEAR-TO-DATE FINANCIAL REPORT THROUGH JULY, 2014

ATTACHMENT D

Fund	FY 14/15 Begin Bal.	Revenue	Other Fin Sources/Tfrs	Total In	Capital Leases/ Transfer Out	Personnel	O&M	Capital	Contingency	Debt Service	Total Out	Left in Accounts Thru July 2014
General Fund - Unassigned	9,926,023	2,536,555	-	2,536,555	159,162	807,112	308,940	-	-	-	1,275,215	11,187,363
General Fund - Assigned	1,608,035											1,608,035
Highway Fund - Restricted	4,175,161	247,807	-	247,807	-	66,929	8,441	-	-	-	75,370	4,347,599
Seizure & Forfeiture - State	526,901	1,563	-	1,563	-	-	17	-	-	-	17	528,447
Seizure & Forfeiture - Justice	349,724	-	-	-		2,889	-	-	-	-	2,889	346,835
Bed Tax Fund - Committed	425,099	66,530	-	66,530	167,543	9,067	3,556	-	-	-	180,166	311,463
Impound Fee Fund	7,346	2,100	-	2,100	-	1,022	-	-	-	-	1,022	8,423
Municipal Debt Service Fund	533,928	31,802	329,627	361,429	-	-	1,800	-	-	667,200	669,000	226,357
Oracle Road Debt Service Fund	281	-	-	-	-	-	-	-	-	-	-	281
Alternative Water Resources Dev Impact Fee Fund	3,388,512	107,184	-	107,184		-	-	-	-	-	-	3,495,695
Potable Water System Dev Impact Fee Fund	4,505,635	52,148	-	52,148		-	-	-	-	-	-	4,557,784
Townwide Roadway Development Impact Fee Fund	2,791,166	46,633	-	46,633		-	-	-	-	-	-	2,837,798
Parks & Recreation Impact Fee Fund	21,555	15,824	-	15,824		-	-	-	-	-	-	37,379
Library Impact Fee Fund	114,798	-	-	-		-	-	-	-	-	-	114,798
Police Impact Fee Fund	205,936	6,814	-	6,814		-	-	-	-	-	-	212,750
General Government Impact Fee Fund	3,502	-	-	-		-	-	-	-	-	-	3,502
Naranja Park Fund	737,021	-	-	-		-	-	3,107	-	-	3,107	733,914
General Government CIP Fund	1,500,000	-	-	-		-	-	8,729	-	-	8,729	1,491,271
Water Utility	11,843,238	383,314	-	383,314	3,119	107,705	162,157	2,650	-	-	275,631	11,950,921
Stormwater Utility	503,474	842	-	842		12,367	29,927	2,188	-	-	44,481	459,834
Fleet Fund	84,949	10,526	-	10,526		2,937	(23,107)	-	-	-	(20,170)	115,645
Benefit Self Insurance Fund	584,509	100,951	-	100,951		-	112,313	-	-	-	112,313	573,147
Recreation In-Lieu Fee Fund	6,190	-	-	-		-	-	-	-	-	-	6,190
Total	43,842,981	3,610,592	329,627	3,940,219	329,824	1,010,029	604,043	16,673	-	667,200	2,627,769	45,155,431



Town Council Regular Session

Item # **C.**

Meeting Date: 10/01/2014

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

Department: Town Clerk's Office

Information

SUBJECT:

Appointment to the Public Safety Personnel Retirement System (PSPRS) Local Board

RECOMMENDATION:

The term of the current PSPRS chair, General John Wickham, expired on September 30th and General Wickham did not seek reappointment. Mayor Hiremath is recommending that Stacey Lemos be appointed to replace General Wickham as chair of the PSPRS Board for a term ending September 30, 2018. Mayor Hiremath also recommends the reappointment of Katherine Beck as a citizen member to the PSPRS for a term ending September 30, 2018.

EXECUTIVE SUMMARY:

Pursuant to Arizona Revised Statutes Section 38-841 et. seq, the Public Safety Personnel Retirement System (PSPRS) was created to provide a uniform, consistent and equitable statewide retirement program for public safety personnel who are regularly assigned hazardous duty in the employ of the state of Arizona or a political subdivision of the state. The administration of the system and responsibility for making the provisions of the system effective for each employer are vested in a Local Board.

The Local Board is comprised of five (5) members, including the Mayor or a designee of the Mayor, two members elected by secret ballot by members who are employees of the Town, and two citizen members. It is responsible for deciding all questions of eligibility and credited service under the PSPRS, and for making all decisions on any claim regarding the amount, manner and time of payment of any benefits.

BACKGROUND OR DETAILED INFORMATION:

The other three members of PSPRS local board are:

Andrew Lopez, Oro Valley Police Department - term ends May 13, 2016
Marshall Morris, Oro Valley Police Department - term ends November 30, 2015
Richard Tracy, Sr., Citizen Member - term ends September 30, 2016

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to appoint Stacey Lemos as chair of the PSPRS local board for a term ending September 30, 2018 and to reappoint Katherine Beck as a citizen member for a term ending September 30, 2018.



Town Council Regular Session

Item # **D.**

Meeting Date: 10/01/2014
Submitted By: Julie Bower, Town Clerk's Office
Department: Town Clerk's Office

Information

SUBJECT:

Appointment to the Historic Preservation Commission (HPC)

RECOMMENDATION:

The selection committee for the Historic Preservation Commission recommends Jenni Sunshine for an unexpired term ending December 31, 2014. Please note that the unexpired term Ms. Sunshine is filling expires at the end of this year. Ms. Sunshine will then be recommended for reappointment to a full term.

EXECUTIVE SUMMARY:

The selection committee has conducted interviews to fill a long-term vacancy on the HPC. HPC Council liaison Councilmember Zinkin, HPC Chair Ellen Guyer and Parks & Recreation Director Kristy Diaz-Trahan were members of the selection committee. Ms. Sunshine is recommended for the vacant seat, and her application is attached for review. All unsuccessful candidates will be notified via letter from the Council liaison and will be advised that their applications will be kept on file for two (2) years.

BACKGROUND OR DETAILED INFORMATION:

The Historic Preservation Commission (HPC) was formed to promote the educational, cultural and economic welfare of the Town of Oro Valley by ensuring the preservation of historic buildings, districts, landmarks, structures, documents, photographs and other artifacts that represent the historic background and development of the greater Oro Valley area.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (approve or deny) the appointment of Jenni Sunshine to the Historic Preservation Commission for a term expiring December 31, 2014, and that this partial term shall not count against the appointee's term limits.

Attachments

Application



SEP 10 14AM 9:25 TOU

ORO VALLEY VOLUNTEER APPOINTMENT APPLICATION

Dear Oro Valley Citizen:

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

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

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

Name Sunshine Jenni A.
Last First Middle Suffix

Address _____
Street City State Oro Valley, AZ Zip 85737

Home Phone _____ Business Phone _____ Cellular Phone (same)

Number of Years in Oro Valley 21 Email Address _____

Signature Jenni A Sunshine Date 9/10/2014

Please indicate the board or commission you wish to join: Historic Preservation Commission

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

See attached

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

See attached

Have you attended the Community Academy or CPI? No What Year? _____ If not, are you willing to attend? yes

Briefly describe your educational/vocational background.

See attached

IF DESIRED, ADDITIONAL INFORMATION MAY BE ATTACHED

www.orovalleyaz.gov

Volunteer Form Supplement

Jenni Sunshine

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

I currently serve as vice-president of the board of directors for the Valley of the Moon (also known as the George Phar Legler Society), a nonprofit historical fairyland in Tucson. We are a very small operation and my duties span from historical research to staffing events.

Previously, I served for many years as the chairwoman for the Tribal/ Federal Effective Sex Offender Management Task Force, a group of tribal and federal professionals volunteering to educate the community, identify and promote safety strategies, and manage identified sex offenders through community-based efforts with Native Americans in Southern Arizona.

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

I am not an expert in historical preservation by any means but I have an interest in the area and am actively addressing repair/restoration of historic structures at Valley of the Moon. We are currently doing the work to apply for City of Tucson Historic Landmark designation, in addition to our National Landmark status. I am comfortable with committee work.

I sat in on a Historic Preservation Commission meeting just this week. One member provided an interesting report on options for protective coverings, with discussion of application to the Steam Pump Building. The Commission was navigating the language and intent of earmarked money, as well as educating each other on preservation goals and priorities. It was clear this group operates with civility and intention to do the right thing. I could see myself helping with these sorts of projects and discussion.

Briefly describe your educational/vocational background

I received a BA from Rutgers University with departmental distinctions in psychology. I was honored as a Paul Robeson Scholar for research of humanistic merit for two years. I completed clinical doctorate requirements clinical psychology at the University of Arizona, except for the minor and the dissertation but did not attain a PhD. I have completed a Masters level certificate program in business management through the federal government remote learning program. I have attended the Arizona Historic Preservation Conference the past two years but do not have formal training in preservation.

I have worked as an undergraduate research assistant, a graduate teaching assistant and a counselor for incarcerated juveniles, prior to service with U.S. District Court. With federal court, I started as a probation officer, was promoted to specialist (handling drug, mental health and then sex offenders), and completed my career as a supervisor. I have managed the sex offender unit, tribal lands, and Nogales. I retired five years ago. I currently own and manage a very small rental business, WhiteWave LLC. I also have a consulting business, The Consortium to Prevent Sexual Violence, which is largely inactive, although I do occasionally serve as a grant reviewer and community educator.



Item # **E.**

Town Council Regular Session

Meeting Date: 10/01/2014
Requested by: Bayer Vella
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

Request for approval of a Final Plat for Block 1 of the Maracay at Vistoso subdivision, located southwest of the Pebble Creek Drive and La Canada Drive intersection

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The applicant requests approval of a Final Plat for one of six communities in the Maracay at Vistoso subdivision (Attachment 1). The plat features 81 lots, private streets, and common areas. The Final Plat has been reviewed against the approved Conceptual Site Plan and meets Town requirements.

BACKGROUND OR DETAILED INFORMATION:

The Final Plat requires Town Council approval prior to being officially recorded by Pima County.

In June 2013, Town Council approved the Conceptual Site Plan for the proposed development. The Final Plat conforms with the design components (i.e. site layout, access, pedestrian connectivity, common areas, etc.) approved as part of the Conceptual Site Plan.

Proposed Improvements

- 25.25 acres subdivided into 81 lots
- Average lot size: 7,800 sq. ft.
- Building height: 30' feet, 2-story
 - Lots 6 thru 24 restricted to 1-story (per approved Conceptual Site Plan)
- Common areas throughout the site

Previous Approvals

- September 2013: Conceptual Site Plan
- June 2014: Block Plat for entire Maracay at Vistoso subdivision
- July 2014: Block 2 Final Plat

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to APPROVE the Final Plat for Block 1 of the Maracay at Vistoso subdivision, finding that it meets Town requirements.

OR

I MOVE to DENY the Final Plat for Block 1 of the Maracay at Vistoso subdivision, finding that

_____.

Attachments

Attachment 1 - Final Plat

APPROVALS

I, _____, 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 DEPARTMENT _____ DATE _____
 TOWN ENGINEER _____ DATE _____
 PLANNING MANAGER _____ DATE _____
 WATER UTILITY DIRECTOR _____ DATE _____

ASSURANCES

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

BY: _____ DATE _____
 MAYOR - TOWN OF ORO VALLEY

ASSURANCES IN THE FORM OF _____ FROM, TITLE SECURITY AGENCY OF ARIZONA HAVE BEEN PROVIDED TO GUARANTEE THE RESEEDING OF THIS SUBDIVISION IN THE EVENT THE PROJECT IS ABANDONED.

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 HEREBY CERTIFIES IN WRITING TO SUPPLY WATER TO THIS SUBDIVISION.

BY: _____ DATE _____
 WATER UTILITY DIRECTOR

RECORDING DATA

STATE OF ARIZONA) FEE _____
) SS
 COUNTY OF PIMA) No. _____

THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF THE WLB GROUP, INC., ON THIS _____ DAY OF _____, 20____, AT _____ M. IN SEQUENCE NO. _____, THEREOF.

F. ANN RODRIGUEZ, PIMA COUNTY RECORDER

BY: _____ DATE _____
 DEPUTY FOR PIMA COUNTY RECORDER

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.

PETER D. COTE, R.L.S., No. 44121



I FURTHER CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECTION AND THAT THE 100-YEAR FLOOD PRONE LIMITS AS NOTED WERE REVIEWED AND SHOWN UNDER MY DIRECTION.

DAVID W. LITTLE, P.E., NO. 36234



LEGEND

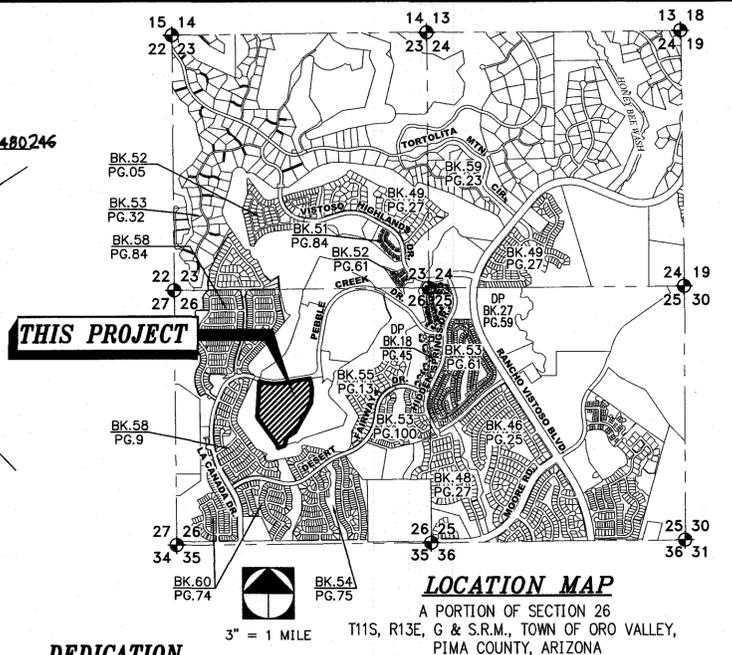
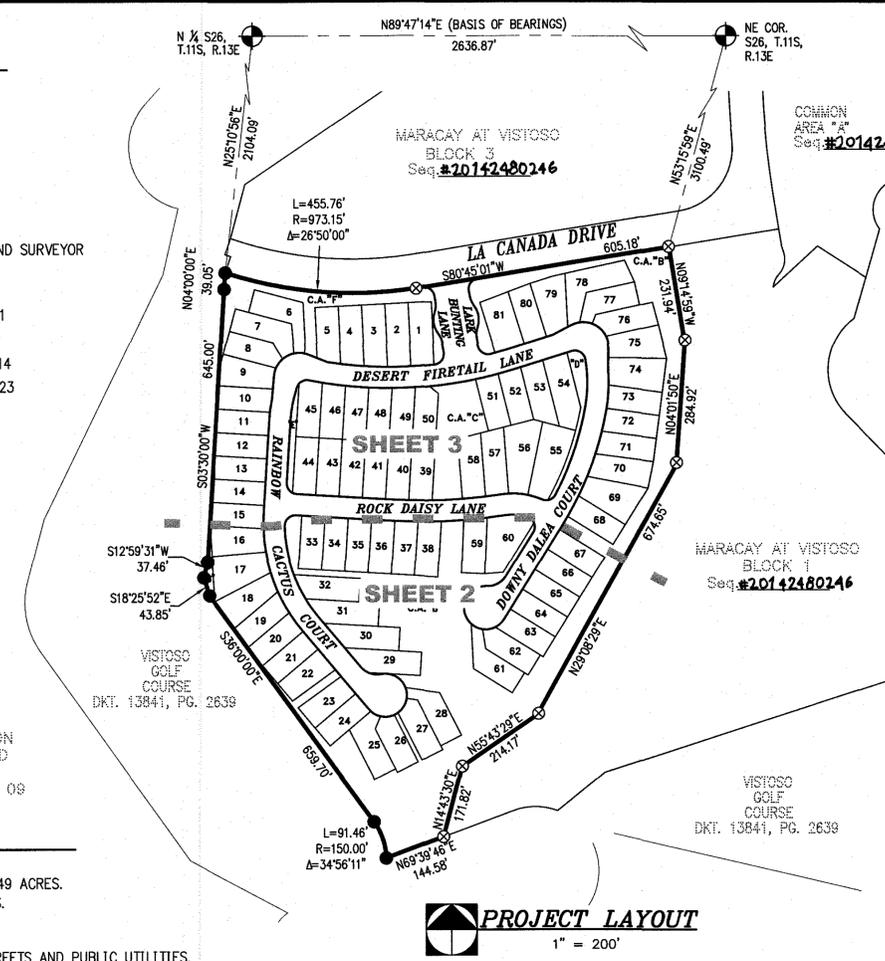
- SUBDIVISION BOUNDARY
- RIGHT OF WAY
- LOT LINE
- 100 YR. FLOOD LINE
- EROSION HAZARD SET-BACK LINE
- EASEMENT LINE
- SECTION LINE
- INDICATES BRASS DISK SURVEY MONUMENT STAMPED TO BE SET BY A REGISTERED LAND SURVEYOR UPON COMPLETION OF ROAD CONSTRUCTION
- FOUND MONUMENT AS NOTED
- 1/2" IRON PARCEL PIN TO BE SET; TAGGED RLS 44121 UPON COMPLETION OF IMPROVEMENTS
- EXIST. BOUNDARY CORNERS, 1/2" IP TAGGED RLS 12214
- EXIST. BOUNDARY CORNERS, 1/2" IP TAGGED RLS 26923
- N.A.E. NO ACCESS EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- SECTION CORNER / QUARTER SECTION CORNER
- C.A. COMMON AREA
- EHS EROSION HAZARD SETBACK
- IP IRON PIN
- SVT SIGHT VISIBILITY TRIANGLE

SHEET INDEX

- SHEET 1 COVER SHEET
- SHEETS 2 - 3 PLAN SHEETS
- SHEET 4 DETAILS

GENERAL NOTES

1. THE GROSS AREA OF THIS SUBDIVISION IS 25.25 ACRES. THE DENSITY IS 3.21 UNITS PER ACRE. LOT AREA IS 14.49 ACRES. THE AREA OF PRIVATE STREETS (C.A. "A") IS 4.12 ACRES.
2. TOTAL NUMBER OF RESIDENTIAL LOTS IS 81.
3. COMMON AREA SIZE (ACRES) USE:
 - C.A. "A" 4.12 PRIVATE STREETS AND PUBLIC UTILITIES.
 - C.A. "B" 5.28 OPEN SPACE, DRAINAGE, PUBLIC UTILITIES, AND PUBLIC SEWER EASEMENTS.
 - C.A. "C" 0.52 OPEN SPACE, DRAINAGE, PUBLIC UTILITIES, AND RECREATION.
 - C.A. "D" 0.16 OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
 - C.A. "E" 0.08 OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
 - C.A. "F" 0.57 OPEN SPACE, DRAINAGE, PUBLIC UTILITIES, AND PUBLIC SEWER EASEMENTS.
 - C.A. "G" 0.04 OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
4. ALL STREETS ARE PRIVATE. MILES OF PRIVATE STREETS = 0.72 MILES
5. THE MINIMUM LOT SIZE FOR THIS DEVELOPMENT IS 6,875 S.F. (0.16 AC.)
6. THE MAXIMUM LOT SIZE FOR THIS DEVELOPMENT IS 12,047 S.F. (0.28 AC.)
7. THE AVERAGE LOT SIZE FOR THIS DEVELOPMENT IS 7,794 S.F. (0.18 AC.)
8. MAXIMUM PERMITTED BUILDING HEIGHT IS LIMITED TO 30 FEET, TWO (2) STORIES.
9. BUILDING SETBACK PROVISIONS:
 - FRONT-20 FEET
 - SIDE-5 OR 0 FEET
 - REAR-10 FEET
10. NO ADDITIONAL ON STREET PARKING IS PROVIDED FOR THIS DEVELOPMENT.
11. EXISTING ZONING: RANCHO VISTOSO P.A.D. - MEDIUM-HIGH DENSITY RESIDENTIAL.
12. NO FURTHER SUBDIVISION OF ANY LOT OR PARCEL SHOWN SHALL BE PERMITTED WITHOUT WRITTEN APPROVAL OF THE ORO VALLEY TOWN COUNCIL.
13. THE BASIS OF BEARING FOR THIS PROJECT IS THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 11 SOUTH, RANGE 13 EAST, GILA AND SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA. SAID BEARING BEING: N89°47'14"E, PER THE BLOCK PLAT SEQ. NO. 20142480246
14. 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.
15. THE PROPERTY OWNER, HIS SUCCESSORS, ASSIGNS, OR A DEDICATED HOMEOWNER'S ASSOCIATION AGREES TO 1) KEEP ALL COMMON 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.
16. THIS DEVELOPMENT WILL BE SERVED BY ORO VALLEY WATER UTILITY (OVWU) WHICH HAS BEEN DESIGNATED AS HAVING AN ASSURED 100-YEAR WATER SUPPLY BY THE DIRECTOR OF WATER RESOURCES.
17. UTILITIES WILL BE LOCATED UNDERGROUND IN CONFORMANCE WITH ARIZONA CORPORATION COMMISSION AMENDED GENERAL ORDER U-48.
18. THE LANDSCAPING WITHIN ALL PUBLIC SEWER EASEMENTS SHALL BE IN ACCORDANCE WITH THE LANDSCAPE AND PLANTING GUIDELINES FOR PUBLIC SEWERS OF THE ENGINEERING DESIGN STANDARDS 2012, SUBSECTION 7.5.
19. NO PERMITS FOR PERMANENT STRUCTURES (I.E. MASONRY WALLS, FENCES, ETC.) ON OR THROUGH THE PUBLIC SEWER EASEMENT WILL BE ISSUED WITHOUT SEPARATE WRITTEN CONSENT OF PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT.
20. NO FINAL INSPECTION FOR ANY LOT WITHIN THE SUBDIVISION SHALL BE APPROVED UNTIL A BUILDING CODE OFFICIAL HAS VERIFIED CONSTRUCTION ON THE LOT IS COMPLETE AND SIDEWALKS HAVE BEEN INSTALLED, PROPERTY LINE TO PROPERTY LINE.
21. A PROJECT CONSTRUCTION PERMIT MUST BE SECURED FROM PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT. BEFORE BEGINNING ANY SANITARY SEWER WORK ON THIS PROJECT.
22. CONSTRUCTION AUTHORIZATION FROM PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY IS REQUIRED BEFORE BEGINNING ANY SANITARY SEWER WORK ON THIS PROJECT. APPROVAL OF THIS FINAL PLAT DOES NOT CONSTITUTE CONSTRUCTION AUTHORITY.
23. INTERIOR PROPERTY CORNERS AND CENTERLINE MONUMENTATION SHALL BE SET AS SOON AS COMPLETION OF THE INFRASTRUCTURE AND IMPROVEMENTS MAKE IT PRACTICAL TO DO SO. IF SUCH MONUMENTS SHOULD DIFFER FROM THE TYPE DESCRIBED ON THE FINAL PLAT, A RECORD OF SURVEY PLAT SHALL BE RECORDED SHOWING THESE DIFFERENCES.
24. THIS SUBDIVISION WILL BE SERVICED BY ORO VALLEY WATER UTILITY.
25. THE AREA BETWEEN 100 YEAR FLOOD LIMITS REPRESENTS AN AREA THAT MAY BE SUBJECT TO FLOODING FROM A 100 YEAR FREQUENCY FLOOD AND ALL LAND IN THIS AREA WILL BE RESTRICTED TO USES COMPATIBLE WITH FLOODPLAIN MANAGEMENT AS APPROVED BY THE TOWN ENGINEER.
26. LOTS 14-32, 36-39, AND 55-71 WILL RECEIVE WATER PRESSURE IN EXCESS OF 80 PSI (<2914 EL) AND WILL BE REQUIRED TO HAVE INDIVIDUAL PRESSURE REDUCING VALVES.
27. DWELLINGS ON LOTS 6-24 WILL BE RESTRICTED TO ONE STORY.
28. NO IMPROVEMENTS BETWEEN THIRTY (30) AND SEVENTY-TWO (72) INCHES IN HEIGHT RELATIVE TO THE ADJACENT ROADWAY WHICH MIGHT INTERFERE WITH THE PURPOSE AND INTENT OF THE SIGHT VISIBILITY TRIANGLE SHALL BE PERMITTED, PLACED OR MAINTAINED WITHIN THE SIGHT VISIBILITY TRIANGLES SHOWN ON THIS PLAT. PROPERTY OWNERS SHALL MAINTAIN PLANTINGS TO ENSURE UNOBSTRUCTED VISIBILITY TO MOTORISTS. ALL SHRUBS, ACCENTS AND GROUNDCOVERS SHALL NOT EXCEED THIRTY (30) INCHES IN HEIGHT WITHIN THE SIGHT VISIBILITY TRIANGLES. TREES WITHIN THE SIGHT VISIBILITY TRIANGLES WILL BE MAINTAINED TO ENSURE THAT BRANCHES/FOLIAGE IS NOT BELOW A HEIGHT OF SEVENTY-TWO (72) INCHES GATES AND LOCKS LIMITING THE MAINTENANCE AND ACCESS THROUGH THE PUBLIC SEWER EASEMENT SHALL MEET THE REQUIREMENTS OF THE ENGINEERING DESIGN STANDARDS 2012, SUBSECTION 7.5.



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.

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 OTHER THAN AS SHOWN HEREON WITHOUT THE WRITTEN APPROVAL OF THE TOWN OF ORO VALLEY TOWN COUNCIL.

WE, THE UNDERSIGNED, HEREBY DEDICATE TO PIMA COUNTY, COMMON AREA "A" AS PUBLIC SEWER EASEMENT FOR THE PURPOSE OF ACCESS, INSTALLATION, MAINTENANCE, CONSTRUCTION, AND REPLACEMENT OF PUBLIC SEWERS.

WE HEREBY CONVEY TO THE TOWN OF ORO VALLEY AND ALL PUBLIC UTILITY COMPANIES EASEMENTS AS SHOWN HEREON FOR THE PURPOSE OF ACCESS, INSTALLATION, AND MAINTENANCE OF PUBLIC SEWERS AND UTILITIES AND OTHER USES AS DESIGNATED BY THIS PLAT.

PRIVATE DRAINAGEWAYS AND COMMON AREAS, AS SHOWN HEREON, ARE RESERVED FOR THE PRIVATE USE AND CONVENIENCE OF ALL OWNERS OF PROPERTY WITHIN THIS SUBDIVISION, THEIR GUESTS AND INVITEES, AND (EXCEPT FOR DRAINAGE WAYS), FOR THE INSTALLATION AND MAINTENANCE OF UNDERGROUND UTILITIES AND SEWERS.

THE PUBLIC PEDESTRIAN ACCESS EASEMENT SHOWN ON THIS PLAT IS DEDICATED TO THE PUBLIC TO PROVIDE FOR PEDESTRIAN ACCESS ONLY. THE LOT OWNERS ASSOCIATION ACCEPTS ALL RESPONSIBILITY FOR THE CONTROL, MAINTENANCE, SAFETY AND LIABILITY OF THE EASEMENT AND ANY IMPROVEMENTS WITHIN THE EASEMENT.

TITLE TO THE LAND OF ALL PRIVATE DRAINAGEWAYS AND COMMON AREAS SHALL BE VESTED IN AN ASSOCIATION OF INDIVIDUAL LOT OWNERS AS ESTABLISHED BY COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN SEQUENCE NO. _____ IN THE OFFICE OF THE PIMA COUNTY RECORDER. EACH AND EVERY LOT OWNER WITHIN THE SUBDIVISION SHALL BE A MEMBER OF THE ASSOCIATION, WHICH WILL ACCEPT ALL RESPONSIBILITY FOR THE CONTROL, MAINTENANCE, SAFETY AND LIABILITY OF ALL DRAINAGEWAYS AND COMMON AREAS WITHIN THIS SUBDIVISION AS SHOWN HEREON. ACCESS TO COMMON AREA "G" WILL THROUGH THE ADJOINING GOLF COURSE PER AGREEMENT WITH SAME. ACCESS TO COMMON AREA "C" WILL BE THROUGH THE PUBLIC SEWER EASEMENT SHOWN HEREON.

TITLE SECURITY AGENCY OF ARIZONA, INC., AN ARIZONA CORPORATION AS TRUSTEE UNDER TRUST NUMBER _____ AS TRUSTEE ONLY AND NOT OTHERWISE.

BENEFICIARY OF TRUST xxxxxx DATE _____
 MARACAY 91 L.L.C.
 15279 N. SCOTTSDALE RD. STE. 300
 SCOTTSDALE, AZ 85254

NOTARY

STATE OF ARIZONA) FEE _____
) SS
 COUNTY OF PIMA) No. _____

ON THIS, THE _____ DAY OF _____, 2014, BEFORE ME, THE UNDERSIGNED PERSONALLY APPEARED, _____ WHO ACKNOWLEDGED _____ SELF TO BE _____ TITLE SECURITY AGENCY OF ARIZONA, INC. AND BEING AUTHORIZED SO TO DO, EXECUTED THE FORGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED BY _____ SELF AS TRUST OFFICER.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

OV1214-25
FINAL PLAT
MARACAY AT VISTOSO
RESUBDIVISION OF BLOCK 1
 LOTS 1 THRU 81 AND COMMON AREAS "A" THRU "G"
 BEING A RESUBDIVISION OF MARACAY HOMES AT VISTOSO,
 BLOCKS 1 THROUGH 5 AND COMMON AREA "A" AS RECORDED IN
 SEQ. #20142480246, BEING A PORTION OF SECTION 26 TOWNSHIP 11
 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA
 COUNTY, ARIZONA

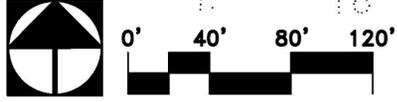
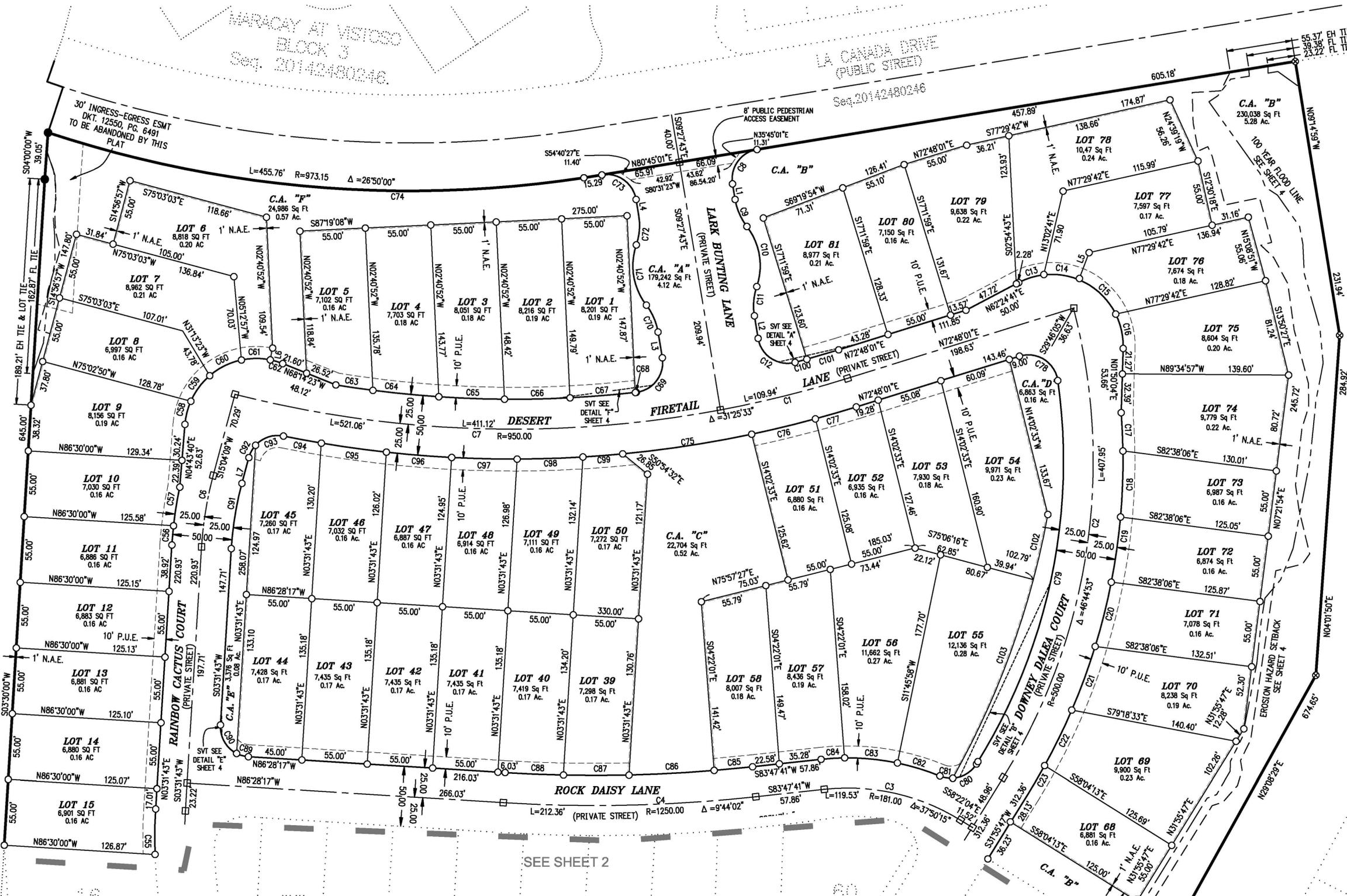
REF: OV1214-02 SEPTEMBER 2014 SHEET 1 OF 4



SEQ. #: _____

VISTOSO GOLF COURSE
DKT. 13841, PG. 2638

MARACAY AT VISTOSO
BLOCK 3
Seq. 20142480246



The WLB Group

WLB

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



IN COMPLIANCE WITH CERTIFICATION
SHOWN ON SHEET ONE

REF: OV1214-02 SEPTEMBER 2014

OV1214-25
FINAL PLAT
MARACAY AT VISTOSO
RESUBDIVISION OF BLOCK 1

LOTS 1 THRU 81 AND COMMON AREAS "A" THRU "G"
BEING A RESUBDIVISION OF MARACAY HOMES AT VISTOSO,
BLOCKS 1 THROUGH 5 AND COMMON AREA "A" AS RECORDED IN
SEQ.# 20142480246, BEING A PORTION OF SECTION 26 TOWNSHIP
11 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY,
PIMA COUNTY, ARIZONA

SHEET 3 OF 4

SEQ. #:

SEQ. #:

N:\185050\WEIGH10\MY01 Donut Hole Platting\FP\Block 1\SH1-03.dwg

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	DIST.
C1	109.94'	950.00'	6°37'49"	N76°06'56"E	109.87'
C2	407.95'	500.00'	46°44'53"	N08°33'20"E	396.73'
C3	119.53'	181.00'	37°50'15"	N77°17'12"W	117.37'
C4	212.36'	1250.00'	9°44'02"	N88°39'42"E	212.11'
C5	281.18'	370.00'	43°32'29"	S18°14'32"E	274.46'
C6	60.43'	300.00'	11°32'27"	S09°17'56"W	60.33'
C7	411.12'	950.00'	24°47'44"	S88°10'18"E	407.92'
C8	39.36'	25.00'	90°12'44"	S35°38'39"W	35.42'
C9	24.83'	50.00'	28°27'02"	S23°41'14"E	24.57'
C10	53.13'	53.50'	56°54'05"	N09°27'43"W	50.97'
C11	24.83'	50.00'	28°27'02"	S04°45'48"W	24.57'
C12	41.62'	25.00'	95°22'42"	S57°09'04"E	36.98'
C13	22.14'	60.00'	21°08'18"	S72°58'50"W	22.01'
C14	30.07'	60.00'	28°42'54"	N82°05'34"W	29.76'
C15	43.15'	60.00'	41°12'28"	N47°07'53"W	42.23'
C16	29.70'	60.00'	28°21'43"	N122°04'48"W	29.40'
C17	32.10'	525.00'	3°30'10"	N02°40'34"W	32.09'
C18	55.26'	525.00'	6°01'51"	N02°05'26"E	55.23'
C19	55.03'	525.00'	6°00'20"	N08°06'32"E	55.00'
C20	55.41'	525.00'	6°02'51"	N14°08'07"E	55.39'
C21	56.78'	525.00'	6°11'46"	N20°15'26"E	56.75'
C22	51.68'	525.00'	5°38'24"	N26°10'31"E	51.66'
C23	26.89'	525.00'	2°58'03"	N30°27'45"E	26.88'
C24	28.45'	51.00'	31°57'48"	N47°54'41"E	28.08'
C25	30.59'	51.00'	34°22'01"	N81°04'35"E	30.13'
C26	29.12'	51.00'	32°42'45"	S65°23'02"E	28.72'
C27	126.34'	51.00'	141°58'06"	S21°56'24"W	96.42'
C28	53.21'	50.00'	60°58'40"	N62°25'07"E	50.74'
C29	23.18'	25.00'	53°07'48"	N05°21'52"E	22.36'
C30	23.73'	25.00'	54°22'42"	N48°23'23"W	22.85'
C31	56.16'	175.00'	20°37'35"	N85°53'32"W	55.86'
C32	34.71'	125.00'	1°33'35"	N84°34'28"E	34.71'
C33	52.78'	1275.00'	2°22'18"	N86°32'25"E	52.77'
C34	55.18'	1275.00'	2°28'47"	N88°57'58"E	55.17'
C35	55.04'	1275.00'	2°28'24"	S88°33'27"E	55.04'
C36	18.90'	1275.00'	0°50'57"	S86°53'46"E	18.90'
C37	41.36'	245.00'	94°48'04"	S46°07'41"W	36.81'
C38	117.20'	35.00'	19°27'52"	S11°00'17"E	116.64'
C39	63.29'	345.00'	10°30'42"	S25°59'33"E	63.21'
C40	52.77'	345.00'	8°45'52"	S35°37'50"E	52.72'
C41	21.90'	50.00'	25°05'43"	S52°33'38"E	21.73'
C42	31.31'	50.00'	35°52'57"	S83°02'58"E	30.80'
C43	71.56'	51.00'	80°23'55"	N60°47'29"W	65.84'
C44	26.03'	51.00'	29°14'50"	N05°58'07"W	25.75'
C45	40.79'	51.00'	45°49'43"	N31°34'10"E	39.71'
C46	10.03'	51.00'	11°15'59"	N60°07'01"E	10.01'
C47	33.45'	51.00'	37°34'30"	N84°32'16"E	32.85'
C48	25.62'	51.00'	28°46'42"	S62°17'08"E	25.35'
C49	7.02'	51.00'	7°53'01"	S43°57'17"E	7.01'
C50	52.71'	395.00'	7°38'47"	S36°11'23"E	52.68'
C51	56.22'	395.00'	8°09'17"	S28°17'21"E	56.17'
C52	47.97'	395.00'	6°57'29"	S20°43'58"E	47.94'
C53	49.54'	395.00'	7°11'10"	S13°39'39"E	49.51'
C54	55.68'	395.00'	8°04'37"	S06°01'45"E	55.64'
C55	38.05'	395.00'	5°31'10"	S00°46'08"W	38.04'
C56	16.09'	325.00'	2°50'09"	S04°56'47"W	16.08'
C57	32.79'	325.00'	5°46'50"	S09°15'17"W	32.77'
C58	20.02'	60.00'	19°06'51"	S14°17'05"W	19.92'
C59	26.79'	60.00'	25°34'56"	S36°37'59"W	26.57'
C60	30.05'	60.00'	28°42'00"	S63°46'27"W	29.74'
C61	24.33'	60.00'	23°14'12"	S89°44'33"W	24.17'
C62	10.89'	60.00'	10°23'58"	N73°25'22"W	10.88'
C63	31.43'	925.00'	1°56'40"	S81°43'19"E	31.43'
C64	55.59'	925.00'	3°26'35"	S84°25'01"E	55.58'
C65	55.20'	925.00'	3°25'10"	S87°50'53"E	55.20'
C66	55.02'	925.00'	3°24'30"	N88°44'17"E	55.02'
C67	55.04'	925.00'	3°24'34"	N85°19'45"E	55.03'
C68	0.84'	925.00'	0°03'08"	N83°35'54"E	0.84'
C69	40.59'	25.00'	93°02'03"	N37°03'19"E	36.28'
C70	24.83'	50.00'	28°27'03"	N23°41'14"W	24.57'
C71	53.13'	53.50'	56°54'05"	S09°27'43"E	50.98'
C72	24.83'	50.00'	28°27'03"	N04°45'48"E	24.57'
C73	39.18'	25.00'	89°47'16"	N54°21'21"W	35.29'
C74	455.76'	973.15'	26°50'00"	S85°12'13"E	451.60'
C75	109.64'	975.00'	6°26'34"	N81°21'24"E	109.58'
C76	55.01'	975.00'	31°3'58"	N76°31'08"E	55.00'
C77	35.77'	975.00'	2°06'08"	N73°51'05"E	35.77'
C78	43.22'	25.00'	99°02'56"	N57°40'31"W	38.03'
C79	334.82'	475.00'	40°23'12"	N12°02'33"E	327.93'
C80	23.83'	25.00'	54°38'24"	N59°32'22"E	22.94'
C81	11.02'	25.00'	25°15'43"	S80°31'35"E	10.93'
C82	37.39'	206.00'	10°23'59"	N73°05'43"W	37.34'
C83	44.64'	206.00'	12°25'00"	N84°30'12"W	44.56'
C84	19.75'	206.00'	5°29'37"	S86°32'29"W	19.74'
C85	32.43'	1225.00'	1°31'01"	N84°33'11"E	32.43'
C86	71.58'	1225.00'	3°20'53"	N86°59'08"E	71.57'
C87	55.11'	1225.00'	2°34'40"	N89°56'55"E	55.11'
C88	48.99'	1225.00'	2°17'28"	S87°37'01"E	48.98'
C89	10.29'	25.00'	23°34'41"	S74°40'57"E	10.22'
C90	28.98'	25.00'	66°25'19"	S29°40'57"E	27.39'
C91	55.39'	275.00'	11°32'27"	S09°17'56"W	55.30'
C92	11.86'	25.00'	27°11'10"	S28°39'44"W	11.75'
C93	25.81'	25.00'	59°08'45"	S71°49'41"W	24.68'
C94	32.31'	975.00'	1°53'55"	S79°32'54"E	32.31'
C95	55.17'	975.00'	3°14'31"	S82°07'07"E	55.16'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	DIST.
C96	55.02'	975.00'	3°13'59"	S85°21'22"E	55.01'
C97	55.04'	975.00'	3°14'05"	S88°35'24"E	55.04'
C98	55.25'	975.00'	3°14'48"	N88°10'10"E	55.24'
C99	33.49'	975.00'	1°58'04"	N85°33'43"E	33.48'
C100	10.19'	925.00'	0°37'51"	N74°50'39"E	10.19'
C101	27.90'	925.00'	1°43'42"	N73°39'52"E	27.90'
C102	55.82'	705.00'	4°32'10"	N12°37'39"E	55.80'
C103	179.65'	705.00'	14°36'02"	N22°11'45"E	179.17'

100 YEAR FLOOD LINE TABLE			100 YEAR FLOOD LINE TABLE		
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
FL1	6.06'	S01°22'12"E	FL43	15.01'	S76°24'51"W
FL2	8.22'	N80°45'01"E	FL44	11.86'	S16°06'16"E
FL3	19.86'	S54°41'59"E	FL45	88.02'	S76°47'24"W
FL4	2.01'	S72°13'34"E	FL46	5.56'	S22°04'51"W
FL5	6.06'	S01°22'12"E	FL47	6.20'	S11°04'36"E
FL6	15.82'	S80°45'01"W	FL48	32.34'	S89°56'42"W
FL7	17.45'	S37°49'22"W	FL49	13.93'	S43°43'42"W
FL8	9.01'	S56°04'50"W	FL50	17.19'	S27°33'01"W
FL9	73.90'	S35°35'28"E	FL51	17.04'	S62°57'50"W
FL10	12.27'	S21°32'15"E	FL52	11.45'	S49°33'30"W
FL11	12.05'	S56°53'25"E	FL53	18.66'	S41°13'14"W
FL12	32.23'	S35°16'33"E	FL54	14.97'	S70°16'17"W
FL13	14.74'	S10°27'28"E	FL55	25.90'	S54°59'47"W
FL14	24.99'	S02°48'44"E	FL56	26.91'	S59°37'35"W
FL15	47.78'	S15°58'07"E	FL57	15.58'	S36°07'22"W
FL16	28.85'	S05°19'18"E	FL58	56.51'	N86°33'19"W
FL17	31.77'	S10°59'23"W	FL59	12.90'	N63°03'23"W
FL18	50.65'	S05°43'38"W	FL60	35.59'	N25°20'31"W
FL19	74.73'	S10°54'26"W	FL61	19.15'	N81°23'11"W
FL20	28.24'	S22°00'36"W	FL62	17.40'	N14°50'07"W
FL21	20.06'	S40°27'28"W	FL63	8.50'	N21°34'44"W
FL22	18.39'	S09°18'08"W	FL64	4.08'	N59°53'30"W
FL23	36.29'	S06°03'46"W	FL65	18.93'	S83°27'53"W
FL24	62.82'	S11°06'07"W	FL66	21.97'	N72°10'36"W
FL25	22.69'	S26°11'27"W	FL67	45.74'	N62°06'05"W
FL26	8.41'	S02°20'36"W	FL68	18.67'	N33°30'52"W
FL27	22.43'	S30°29'50"W	FL69	25.58'	N39°46'03"W
FL28	8.48'	S69°14'01"W	FL70	29.12'	N47°11'40"W
FL29	230.78'	S31°47'28"W	FL71	13.36'	N62°01'43"W
FL30	4.89'	N80°20'04"W	FL72	7.34'	N03°50'25"W
FL31	82.01'	S32°14'27"W	FL73	18.47'	N18°03'54"W
FL32	28.30'	S05°46'40"W	FL74	39.03'	N18°48'15"W
FL33	12.84'	S22°17'41"W	FL75	14.33'	N22°56'01"W
FL34	18.27'	S61°00'50"W	FL76	27.14'	N18°56'23"E
FL35	49.82'	S31°55'20"W	FL77	39.99'	N05°29'27"E
FL36	5.07'	S80°40'56"W	FL78	27.76'	N12°10'23"E
FL37	7.26'	S33°52'45"W	FL79	21.19'	N00°18'30"W
FL38	11.70'	S03°40'32"W	FL80	16.44'	N04°15'35"W
FL39	5.44'	S40°23'45"W	FL81	15.15'	N08°14'00"E
FL40	5.09'	S59°12'00"W	FL82	21.01'	N02°27'20"W
FL41	113.08'	S25°15'14"W	FL83	21.04'	N18°57'51"W
FL42	27.22'	S68°49'14"W			

LINE TABLE		
LINE	LENGTH	BEARING
L1	13.20'	N09°27'43"W
L2	19.10'	S09°27'43"E
L3	21.80'	N09°27'43"W
L4	13.69'	N09°27'43"W
L5	24.24'	S20°15'00"W
L6	25.74'	S82°05'28"E
L7	32.19'	S22°23'20"W



IN COMPLIANCE WITH CERTIFICATION SHOWN ON SHEET ONE

EROSION HAZARD LINE TABLE			EROSION HAZARD LINE TABLE		
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
EHL1	17.61'	N26°40'40"E	EHL46	27.37'	N60°21'30"E
EHL2	23.97'	N86°36'57"E	EHL47	14.10'	N13°45'41"W
EHL3	25.57'	N01°42'34"W	EHL48	81.46'	N76°26'09"E
EHL4	23.78'	N10°29'31"W	EHL49	17.91'	N29°50'15"E
EHL5	8.78'	S65°20'41"W	EHL50	39.82'	N62°20'24"E
EHL6	8.88'	N24°39'19"W	EHL51	8.09'	N00°07'09"W
EHL7	42.20'	N14°55'33"W	EHL52	10.07'	N45°41'28"E
EHL8	29.53'	S78°12'39"W	EHL53	26.00'	N63°52'13"E
EHL9	38.69'	N15°11'02"W	EHL54	68.70'	N07°51'45"E
EHL10	9.30'	N74°51'09"E	EHL55	28.09'	N49°32'14"E
EHL11	14.88'	N46°28'33"W	EHL56	12.99'	S65°59'43"E
EHL12	24.74'	N28°32'30"W	EHL57	55.62'	S40°31'27"E
EHL13	39.06'	N07°49'37"W	EHL58	10.50'	N62°06'08"E
EHL14	46.35'	N14°56'44"W	EHL59	9.55'	N83°48'19"E
EHL15	19.28'	N00°54'40"W	EHL60	7.05'	S46°44'38"E
EHL16	19.21'	N17°18'27"E	EHL61	43.13'	N63°24'28"E
EHL17	47.60'	N06°32'00"E	EHL62	12.78'	N83°05'02"E
EHL18	20.68'	N08°14'49"W	EHL63	84.51'	S27°17'24"E
EHL19	38.09'	N13°29'48"W	EHL64	17.56'	S24°37'58"E
EHL20	10.40'	N34°48'54"E	EHL65	14.17'	N78°09'21"E
EHL21	23.				



Town Council Regular Session

Item # F.

Meeting Date: 10/01/2014

Requested by: Robert Jacklitch

Submitted By: Robert Jacklitch, Water

Department: Water

Information

SUBJECT:

Resolution No. (R)14-50, authorizing and approving compensation for a water easement from Pima County

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

An expanded easement is required to replace an existing 6-inch pipeline in the Countryside Water Service Area located in Pima County, outside of Town boundaries just southwest of Linda Vista Blvd. and Camino De Oeste.

The existing pipeline is undersized and needs to be replaced with a larger diameter 12-inch pipeline for a length of 3,040 feet. The existing easement needs to be expanded to allow for the installation and maintenance of the new (replacement) pipeline. This project will improve our ability to meet the water demands, increase pumping efficiency and will result in energy savings.

The expanded easement is 1.73 acres. The attached resolution would approve compensation of \$880.00 to Pima County for the proposed expanded easement.

BACKGROUND OR DETAILED INFORMATION:

An expanded easement is required in the Countryside Water Service Area to install, operate and maintain a new (replacement) pipeline. The Countryside Water Service Area is an area served by Oro Valley Water Utility outside the Town boundaries.

The existing 6-inch pipeline conveys water from Oro Valley Water Utility Well CS-2 to a water storage reservoir. The well and proposed pipeline are located near Hartman Lane, south of Linda Vista Blvd. in Pima County. Water from the well pumps through the existing 6-inch main and delivers it to the water storage reservoir. The water is then pumped into the distribution system to meet customer demands. The existing pipeline is undersized causing excess pressure within the pipeline, resulting in increased pumping costs and wastes energy.

The Water Utility proposes to expand the existing easement to allow for the installation of a larger diameter 12-inch pipeline. This pipeline replacement project is approved in the FY 2014/15 budget. The expanded easement is also needed for future maintenance of the pipeline. The current easement is located within and granted by Pima County, with the proposed expanded easement parallel to it. The expanded easement varies up to 40 feet wide by 2,700 feet long with an area of 1.73 acres.

Pima County requested an appraisal be performed on the subject property to determine the

compensation. The compensation for the easement is \$880.00 which is based on the appraised value. The appraisal was performed by Jeffrey D. Swango, Senior Real Property Appraiser with Pima County Real Property Services.

FISCAL IMPACT:

Pima County is requesting compensation in the amount of \$880.00 based on an appraisal of the property. The cost of the easement will be paid for by the Oro Valley Water Utility Enterprise Fund.

This pipeline replacement project was approved in the FY 2014/15 Water Utility budget at a cost of \$500,000.

SUGGESTED MOTION:

I MOVE to (approve or deny) Resolution No. (R)14-50, authorizing and approving compensation for a water easement from Pima County.

Attachments

(R)14-50 Compensation for Water Easement

Water Easement

Appraisal

RESOLUTION NO. (R)14-50

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING COMPENSATION FOR A WATER EASEMENT FROM PIMA COUNTY

WHEREAS, pursuant to A.R.S. § 9-511, *et seq.*, the Town had the requisite statutory authority to acquire, own and maintain a water utility for the benefit of the landowners within and without the Town’s corporate boundaries; and

WHEREAS, Pima County will grant the Town a water easement to install and maintain a new water main for the Oro Valley Water Utility in the Countryside service area; and

WHEREAS, Pima County agrees to grant the easement for a total compensation of \$880.00; and

WHEREAS, it is in the best interest of the Town to accept to approve compensation for the water easement as attached hereto as Exhibit “A” and incorporated herein by this reference.

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

1. The compensation to Pima County for the water easement, attached hereto as Exhibit “A”, is hereby authorized and approved.
2. The Mayor, Water Utility Director and other administrative officials are hereby authorized to take such steps as are necessary to execute and implement the terms of the water easement.

PASSED AND ADOPTED by the Mayor and Town Council of Oro Valley, Arizona, this 1st day of October, 2014.

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”

WATER EASEMENT

PIMA COUNTY, a political subdivision of the State of Arizona (hereinafter referred to as "Grantor"), hereby grants to _____, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to lay, construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time _____ and appurtenant facilities for the transmission and distribution of _____, consisting of fixtures and equipment necessary or useful for distributing _____ (collectively the "Facilities") in, under, across and along that certain real property described as follows (the "Easement Area"):

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Grantor agrees for itself, its successors and assigns, not to erect, place or maintain, nor to permit the erection, placement or maintenance of any building, landscaping, earth fill, walls or fences upon the above-described easement which would impair the repair, maintenance or removal of any or all of the facilities. All systems, including _____ installed by Grantee in and upon the above-described easement and right of way, shall remain the personal property of the Grantee and shall not be deemed a part of the realty.

Grantee and its contractors, agents and employees shall have the right to trim or top such trees and to cut such roots and remove such obstacles that could endanger or interfere with said systems, and shall have free access to said systems and every part thereof, at all times, for the purpose of exercising the rights herein granted.

Grantee shall have the right during construction of the initial facilities, to use for the purposes incidental to said construction, a strip of land 10 feet in width adjacent and contiguous to the herein-granted easement and right of way, said strip to be in whole or in part on each side of said easement and right of way, said right to use said strip of land ceasing and being terminated at such time as said initial construction is completed.

Grantor shall not increase or decrease the ground surface elevation within the boundary of the above-described easement and right of way after approved final grade is established and meets Grantee's construction standards. Subsequent to the construction, the ground surface shall not be penetrated to a depth in excess of 12 inches by any tool or implement, without having the underground facilities located and taking all necessary precautions to protect them.

Grantor hereby agrees that these covenants are made only for the above-described real property which is the subject of this easement and right of way. Grantor hereby warrants and represents, and acknowledges Grantee's reliance upon said warranty and representation, that Grantor has good and sufficient title to the real property in order to grant said easement and right of way, subject to all matters apparent or of record. Additional conditions are included in attached "Addendum to Easement," which is incorporated herein by reference.

In consideration of the mutual terms, covenants and conditions herein contained, this easement shall be binding upon and inure to benefit of any heirs, executors, administrators, permittees, licensees, agents, or assigns of Grantor and any successors and assigns of Grantee.

In witness hereof, the Grantor has executed these presents this _____ day of _____, 2014.

ATTEST:

GRANTOR: PIMA COUNTY, a political subdivision of the State of Arizona

Clerk of the Board

By: _____
Chair of the Pima County Board of Supervisors

Robin Brigode
Printed Name

Sharon Bronson
Printed Name

STATE OF ARIZONA)
) §
COUNTY OF PIMA)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by Sharon Bronson, as the Chair of the Pima County Board of Supervisors for Pima County, a political subdivision of the State of Arizona.

Notary Public

Addendum to Easement

Cultural Resources Compliance. Consistent with Pima County Board of Supervisors Policy No. C 3.17, Grantee, its employees, contractors and agents shall comply with all applicable federal, state and local cultural resources and historic preservation statutes, regulations, ordinances, policies and guidelines prior to and during any ground disturbance within the Easement area. Grantee shall coordinate with the Pima County Office of Cultural Resources and Historic Preservation when planning and designing construction and when implementing cultural resource compliance activities. Grantee is solely responsible for all costs related to cultural resource compliance activities arising from Grantee's activities within the Easement area.

Indemnity. Grantee shall indemnify, defend and hold Grantor harmless from any and all present or future claims, demands and causes of action in law or equity caused by the negligent or intentionally wrongful acts of Grantee's agents, employees or contractors in connection with Grantee's use of the Easement area.

County Ordinances Compliance. Grantee shall be subject to all County ordinances now in force or hereafter adopted. Grantee shall use and operate its Facilities within the Easement Area in accordance with all regulations applicable to the use of public rights-of-way. Grantee agrees that it will not assert any claim against the County that the provisions of this easement or any applicable County ordinance or regulation in force at the time of execution of this easement are unreasonable, arbitrary or void.

Relocation of Facilities. If subsequent to construction, Grantor, pursuant to Grantor's public use of the Easement Area, would require relocation of the facilities, Grantor may require Grantee to relocate all or any portion of the Facilities on Grantor's Property as is necessary to accommodate Grantor's actual or proposed public use of the Easement Area that is incompatible or inconsistent with this Easement. In such event Grantor shall give written notice to Grantee of such public use, and Grantee will relocate all or any portion of the Facilities as specified in the notice as expeditiously as possible, but no later than 120 days after receipt of the notice. Grantor shall make all reasonable effort to allow an easement on Grantor's property at no cost to Grantee. Facility relocation costs shall be at Grantee's sole expense and to the satisfaction of Grantor; provided that there shall be no additional cost to Grantee for the value of the new easement area. Grantee waives any claim to compensation or reimbursement from Grantor for any relocation costs. If Grantee fails to relocate the Facilities as provided herein, Grantee shall be responsible for delay costs as provided in Pima County Ordinance 10.50.060.

DESCRIPTION OF WATER LINE EASEMENT

Those portions of the properties described Docket 8554 at page 749, Docket 8554 at page 761, and in that 16 feet Access and Maintenance easement shown on the COUNTRYSIDE TERRACE, Lots 240 through 398 and Block A, subdivision as shown in Book 37, page 53 of Maps and Plats, all in the office of the Recorder, Pima County, Arizona, described as follows:

Easement Area 1

COMMENCING at the northwest corner of said Block A;

THENCE South 00 degrees 00 minutes 16 seconds East, 103.49 feet along the west line thereof to the northwest corner of said 16 feet Access and Maintenance easement;

THENCE North 89 degrees 59 minutes 44 seconds East, 103.84 feet along said easement to a point of curvature;

THENCE along a curve to the left, having a radius of 100.00 feet and a central angle of 45 degrees 02 minutes 16 seconds, an arc length of 78.61 feet to the POINT OF BEGINNING;

THENCE continue along said curve to the left, whose radius point bears North 45 degrees 02 minutes 31 seconds West, having a radius of 100.00 feet and a central angle of 023 degrees 41 minutes 41 seconds, an arc length of 41.35 feet to a point on the exterior boundary of the COUNTRYSIDE TERRACE, Lots 1 through 239, subdivision as shown in Book 37, page 51 of Maps and Plats in the office of the Recorder, Pima County, Arizona;

THENCE South 81 degrees 00 minutes 00 seconds East, 16.32 feet along said exterior boundary and said easement to POINT "A", being a point of cusp on the southeast line of said easement;

THENCE southerly along said southeast line and curve to the right, whose radius point bears North 70 degrees 26 minutes 56 seconds West, having a radius of 116.00 feet and a central angle of 019 degrees 44 minutes 16 seconds, an arc length of 39.96 feet;

THENCE North 81 degrees 38 minutes 02 seconds West, 19.22 feet to the POINT OF BEGINNING.

✓ Easement Area 1 is 649.6 square feet, more or less.

TOGETHER WITH those portions of Docket 8554, page 761 and Docket 8554, page 749 in said Pima County Recorder's office described as follows:

Easement Area 2

BEGINNING at said Point "A";

THENCE South 81 degrees 00 minutes 00 seconds East, 325.68 feet along said exterior boundary to an angle point;

THENCE North 42 degrees 40 minutes 56 seconds East, 7.86 feet along said exterior boundary;

THENCE South 81 degrees 38 minutes 02 seconds East, 826.28 feet;

THENCE North 46 degrees 10 minutes 30 seconds East, 443.07 feet;

THENCE North 01 degrees 07 minutes 23 seconds East, 28.26 feet to said exterior boundary of the COUNTRYSIDE TERRACE, Lots 1 through 239, subdivision;

THENCE North 46 degrees 10 minutes 30 seconds East, 159.68 feet along said exterior boundary to an angle point;

THENCE North 23 degrees 37 minutes 23 seconds East, 13.04 feet along said exterior boundary;

THENCE North 46 degrees 10 minutes 30 seconds East, 278.99 feet;

THENCE North 23 degrees 37 minutes 23 seconds East, 498.19 feet to a point on a line common with said exterior boundary and property described in said Docket 8554 at page 761;

THENCE South 66 degrees 39 minutes 04 seconds East, 28.00 feet along said common line to an angle point, also being POINT "B";

THENCE South 61 degrees 26 minutes 39 seconds East, 12.04 feet along a line common with property described in said Docket 8554 at page 761 and property described in Docket 8554, page 749;

THENCE South 23 degrees 37 minutes 23 seconds West, 505.27 feet;

THENCE South 46 degrees 10 minutes 30 seconds West, 437.10 feet;

THENCE South 01 degrees 07 minutes 23 seconds West, 35.32 feet;

THENCE South 46 degrees 10 minutes 30 seconds West, 479.26 feet;

THENCE North 81 degrees 38 minutes 02 seconds West, 1190.25 feet to a point of non-tangent curvature, from which point the radius point bears North 50 degrees 42 minutes 39 seconds West;

THENCE northerly along a curve to the left, having a radius of 116.00 feet and a central angle of 019 degrees 44 minutes 14 seconds, 39.96 feet to the POINT OF BEGINNING.

✓ Easement Area 2 is 102,108.0 square feet, more or less.

TOGETHER WITH that portion of 16 feet Access and Maintenance-way in said COUNTRYSIDE TERRACE, Lots 1 through 239, subdivision lying southerly of the following described line:

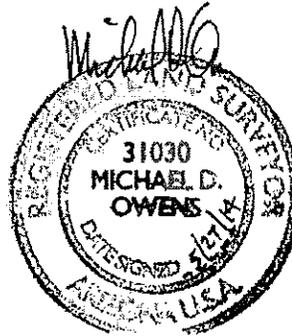
Easement Area 3

COMMENCING at said Point "B" being the beginning of a curve to the right, from which point the radius point bears South 67 degrees 39 minutes 08 seconds East;

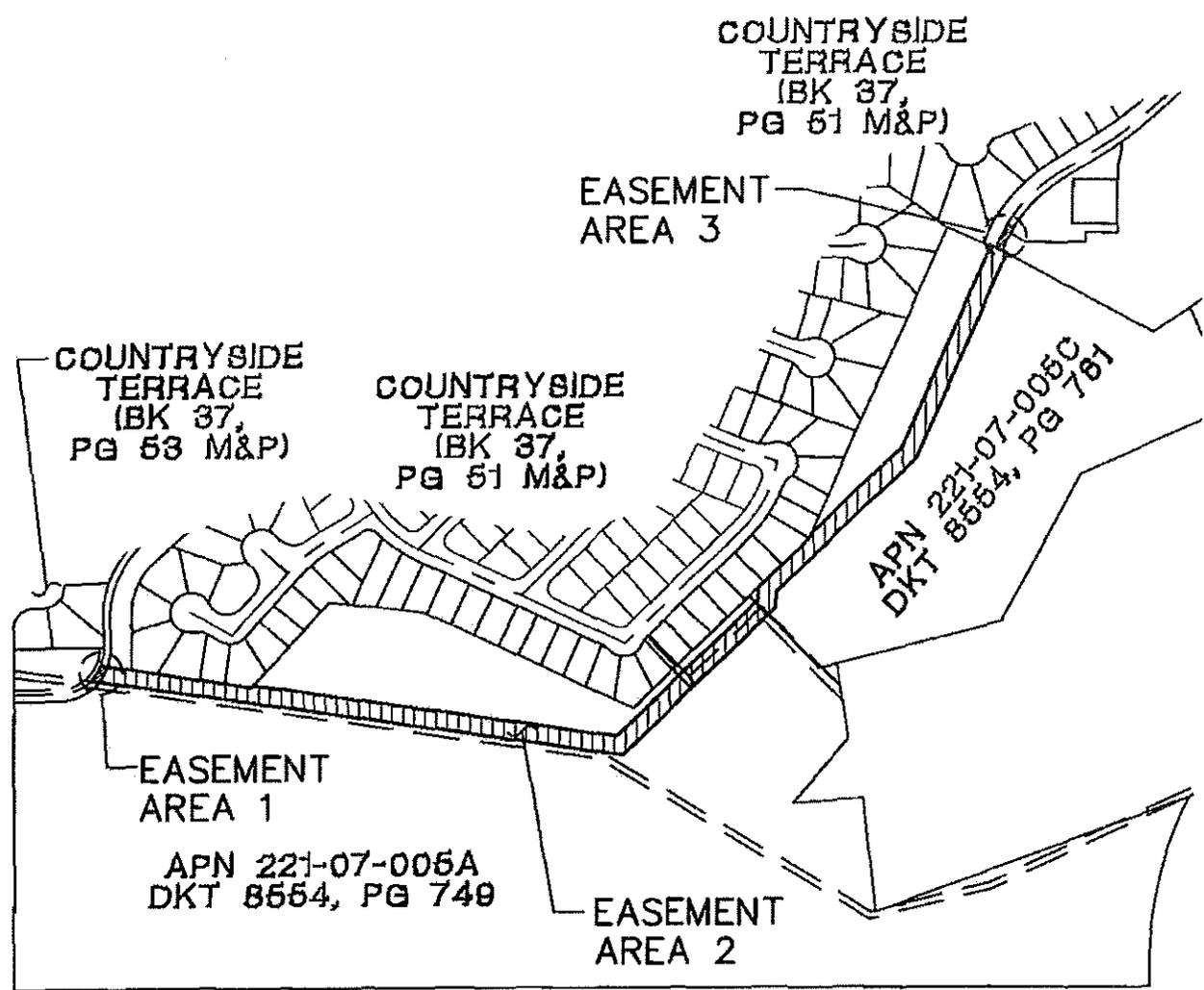
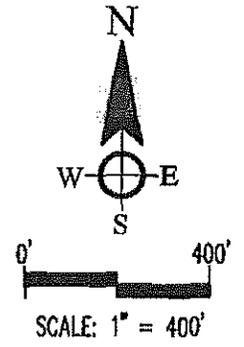
THENCE northeasterly along the southeasterly edge of said 16 feet Access and Maintenance-way easement and curve to the right, having a radius of 353.00 feet and a central angle of 009 degrees 22 minutes 27 seconds, 57.75 feet to the POINT OF BEGINNING;

THENCE North 58 degrees 16 minutes 41 seconds West, 16.00 feet to the northwesterly edge of said 16 feet Access and Maintenance-way easement to the POINT OF TERMINATION.

✓ Easement Area 3 is 942.8 square feet, more or less.



EXP. 03/31/15



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Note: This is an exhibit drawing only. See legal description for complete information.

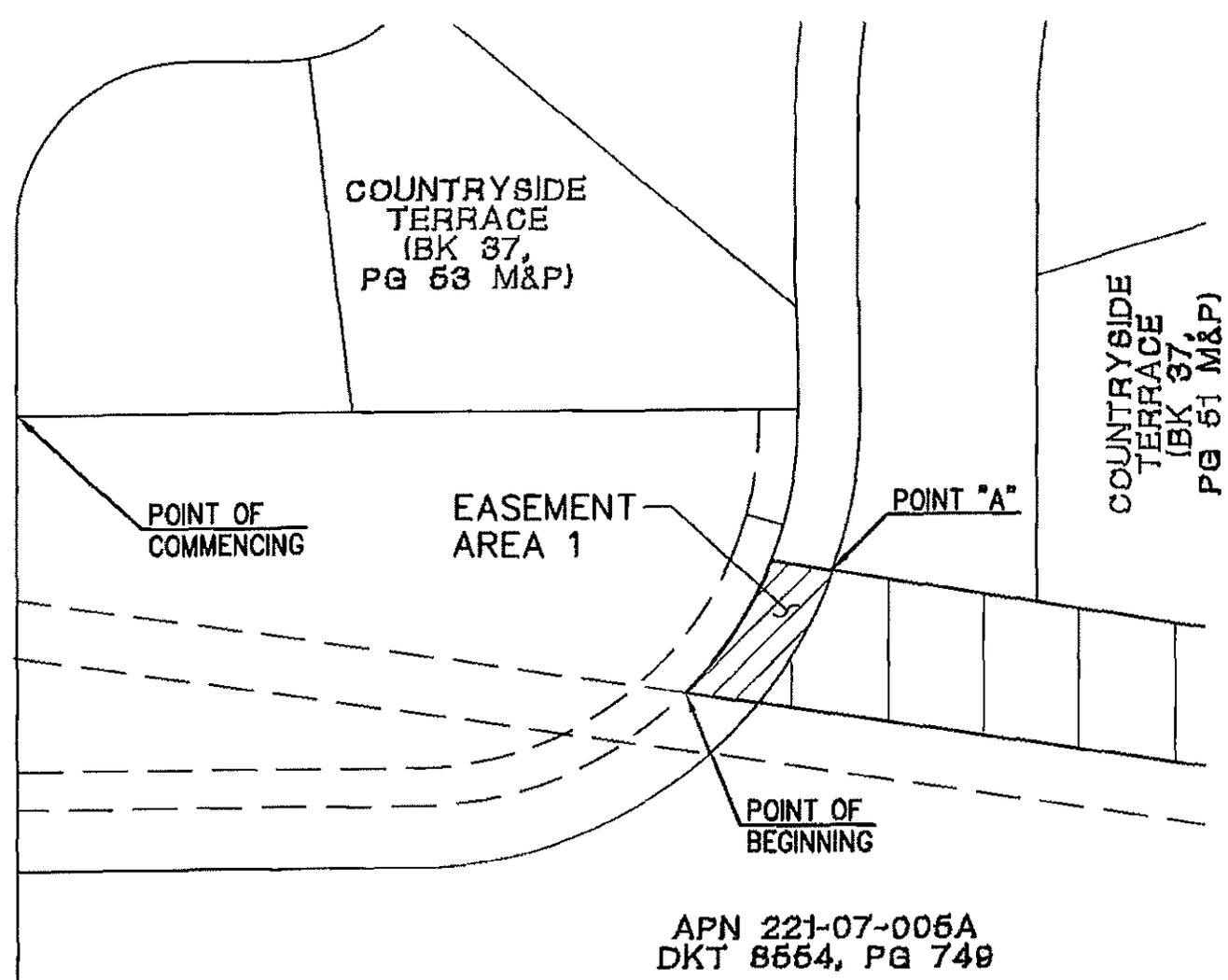
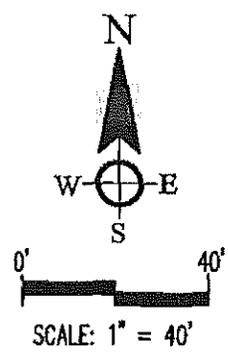


ORO VALLEY WATER UTILITY
OVERALL EASEMENT EXHIBIT
 S24, T12S, R12E (G&SRM)
 Pima County, Arizona

WestLand Resources, Inc.
 Tucson • Phoenix • Flagstaff
 4001 E. Paradise Falls Drive
 Tucson, Arizona 85717 (520) 206-9585

EXPIRES 3/31/2015

MAY 27, 2014



APN 221-07-005A
DKT 8554, PG 748

Note: This is an exhibit drawing only. See legal description for complete information.



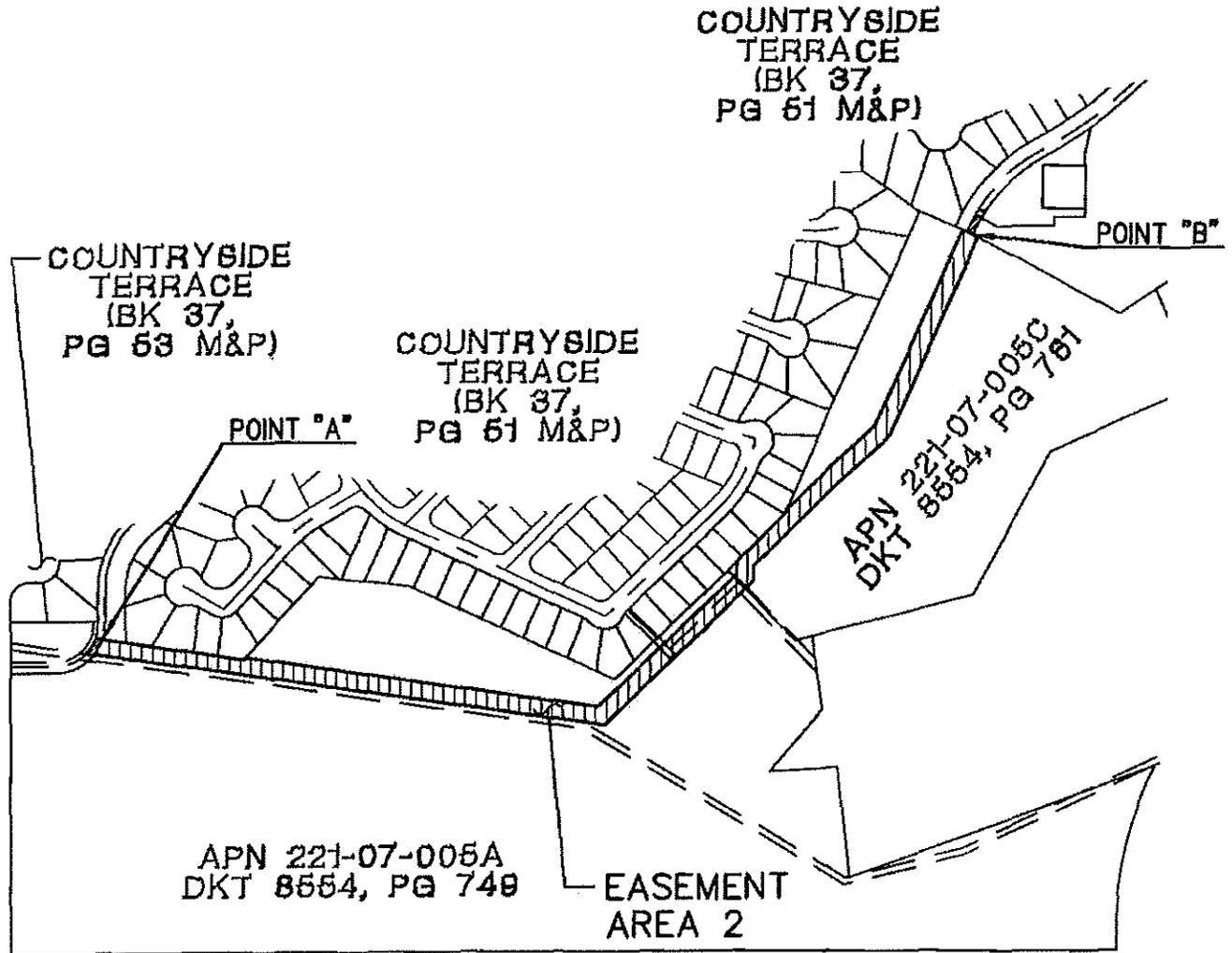
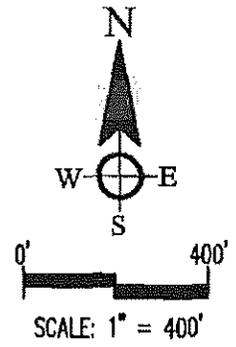
ORO VALLEY WATER UTILITY
AREA 1 EASEMENT EXHIBIT
S24, T12S, R12E (G&SRM)
Pima County, Arizona

WestLand Resources, Inc.
Tucson • Phoenix • Flagstaff
4071 E. Pomeroy Falls Drive
Tucson, Arizona 85712 (520) 204-0585

EXPIRES 3/31/2015

MAY 27, 2014

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Note: This is an exhibit drawing only. See legal description for complete information.

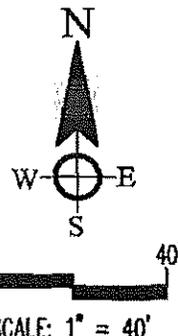


ORO VALLEY WATER UTILITY
AREA 2 EASEMENT EXHIBIT
 S24, T12S, R12E (G&SRM)
 Pima County, Arizona

WestLand Resources, Inc.
 Tucson • Phoenix • Flagstaff
 4001 E. Pershing Falls Drive
 Tucson, Arizona 85712 (520) 206-9585

EXPIRES 3/31/2015

MAY 27, 2014



COUNTRYSIDE
TERRACE
(BK 37,
PG 51 M&P)

30'
DRAINAGEWAY

16' ACCESS AND
MAINTENANCE WAY

LOT 189

LOT 150

POINT OF
TERMINATION

POINT OF
BEGINNING

POINT "B"
EASEMENT
AREA 3

APN 221-07-005A
DKT 8554, PG 749

ORO VALLEY WATER UTILITY
AREA 3 EASEMENT EXHIBIT
S24, T12S, R12E (G&SRM)
Pima County, Arizona

Note: This is an exhibit drawing
only. See legal description for
complete information.



EXPIRES 3/31/2015

MAY 27, 2014

WestLand Resources, Inc.
Tucson • Phoenix • Flagstaff
4001 E. Paradise Falls Drive
Tucson, Arizona 85712 (520) 206-2505

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Jeffrey D. Swango, SRA, SR/WA, R/W-AC, R/W-NAC
Arizona Certified General Real Estate Appraiser: 31133
Senior Real Property Appraiser
Pima County Real Property Services

Public Works Bldg
201 North Stone Ave, 6th Fl
Tucson, Arizona 85701

Ph: 520.740.6302
Fax: 520.740.6763
Jeff.Swango@pw.pima.gov

June 19, 2014

Mr. Douglas Laney, MAI, SR/WA
Pima County Public Works
Real Property Services
201 North Steone Avenue, Sixth Floor
Tucson, Arizona 85701-1207

RE: A summary appraisal report of vacant land (47.64 acres) located adjacent southeast of 8922 North Hartman Lane, Marana, Arizona.

- Ownership: Pima County
- Tax Parcel No: 221-07-005A and 005C
- Effective Date of Appraisal: June 11, 2014
- Date of Report: June 19, 2014
- Project Task: 1400000291 and 1400018761
- Program: Oro Valley Water (waterline easement)

Dear Mr. Laney:

In response to your authorization, I have conducted an inspection of the above noted property, gathered relevant data, and made an analysis in order to form an opinion of the market value of the fee simple interest for the entire parcel as described. From this a unit value per square foot has been derived and applied to the proposed easement then multiplied by a percentage of market value to reflect the rights remaining with the owner and those sought by the utility.

The report is intended for use only by the intended user, Pima County Public Works, Real Property Services and it's designees. Use of this report by others is strictly not intended by the appraiser. The report is to be used only for assisting the department in determination of a just compensation amount.

The subject property is not currently improved and no site improvements are being affected by the easement, this is only an appraisal of the physical segment of land only of the subject property.

I have formed the opinion that as of the effective date of the appraisal and subject to the assumptions and limiting conditions set forth herein and based on a six to twelve month marketing period that the value of the acquisition is:

- Market value of the 47.64 acre site: \$32,000
- Total Compensation for the easements: \$880**

Jeffrey D. Swango, SRA, SR/WA, R/W-AC, R/W-NAC
Arizona Certified General Real Estate Appraiser: 31133
Senior Real Property Appraiser
Real Property Services

Continued.....

This is a complete, summary appraisal report which is intended to comply with the reporting requirements under Standard Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice (2014 Edition) – as set forth by the Appraisal Standards Board of the Appraisal Foundation. It is also intended to comply with the various appraisal reporting requirements as determined by Pima County.

Extraordinary Assumption – An environmental survey of the property has not been completed as of the date of inspection. Any adverse environmental conditions may have an impact on value and the appraiser reserves the right to adjust the value as needed pending any findings.

Additionally, no title report was available for review. Clouds on title, pre-existing easements, and other legal claims may also have an effect on value and the appraiser reserves the right to change the value if needed in light of new information.

✓ Please note per the applicant, the easement request is parallel to an existing 6-inch water main to be replaced and its existing 15-foot wide public utility easement. The combined total area of the proposed easements equals 103,700.4 sq. ft., while the overlapping of the existing water easement is 28,162 sq. ft. The requested area for the new easement, less the overlapping of the existing easement is 75,538.4 sq. ft. ✓

Respectfully submitted,

Signed: _____
Jeffrey D. Swango, SRA, RAA, R/W-AC, R/W-NAC
Az. Certified General Real Estate Appraiser: 31133
Senior Real Property Appraiser
Real Property Services

Date: 6/19/2014

Jeffrey D. Swango, SRA, SR/WA, R/W-AC, R/W-NAC
Arizona Certified General Real Estate Appraiser: 31133
Senior Real Property Appraiser
Real Property Services



Town Council Regular Session

Item # **G.**

Meeting Date: 10/01/2014
Submitted By: Kristy Diaz-Trahan, Parks and Recreation
Department: Parks and Recreation

Information

SUBJECT:

Resolution No. (R)14-51, authorizing and approving the State Historic Preservation Office Pass-Through Grant Agreement for the Building Condition Assessment Update for structures at Steam Pump Ranch

RECOMMENDATION:

Staff recommends approval of accepting a State Historic Preservation Office pass-through grant in the amount of \$10,000.

EXECUTIVE SUMMARY:

The State Historic Preservation Office (SHPO) offers annual pass-through grants to Certified Local Governments, such as the Town of Oro Valley. During its June 2, 2014, meeting, the Oro Valley Historic Preservation Committee recommended a grant submittal for a "Building Condition Assessment" for structures at Steam Pump Ranch.

BACKGROUND OR DETAILED INFORMATION:

The Steam Pump Ranch (SPR) Master Plan was completed in April 2008. The Plan addressed the building condition of structures on the property with corresponding price estimates for preservation. Since 2008, there has been significant investment and improvement to the property to include restoration and rehabilitation of the 1880's Pusch House.

Over the past six years, the remaining structures have worn in varying degrees. This wear has resulted in the need to reevaluate the condition of structures so that cost estimates can be updated and future investment priorities can be established.

The Building Condition Assessment will require the services of a professional with experience in conducting assessments of historical properties. The assessment will contain a detailed analysis of the condition of structures within the Historic Core. The updated condition report will indicate the financial requirements for the appropriate level of preservation per structure which will then provide a framework in regard to future funding prioritization.

FISCAL IMPACT:

The SHPO grant award is for \$10,000 and requires a local match of \$7,000 for a total of \$17,000. Matching funds may consist of cash, in-kind contributions or donations, including volunteer time. Staff recommends the following for matching funds:

\$2,000 in funds from the Parks and Recreation budget. These funds will be used to support the prioritization efforts (cost estimates) and related printing costs as a result of the new Assessment findings.

\$5,000 of in-kind funds (staff support) to include support from Town staff (Parks & Recreation, Finance, Procurement, DIS) and Pima County staff (Office of Conservation). Support may be in the form of researching past documentation, contract negotiation and development and on-site/meeting communication with the consultant.

SUGGESTED MOTION:

I MOVE to (approve or deny) Resolution No. (R)14-51, authorizing and approving the State Historic Preservation Office Pass-through Grant Agreement.

Attachments

(R)14-51 SPR Building Assessment Grant

SHPO Grant

RESOLUTION NO. (R)14-51

**A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA,
AUTHORIZING AND APPROVING THE STATE HISTORIC
PRESERVATION OFFICE PASS-THROUGH AGREEMENT FOR
THE BUILDING CONDITION ASSESSMENT UPDATE FOR
STRUCTURES AT STEAM PUMP RANCH**

WHEREAS, the Town desires to enter into a pass-through agreement with the State Historic Preservation office; and

WHEREAS, the State Historic Preservation office pass-through grant will allow for a building condition assessment for existing structure located at Steam Pump Ranch; and

WHEREAS, the pass-through grant will provide the Town of Oro Valley with \$10,000.00 towards the building condition assessment, with the Town of Oro Valley matching \$7,000.00 for a total of \$17,000.00 for the building condition update at Steam Pump Ranch; and

WHEREAS, it is in the best interest of the Town of Oro Valley to enter into the State Historic Preservation Office Pass-Through Agreement for the building condition assessment update for structures at Steam Pump Ranch.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Town of Oro Valley, Arizona, that the State Historic Preservation Office Pass-Through Agreement, attached hereto as Exhibit "A" and incorporated herein by this reference, between the Town of Oro Valley and the State Historic Preservation Office is hereby authorized and approved.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this 1st day of October, 2014.

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”

Janice K. Brewer
Governor

Bryan Martyn
Executive Director



Board Members

Alan Everett, Sedona, *Chair*
Walter D. Armer, Jr., Vail
Mark Brnovich, Phoenix
R. J. Cardin, Phoenix
Kay Daggett, Sierra Vista
Larry Landry, Phoenix
Vanessa Hickman,
State Land Commissioner

August 11, 2014

Kristy Diaz-Trahan
City of Oro Valley
680 West Calle Concordia
Oro Valley, AZ 85704

RE: Project Number: 441416: Oro Valley Preservation Plan – Building
Condition Assessment Update

Dear Ms. Diaz-Trahan:

Enclosed are two copies of the Participant Agreement and the General Provisions for the above-referenced project. If the Agreement is acceptable to you, including the scope of work, please return **both** copies with the **original** signatures. Work cannot begin until the agreement is fully executed.

Once I receive the signed agreement, I will process and return one original to you for your file. Please note that this project requires your compliance with all applicable federal statutes and guidelines. In addition, the project period will begin upon execution and end September 30, 2015, *with absolutely no possibility of extension.*

I look forward to assisting you with the successful completion of this project. Please feel free to call me at 602-542-6998 if you have any questions or require any additional assistance.

Sincerely,

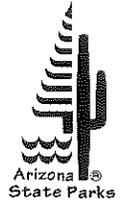
A handwritten signature in blue ink, appearing to read "Eric Vondy", is written over a horizontal line.

Eric Vondy
Preservation Incentives Program Coordinator
State Historic Preservation Office

enclosures



State Historic Preservation Office
 1300 West Washington, Phoenix, Arizona 85007
FEDERAL PASS-THROUGH PARTICIPANT AGREEMENT



This Agreement is entered into by and between the **Arizona State Parks Board** and the **City of Oro Valley** and becomes effective on the date of signature by the authorized representative of Arizona State Parks.

PROGRAM: Federal Historic Preservation Fund Certified Local Government Pass-Through

PROJECT TITLE: Oro Valley Preservation Plan – Building Condition Assessment Update

PROJECT TYPE: Preservation Plan

STATE PROJECT NUMBER: 441416 **FEDERAL PROJECT NUMBER:** AZ-14-016

FFY OF REVENUE: 2014

NPS/HPF GRANT #: P13AF00142 **CDFA NUMBER:** 15-904

PROJECT PERIOD: Upon full execution through end of Federal Fiscal Year, September 30, 2015.

FEDERAL FUNDS:	\$10,000.00	59%
PARTICIPANT MATCH:	\$7,000.00	41%
TOTAL PROJECT COST:	\$17,000.00	100%

APPROVED SCOPE OF WORK AND SPECIAL CONDITIONS: Attachment A

AUTHORITIES TO ENTER INTO THIS AGREEMENT: (statute, resolution, minutes, etc.)
 STATE: A.R.S. §§ 41-511.04 (A) (8), 41-511.04 (D) (1) & 41-511.05 (2) and Resolution 11/2000.
 FEDERAL: 36 CFR 61.7 (a)

AWARDING OFFICIALS ON BEHALF OF THE NATIONAL PARK SERVICE AND THE ARIZONA STATE PARKS BOARD:

 Signature Date
James W. Garrison
State Historic Preservation Officer

 Signature Date
Kent Ennis
Assistant Director, Arizona State Parks

ACCEPTANCE OF ALL TERMS OF THIS AGREEMENT AND ITS ATTACHMENTS IS ACKNOWLEDGED BY THE PARTICIPANT'S SIGNATURE BELOW.

PARTICIPANT ATTORNEY APPROVAL AS TO FORM AND AS BEING WITHIN THE AUTHORITY OF THE PARTICIPANT.

 Participant's Signature

 Name (Typed)

 Title Date

Tobin Sidles

 Attorney's Signature
Tobin Sidles

 Name (Typed)
Legal Services Director *8/19/14*

 Title Date



State Historic Preservation Office
1300 West Washington, Phoenix, Arizona 85007
FEDERAL PASS-THROUGH PARTICIPANT AGREEMENT



ATTACHMENT A
Approved Project Scope and Special Conditions

PARTICIPANT: City of Oro Valley

PROJECT TITLE: Oro Valley Preservation Plan – Building Condition Assessment Update

PROJECT TYPE: Preservation Plan

STATE PROJECT NUMBER: 441416
FEDERAL PROJECT NUMBER: AZ-14-016

STATE PLAN OBJECTIVES: Better Resource Management
Public Support
Integrated Preservation Planning

APPROVED PROJECT SCOPE:

1. Complete Preservation Plan Update
- 2.
- 3.
- 4.
- 5.

SPECIAL CONDITIONS:

GENERAL PROVISIONS

PART I - DEFINITIONS

For purposes of this agreement,

- A. **BOARD** means the Arizona State Parks BOARD, which is the governing body of Arizona State Parks.
- B. **CLG** means Certified Local Government.
- C. **ELIGIBLE COSTS** means direct costs chargeable to the project PASS-THROUGH program such as 1) compensation of hired employees for the time and efforts devoted specifically to the execution of the PASS-THROUGH; 2) cost of materials acquired, consumed, or expended specifically for the purposes of the PASS-THROUGH; 3) equipment and other capital expenditures; 4) other items of expense incurred specifically to carry out the participant agreement; 5) direct services furnished specifically for the PASS-THROUGH program by other agencies.
- D. **FUND** means a grant from the Federal Historic Preservation Fund.
- E. **GUIDELINES** mean program directives adopted by the BOARD.
- F. **INELIGIBLE COSTS** are those costs incurred for a common or joint purpose benefiting more than one cost objective and not readily assignable to the cost objectives of the PASS-THROUGH.
- G. **MATCH** means a specified percentage of the total eligible and direct project cost which may consist of cash, in-kind contributions, or donations including volunteer time.
- H. **NPS** means National Park Service, United States Department of the Interior.
- I. **OFFICER**, under authority granted by statute or delegated by the Board, means the State Historic Preservation Officer.
- J. **PARTICIPANT** means an eligible applicant that has been awarded a PASS-THROUGH.
- K. **PASS-THROUGH** refers to the money from the **Fund** that NPS and the Federal Government require the SHPO to pass-through to CLGs per 36 CFR 61.7.

L. **PROJECT** means an activity, or a series of related activities, which are described in the specific project scope of work and which result in a specific product(s).

M. **PROJECT PERIOD** means the period of time during which all approved work and related expenditures associated with an approved project are to be completed by the PARTICIPANT.

N. **SHPO** refers the State Historic Preservation Office.

O. **STAFF** means employees of Arizona State Parks, specifically SHPO.

P. **SUB-CONTRACT** means a direct contract between the PARTICIPANT and another party whereby labor is supplied or work is performed in furtherance of the PARTICIPANT'S responsibilities under this agreement.

Q. **TERM OF USE** means the time required for public use, as specified in the Special Conditions attached to this agreement.

PART II - PERFORMANCE

A. ADMINISTRATION

1. **Conditions** - This agreement is subject to the availability of PASS-THROUGH funds and appropriate approvals, and shall be subject to the Constitution of the State of Arizona, the Arizona Revised Statutes, other acts of the Arizona Legislature, executive orders of the Governor, policies of the BOARD, and requirements under applicable federal law.
2. **Incorporation of Application** - The PARTICIPANT'S approved application for PASS-THROUGH funds is incorporated by reference as part of this agreement; however, the terms of this agreement shall take precedence in the event of conflict or ambiguity.
3. **Use of PASS-THROUGH Funds** - Awarded PASS-THROUGH funds shall be used solely for eligible purposes of the funding program as defined by statute and as approved by the OFFICER. The PARTICIPANT agrees to make monetary restitution of ineligible expenditures disclosed through audit by NPS.

4. **Transfer of PASS-THROUGH Funds** - Awarded PASS-THROUGH funds shall be transferred to the PARTICIPANT through reimbursement of approved expenditures. Documentation of these expenditures will include, but is not be limited to, invoices, canceled checks, vouchers, receipts, time records for both employees and in-kind labor, and indirect cost rate documentation, if applicable. Staff will reimburse PARTICIPANT for allowable current project expenditures up to the PASS-THROUGH amount.
5. **Final Reimbursement** - A final reimbursement will be made to the PARTICIPANT of all eligible federal share funds upon receipt of fiscal documentation detailed in #4 above and upon receipt of the final product which would include, but is not be limited to, reports, videos, or documents. This final reimbursement request and product will be submitted to the STAFF within thirty (30) days after the completion date of the Project but not later than October 30th, thirty (30) days (after the end of the federal fiscal year). One extension for an additional 30 days is available upon *written* request. Failure to submit the final request for reimbursement or a written request for extension within thirty (30) days after completion date or within thirty (30) days of the end of the federal fiscal year will result in the PARTICIPANT forfeiting any balance of the federal share not previously reimbursed.
6. **PASS-THROUGH Retainage** - Ten percent (10%) of the PASS-THROUGH amount may be retained from reimbursement to PARTICIPANT until STAFF notifies the PARTICIPANT in writing that the project is officially closed and completed.
7. **PASS-THROUGH Accountability** - Received PASS-THROUGH funds shall be managed separately within the PARTICIPANT'S accounting system which identifies the name and number of the project. The funds shall be expended only as authorized under the terms of this agreement and applicable state and federal laws.
8. **Accomplishment of Project** - The project shall be accomplished according to the terms of this agreement and applicable State laws, and the Historic Preservation Fund Grants Manual published by NPS.
9. **Amendments** - This agreement may be amended in writing by the parties of the agreement upon written request of the PARTICIPANT and good cause shown, to adjust the approved scope of work,

products, budget and performance/reporting mile stones, or other specified adjustments to the agreement. These changes cannot be made without prior approval of the OFFICER.

10. **Use of Project** - Project accomplishments shall be open or available to the public as specified in Attachment A.
11. **Special Conditions** - Special conditions listed in Attachments to this agreement shall be binding upon and inure to the benefit of the successors and assigns of each of the parties to this agreement. Breach of any condition shall be enforceable by specific performance or shall justify the OFFICER to seek recovery of all funds granted.
12. **Disagreements** – Disagreements with any decision or action concerning project administration which are not resolved to the satisfaction of the participant with staff may be addressed in the following manner:
 - a. The participant may submit a written request for review to the Assistant Director of the Partnerships Division of the Arizona State Parks who will address the matter and respond in writing within 30 days of receiving the request from the participant.
 - b. If the disagreement is not resolved at the Assistant Director's level, the participant may submit a written request for review to the Executive Director of Arizona State Parks for consideration. The Executive Director will respond within 30 days of receiving the request.

B. RELATIONSHIP OF PROJECT COSTS TO THE PROJECT PERIOD

Only those costs associated with approved project work incurred during the project period shall be eligible for matching assistance.

C. PROCUREMENT AND DEVELOPMENT

Procurement transactions, including those involving professional services, materials, and construction, shall be accomplished according to the PARTICIPANT'S procurement standards.

All procurement transactions, including the selection of consultants, regardless of whether by sealed bids or by negotiation and without regard to dollar value, shall be conducted in a manner that provides maximum open and free

competition. Information regarding procurement guidelines, requirements and documentation is available from the STAFF, which shall have the right to determine the specific requirements to be followed.

PARTICIPANTS agree to submit Requests for Proposals or Invitations to Bid to SHPO for review and comment before their release, and agree to incorporate comments and revisions into the final procurement document. The PARTICIPANT will notify STAFF in writing of the selected proposal, why it was selected, and the names of other bidders on the project. Consultants must submit documentation of qualifications to perform professional services in work related to the project that meet the applicable professional requirements in the Secretary of Interior's Standards and Guidelines for Archaeology and Historic Preservation. These conditions must be met before reimbursements are processed to the PARTICIPANT by STAFF.

D. SUB-CONTRACTS

1. Subcontracts awarded to accomplish approved project work shall incorporate, by reference, in each subcontract the provisions of this agreement. The PARTICIPANT shall bear full responsibility for acceptable performance under each subcontract. The PARTICIPANT agrees to submit to the STAFF all subcontracts for review and comment prior to their release, and agrees to incorporate the OFFICER'S comments and suggested revisions into the subcontract. The PARTICIPANT will forward copies of all executed subcontracts to the STAFF and will retain originals on file.
2. The PARTICIPANT shall pay any claim of a sub-contractor or other employed individual performing work on this project for services pursuant to this agreement when due. If the PARTICIPANT is subject to A.R.S. §34-221, payment is due when required pursuant to A.R.S. §34-221.
3. Unless the PARTICIPANT is a State or federal agency, the PARTICIPANT shall indemnify, save and hold harmless the BOARD and the State of Arizona, its agents, departments, officers and employees from all claims, losses, damages, liabilities, expenses, costs, and charges incident to or resulting in any way from any injuries or damage to any person or any damage to any property caused by or resulting from the issuance of or the performance of services rendered as part of this Agreement, except those claims, losses, damages, liabilities, expenses, cost, and charges arising from

the sole negligence of the BOARD or the State of Arizona, its agents, departments, officers, or employees.

4. Any subcontract for employment by the PARTICIPANT shall be in writing and shall contain a provision whereby a person so employed or with whom a sub-contract has been entered, acknowledges that the State of Arizona and the OFFICER and NPS shall not be liable for any costs, claims, damages, reimbursement, or payment of any kind relating to such sub-contract.

E. PROJECT REPORTING, REVIEWS, AND ON-SITE INSPECTIONS

The PARTICIPANT agrees to submit a project status report to STAFF with each billing statement or advance request, but not less than quarterly. The status report will include at a minimum the following: 1) progress in completing approved scope of work; 2) budget report; and 3) anticipated delays and problems preventing expeditious completion of the project.

If the project period crosses Federal fiscal years, the PARTICIPANT agrees to submit an expenditure and progress report as of September 30. Failure to submit the reports will result in delays in reimbursement or advance processing.

The PARTICIPANT further agrees to consult with STAFF and/or OFFICER, as needed, to review progress. The STAFF and/or OFFICER reserves the right to review the progress of the project and to conduct on-site inspections, as applicable and as needed, at any reasonable time during the project period or required Term of Use to assure compliance with the terms of this agreement.

The participant agrees to submit an acceptable final report of the project to the OFFICER which includes a comparison of completed activities and budget to those in the approved agreement as well as the specified final product.

F. PROJECT INCOME AND EARNED INTEREST

Income and/or interest generated from funds transferred to the PARTICIPANT during the project period shall be used to further the purposes of the approved project. Funds advanced, but not spent to complete the project shall be returned to the OFFICER at the completion of project. Pursuant to part II paragraph G of this agreement, the PARTICIPANT shall own all rights in the materials produced with project funds.

G. PRODUCT OR PUBLISHABLE MATTER OWNERSHIP, STORING OF AND ACCESS TO INFORMATION

The PARTICIPANT shall have ownership of products or publishable matter produced with PASS-THROUGH assistance with the understanding that the BOARD reserves non-exclusive license to use and reproduce, without payment, such materials. This paragraph is not applicable to architectural or engineering plans produced with PASS-THROUGH assistance.

Original National Register nomination forms, original maps, photographs, negatives, planning documents, and final reports generated are the property of the OFFICER and shall be stored by the OFFICER in the State Historic Preservation Office and/or the State Library & Archives, or processed, as appropriate. Other data or information generated during this project may be retained by the PARTICIPANT and shall be stored by the PARTICIPANT in a manner approved by the OFFICER. If for any reason the PARTICIPANT can no longer store the project information, it shall be moved by the PARTICIPANT to a depository approved by OFFICER. The decision of the OFFICER with respect to ownership, custody, or storage of any property is final.

With the exception of National Register nomination forms, the PARTICIPANT will provide the OFFICER with five (5) copies of a final summary report (two (2) for SHPO and three (3) for NPS) and four (4) copies (one (1) for SHPO and three (3) for NPS) of any products related to the project must be submitted with the required closure documentation. Two (2) complete originals of the National Register Nomination forms, with all of the appropriate attachments, must be submitted to the OFFICER with the required closure documentation.

H. FUND SOURCE RECOGNITION

The PARTICIPANT agrees to publicly acknowledge the PASS-THROUGH program used to assist project accomplishments including, but not limited to, final documents, audio-visual recording, photographs, plans, drawings, and publications. At a minimum, this acknowledgment shall include the following:

The activity that is the subject of this [type of publication] has been financed in part with Federal funds from the National Park Service, U.S. Department of the Interior. However, the contents and opinions do not reflect the views or policies of the Department of the Interior, nor does the mention of trade names or commercial products constitute endorsement or recommendation by the Department of the Interior.

The PARTICIPANT is free to arrange for copyright without approval on final documents, audio-visual recording, photographs, plans, drawings, and other

project products developed or produced and paid for in whole or in part by this PASS-THROUGH. Such materials shall include acknowledgment of the PASS-THROUGH assistance. As a condition of this PASS-THROUGH assistance, the PARTICIPANT agrees to allow a royalty-free, non-exclusive and irrevocable license for the SHPO or NPS to publish, translate, reproduce, and use all Project data or copyrightable material.

I. PROJECT COST VERIFICATION

The PARTICIPANT agrees to submit project expenditure documents to STAFF for verification or audit purposes upon request during the project period.

J. TRANSFER OF CONTRACTUAL RESPONSIBILITY

The PARTICIPANT may transfer contracted responsibilities under the terms of this agreement to another eligible participant provided that approval has been granted by the OFFICER prior to the transfer.

PART III - COMPLIANCE

A. ANTI-TRUST

Vendor and purchaser recognize that, in actual economic practice, overcharges from anti-trust violations are borne by purchaser. Therefore, the PARTICIPANT hereby assigns to BOARD any and all claims for such overcharges.

B. ARBITRATION

To the extent required pursuant to A.R.S. §12-1518 and any successor statute, the parties agree to use arbitration, after exhausting all applicable administrative remedies, to resolve disputes arising out of this Agreement.

C. INDEMNIFICATIONS AND CLAIMS AGAINST THE STATE

Each party (as 'indemnitor') agrees to indemnify, defend, and hold harmless the other party (as 'indemnitee') from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) hereinafter collectively referred to as 'claims') arising out of bodily injury to any person (including death) or property damage but only to the extent that such claims which result in vicarious/derivative liability to the indemnitee, are caused by the act, omission, negligence, misconduct, or other fault of the indemnitor, its officer, officials, agents, employees, or volunteers.

D. NON-DISCRIMINATION

Employment: the PARTICIPANT agrees to comply with the provisions of Executive Order Number 99-4, issued by the Governor of the State of Arizona relating to nondiscrimination in employment, which by reference is incorporated herein and becomes a part of this Agreement.

The following shall be included in any publication of information generated within the scope of the Project:

This program receives Federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, the U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, or handicap in its federally assisted programs. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to: Office of Equal Opportunity, U.S. Department of the Interior, Washington, D.C. 20240.

E. ARIZONANS WITH DISABILITIES ACT OF 1992 AND AMERICANS WITH DISABILITIES ACT

The PARTICIPANT shall comply with all applicable provisions of the Arizonans with Disabilities Act of 1992, A.R.S. §41-1492, et. seq. and the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213 and 47 U.S.C. §225 and 611), and applicable state rules and federal regulations under the Acts (28 CFR Parts 35 and 36).

PARTICIPANT agrees to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000 (d)), the Americans with Disabilities Act, and with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). These laws prohibit discrimination on the basis of race, religion, national origin, or handicap.

F. IRAN/SUDAN SCRUTINIZED BUSINESS OPERATIONS

In accordance with A.R.S. § 35-391.06 and A.R.S. § 35-393.06 the PARTICIPANT hereby certifies that the PARTICIPANT does not have scrutinized business operations with Sudan or Iran.

G. RECORDS RETENTION AND AUDITS

1. Complete financial records and all other documents pertinent to this Agreement shall be retained by the PARTICIPANT and made available to the STAFF, if requested, for review and/or audit purposes for a period of five (5) years after project closure.

PARTICIPANT must comply with the Single Audit Act of 1984 (31 USC §§7501-7) and the requirements of OMB Circular A-128 for State or local governments, or the audit requirements of OMB Circular A-133 for universities and non-profit organizations.

2. The PARTICIPANT may substitute microfilm copies in place of original records, but only after project costs have been verified.

H. STATE CONTRACT CANCELLATION

1. The State or its political subdivisions or any department or agency of either may cancel this contract, without penalty or further obligation pursuant to A.R.S. §38-511.
2. This Agreement is subject to cancellation by the BOARD under A.R.S. §38-511 if a person significantly involved in the Agreement on behalf of the state is an employee or consultant of the contractor at any time while the Agreement or any extension of the Agreement is in effect.

I. REMEDIES

1. The OFFICER may temporarily suspend PASS-THROUGH assistance under the project pending required corrective action by the PARTICIPANT or pending a decision to terminate the PASS-THROUGH by the OFFICER.
2. The PARTICIPANT may unilaterally terminate the Project at any time before the first payment on the Project. After the initial payment, the Project may be terminated, modified, or amended by the PARTICIPANT only by written mutual agreement of the parties.
3. The OFFICER may terminate the Project in whole, or in part, at any time before the date of completion, whenever it is determined that

the PARTICIPANT has failed to comply with the terms or conditions of the agreement. The OFFICER will promptly notify the PARTICIPANT in writing of the determination and the reasons for the termination, including the effective date. All payments made to the PARTICIPANT shall be recoverable by the OFFICER under a Project terminated for cause.

4. The OFFICER or PARTICIPANT may terminate the Participant Agreement in whole, or in part, at any time before the date of completion, when both parties agree that the continuation of the Project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated. The PARTICIPANT shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. The OFFICER may allow full credit to the PARTICIPANT for the federal share of the obligations properly incurred before the effective termination date and which cannot be canceled.
5. Termination either for cause or for convenience requires that the Project in question be brought to a state of public usefulness to the terms set forth by the OFFICER; otherwise, all funds provided by the OFFICER shall be returned to the OFFICER.
6. The OFFICER may require specific performance of the terms of this agreement or take legal steps necessary to recover the funds granted if the PARTICIPANT fails to comply with the terms of the grant or breaches any condition or special condition of the Participant Agreement.
7. The remedies expressed in this Agreement are not intended to limit the rights of the OFFICER. This Agreement shall not in any way abridge, defer, or limit the OFFICER'S right to any right or remedy under law or equity that might otherwise be available to the OFFICER.

J. CULTURAL RESOURCES

1. The OFFICER is responsible for implementing the National Historic Preservation Act of 1966, 16 U.S.C. 470 et seq., as amended and as administered by the National Park Service, U.S. Department of the Interior.

2. The PARTICIPANT agrees to meet the requirements of the State Historic Preservation Act (A.R.S. §41-861 to 41-864) before project initiation.
3. All Historic Preservation Fund historic preservation projects must conform to the Secretary of the Interior's Standards for Archaeology and Historic Preservation. Specifically:
 - a. Sub-contractors must meet the Secretary of the Interior's Professional Qualifications Standards.
 - b. Documentation related to the project must comply with the applicable standard: the Secretary's Standards for Architectural and Engineering Documentation, Historical Documentation or Archaeological Documentation
 - c. All Survey and Inventory work must comply with the Secretary of the Interior's Standards for Identification and Evaluation.
 - d. Context development and preservation plans must comply with the Secretary of the Interior's Standards for Preservation Planning.
 - e. Projects not explicitly listed here must conform to the appropriate standard as defined by the OFFICER.

Final products which do not conform to the terms and conditions of the agreement or which do not meet the applicable Secretary of the Interior's Standards will not be reimbursed.

K. LOBBYING

In accordance with 18 U.S.C. 1913, the PARTICIPANT shall not use any funds provided by the OFFICER nor any matching funds related to this project for lobbying efforts.

L. OMB COMPLIANCE

PARTICIPANT must comply with the Single Audit Act of 1984 (31 USC §§7501-7) and the applicable OMB Circular as delineated below.

State/Local/Tribes

OMB 7 - A87, A102 & A128

Non-Profits
Educational Institutions

OMB 7 - A110, A122 & A133
OMB 7 - A121 & A133

If any part of this contract is determined invalid or unenforceable, the remaining provisions shall continue valid and enforceable to the full extent possible by law. Acceptance of all terms and conditions of this agreement and its attachments is acknowledged by the PARTICIPANT'S signature on the cover of this agreement.



Town Council Regular Session

Item # **H.**

Meeting Date: 10/01/2014

Requested by: Daniel G. Sharp **Submitted By:** Colleen Muhr, Police Department

Department: Police Department

Information

SUBJECT:

Resolution No. (R)14-52, authorizing and approving a task force agreement between the Drug Enforcement Administration ("DEA") and the Town of Oro Valley ("Town") for the participation of two (2) Oro Valley police officers in the DEA Tucson Task Force

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

Request is being made to enter into an agreement with the Drug Enforcement Administration (DEA) for the participation of two (2) Oro Valley police officers in the DEA Tucson Task Force.

BACKGROUND OR DETAILED INFORMATION:

If approved, this agreement will provide for continued participation in these cooperative efforts to disrupt illicit drug traffic in the State of Arizona, gather and report intelligence data related to drug trafficking, and conduct undercover operations to allow for effective prosecution.

Additionally, this agreement will enhance our ability to identify, target and investigate Consolidated and Regional Priority Organization Targets, as well as target and investigate major drug trafficking and money laundering organizations.

FISCAL IMPACT:

These two (2) positions are currently funded in the approved FY 2014/2015 budget

SUGGESTED MOTION:

I MOVE to (adopt, adopt with conditions, or deny) Resolution No. (R)14-52, authorizing and approving a task force agreement between the Drug Enforcement Administration ("DEA") and the Town of Oro Valley ("Town") for the participation of two (2) Oro Valley police officers in the DEA Tucson Task Force.

Attachments

(R)14-52 DEA Task Force Agreement

DEA IGA Tucson Task Force

RESOLUTION NO. (R)14-52

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, AUTHORIZING AND APPROVING A TASK FORCE AGREEMENT BETWEEN THE DRUG ENFORCEMENT ADMINISTRATION (“DEA”) AND THE TOWN OF ORO VALLEY (“TOWN”) FOR THE PARTICIPATION OF TWO ORO VALLEY POLICE OFFICERS IN THE TUCSON TASK FORCE

WHEREAS, pursuant to A.R.S. § 11-952, the Town is authorized to enter into agreements for joint and cooperative action to include the Agreement, attached hereto as Exhibit “A”, with the DEA; and

WHEREAS, the Town is authorized to establish and maintain the Oro Valley Police Department, pursuant to A.R.S. § 9-240 (B)(12); and

WHEREAS, the Town wishes to enter into a Task Force Agreement with the DEA to assist the DEA in drug trafficking interdiction, gathering and reporting data relating to narcotics and dangerous drugs and undercover operations related illegal activity detrimental to the health and general welfare of the residents of the Town and the State of Arizona; and

WHEREAS, it is in the best interest of the Town to enter into the Task Force Agreement, attached hereto as Exhibit “A” and incorporated herein by this reference, in order to set forth the terms and conditions to provide for the health, safety and welfare of the residents of the Town of Oro Valley and the State of Arizona.

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

SECTION 1. The Task Force Agreement attached hereto as Exhibit “A” and incorporated herein by this reference, between the Drug Enforcement Administration and the Town of Oro Valley for participation of two Oro Valley Police Officers in the Tucson Task Force is authorized and approved.

SECTION 2. The Chief of Police and other administrative officials of the Town of Oro Valley 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 Town Council of the Town of Oro Valley, Arizona, this 1st day of October, 2014.

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”

**PROGRAM-FUNDED STATE AND LOCAL TASK FORCE AGREEMENT
BETWEEN
DRUG ENFORCEMENT ADMINISTRATION
AND
ORO VALLEY POLICE DEPARTMENT**

This agreement is made this 30th day of September, 2014, between the United States Department of Justice, Drug Enforcement Administration (hereinafter “DEA”), and Oro Valley Police Department (hereinafter “OVPD”). The DEA is authorized to enter into this cooperative agreement concerning the use and abuse of controlled substances under the provisions of 21 U.S.C. § 873.

WHEREAS there is evidence that trafficking in narcotics and dangerous drugs exists throughout Arizona, and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of the State of Arizona, the parties hereto agree to the following:

1. The DEA Tucson Task Force will perform the activities and duties described below:
 - a. disrupt the illicit drug traffic in the State of Arizona by immobilizing targeted violators and trafficking organizations;
 - b. gather and report intelligence data relating to trafficking in narcotics and dangerous drugs; and,
 - c. conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force’s activities will result in effective prosecution before the courts of the United States and the State of Arizona.
2. To accomplish the objectives of the DEA Tucson Task Force, the OVPD agrees to detail two (2) experienced Officers to the DEA Tucson Task Force, for a period of not less than two years. During this period of assignment, the OVPD Officers will be under the direct supervision and control of DEA supervisory personnel assigned to the Task Force.
3. The OVPD Officers assigned to the Task Force shall adhere to DEA policies and procedures. Failure to adhere to DEA policies and procedures shall be grounds for dismissal from the Task Force.
4. The OVPD Officers assigned to the Task Force shall be deputized as a Task Force Officers of DEA pursuant to 21 U.S.C. §878.

5. To accomplish the objectives of the DEA Tucson Task Force, the OVPD agrees to detail two (2) experienced Officers to the DEA Tucson Task Force. DEA will assign seven (7) Special Agents to the Task Force. DEA will also, subject to the availability of annually appropriated funds or any continuing resolution thereof, provide necessary funds and equipment to support the activities of the DEA Special Agents and OVPD Officers assigned to the Task Force. This support will include: office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training, and other support items.
6. During the period of assignment to the DEA Tucson Task Force, the OVPD will remain responsible for establishing the salary and benefits, including overtime, of the OVPD Officers assigned to the Task Force, and for making all payments due them. DEA will, subject to availability of funds, reimburse the OVPD for overtime payments made by it to the OVPD Officers assigned to the DEA Tucson Task Force for overtime, up to a sum equivalent to 25 percent of the salary of a GS-12, Step 1, law enforcement officer general schedule locality pay tables, rest of the United States table (currently \$17,374.25), per officer. ***“Note: Task Force Officers Overtime shall not include any costs for benefits, such as retirement, FICA, and other expenses.”***
7. In no event will the OVPD charge any indirect cost rate to DEA for the administration or implementation of this agreement.
8. The OVPD shall maintain on a current basis complete and accurate records and accounts of all obligations and expenditures of funds under this agreement in accordance with generally accepted accounting principles and instructions provided by DEA to facilitate on-site inspection and auditing of such records and accounts.
9. The OVPD shall permit and have readily available for examination and auditing by DEA, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts or expenditures relating to this agreement. The OVPD shall maintain all such reports and records until all litigation, claim, audits and examinations are completed and resolved, or for a period of three (3) after termination of this agreement, whichever is later.
10. The OVPD shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, and all requirements imposed by or pursuant to the regulations of the United States Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, F, G, H, and I.

11. The OVPD agrees that an authorized Officers or employee will execute and return to DEA the attached OJP Form 4061/6, Certification Regarding Lobbying: Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. The OVPD acknowledges that this agreement will not take effect and no Federal funds will be awarded to the OVPD by DEA until the completed certification is received.
12. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, the OVPD shall clearly state: (1) the percentage of the total cost of the program or project which will be financed with Federal money; and, (2) the dollar amount of Federal funds for the project or program.
13. The term of this agreement shall be effective from the date in paragraph number one (1) until September 29, 2015. This agreement may be terminated by either party on thirty days' advance written notice. Billings for all outstanding obligations must be received by DEA within 90 days of the date of termination of this agreement. DEA will be responsible only for obligations incurred by OVPD during the term of this agreement.

For the Drug Enforcement Administration:

Douglas W. Coleman
Special Agent in Charge

Date _____

For the Oro Valley Police Department:

Daniel G. Sharp
Chief of Police

Date _____

Attachments

PASSED and ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this _____ day of _____, 2014.

TOWN OF ORO VALLEY:

Mayor

Date _____

APPROVED AS TO FORM:

Town Attorney

Date: _____

ATTEST:

Town Clerk

Date: _____



Town Council Regular Session

Item # 1.

Meeting Date: 10/01/2014
Submitted By: Kristy Diaz-Trahan, Parks and Recreation
Department: Parks and Recreation

Information

SUBJECT:

Authorization to proceed with a \$125,000 appropriation for a protective cover over the pump house at Steam Pump Ranch as requested in FY 2014/15 Budget

RECOMMENDATION:

The Historic Preservation Commission unanimously approved to stabilize and preserve the pump house at Steam Pump Ranch with a protective cover. Staff agrees and recommends Council approval of this preservation treatment.

EXECUTIVE SUMMARY:

The fiscal year 2014/15 budget included a request for a protective shade cover over the historic pump house at Steam Pump Ranch. During the May 21, 2014, Council meeting, Council directed staff to consult with experts to ensure this was the best treatment for the pump house.

Parks & Recreation Director Diaz-Trahan, Cultural Resources Manager Lynanne Dellerman, and Historic Preservation Commission member Eric Thomae met throughout the summer and concluded that the following two treatments were possible:

1. Preservation – stabilize and preserve with a protective cover
2. Restoration – restore existing structure to original form

These two treatment options were presented to the HPC at their September 8, 2014, meeting. The commission unanimously (5-0) approved the Preservation option utilizing a protective cover.

BACKGROUND OR DETAILED INFORMATION:

The Parks & Recreation Department requested \$125,000 for a protective shade cover to be constructed over the historic pump house at Steam Pump Ranch in their FY 2014/15 budget. This treatment method was recommend based on communication from AZ State Historic Preservation Office (SHPO) Architect Robert Frankenberger. During the May 21, 2014, Council meeting, Council directed staff to consult with experts to ensure this was the best treatment for the pump house.

Parks & Recreation Director Kristy Diaz-Trahan, Cultural Resources Manager Lynanne Dellerman, and Historic Preservation Commission member Eric Thomae met Corky Poster (of Poster Frost Mirto, Inc.) at the historic Ft. Lowell Park to look at the preservation work being done to several bunkhouse ruins. Mr. Poster provided detailed description of the stabilization to existing structures, as well as noted the new style of protective covering to preserve the structures. This style essentially mimics the roof line of the original structure.

Diaz-Trahan, Dellerman, and Thomae also met with Linda Mayro, Pima Co. Office of Sustainability &

Conservation Director. Ms. Mayro noted that, in addition to the protective cover (preservation treatment), there may be ample evidence to consider restoration as a treatment. She stated that restoration could result in the pump house losing its “historically contributing” designation, but that change would not put the property at risk of losing its designation. Ms. Mayro was supportive of either treatment.

Diaz-Trahan also spoke to Jim Garrison, State Historic Preservation Officer, who reiterated what Ms. Mayro stated with regard to the risk of the pump house losing its “contributing” designation. Mr. Garrison also noted that with restoration, there is a strong likelihood of losing more of the original fabric due to building code requirements. Mr. Garrison stated that SHPO continues to recommend a protective cover to preserve the structure.

Mr. Thomae and Ms. Diaz-Trahan presented their findings to the HPC at the September 8, 2014, meeting. The commission unanimously (5-0) approved preservation utilizing a protective cover.

FISCAL IMPACT:

Fiscal impact is \$125,000 from the General Government Capital Improvement Fund as appropriated in the FY 2014/15 budget.

SUGGESTED MOTION:

I MOVE to (recommend or deny) approval for a protective cover to preserve the pump house at Steam Pump Ranch.



Town Council Regular Session

Item # 1.

Meeting Date: 10/01/2014

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

Department: Town Clerk's Office

Information

SUBJECT:

PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR ZPIZZA LOCATED AT 11165 N. LA CANADA DRIVE, SUITE 131

RECOMMENDATION:

Staff recommends approval of this liquor license to the Arizona Department of Liquor Licenses and Control for the following reasons:

1. No protests to this license have been received.
2. The necessary background investigation was conducted by the Police Department.
3. The Police Department has no objection to the approval of the Series 12 Liquor License.

EXECUTIVE SUMMARY:

An application for a new Series 12 (Restaurant) Liquor License has been submitted by Owner/Agent Thomas Aguilera for Zpizza located at 11165 N. La Canada Dr., Suite 131.

Mr. Aguilera has submitted all necessary paperwork to the Town of Oro Valley and the Arizona Department of Liquor Licenses and Control, and has paid all related fees associated with applying for the liquor license (\$500 Application Processing Fee).

BACKGROUND OR DETAILED INFORMATION:

This non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement shall result in revocation of the license.

In accordance with Section 4-201 of the Arizona Revised Statutes, the application was posted for 20 days on the premises of the applicant's property, ending September 5, 2014. No protests were received during this time period.

Police Chief Daniel Sharp completed a standard background check on Zpizza and Owner/Agent Thomas Aguilera. Chief Sharp has no objection to the approval of the Series 12 (Restaurant) License.

FISCAL IMPACT:

Per Ordinance No. (O)11-16, the Town of Oro Valley charges a \$500 liquor license application processing fee to cover the costs incurred by the Town to process the application.

Per Section 8-2-6 Schedule of the Oro Valley Town Code, persons licensed by the State of Arizona to deal in spirituous liquor within the Town shall pay an annual license fee of \$80.00 to the Town.

SUGGESTED MOTION:

I MOVE to (recommend or deny) approval of the issuance of a Series 12 Liquor License to the Arizona Department of Liquor Licenses and Control for Thomas Aguilera and principals for ZPizza located at 11165 N. La Canada Dr., Suite 131.

Attachments

ZPizza Liquor License

DANIEL G. SHARP
CHIEF OF POLICE

TO: Mike Standish Deputy Town Clerk

FROM:  Daniel G. Sharp

DATE: September 2, 2014

RE: Background Investigation, Application for Liquor License
Thomas R Aguilera for ZPizza
11165 N La Canada Dr. Suite 131

On September 2, 2014, the Oro Valley Police Department completed the standard background check on ZPizza, and Owner / Agent Thomas R Aguilera.

The Oro Valley Police Department has no objections to the issuing of a liquor license to ZPizza located at 11165 N La Canada Dr. suite 131.

Arizona Department of Liquor Licenses and Control
800 West Washington, 5th Floor
Phoenix, Arizona 85007
www.azliquor.gov
602-542-5141

14 AUG 12 11:40 AM '13

APPLICATION FOR LIQUOR LICENSE
TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

SECTION 1 This application is for a:

- MORE THAN ONE LICENSE
INTERIM PERMIT Complete Section 5
NEW LICENSE Complete Sections 2, 3, 4, 13, 14, 15, 16
PERSON TRANSFER (Bars & Liquor Stores ONLY) Complete Sections 2, 3, 4, 11, 13, 15, 16
LOCATION TRANSFER (Bars and Liquor Stores ONLY) Complete Sections 2, 3, 4, 12, 13, 15, 16
PROBATE/WILL ASSIGNMENT/DIVORCE DECREE Complete Sections 2, 3, 4, 9, 13, 16 (fee not required)
GOVERNMENT Complete Sections 2, 3, 4, 10, 13, 15, 16

SECTION 2 Type of ownership:

- J.T.W.R.O.S. Complete Section 6
INDIVIDUAL Complete Section 6
PARTNERSHIP Complete Section 6
CORPORATION Complete Section 7
LIMITED LIABILITY CO. Complete Section 7
CLUB Complete Section 8
GOVERNMENT Complete Section 10
TRUST Complete Section 6
OTHER (Explain)

SECTION 3 Type of license and fees LICENSE #(s): #12 Restaurant

- 1. Type of License(s): #12 Restaurant
2. Total fees attached: \$

12104319
Department Use Only 238.00

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.
The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

SECTION 4 Applicant

- 1. Owner/Agent's Name: Mr. Aguilera Thomas Robert
2. Corp./Partnership/L.L.C.: Full Circle Holdings, Inc.
3. Business Name: zpizza, artisan pizza and tap room
4. Principal Street Location 11165 N. La Canada Dr. Suite 131 Oro Valley Pima 85737
5. Business Phone: Pending Daytime Phone: (520) 622-1557 Email: thomas@aguileralawgroup.com
6. Is the business located within the incorporated limits of the above city or town? YES NO
7. Mailing Address: 4554 E. Camp Lowell Dr Tucson AZ 85712
8. Price paid for license only bar, beer and wine, or liquor store: Type \$ Type \$

DEPARTMENT USE ONLY

Fees: 100- Application 50- Interim Permit 88- Site Inspection 238- Finger Prints \$ 238- TOTAL OF ALL FEES

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? YES NO

Accepted by: JB Date: 08-12-14 Lic. # 12104319

Restaurant Liquor License (Series 12)

This non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement shall result in revocation of the license.



Town Council Regular Session

Item # 2.

Meeting Date: 10/01/2014

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

Department: Town Clerk's Office

Information

SUBJECT:

PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR RED LOBSTER #6350 LOCATED AT 11695 N. ORACLE ROAD

RECOMMENDATION:

Staff recommends approval of this liquor license to the Arizona Department of Liquor Licenses and Control for the following reasons:

1. No protests to this license have been received.
2. The necessary background investigation was conducted by the Police Department.
3. The Police Department has no objection to the approval of the Series 12 Liquor License.

EXECUTIVE SUMMARY:

An application for a Series 12 (Restaurant) Liquor License has been submitted by Owner/Agent Richard Teel for Red Lobster #6350 located at 11695 N. Oracle Road. This request is for an interim permit and new Series 12 liquor license. Interim permits are granted by the State when the location currently has a valid, existing license.

Mr. Teel has submitted all necessary paperwork to the Town of Oro Valley and the Arizona Department of Liquor Licenses and Control and has paid all related fees associated with applying for the liquor license (\$500 Application Processing Fee).

BACKGROUND OR DETAILED INFORMATION:

This non-transferable, on-site retail privileges liquor license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement shall result in revocation of the license.

In accordance with Section 4-201 of the Arizona Revised Statutes, the application was posted for 20 days on the premises of the applicant's property, ending August 21, 2014. No protests were received during this time period.

Police Chief Daniel Sharp completed a standard background check on Red Lobster #6350 and Owner/Agent Richard Teel. Chief Sharp has no objection to the approval of the Series 12 (Restaurant) License.

FISCAL IMPACT:

Per Ordinance No. (O)11-16, the Town of Oro Valley charges a \$500 liquor license application processing fee to cover the costs incurred by the Town to process the application.

Per Section 8-2-6 Schedule of the Oro Valley Town Code, persons licensed by the State of Arizona to deal in spirituous liquor within the Town shall pay an annual license fee of \$80.00 to the Town.

SUGGESTED MOTION:

I MOVE to (recommend or deny) approval of the issuance of a Series 12 Liquor License to the Arizona Department of Liquor Licenses and Control for Richard S. Teel and principals for Red Lobster #6350 located at 11695 N. Oracle Road.

Attachments

Red Lobster #6350 Liquor License

DANIEL G. SHARP
CHIEF OF POLICE

TO: Mike Standish
FROM:  Daniel G. Sharp
DATE: August 19, 2014
RE: Background Investigation, Application for Liquor License
Red Lobster #6350
11695 N. Oracle Road

On August 19, 2014, the Oro Valley Police Department completed a standard background check on the Red Lobster #6350 located at 11695 N. Oracle Road. A background check was also completed on Agent Richard Teel.

The Oro Valley Police Department has no objection for the issuance of a liquor license to Red Lobster #6350 at 11695 N. Oracle Road.

Arizona Department of Liquor Licenses and Control
800 West Washington, 5th Floor
Phoenix, Arizona 85007
www.azliquor.gov
602-542-5141

APPLICATION FOR LIQUOR LICENSE
TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

SECTION 1 This application is for a:

- MORE THAN ONE LICENSE
- INTERIM PERMIT *Complete Section 5*
- NEW LICENSE *Complete Sections 2, 3, 4, 13, 14, 15, 16*
- PERSON TRANSFER (Bars & Liquor Stores ONLY)
Complete Sections 2, 3, 4, 11, 13, 15, 16
- LOCATION TRANSFER (Bars and Liquor Stores ONLY)
Complete Sections 2, 3, 4, 12, 13, 15, 16
- PROBATE/WILL ASSIGNMENT/DIVORCE DECREE
Complete Sections 2, 3, 4, 9, 13, 16 (fee not required)
- GOVERNMENT *Complete Sections 2, 3, 4, 10, 13, 15, 16*

SECTION 2 Type of ownership:

- J.T.W.R.O.S. *Complete Section 6*
- INDIVIDUAL *Complete Section 6*
- PARTNERSHIP *Complete Section 6*
- CORPORATION *Complete Section 7*
- LIMITED LIABILITY CO. *Complete Section 7*
- CLUB *Complete Section 8*
- GOVERNMENT *Complete Section 10*
- TRUST *Complete Section 6*
- OTHER (Explain) _____

SECTION 3 Type of license and fees LICENSE #(s): 12104311

1. Type of License(s): Series #12

2. Total fees attached: \$ 250.00

Department Use Only

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.
The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

SECTION 4 Applicant

1. Owner/Agent's Name: Mr. Teel Richard Scott
(Insert one name ONLY to appear on license) Last First Middle
2. Corp./Partnership/L.L.C.: Red Lobster Hospitality, LLC
(Exactly as it appears on Articles of Inc. or Articles of Org.)
3. Business Name: Red Lobster #6350
(Exactly as it appears on the exterior of premises)
4. Principal Street Location 11695 N. Oracle Road Oro Valley Pima 85755
(Do not use PO Box Number) City County Zip
5. Business Phone: (520) 544-7887 Daytime Phone: (407) 245-4711 Email: chunter@darden.com
6. Is the business located within the incorporated limits of the above city or town? YES NO
7. Mailing Address: Attn: Licensing, P.O. Box 695016, Orlando, FL 32869-5016
City State Zip
8. Price paid for license only bar, beer and wine, or liquor store: Type _____ \$ _____ Type _____ \$ _____

DEPARTMENT USE ONLY

Fees: 100.00 100.00 50.00 _____
Application Interim Permit Site Inspection Finger Prints \$ 250.00
TOTAL OF ALL FEES

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? YES NO

Accepted by: EW Date: 7.28.14 Lic. # 12104311

14 JUL 28 11:29 AM '14

Restaurant Liquor License (Series 12)

This non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement shall result in revocation of the license.



Town Council Regular Session

Item # 3.

Meeting Date: 10/01/2014

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

Department: Town Clerk's Office

Information

SUBJECT:

PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR DICKEY'S BARBECUE PIT LOCATED AT 7850 N. ORACLE ROAD

RECOMMENDATION:

Staff recommends approval of this liquor license to the Arizona Department of Liquor Licenses and Control for the following reasons:

1. No protests to this license have been received.
2. The necessary background investigation was conducted by the Police Department.
3. The Police Department has no objection to the approval of the Series 12 Liquor License.

EXECUTIVE SUMMARY:

An application for a Series 12 (Restaurant) Liquor License has been submitted by Owner/Agent David B. Wirth II for Dickey's Barbecue Pit located at 7850 N. Oracle Road. This request is for a new Series 12 liquor license.

Mr. Wirth has submitted all necessary paperwork to the Town of Oro Valley and the Arizona Department of Liquor Licenses and Control and has paid all related fees associated with applying for the liquor license (\$500 Application Processing Fee).

BACKGROUND OR DETAILED INFORMATION:

This non-transferable, on-site retail privileges liquor license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement shall result in revocation of the license.

In accordance with Section 4-201 of the Arizona Revised Statutes, the application was posted for 20 days on the premises of the applicant's property, ending August 26, 2014. No protests were received during this time period.

Police Chief Daniel Sharp completed a standard background check on Dickey's Barbecue Pit and Owner/Agent David Wirth II. Chief Sharp has no objection to the approval of the Series 12 (Restaurant) License.

FISCAL IMPACT:

Per Ordinance No. (O)11-16, the Town of Oro Valley charges a \$500 liquor license application processing fee to cover the costs incurred by the Town to process the application.

Per Section 8-2-6 Schedule of the Oro Valley Town Code, persons licensed by the State of Arizona to deal in spirituous liquor within the Town shall pay an annual license fee of \$80.00 to the Town.

SUGGESTED MOTION:

I MOVE to (recommend or deny) approval of the issuance of a Series 12 Liquor License to the Arizona Department of Liquor Licenses and Control for David Wirth II and principals for Dickey's Barbecue Pit located at 7850 N. Oracle Road.

Attachments

Dickey's Barbecue Pit Liquor License

DANIEL G. SHARP
CHIEF OF POLICE

TO: Mike Standish

FROM:  Daniel G. Sharp

DATE: August 26, 2014

RE: Background Investigation, Application for Liquor License
Dickey's Barbecue Pit, 7850 N. Oracle Road
Owner / Agent David B Wirth II

On August 26, 2014, the Oro Valley Police Department completed the standard background investigation on Dickey's Barbecue Pit and Owner / Agent David B Wirth II.

The Oro Valley Police Department has no objections for the issuance of a liquor license to Dickey's Barbecue Pit located at 7850 N. Oracle Road.

Arizona Department of Liquor Licenses and Control
800 West Washington, 5th Floor
Phoenix, Arizona 85007
www.azliquor.gov
602-542-5141

AUG 4 14PM 2:08 TOU

APPLICATION FOR LIQUOR LICENSE

TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

SECTION 1 This application is for a:

- MORE THAN ONE LICENSE
INTERIM PERMIT Complete Section 5
NEW LICENSE Complete Sections 2, 3, 4, 13, 14, 15, 16
PERSON TRANSFER (Bars & Liquor Stores ONLY) Complete Sections 2, 3, 4, 11, 13, 15, 16
LOCATION TRANSFER (Bars and Liquor Stores ONLY) Complete Sections 2, 3, 4, 12, 13, 15, 16
PROBATE/WILL ASSIGNMENT/DIVORCE DECREE Complete Sections 2, 3, 4, 9, 13, 16 (fee not required)
GOVERNMENT Complete Sections 2, 3, 4, 10, 13, 15, 16

SECTION 2 Type of ownership:

- J.T.W.R.O.S. Complete Section 6
INDIVIDUAL Complete Section 6
PARTNERSHIP Complete Section 6
CORPORATION Complete Section 7
LIMITED LIABILITY CO. Complete Section 7
CLUB Complete Section 8
GOVERNMENT Complete Section 10
TRUST Complete Section 6
OTHER (Explain)

SECTION 3 Type of license and fees

LICENSE #(s): 12

12104313

1. Type of License(s): Restaurant #12

Department Use Only 194.00

2. Total fees attached: \$

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.

The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

SECTION 4 Applicant

1. Owner/Agent's Name: Mr. Wirth II David Bentley
(Insert one name ONLY to appear on license) Last First Middle

2. Corp/Partnership/L.L.C.: Celebrated Affairs Catering, Inc.
(Exactly as it appears on Articles of Inc. or Articles of Org.)

3. Business Name: Dickey's Barbecue Pit
(Exactly as it appears on the exterior of premises)

4. Principal Street Location 7850 N. Oracle Rd Oro Valley Pima 85704
(Do not use PO Box Number) City County Zip

5. Business Phone: 520-219-5742 Daytime Phone: 615-713-8702 Email: dickeys@stucsonaz.com

6. Is the business located within the incorporated limits of the above city or town? YES NO

7. Mailing Address: 3573 E. Silverbuckle Pl Tucson AZ 85739
City State Zip

8. Price paid for license only bar, beer and wine, or liquor store: Type \$ Type \$

DEPARTMENT USE ONLY

Fees: 100- Application 50- Interim Permit 44.00 Site Inspection 194.00 Finger Prints \$ TOTAL OF ALL FEES

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? YES NO

Accepted by: JB Date: 07-31-14 Lic. # 12104313

Restaurant Liquor License (Series 12)

This non-transferable, on-sale retail privileges liquor license allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement shall result in revocation of the license.



Town Council Regular Session

Item # **4.**

Meeting Date: 10/01/2014

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

Department: Town Clerk's Office

Information

SUBJECT:

PUBLIC HEARING: ORDINANCE NO. (O)14-10, AMENDING ORO VALLEY TOWN CODE, CHAPTER 2, MAYOR AND COUNCIL, ARTICLE 2-3 COUNCIL ELECTION, SECTION 2-3-1 PRIMARY ELECTION AND 2-3-3 GENERAL ELECTION NOMINATION

RECOMMENDATION:

Staff recommends approval of the ordinance amending Sections 2-3-1 and 2-3-3 of the Town Code.

EXECUTIVE SUMMARY:

The Arizona Legislature has made changes to the calculation in determining how many votes a candidate needs to be declared elected at the primary. This change is in effect for elections held in 2014 and 2015. It is not yet known if the Legislature will make the current calculation permanent or if a new calculation will be adopted.

In 2012, the Legislature changed the conduct of elections for cities and towns. Prior to 2014, the Town conducted its primary election in March and its general election in May as mail ballot elections in even-numbered years. State statute now requires cities and towns to conduct consolidated polling place elections with the County in August and November in even-numbered years.

BACKGROUND OR DETAILED INFORMATION:

Prior to the passage of HB 2126, the calculation used to determine if candidates were elected at the primary was to divide the total number of ballots cast in the election by two. HB 2126 changed the calculation for elections held in 2014 and 2015. To determine the majority of votes cast, the sum of all votes cast for all candidates for an office is divided by the number of seats to be filled for the office and that number is then divided by two and rounded up to the highest whole number. Currently, Section 2-3-1 Primary Election states:

Any candidate who shall receive at the primary election a majority of all the votes cast for the entire election and not just for any particular office, shall be declared to be elected to the office for which he is a candidate effective as of the date of the general election, and no further election shall be held as to said candidate. If more candidates receive a majority that there are offices to be filled then those equal in number to the offices to be filled receiving the highest number of votes shall be declared elected.

At this point in time, it is unknown if the Legislature will make the new calculation permanent or adopt a different calculation. Therefore, staff proposes that Section 2-3-1 Primary Election be amended to read:

Any candidate who shall receive at the primary election a majority of votes cast as prescribed by state statute, shall be declared to be elected to the office for which he is a candidate effective as of

the date of the general election, and no further election shall be held as to said candidate. If more candidates receive a majority than there are offices to be filled then those equal in number to the offices to be filled receiving the highest number of votes shall be declared elected.

The proposed wording would allow the Code to conform to whatever future calculation the Legislature adopts to determine if a candidate is elected at the primary.

In 2012, the Legislature amended Arizona Revised Statutes (A.R.S.) 16-204 to consolidate all regular candidate elections to the fall of even-numbered years. Section 2-3-3 General Election Nomination is in conflict with the statute, stating:

The general election shall be held on the third Tuesday in May.

Staff proposes the sentence be changed to state:

The general election shall be held as prescribed by state statute.

This wording would allow the section to conform to any future changes the Legislature might make regarding the timing of elections.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to (approve / deny) Ordinance No. (O)14-10, amending Sections 2-3-1 Primary Election and 2-3-3 General Election Nomination of the Oro Valley Town Code.

Attachments

(O)14-10 Amending Sections 2-3-1 and 2-3-3

ORDINANCE NO. (O)14-10

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING ORO VALLEY TOWN CODE, CHAPTER 2, MAYOR AND COUNCIL, ARTICLE 2-3, COUNCIL ELECTION, SECTIONS 2-3-1, PRIMARY AND 2-3-3, GENERAL ELECTION NOMINATION; REPEALING ALL RESOLUTIONS, ORDINANCES, AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, on September 27, 1989, the Mayor and Council adopted Ordinance No. (O) 89-21, adopting that certain document entitled “Oro Valley Town Code, Chapter 2, Mayor and Council”; and

WHEREAS, the Mayor and Council desire to amend the Oro Valley Town Code, Chapter 2, Mayor and Council, Article 2-3, Council Elections, Section 2-3-1, Primary Elections and 2-3-3, General Election Nomination in order to comply with changes made by the Arizona Legislature; and

WHEREAS, the Arizona Legislature has made temporary changes to the calculation of votes needed by a candidate to be declared elected at the primary election.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Council of the Town of Oro Valley, Arizona, that the certain document known as the “Oro Valley Town Code”, Chapter 2, Mayor and Council, Article 2-3, Council Elections, Section 2-3-1, Primary Elections and 2-3-3, General Election Nomination, is amended as follows:

SECTION 1. Oro Valley Town Code Chapter 2, Mayor and Council, Article 2-3, Council Elections, Section 2-3-1, Primary Elections and 2-3-3, General Election Nomination, is hereby amended as follows with additions in ALL CAPS and deletions in ~~strikethrough text~~.

Chapter 2 Mayor and Council

Article 2-3 Council Election

...

Section 2-3-1 Primary Election

Any candidate who shall receive at the primary election a majority of ~~all the~~ votes cast ~~for the entire election, and not just for any particular office,~~ AS PRESCRIBED BY STATE STATUTE, shall be declared to be elected to the office for which he is a candidate effective as of the date of the general election, and no further election shall be held as to said candidate. If more candidates receive a majority than there are offices to be filled then those equal in number to the offices to be filled receiving the highest number of votes shall be declared elected

Chapter 2 Mayor and Council

Article 2-3 Council Election

...

Section 2-3-3 General Election Nomination

~~The general election shall be held on the third Tuesday in May.~~ THE GENERAL ELECTION SHALL BE HELD AS PRESCRIBED BY STATE STATUTE ...

SECTION 2. All Oro Valley ordinances, resolutions, or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

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

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this 1st day of October, 2014.

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: _____



Town Council Regular Session

Item # **5.**

Meeting Date: 10/01/2014
Requested by: Bayer Vella
Submitted By: Matt Michels, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

CONCEPTUAL SITE PLAN, LANDSCAPE PLAN AND ARCHITECTURE FOR STONE CANYON CLUBHOUSE, LOCATED AT 14320 N HOHOKAM VILLAGE PLACE, IN NEIGHBORHOOD 11 OF THE RANCHO VISTOSO PLANNED AREA DEVELOPMENT

RECOMMENDATION:

The Conceptual Design Review Board has recommended approval of the Conceptual Site Plan, Landscape Plan and Architecture subject to the conditions in Attachment 1.

EXECUTIVE SUMMARY:

This project includes the development of a golf clubhouse and a cart storage building on approximately three (3) acres of the larger 106-acre property, which is part of the Stone Canyon Golf Course (see Attachment 2). The property is currently developed with a temporary golf clubhouse that will be removed; however, the existing parking will remain. The temporary golf clubhouse site will be redeveloped as a putting green which will also be used occasionally as an event space.

On September 9, 2014, the Conceptual Design Review Board (CDRB) reviewed the Conceptual Site Plan and Architecture, and recommended approval subject to the conditions in Attachment 1. The staff report to the CDRB is included as Attachment 3 and the draft CDRB minutes are included as Attachment 4.

BACKGROUND OR DETAILED INFORMATION:

Land Use Context

The property is zoned Rancho Vistoso Planned Area Development (PAD) Recreation/Golf Course. A Zoning Map for the area is provided as Attachment 5. The proposed land use is consistent with zoning.

Site Conditions

- Site is approximately 3 acres
- Property is developed with an existing temporary clubhouse and parking lot
- The northeast portion of property is characterized by steep slopes and rock outcrops

Project Data Table

The table below summarizes the project data associated with the request.

Standard	Allowed/Required	Proposed
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Building Height	48' from natural grade	35' from natural grade
Open Space	None required	Majority of site undisturbed desert or golf course

Site Plan

- The Conceptual Site Plan (Attachment 6) depicts a single 25,600 square foot building (12,800 square feet on each level). Proposed uses include a clubhouse and restaurant on the main level, with a golf cart storage on the lower level. The proposed uses are permitted in the Rancho Vistoso Resort/Golf Course district.
- The site is accessed from the south. Parking areas are located to the south of the building and an entry drive with a drop off area is proposed to the southeast of the building.
- As mentioned, the temporary golf clubhouse will be removed and the site will be redeveloped as a putting green for the primary use. On occasion, it will also serve as a space for special events such as weddings.

Landscape Plan

The proposed landscape concept (Attachment 7) depicts the landscape design, including rainwater harvesting basins within the landscaped areas. Turf will be planted on the putting green and will be irrigated with reclaimed water consistent with the existing golf course.

Architecture

The proposed building (Attachment 8) is two stories and includes a clubhouse, restaurant and golf cart storage that will be accessed from the lower level on the western side. The building incorporates traditional and contemporary Southwestern elements, shapes and materials, including sloped and flat roof planes, architecturally appropriate windows with sills and lintels, and the use of traditional roof tile and stone, as well as stucco finish. The architecture is appropriate for the context and is complimentary to existing development in the area.

Please refer to the September 9, 2014, CDRB staff report for additional discussion regarding conformance with the Design Principles and Design Standards (Attachment 3).

PUBLIC PARTICIPATION

Summary of Public Notice

Notice was provided to the following:

- Notification of residents within 600 feet
- Notification of persons attending the neighborhood meeting
- Posting at Town Hall
- All registered HOAs

Neighborhood Meeting

A neighborhood meeting was held on July 21, 2014. Approximately 15 residents attended the meeting and had questions related to building design and layout, parking, project time-line, and environmental impacts. A copy of the neighborhood meeting summary notes are attached (see Attachment 9). No correspondence has been received to date.

Conceptual Design Review Board

The Conceptual Design Review Board considered the proposal on September 9, 2014. Several questions and issues related to site and architectural design were discussed, including:

- Building layout, including golf cart storage and kitchen/dining area locations
- Compatibility of architectural design, materials and colors with existing Stone Canyon Health and

Fitness Center

- Provision of stone on the building facades
- Height of the proposed light fixture above the main building entrance
- Planning for future expansion of the building without disturbing adjacent hillsides, rock outcrops, or golf course

All of the issues discussed are addressed in the applicant's submittal or the proposed conditions of approval.

There was one speaker from the Stone Canyon HOA who had questions regarding the CDRB's role in evaluating aesthetics. The CDRB recommends approval of the Conceptual Site Plan, Landscape Plan and Architecture subject to the conditions in Attachment 1. Please refer to the September 9th Draft CDRB Minutes (Attachment 4) for additional discussion of CDRB action.

FISCAL IMPACT:

NA

SUGGESTED MOTION:

Conceptual Site Plan and Landscape Plan

I MOVE to approve the Conceptual Site Plan and Landscape Plan for the Stone Canyon Clubhouse subject to the conditions in Part I of Attachment 1, finding that the Conceptual Site Plan is in conformance with the Oro Valley Design Principles and applicable Design Standards.

OR

I MOVE to deny the Conceptual Site Plan and Landscape Plan for the Stone Canyon Clubhouse finding that it is not in conformance with the Oro Valley Design Principles and applicable Design Standards, specifically _____.

Conceptual Architecture

I MOVE to approve the Conceptual Architecture for the Stone Canyon Clubhouse subject to the conditions in Part II of Attachment 1, finding that the Conceptual Site Plan is in conformance with the Oro Valley Design Principles and applicable Design Standards.

OR

I MOVE to deny the Conceptual Architecture for the Stone Canyon Clubhouse, finding that it is not in conformance with the Oro Valley Design Principles and applicable Design Standards, specifically _____.

Attachments

Attachment 1 - Conditions of Approval

Attachment 2 - Location Map

Attachment 3 - 9/9/14 CDRB Report

Attachment 4 - 9/9/14 DRAFT CDRB Minutes

Attachment 5 - Zoning Map

Attachment 6 - Conceptual Site Plan

Attachment 7 - Conceptual Landscape Plan

Attachment 8 - Conceptual Architecture

Attachment 9 - 7/21/14 Neighborhood Meeting Summary

**Attachment 1
Conditions of Approval
Stone Canyon Golf Clubhouse
OV1214-23
October 1, 2014, Town Council**

Part I: Conceptual Site Plan / Conceptual Landscape Plan

Planning

1. Provide brick pavers or other decorative paving on the entry drive (shown as Keynote #6)

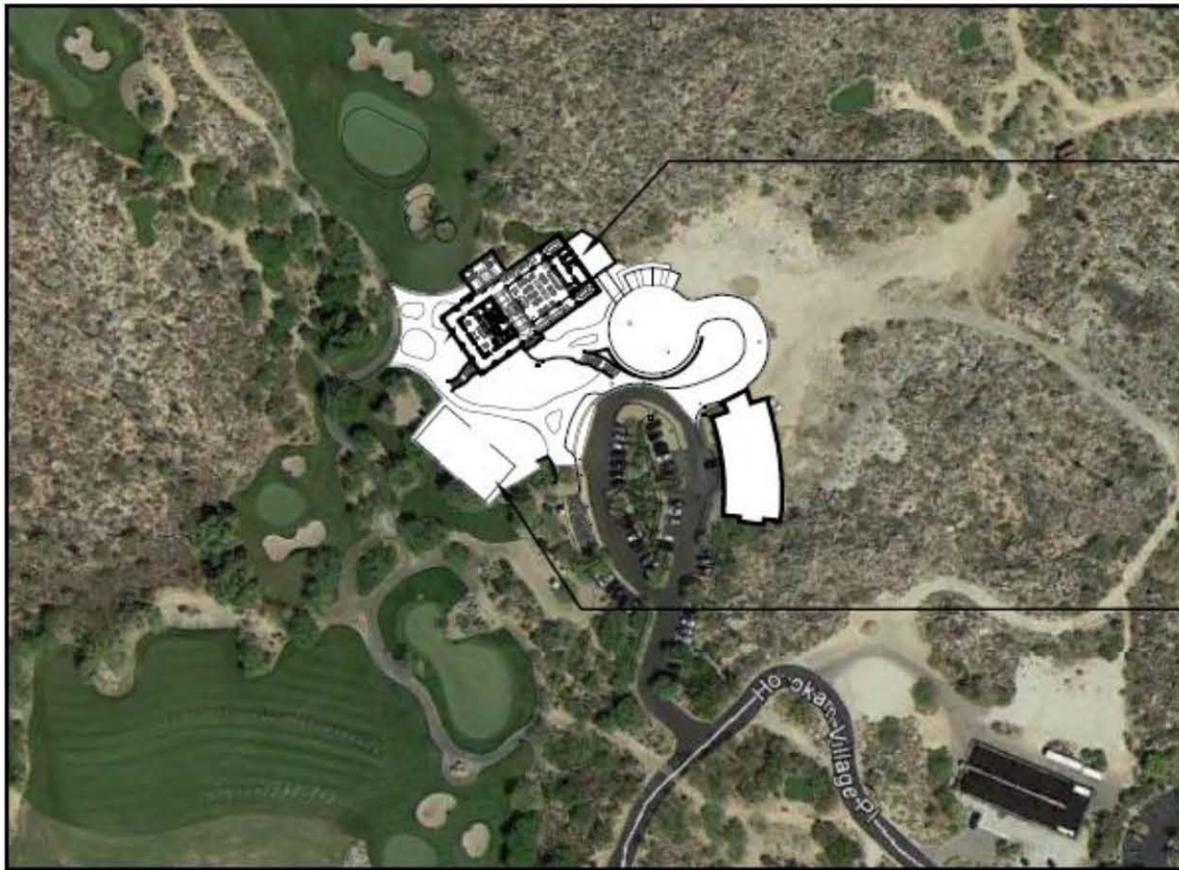
Engineering

1. Provide a detention basin or other approved storm water management device as necessary to attenuate the additional runoff generated as a result of the new parking and access drive areas.
2. Provide a turn-around area at the southern end of the new proposed parking lot. This can be provided in the form of a striped out parking space

Part II: Conceptual Architecture

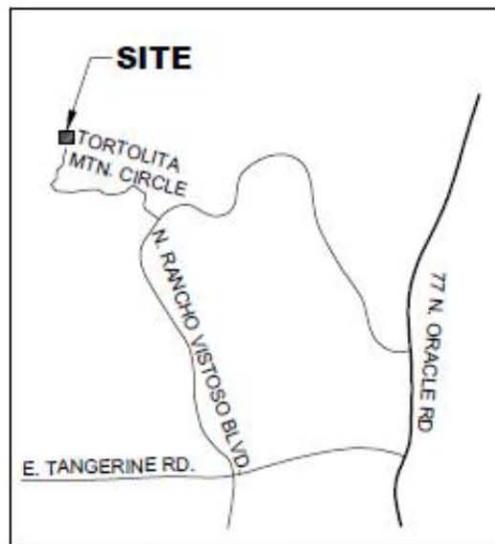
Planning

1. The lamp depicted above the main entry shall not exceed a maximum height of 9 feet to the center of the luminaire.
2. Submit a roof plan with the Final Architecture demonstrating that all mechanical equipment will be screened from view.



Proposed Building

Existing Clubhouse to be Removed



LOCATION MAP

STONE CANYON GOLF CLUBHOUSE (OV1214-23)



Conceptual Site Plan / Conceptual Architecture Conceptual Design Review Board Staff Report

CASE NUMBER: OV1214-23 Stone Canyon Clubhouse
MEETING DATE: September 9, 2014
AGENDA ITEM: **3**
STAFF CONTACT: Matt Michels, Senior Planner
mmichels@orovalleyaz.gov (520) 229-4822

Applicant: Adam Valente, PHX Architecture
Request: **Conceptual Site Plan, Landscape Plan and Conceptual Architecture for a 25,600 square foot golf clubhouse and cart barn for the Stone Canyon Club**
Location: 14320 N. Hohokam Village Place, in Stone Canyon
Recommendation: Approve requested Conceptual Site Plan, Landscape Plan and Conceptual Architecture subject to conditions of Attachment 1

SUMMARY:

This project includes the development of a golf clubhouse and cart barn building on approximately 3 acres of the larger 106 acre property, which is part of the Stone Canyon Golf Course (see Attachment 2). The property is currently developed with a temporary golf clubhouse and parking, which will be removed and the existing parking (63 spaces) will remain. The temporary golf clubhouse site will be redeveloped as a putting green and event space.

The CDRB review is focused on the fundamental elements of the Conceptual Site Plan and Conceptual Architecture, including: site layout; drainage/grading; connectivity; building design; and landscape concept. The information must be sufficient to demonstrate that the design concept is achievable and to ensure community fit.

The Conceptual Site Plan and Conceptual Architecture have been evaluated and conform to the Design Principles and Design Standards with the proposed conditions of approval in Attachment 1.

The Location Map (Attachment 2) provides context of the site in relation to the surrounding area. The proposed Conceptual Site Plan is provided as Attachment 3, the Conceptual Landscape Plan is provided as Attachment 4, and the Conceptual Architecture is provided as Attachment 5.

BACKGROUND:

Land Use Context

The property is zoned Rancho Vistoso Planned Area Development (PAD) Recreation/Golf Course. Surrounding uses include:

Direction	Land Use(s)
North	Open Space and Golf Course
East	Swim and Fitness Center
South	Golf Course
West	Golf Course

A Zoning Map for the area is provided as Attachment 6. The site is designated Resort/Golf Course (RGC) on the General Plan Future Land Use Map (Attachment 7). The proposed land use is consistent with zoning and the General Plan land use designation.

Site Conditions

- Site is approximately 3 acres
- Property is developed with an existing temporary clubhouse and parking lot
- The northeast portion of property is characterized by steep slopes and rock outcrops

Project Data Table

The table below summarizes the project data associated with the request.

	Allowed / Required	Proposed
Building Heights	48' from natural grade	35' from natural grade
Open Space	None required	Majority of site is undisturbed desert or golf greens

Approvals to Date

- Rancho Vistoso PAD approved in 1987
- Existing temporary golf clubhouse approved in 1999

Proposed Conceptual Site Plan

- The Conceptual Site Plan (Attachment 3) depicts a single 25,600 square foot building (12,800 square feet on each level). Proposed uses include a clubhouse and restaurant on the main level with a golf cart barn on the lower level. The proposed uses are permitted in the Rancho Vistoso Resort/Golf Course district.
- The site is accessed from the south. Parking areas are located to the south of the building. An entry drive with a drop off area is proposed to the southeast of the building. Staff recommends a condition to add a landscaped island to the roundabout area

to enhance the entry and sense of arrival.

- As mentioned, the temporary golf clubhouse will be removed and the site will be redeveloped as a putting green that will also serve as a space for special events such as weddings.

Proposed Conceptual Landscape Plan

The proposed landscape concept depicts the general landscape design including rainwater harvesting basins within the landscaped areas. Turf will be planted on the putting green and will be irrigated with reclaimed water consistent with the existing golf course.

Proposed Conceptual Architecture

The proposed building is two stories and includes a clubhouse, restaurant and golf cart barn that will be accessed from the lower level on the western side. The building incorporates traditional and contemporary Southwestern elements, shapes and materials, including sloped and flat roof planes, architecturally appropriate windows with sills and lintels, and the use of traditional roof tile and stone and stucco finish. The architecture is appropriate for the context and is complimentary to existing development in the area.

DISCUSSION / ANALYSIS:

Parking

The proposed parking conforms to Zoning Code requirements. The parking calculation is based on "Outdoor Commercial Recreation" parking standard for both the golf course and the outdoor event space area.

Conceptual Site Design Principles, Section 22.9.D.5.a

Conceptual Site Plan

The Conceptual Site Plan is, with the conditions in Part I of Attachment 1, in conformance with applicable Conceptual Site Design Principles. Listed below are applicable Design Principles (*in italics*), followed by staff evaluation of how the design addresses the principles:

Building orientation: the location, orientation and size of structures shall promote a complementary relationship of structures to one another.

Staff Commentary: The building is located adjacent to large rock outcrops and steep hillsides to the northeast. The building is positioned to minimize the apparent mass from the front (south), rear (north) and east sides.

Drainage/grading: Site grading shall minimize impacts on natural grade and landforms and provide for subtle transitions of architectural elements to grade. Significant cuts and

fills in relation to natural grade shall be avoided or minimized to the extent practical given property constraints.

Staff Commentary: The property slopes generally north to south. The building pad will be elevated to allow golfers to walk out directly onto the golf course green to the rear (north), which is approximately 10 to 15 feet higher than the front of the building. Only second floor will be visible from the front (south) of the building. The first floor, which will be used primarily for golf cart storage, will open to the west for golf cart rentals but will be beneath grade otherwise. In general, the design avoids significant cuts which will serve to minimize the apparent bulk of the building.

Connectivity: Strengthen the usability and connectivity of the pedestrian environment internally and externally by enhancing access to the public street system, transit, adjoining development and pedestrian and bicycle transportation routes. Buildings and uses should provide access to adjacent open space and recreational areas where appropriate.

Staff Commentary: Pedestrian sidewalks and stairs will be provided from the parking area to the building, and from the building to the golf course. Bicycle parking will be provided consistent with Town requirements. A condition is proposed to require brick pavers or other decorative paving to visually and texturally define and distinguish the entry drive to enhance the sense of arrival to the building.

Conceptual Architecture

The Conceptual Architecture (see Attachment 5) is, with the conditions in Part II of Attachment 1, in conformance with applicable Architectural Design Principles and Standards. Listed below are applicable Design Principles (*in italics*) followed by staff evaluation of how the architecture conforms and responds to the principles:

Design: Building architectural design shall be appropriate for the climate and characteristics of the Sonoran Desert, including indigenous and traditional textures, colors, and shapes found in and around Oro Valley. All development shall maintain and strengthen the high quality of design exemplified in Oro Valley through project creativity and design excellence.

The architectural design is appropriate for the area and is complimentary to existing development in the vicinity. The building incorporates numerous Southwestern Territorial design elements, including sloped and flat roof planes and a wrap-around covered porch with cylindrical stone columns, wrought iron railing, and exposed rafter tails. Stone is used around the arched building entry on the south elevation and on the chimneys. Staff recommends a condition to provide stone around the full extent of the north (right) side of the entry elevation, similar to what is shown around the main entry.

Scale, height and mass: building scale, height and mass shall be consistent with the town-approved intensity of the site, designated scenic corridors, and valued mountain

views. Buildings shall be designed to respect the scale of adjoining areas and should mitigate the negative and functional impacts that arise from scale, bulk and mass.

The project area includes an existing swim and fitness center to the east and single-family homes. The scale, height, and mass of the project is appropriate for this site, which has prominent hills and rock outcrops behind it. No negative or functional impacts are anticipated from the scale, bulk and mass of the building.

Façade Articulation: All building facades shall be fully articulated, including variation in building massing, roof planes, wall planes, and surface articulation. Architectural elements including, but not limited to; overhangs, trellises, projections, awnings, insets, material, and texture shall be used to create visual interest that contribute to a building's character.

All elevations of the building façade are well articulated through the use of varying roof and wall planes and surface articulation around windows and door openings. Additional architectural features include brick caps on the top of the parapets of the flat roof sections, as well as stone columns and wrought iron railing along the covered porch. A variety of materials, including stone, stucco, wood, and metal, are proposed.

Screening: Building design and screening strategies shall be implemented to conceal the view of loading areas, refuse enclosures, mechanical equipment, appurtenances, and utilities from adjacent public streets and neighborhoods.

No mechanical equipment, refuse enclosures, appurtenances, or utilities will be visible from nearby residences, the parking area or the golf course. Full compliance with this standard will be confirmed at the final design phase.

The trash dumpster, electric transformer, and loading area will be located within a service yard on the east side of the building which will be screened with a 7'-4" opaque screen wall that will match the building material and color.

Zoning Code Section 27.5, Outdoor Lighting

Wall-mounted light fixtures, except for those used to directly illuminate parking areas, are limited to a maximum height of 9 feet to the center of the luminaire (Section 27.5.F.4). The light fixture depicted above the main building entry exceeds 9 feet. A condition has been added to Part II of Attachment 1 to require conformance with this standard.

ENGINEERING COMMENTS

Traffic:

The proposed development is served by an existing access drive and associated parking areas. The new private clubhouse will generate traffic volumes similar to that of the existing facility, which is a low producer of traffic. The existing roadway network within Stone Canyon and the remainder of Rancho Vistoso has existing capacity to accommodate the traffic volume generated by this golf course without degrading current

levels of service. All proposed access and parking improvements will be designed to meet minimum Town and Golder Ranch Fire District standards.

Drainage:

Existing storm water runoff flows through the site in a southerly direction. The drainage system for the proposed development will be designed to meet the Town's Drainage Criteria Manual and Floodplain Ordinance requirements. Storm water runoff will be conveyed by drainage channels, roadside swales, and a sloped parking lot to convey storm water runoff to existing washes throughout the development. Under post-developed conditions, flows will be mitigated to discharge in the same or reduced intensity, manner and location as in the existing form.

Grading:

A Type 2 Grading Permit is required to construct the building pad, utilities, parking areas, and any other structures requiring grading on the project site. The grading represented within the Conceptual Site Plan conforms to the requirements of the Rancho Vistoso PAD and applicable sections of the Town's Zoning Code (Section 27.9) as well as the Town's Subdivision Street Standards.

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 Meeting

A neighborhood meeting was held on July 21st, 2014. Approximately 15 residents attended the meeting and had questions related to building design and layout, parking, project timeline, and environmental impacts. A copy of the neighborhood meeting summary notes are attached (see Attachment 8).

No correspondence has been received to date.

RECOMMENDATION:

Based on a finding that the Conceptual Site Plan, Landscape Plan and Conceptual Architecture are, with the conditions in Attachment 1, in conformance with the Oro Valley Design Principles and applicable 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 Site Plan and Conceptual Architecture under case OV1214-23, subject to the conditions in Parts I and II of Attachment 1.

SUGGESTED MOTIONS:

Conceptual Site Plan

I move to recommend approval of the Conceptual Site Plan and Landscape Plan subject to the conditions in Part I of Attachment 1, finding that the proposed Conceptual Site Plan for the Stone Canyon Clubhouse is in conformance with the Oro Valley Design Principles and applicable Design Standards.

OR

I move to recommend denial of the Conceptual Site Plan and Landscape Plan for the Stone Canyon Clubhouse finding that it is not in conformance with the Oro Valley Design Principles and applicable Design Standards, specifically _____.

Conceptual Architecture

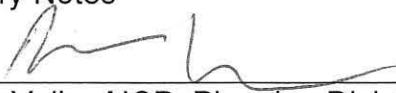
I move to recommend approval of the Conceptual Architecture subject to the conditions in Part II of Attachment 1, finding that the proposed Conceptual Architecture for the Stone Canyon Clubhouse is in conformance with the Oro Valley Design Principles and applicable Design Standards.

OR

I move to recommend denial of the Conceptual Architecture for the Stone Canyon Clubhouse finding that it is not in conformance with the Oro Valley Design Principles and applicable Design Standards, specifically _____.

CDRB ATTACHMENTS:

1. Conditions of Approval
2. Location Map
3. Conceptual Site Plan
4. Conceptual Landscape Plan
5. Conceptual Architecture
6. Zoning Map
7. General Plan Land Use Map
8. 7/21/14 Neighborhood Meeting Summary Notes



Bayer Vella, AICP, Planning Division Manager

ATTACHMENT 4

DRAFT 9/9/14 CDRB MINUTES WILL BE
PROVIDED PRIOR TO TOWN COUNCIL
PACKET DISTRIBUTION



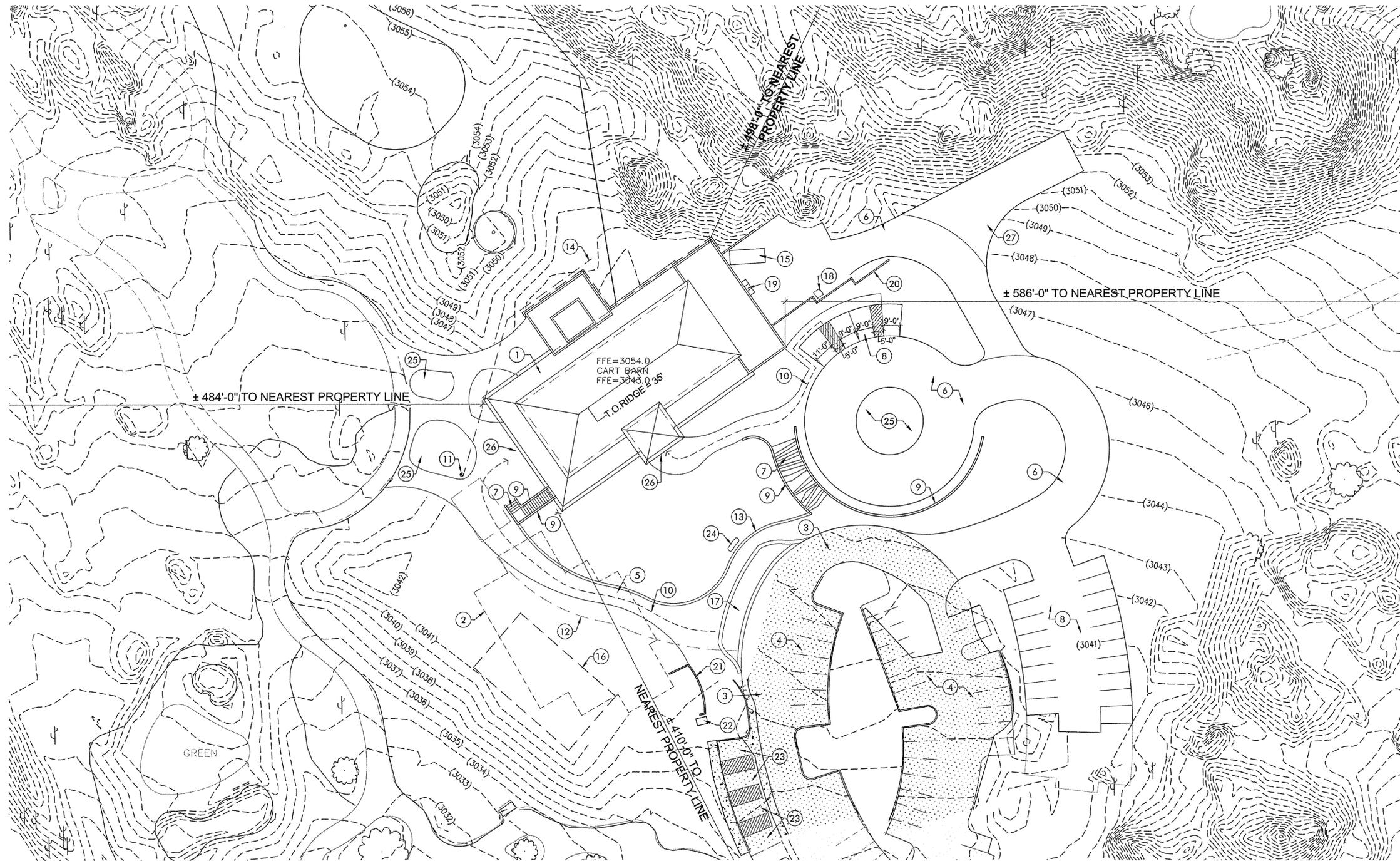
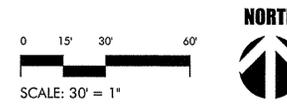
PAD ZONING MAP

STONE CANYON GOLF CLUBHOUSE (OV1214-23)

CONCEPTUAL SITE PLAN

STONE CANYON CLUBHOUSE

ORO VALLEY CASE NUMBER OV1214-23



PROJECT DATA

APN#	219-050-11Y
Address	14320 N. Hohokam Village Place Oro Valley, Arizona 85755
Zoning District:	Rancho Vistoso Planned Area Dev. (PAD) Recreation / Golf Course
Use:	Golf Clubhouse
Bldg Height Allowed	48'-0"
Bldg. Height Proposed	35'-0"
Total Under Roof	25,600 sf 1st Floor = 12,800 sf Lower Level = 12,800 sf
Conditioned Space	11,390 sf 1st Floor Pro Shop = 1,980 sf 1st Floor Dining = 4,550 sf Lower Level Lockers = 4,860 sf
Cart Barn	7,940 sf
Parking Required	Golf = 72 x .3 = 22 spaces Event Lawn = 2,895 sf @ 1/15 = 193 193 x .3 = 58 spaces Total Parking required = 80 spaces
Parking Provided	80 Spaces Existing Parking = 63 spaces Proposed Parking = 17 spaces
Bike Parking Provided	1 / 220 parking spaces = 4 spaces

KEYNOTES

1. PROPOSED NEW BUILDING
2. DASHED LINE OF EXISTING BUILDING TO BE DEMOLISHED
3. HATCHED AREA OF EXISTING DRIVEWAY
4. HATCHED AREA OF EXISTING PARKING
5. NEW 6' CONCRETE SIDEWALK
6. NEW ASPHALT DRIVEWAY
7. NEW SITE STAIRS
8. NEW PARKING AREA
9. NEW STONE RETAINING WALL
10. LINE OF ACCESSIBLE ROUTE TO BUILDING ENTRY
11. NEW FIRE HYDRANT LOCATION
12. DASHED LINE OF FIRE TRUCK ACCESS ROAD
13. NEW SEAT WALL
14. DASHED LINE OF 150' FIRE HOSE
15. NEW REFUSE COMPACTOR
16. DASHED LINE OF PROPOSED PUTTING GREEN, TO BE CONNECTED TO THE GOLF COURSE IRRIGATION SYSTEM, SECONDARY PURPOSE SERVES AS AN EVENT LAWN
17. CONCRETE DROP OFF AREA
18. NEW TRANSFORMER LOCATION
19. NEW SES LOCATION
20. NEW SCREEN WALL
21. EXISTING SITE WALL TO REMAIN
22. PROPOSED LOCATION OF BIKE PARKING
23. EXISTING ACCESSIBLE PARKING (TYP. 4 SPACES)
24. PROPOSED LOCATION OF PUBLIC ART COMPONENT
25. PROPOSED LANDSCAPE AREA, SEE LANDSCAPE PLAN
26. BUILDING ENTRANCE
27. NEW DG DRIVE

OWNER:
STONE CANYON BUFFALO GOLF, LLC
13845 N. NORTHSIGHT BLV.
SCOTTSDALE, AZ 85260
280.691.3600
CONTACT: ROGER NELSON
RGRNELSON7@GMAIL.COM

LANDSCAPE ARCHITECT:
ANDERSONBARONON
50 N. MCCLINTOCK DR., STE. 1
CHANDLER, AZ 85226
480.699.7956
CONTACT: TOM DURANT, RLA
TOM.DURANT@ANDERSONBARON.COM

ENGINEER:
HILGART WILSON, LLC
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, AZ 85016
602.490.0535
CONTACT: CASEY WHITEMAN, PE
CWHITEMAN@HILGARTWILSON.COM

ARCHITECT:
PHX ARCHITECTURE
7507 E. McDONALD DR. STE. B
SCOTTSDALE, AZ 85250
480.477.1111
T 480.477.1111
F 480.388.3858
PHXARCH.COM

7507 E. McDONALD DRIVE STE. B
SCOTTSDALE, AZ 85250
T 480.477.1111
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PHXARCH.COM

OV1214-23 - CONCEPTUAL SITE PLAN

STONE CANYON CLUBHOUSE

A Portion of Sections 14 & 23, T-11-S, R-13-E, G&SRB&M,
Town of Oro Valley, Pima County, Arizona



SCALE: AS INDICATED
CONTOUR INTERVAL: 1' DATE: AUGUST 21, 2014

REFERENCE NUMBERS:
CO8R0091
OV112-030
OV114-025
TOWN OF ORO VALLEY
CASE NUMBER: OV1214-23

A1.1

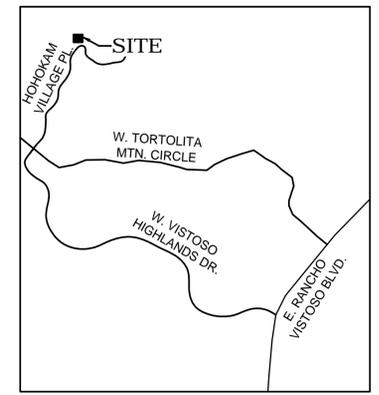
SHEET 2 OF 4

CONCEPTUAL LANDSCAPE PLAN

STONE CANYON CLUBHOUSE

ORO VALLEY CASE NUMBER OV1214-23

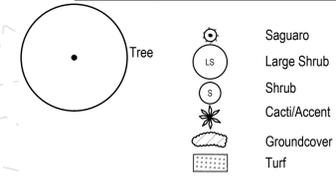
0 20' 40' 80'
SCALE: 40' = 1"



LOCATION MAP
SCALE: 3" = 1 MILE



Conceptual Plant Legend

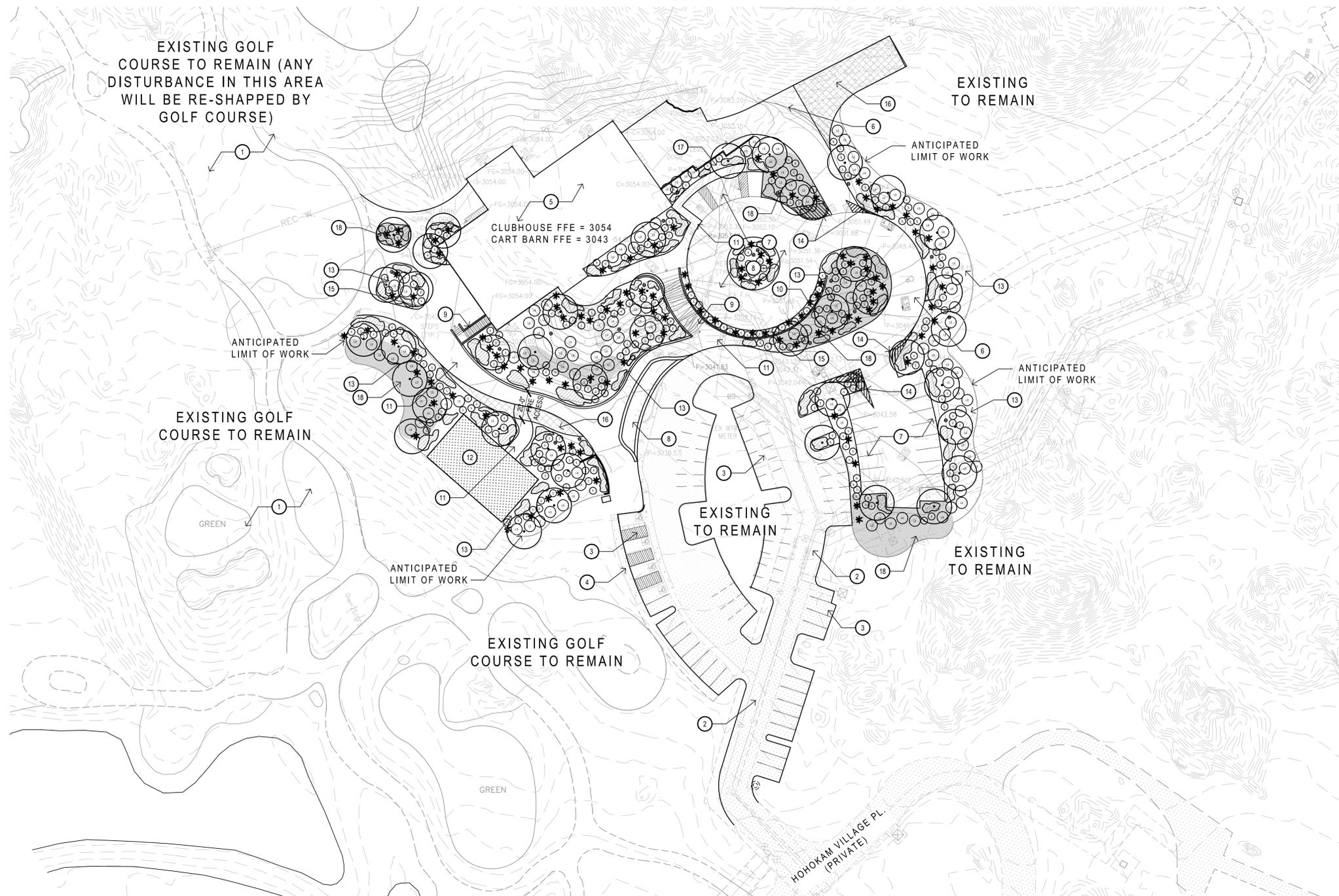


General Landscape Notes

- LANDSCAPE TO CONFORM TO ORO VALLEY LANDSCAPE CODE.
- MITIGATION OF SURVEYED PLANTS IN THE NATIVE PLANT PRESERVATION PLAN WILL BE INCORPORATED IN THE LANDSCAPE DESIGN.
- ALL TREE AND SHRUB LOCATIONS ARE PRELIMINARY.
- MESQUITE AND PALO VERDE TREES MUST BE PLANTED AT LEAST 20'-0" APART.
- ALL FIRE APPARATUS ACCESS ROADS WILL HAVE A 20'-0" UNOBSTRUCTED WIDTH AND AN UNOBSTRUCTED VERTICAL CLEARANCE OF NOT LESS THAN 13'-6" OF LANDSCAPE MATERIALS IN ACCORDANCE WITH IFC SECTION 503.2. TREES WILL BE SETBACK A MINIMUM OF 10'-0" FROM BACK-OF-CURB ALONG FIRE APPARATUS ACCESS ROADS AND OR FIRE ACCESS EASEMENTS.
- ALL AREAS AND OPEN SPACES ARE OWNED AND WILL BE MAINTAINED BY STONE CANYON GOLF LLC.
- THE PROPOSED PUTTING GREEN/EVENT LAWN WILL BE IRRIGATED USING RECLAIMED WATER.

Keynotes

- EXISTING GOLF COURSE
- EXISTING PRIVATE DRIVEWAY
- EXISTING PARKING AREA
- EXISTING SIDEWALK
- PROPOSED GOLF CLUBHOUSE
- PROPOSED PRIVATE DRIVEWAY
- PROPOSED PARKING AREA
- PROPOSED DROP OFF
- PROPOSED SITE STAIRS
- PROPOSED STONE RETAINING WALL (REFER TO ARCHITECTURAL PLANS).
- PROPOSED CONCRETE SIDEWALK
- PROPOSED PUTTING GREEN/EVENT LAWN
- PROPOSED LANDSCAPE AREA
- SIGHT VISIBILITY TRIANGLE (SVT)
- FIRE HYDRANT (FH)
- DECOMPOSED GRANITE SURFACE (DG)
- TRANSFORMER
- PROPOSED BIO-SWALES/WATER HARVESTING BASINS



LANDSCAPE ARCHITECT:
ANDERSONBARON
50 N. MCCLINTOCK DR., STE. 1
CHANDLER, AZ 85226
480.699.7956
CONTACT: TOM DURANT, RLA
TOM.DURANT@ANDERSONBARON.COM

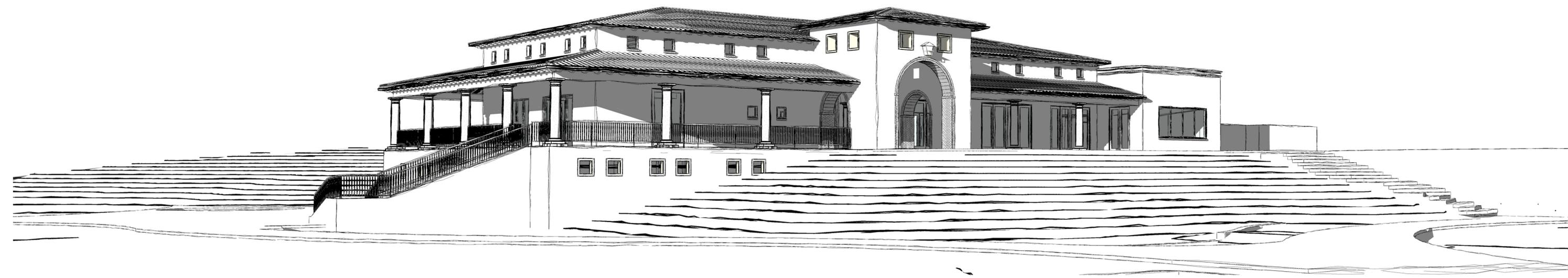
ENGINEER:
HILGART WILSON, LLC
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, AZ 85016
602.490.0535
CONTACT: CASEY WHITEMAN, PE
CWHITEMAN@HILGARTWILSON.COM

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480.477.1111
CONTACT: ADAM VALENTE, AIA
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SCOTTSDALE, AZ 85250
T 480.477.1111
F 480.388.3858
PHXARCH.COM

OV1214-23-CONCEPTUAL LANDSCAPE PLAN
STONE CANYON CLUBHOUSE
A Portion of Sections 14 & 23, T-11-S, R-13-E, G&SRB&M,
Town of Oro Valley, Pima County, Arizona

SCALE: AS INDICATED	DATE: AUGUST 28, 2014
CONTOUR INTERVAL: 1'	
REFERENCE NUMBERS: CO8R0091 OV112-030 OV114-025 TOWN OF ORO VALLEY CASE NUMBER: OV1214-23	LA1.0 SHEET 4 OF 4



STONE
CANYON


WESPAC
CONSTRUCTION INC.

STONE CANYON CLUB HOUSE

PHXARCH
PHX ARCHITECTURE



1 ENTRY ELEVATION
SCALE: 1/8" = 1'-0"

STONE CANYON CLUBHOUSE
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

**NOT FOR
CONSTRUCTION**

PROJECT NO: 14091
DATE: JULY 21, 2014
CONTENTS:

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

A6.0



1 BUILDING ELEVATION (SOUTH)
SCALE: 1/8" = 1'-0"



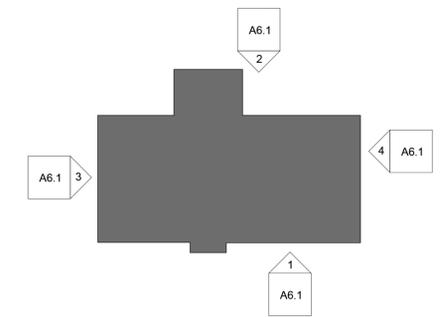
2 BUILDING ELEVATION (NORTH)
SCALE: 1/8" = 1'-0"



3 BUILDING ELEVATION (WEST)
SCALE: 1/8" = 1'-0"



4 BUILDING ELEVATION (EAST)
SCALE: 1/8" = 1'-0"



KEY PLAN

REVISIONS:

PROJECT NO: 14091
DATE: MONTH DAY, YEAR
CONTENTS:

BUILDING ELEVATIONS

SCALE: As indicated

DRAWING NUMBER:

A6.1

STONE CANYON CLUBHOUSE

COLOR AND MATERIAL BOARD

ACCENT
STONE COLUMN



WALL MATERIAL
STUCCO



ROOF MATERIAL
CONCRETE TILE



ACCENT
STONE



ACCENT
STONE PARAPET



Neighborhood Meeting Summary
Stone Canyon Clubhouse Conceptual Design
July 21, 2014
6:00 – 7:30 PM

Stone Canyon Clubhouse, 14200 N. Hohokam Village Place

1. Introductions and Welcome

Meeting Facilitator and project planner Matt Michels introduced the Oro Valley staff David Laws, DIS Permitting Manager. Approximately 30 residents and interested parties attended the meeting, including Vice Mayor Waters and Council Member Hornat. Also in attendance were several Conceptual Design Review Board members.

2. Staff Presentation

Matt Michels, Senior Planner, provided a presentation that included:

- Conceptual Design Review Process
- Review Tools
- Public Participation Opportunities
- Next Steps

3. Applicant Presentation

Erik Peterson, owner of PHX Architecture, provided a presentation that included:

- Overview of proposed clubhouse project, including site plan and architectural renderings
- Review of project timeline

4. Public Questions & Comments

Following is a summary of questions asked at the neighborhood meeting:

- How many additional parking spaces are proposed? (approximately 20)
- Will the parking area be lighted? (probably) How does the Town regulate lighting? (Zoning Code lighting code and lighting plan requirements)
- Where will the putting green be located?
- Can the building be expanded in the future? (yes)
- What is the project timeline?
- When will club members be able to see the floor plan?
- Does the building design consider solar gain on the western elevation? (yes, with deep overhangs)

- How does the building relate to the existing building and the 18th hole?
- Will the project impact significant rock outcrops? (no)
- Will the existing clubhouse remain open during construction of the new building?
- What will the existing clubhouse site be used for? (an event lawn)



Town Council Regular Session

Item # **6. a.**

Meeting Date: 10/01/2014
Requested by: Bayer Vella
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

RESOLUTION NO. (R)14-53, DECLARING THE PROPOSED AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 27.9.E.4 AND CHAPTER 27, RELATING TO GRADING REGULATIONS, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

This is a procedural item to declare the draft ordinance a matter of public record. The draft ordinance has been posted online and made available in the Town Clerk's Office. If the final version is adopted, as approved by Town Council, it will be made available in the same manner.

BACKGROUND OR DETAILED INFORMATION:

Once adopted by Town Council, this proposed resolution will become a public record and will save the Town on advertising costs since the Town will forgo publishing the entire draft ordinance in print form. The current draft version of the draft ordinance has been posted on the Town's website and a printed copy is available for public review in the Town Clerk's Office. Once adopted, the final version will be published on the Town's website.

FISCAL IMPACT:

The Town will save on advertising costs by meeting publishing requirements by reference, without including the pages of amendments.

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)14-53, declaring the proposed amendments to the Oro Valley Zoning Code Revised Section 27.9.E.4 and Chapter 27, attached hereto as Exhibit "A" and filed with the Town Clerk, a public record.

Attachments

(R)14-53 Amending Section 27.E.4.
Staff Modified Text Grading

RESOLUTION NO. (R)14-53

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT TO BE PLACED WITHIN CHAPTER 27, "GENERAL DEVELOPMENT STANDARDS", SECTION 27.9.E.4, OF THE ORO VALLEY ZONING CODE REVISED AND ENTITLED THE "GRADING";, ATTACHED HERETO AS EXHIBIT "A" AND FILED WITH THE TOWN CLERK

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, that certain document of the Oro Valley Town Code, entitled Chapter 27, "General Development Standards", Section 27.9.E.4, "Grading" is attached hereto as Exhibit "A", three copies of which are on file in the Office of the Town Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this 1st day of October, 2014.

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”

Zoning Code Amendment
Modified Text Amendment

Additions shown in **ALL CAPS**

4. Slope Setbacks

The Town may increase the following slope setbacks, if considered necessary for safety or stability, or to prevent possible damage from water, soil, or debris:

- a) Top of cut slope: The top of cut slopes shall be made not nearer to a site boundary line than one-fifth ($1/5$) of the vertical height of cut, with a minimum of two (2') feet, **UNLESS OTHERWISE APPROVED BY THE TOWN ENGINEER OR THE PLANNING AND ZONING ADMINISTRATOR AND UPON WRITTEN CONSENT FROM THE ADJACENT PROPERTY OWNER.** The setback may need to be increased for any required interceptor drains.
- b) Toe of fill slope: The toe of fill slope shall be made not nearer to the site boundary line than one-half ($1/2$) the height of the slope, with a minimum of two (2') feet, **UNLESS OTHERWISE APPROVED BY THE TOWN ENGINEER OR THE PLANNING AND ZONING ADMINISTRATOR AND UPON WRITTEN CONSENT FROM THE ADJACENT PROPERTY OWNER.**
- c) Building: Buildings shall be set back from the toe and top of slopes in accordance with the building codes (minimum five (5) feet, see Figure 27.9 – 1) and the approved soils report. In addition, the building setbacks of the applicable zoning district shall apply.
- d) Rights-of-way: The required setback of a slope toe adjacent to a public right-of-way may be reduced with the approval of the Town, if there will be no adverse effect and:
 - I. Easements are not required, or
 - II. Retaining walls are used.



Town Council Regular Session

Item # **6. b.**

Meeting Date: 10/01/2014
Requested by: Bayer Vella
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: ORDINANCE NO. (O)14-11, AMENDING SECTION 27.9.E.4 OF THE ORO VALLEY ZONING CODE REVISED TO GRADE UP TO OR BEYOND THEIR PROPERTY LINE WITH THE ADJACENT OWNER'S CONSENT

RECOMMENDATION:

The Planning and Zoning Commission recommends approval of the proposed revisions depicted in Attachment 1, Exhibit "A."

EXECUTIVE SUMMARY:

The applicant has submitted an independent Zoning Code Amendment to the grading regulations to allow property owners to grade up to or beyond their property line with the adjacent owner's consent. The proposed amendment would provide a path for consenting property owners to work together along shared property lines.

The Planning and Zoning Commission considered this item at its regular meeting on September 2, 2014, and has recommended approval subject to the revisions in Attachment 1, Exhibit "A."

BACKGROUND OR DETAILED INFORMATION:

Existing Grading Provisions:

The current grading provisions restrict grading to within two (2) feet of a site boundary line. The intent of the existing grading provisions is to prevent property owners from disturbing their neighbor's property.

To meet the intent of the provisions, property owners are required to terminate all grading activities with a top of cut or fill slope that is no closer than two (2) feet from the property line. The results of these provisions are unattractive grading features (i.e. berms and ditches) that do not blend with the natural environment. Photos of these grading designs are included as Attachment 2.

Applicant's Request:

The proposed amendment would allow property owners to grade up to or beyond their property line with the adjacent property owner's consent.

Applicability:

The proposed amendment would affect the following areas of grading:

- Internal lot lines of a custom graded subdivision
- Perimeter boundaries of a commercial project
- Perimeter boundaries of mass graded subdivision

Zoning Amendment Analysis:

The applicant has requested that the following underlined text be added to the Zoning Code (Attachment 3):

a. *Top of cut slope: The top of cut slopes shall be made not nearer to a site boundary line than one-fifth (1/5) of the vertical height of cut, with a minimum of two (2) feet, unless approved by the adjacent property owner. The setback may need to be increased for any required interceptor drains.*

b. *Toe of fill slope: The toe of fill slope shall be made not nearer to the site boundary line than one-half (1/2) the height of the slope, with a minimum of two (2) feet, unless approved by the adjacent property owner.*

The proposed amendment provides an option for adjacent property owners to work together on grading, drainage and landscape issues. The request does not identify the Town as the final approving authority, and therefore the Planning and Zoning Commission has recommended the following underlined text (Attachment 1):

a. *Top of cut slope: The top of cut slopes shall be made not nearer to a site boundary line than one-fifth (1/5) of the vertical height of cut, with a minimum of two (2) feet, unless otherwise approved by the Town Engineer or Planning and Zoning Administrator and upon written consent from the adjacent property owner. The setback may need to be increased for any required interceptor drains.*

b. *Toe of fill slope: The toe of fill slope shall be made not nearer to the site boundary line than one-half (1/2) the height of the slope, with a minimum of two (2) feet, unless otherwise approved by the Town Engineer and Planning Administrator and upon written consent from the adjacent property owner.*

The Commissions' modified amendment will ensure that all proposals be reviewed on a case-by-case basis. The recommended text gives the Town the authority to approve or deny such requests based on design issues, aesthetics and safety.

Pros and Cons:

The following is a list of pros related to the modified amendment:

Pros:

- Creates a path for consenting property owners to work together along shared property lines while maintaining public safety and property rights
- Allows continuous grading across property lines which can reduce unattractive grading features such as berms and ditches
- Provides the Town with the ability to impose special conditions such as restoration and/or bond requirements

The following is a list of cons related to grading on the neighbor's property:

Cons:

- Special easements may be required (i.e. slope, maintenance and/or access)
- Grading activities may increase both the amount of disturbed vegetation and volume of displaced materials

- Orchestrating landscape restoration or bond requirements across property lines may be difficult

General Plan Analysis:

The proposed amendment has been evaluated against the goals and policies of the General Plan. The relevant goals and policies include:

- Ensure that the built environment is aesthetically pleasing and compatible with natural surroundings
- Require developers to employ design strategies that minimize changes to existing topography and existing vegetation
- Require new projects to consider the existing landscaping to provide and maintain landscape continuity with the community

The proposed amendment conforms to the above policies as follows:

- The proposed amendment could reduce unattractive grading designs by allowing consenting property to work together to create aesthetically pleasing grading designs.
- The request would enable neighboring properties to work together to create a natural grading design with landscaping and restoration.
- The proposed amendment will allow a variety of grading designs, including continuous landscaping across property lines.

Planning and Zoning Commission Review:

The applicant's request was heard by the Planning and Zoning Commission on September 2, 2014. The main topics discussed at the meeting included: grading design, required easements and necessary approvals.

At the conclusion of the public meeting, the Commission voted to recommend approval of a modified amendment based on the finding that the request would provide a path for consenting property owners to work together on projects that are adjacent to one another. 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.

Public Notification and Comment:

Public notice has been provided as follows:

- All HOAs in the Town were notified of this hearing
- Public hearing notice was posted:
 - o In the Territorial newspaper
 - o At Town Hall
 - o On the Town website

To date, staff has received one email of concern (Attachment 6).

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to APPROVE Ordinance No. (O)14-11, an amendment to Section 27.9.E.4 relating to grading provisions, subject to the revisions depicted in Attachment 1, Exhibit "A."

OR

I MOVE to DENY Ordinance No. (O)14-11, an amendment to Section 27.9.E.4 relating to grading

provisions, finding that _____.

Attachments

Attachment 1 - (O)14-11 Amending Section 27.9.E.4

Exhibit "A"

Attachment 2 - Photos of Grading Designs

Attachment 3 - Applicant Amendment

Attachment 4 - PZC Staff Report

Attachment 5 - PZC Draft Meeting Minutes

Attachment 6 - Email of Concern

ORDINANCE NO. (O)14-11

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING CHAPTER 27, GENERAL DEVELOPMENT STANDARDS, SECTION 27.9.E.4, GRADING, OF THE ORO VALLEY ZONING CODE REVISED; REPEALING ALL RESOLUTIONS, ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, on March 13, 1981, the Mayor and Council approved Ordinance (O)81-58, which adopted that certain document entitled “Oro Valley Zoning Code Revised (OVZCR); and

WHEREAS, it is necessary to revise Chapter 27, General Design Standards, Section 27.9.E.4, Grading, to allow property owners to grade up to or beyond their property line with the adjacent owner’s consent; and

WHEREAS, the Planning and Zoning Commission held a meeting on September 2, 2014 and voted to recommend approval of amending Chapter 27 General Design Standards, Section 27.9.E.4, Grading; and

WHEREAS, the Mayor and Council have considered the proposed amendments to Chapter 27, General Development Standards, Section 27.9.E.4, Grading and finds that they are consistent with the Town's General Plan and other Town ordinances and are in the best interest of the Town.

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

SECTION 1. that certain document entitled Chapter 27, General Development Standards, Section 27.9.E.4, Grading, of the Oro Valley Zoning Code Revised, attached hereto as Exhibit “A”, to allow property owners to grade up to or beyond their property line with the adjacent owner’s consent is hereby approved.

SECTION 2. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona, this 1st day of October, 2014.

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: _____

EXHIBIT “A”

Zoning Code Amendment
Modified Text Amendment

Additions shown in **ALL CAPS**

4. Slope Setbacks

The Town may increase the following slope setbacks, if considered necessary for safety or stability, or to prevent possible damage from water, soil, or debris:

- a) Top of cut slope: The top of cut slopes shall be made not nearer to a site boundary line than one-fifth ($1/5$) of the vertical height of cut, with a minimum of two (2') feet, **UNLESS OTHERWISE APPROVED BY THE TOWN ENGINEER OR THE PLANNING AND ZONING ADMINISTRATOR AND UPON WRITTEN CONSENT FROM THE ADJACENT PROPERTY OWNER.** The setback may need to be increased for any required interceptor drains.
- b) Toe of fill slope: The toe of fill slope shall be made not nearer to the site boundary line than one-half ($1/2$) the height of the slope, with a minimum of two (2') feet, **UNLESS OTHERWISE APPROVED BY THE TOWN ENGINEER OR THE PLANNING AND ZONING ADMINISTRATOR AND UPON WRITTEN CONSENT FROM THE ADJACENT PROPERTY OWNER.**
- c) Building: Buildings shall be set back from the toe and top of slopes in accordance with the building codes (minimum five (5) feet, see Figure 27.9 – 1) and the approved soils report. In addition, the building setbacks of the applicable zoning district shall apply.
- d) Rights-of-way: The required setback of a slope toe adjacent to a public right-of-way may be reduced with the approval of the Town, if there will be no adverse effect and:
 - I. Easements are not required, or
 - II. Retaining walls are used.



Zoning Code Amendment Request

Based upon longstanding experience in Oro Valley, we believe that a modification to the Zoning Code is warranted. Zoning Code Sections 27.9(E)(4)(a&b) state:

- a. *Top of cut slope: The top of cut slopes shall be made not nearer to a site boundary line than one-fifth (1/5) of the vertical height of cut, with a minimum of two (2) feet. The setback may need to be increased for any required interceptor drains.*
- b. *Toe of fill slope: The toe of fill slope shall be made not nearer to the site boundary line than one-half (1/2) the height of the slope, with a minimum of two (2) feet.*

This Code language is intended to provide some assurance to adjacent property owners that their property will not be negatively impacted by grading activity on an adjacent parcel. However, this constraint should not apply if grading within two feet of a property line is acceptable to both property owners.

The suggested addition to the language is:

- a. *Top of cut slope: The top of cut slopes shall be made not nearer to a site boundary line than one-fifth (1/5) of the vertical height of cut, with a minimum of two (2) feet, unless approved by the adjacent property owner. The setback may need to be increased for any required interceptor drains.*
- c. *Toe of fill slope: The toe of fill slope shall be made not nearer to the site boundary line than one-half (1/2) the height of the slope, with a minimum of two (2) feet unless approved by the adjacent property owner.*

Approval of this suggested Code amendment would have the effect of reducing red tape for adjacent property owners wishing to cooperate in grading and drainage design. Approval of this amendment would also retain the existing protections for instances in which such cooperation does not exist.



Zoning Code Amendment Planning and Zoning Commission Staff Report

CASE NUMBER: OV714-004

MEETING DATE: September 2, 2014

AGENDA ITEM: 3

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

Applicant: WLB Group

Request: Zoning Code Amendment to Sections 27.9.E.4 of the Oro Valley Zoning Code Revised

Recommendation: Approve Zoning Code Amendment

SUMMARY:

The applicant is requesting to amend the Zoning Code to allow property owners to grade up to or beyond their property line with the adjacent owner's consent. The purpose of the request is to provide a path for consenting property owners to work together along their shared property lines.

The request addresses the minimum slope setback requirements regulated in Section 27.9.E.4.a and b, Slope Setback, of the Zoning Code. The proposed amendment will also reduce unattractive grading designs (e.g. ditches, berms, retaining walls, etc.) for custom graded residential lots by allowing greater flexible designs (i.e. blended grading and continuous landscaping).

BACKGROUND:

The current zoning provisions do not provide a path for consenting property owners to work together on grading issues along shared property lines, even if the properties are owned by the same property owner.

The purpose of the existing zoning provisions is to prevent property owners from disturbing their neighbor's property.

DISCUSSION / ANALYSIS:

To meet the intent of the current zoning provisions, property owners are required to terminate grading activities with a top of cut or fill slope that is no closer than two (2') feet from the property

line. These requirements may create low areas (i.e. ditches) or high areas (i.e. berms) along property lines which do not blend with the natural environment. Photos depicting these grading designs are included as Attachment 1.

The proposed amendment would resolve this issue by enabling consenting property owners the ability to work together to grade across property lines which could result in a more attractive grading and landscape design.

The proposed amendment would help affect the following areas of grading:

- Internal lot lines of a custom graded subdivision (i.e. individual lots graded under separate permits)
- Perimeter boundaries of a commercial project
- Perimeter boundaries of mass graded subdivision (i.e. entire site graded under one permit)

The following is a list of pros and cons related to the proposed amendment:

Pros

- Provides an option to allow continuous grading across property lines to minimize adverse visual impacts such as unnatural looking berms or ditches between neighboring properties resulting from cut or fill slopes.
- Provides consenting property owners the option to collaborate together to develop neighboring properties in a way that more naturally blend together.
- Provides the option to allow continuous landscaping across property lines to provide a more harmonious streetscape between custom graded lots.

Cons

- Slope, maintenance and/or access easements may be required in some instances.
- Grading may extend beyond site boundary lines, increasing the areas of disturbance and possibly the volume of material displaced.
- Orchestrating landscape restoration or bond requirements across property lines can be more complex

The applicant has requested that the following underlined text be added to the Zoning Code (see Attachment 2):

- a. Top of cut slope: The top of cut slopes shall be made not nearer to a site boundary line than one-fifth (1/5) of the vertical height of cut, with a minimum of two (2) feet, unless approved by the adjacent property owner. The setback may need to be increased for any required interceptor drains.*
- b. Toe of fill slope: The toe of fill slope shall be made not nearer to the site boundary line than one-half (1/2) the height of the slope, with a minimum of two (2) feet unless approved by the adjacent property owner.*

The proposed code language provides an option for adjacent property owners to work together on grading, drainage, and landscape issues between their respective properties. However, it does not identify the Town as the final approving authority related to the request. Therefore, the Town recommends the following modifications to the proposed text amendment (Attachment 3):

- a. *Top of cut slope: The top of cut slopes shall be made not nearer to a site boundary line than one-fifth (1/5) of the vertical height of cut, with a minimum of two (2) feet, unless otherwise approved by the Town Engineer or Planning and Zoning Administrator and upon written consent from the adjacent property owner. The setback may need to be increased for any required interceptor drains.*
- b. *Toe of fill slope: The toe of fill slope shall be made not nearer to the site boundary line than one-half (1/2) the height of the slope, with a minimum of two (2) fee unless otherwise approved by the Town Engineer and Planning Administrator and upon written consent from the adjacent property owner.*

The Town's suggested modification to the request will ensure that all proposals be reviewed on a case by case basis. It will give the Town the authority to approve or deny such requests based on neighboring property owner authorization, design issues, aesthetics, safety, and will allow the Town the ability to impose special conditions such as restoration or bond requirements.

General Plan Conformance Analysis

Goal 2.1 To ensure that the built environment is aesthetically pleasing and compatible with the natural surroundings.

Staff Comment: The proposed amendment could reduce unattractive grading designs by allowing consenting property to work together to create aesthetically pleasing grading designs.

Policy 2.1.5 The Town shall continue to require that all development proposals employ design strategies that minimize changes to existing topography and the disturbance of existing vegetation.

Staff Comment: The request would enable neighboring properties to work together to create a natural grading design with landscaping and restoration.

Policy 2.1.9 The Town shall require that all new development proposals consider existing landscaping within 400 feet of the project site to provide and maintain landscape continuity within the community.

Staff Comment: The proposed amendment will allow a variety of grading designs, including continuous landscaping across property lines.

SUMMARY / CONCLUSION

The modified code amendment as shown on Attachment 3, will create an option for continuous grading across property lines. The proposed amended condition would require a Planning and Zoning Administrator or Town Engineer approval which will ensure the protection of public health, safety, and general welfare as well as the protection and preservation of the aesthetics of the natural environment. The proposed code amendment will also provide an option for greater flexibility in the grading design of properties by facilitating a more consistent and natural looking grading design along shared property lines.

RECOMMENDATION:

Based on the following findings:

- Allows continuous and attractive landscaping along shared property lines
- Reduces unattractive grading designs (i.e. berms, rip rap, v-shaped ditches, etc.)
- Will not compromise public safety
- Proposal is consistent with the relevant goals and policies of the General Plan

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

Recommend approval to the Town Council of the requested Zoning Code Amendment OV714-004.

SUGGESTED MOTIONS:

I move to recommend approval of the Zoning Code Amendment related grading, based on the finding that the request would provide a path for consenting property owners to work together on projects that are adjacent to one another, subject to the revisions in Attachment 3.

OR

I move to recommend denial of the Zoning Code, as depicted in Attachment 3, as the request does not meet the finding that _____.

ATTACHMENTS:

1. Photos of grading on custom lots
2. Application
3. Modified Text Amendment


Bayer Vella, AICP Planning Division Manager

**MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
STUDY/REGULAR SESSION
September 2, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

STUDY SESSION AT OR AFTER 6:00 P.M.

CALL TO ORDER

Chair Cox called the September 2, 2014 session of the Oro Valley Planning and Zoning Commission Study Session to order at 6:00 PM.

ROLL CALL

PRESENT:

Don Cox, Chairman
John Buette, Vice Chairman
Bill Rodman, Commissioner
Tom Drazazgowski, Commissioner
Frank Pitts, Commissioner
Greg Hitt, Commissioner

ABSENT:

Bill Leedy, Commissioner

ALSO PRESENT:

Lou Waters, Vice - Mayor and Council Liaison
Joe Hornat, Council Member
Bayer Vella, Interim Planning Manager
David Laws, Permitting Manager
Joe Andrews, Chief Civil Deputy Attorney

**1. PRESENTATION BY PHILIP SALETTA, WATER UTILITY DIRECTOR, ON
AVAILABILITY OF WATER RESOURCES WITHIN THE TOWN OF ORO
VALLEY AND SUBSEQUENT DISCUSSION**

Philip Saletta, Water Utility Director, presented the following:

Mission
Water Utility Goals and Objectives
Water Utility Commission
Oro Valley Water Supply Diverse Portfolio

Water Usage
Water Conservation Program
Potable Water System
Central Arizona Project Water
Reclaimed Water System
Oro Valley Water Utility Water Supply
Typical Aquifer Recharge & Recovery
Oro Valley Water Utility Central Arizona Project Water Delivery
Summary - Water Resource Planning for the Future

ADJOURNMENT

Chair Cox ended the Study Session at 6:30 PM.

REGULAR SESSION AT OR AFTER 6:30 PM

CALL TO ORDER

Chair Cox called the Planning and Zoning Commission Regular Session to order at 6:00 PM.

ROLL CALL

PRESENT:

Don Cox, Chairman
John Buette, Vice Chairman
Bill Rodman, Commissioner
Tom Drazazgowski, Commissioner
Frank Pitts, Commissioner
Greg Hitt, Commissioner

ABSENT:

Bill Leedy, Commissioner

ALSO PRESENT:

Lou Waters, Vice - Mayor and Council Liaison
Joe Hornat, Council Member
Bayer Vella, Interim Planning Manager
David Laws, Permitting Manager
Joe Andrews, Chief Civil Deputy Attorney

PLEDGE OF ALLEGIANCE

Chairman Cox led the Planning and Zoning Commission members and audience in the 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.

COUNCIL LIAISON COMMENTS

Council Member Hornat stated as the Town Council has been in recess, there are no updates to present this evening.

REGULAR AGENDA

1. REVIEW AND/OR APPROVAL OF THE AUGUST 5, 2014 REGULAR SESSION MEETING MINUTES

MOTION: A motion was made by Commissioner Pitts and seconded by Commissioner Rodman to approve

MOTION carried, 6-0.

2. PUBLIC HEARING: REQUEST TO AMEND SECTION 27.10.F.2.c.iii OF THE ENVIRONMENTALLY SENSITIVE LANDS (ESL) SECTION OF THE ZONING CODE TO ALLOW LOT WIDTHS TO BE MODIFIED AS A FLEXIBLE DESIGN OPTION, OV714-003

Rosevelt Arellano, Planner, presented the following:

Zoning Code Amendment ESL Flexible Design Standards
ESL Zoning Provisions
Conservation Subdivision
Flexible Design Standards

Stacy Weaks, of Norris Design on behalf of the Applicant, presented a Text Amendment Overview, including:

- Proposed text amendment
- Staff recommended text amendment
- Balance planning flexibility/maximize open space
- Comparable zoning criteria
- The proposed addition to the development incentives

Bill Adler, Oro Valley Resident, questioned how the width of the lots would be judged or measured? He stated this process would lengthen the permit application timeline. He suggested that a more thorough presentation would have been more beneficial.

MOTION: A motion was made by Commissioner Rodman and seconded by Commissioner Drzazgowski to approve to approve OV714-003 subject to the revisions depicted in Attachment 4

MOTION carried, 5-1 with Commissioner Pitts opposed.

Additions shown in **ALL CAPS**
Deletions shown in ~~strikethrough font~~

iii. Requirements Subject to Modification

The following requirements may be modified as they relate to the proposed construction of single-family attached and detached residences, multi-family residences, commercial, employment and mixed use projects.

a. Building Setback. Minimum setbacks may be reduced to no less than five (5) feet on lots less than or equal to twelve thousand (12,000) square feet and up to twenty percent (20%) of the required distance on lots greater than twelve thousand (12,000) square feet. Reductions are subject to the following:

- 1) Side yards shall not be less than five (5) feet, unless a zero lot line design is utilized.
- 2) Setback reductions shall not result in on-lot driveway lengths that are less than twenty (20) feet.
- 3) Reductions do not apply to setback requirements in subsection F.2.d.ii.e.2 of this section for a conservation subdivision design.

b. Landscape Buffer Yards. Minimum required buffer yards may be reduced to ten (10) feet with a corresponding decrease in planting ratios specified in Section 27.6, Table 27-10, except when the buffer yard is adjacent to an existing residential subdivision or public street.

c. Minimum Lot Size. Minimum lot sizes in all R1, R-4, R-S and SDH-6 districts may be modified subject to conservation design requirements of this section.

d. MINIMUM LOT WIDTH. MINIMUM LOT WIDTHS IN ALL R1, R-4, R-2 AND SDH-6 DISTRICTS MAY BE MODIFIED SUBJECT TO CONSERVATION DESIGN REQUIREMENTS OF THIS SECTION.

d. e. Off-Street Parking. Modifications resulting in reduced amounts of parking and circulation area are supported. Off-street parking requirements may be reduced in accordance with Section 27.7.C.2.

e. f. Building Height. Building heights for single-family attached and multi-family dwelling types may be increased by no more than thirteen (13) feet.

f. g. Open Space. Reductions may be provided in accordance with subsection F.2.f of this section, open space requirements.

g. h. Mixed Use. Residential uses that are functionally integrated, including access, nonvehicular circulation and amenities, with commercial or employment uses may be approved within commercial zoning districts.

h. i. Modified Review Process. Site plans and preliminary plats submitted in conformance with the approved Tentative Development Plan, as determined by the Planning and Zoning Administrator, may be administratively approved.

i. j. Recreation Area Credit. Permissible passive and/or active recreational amenities located within resource management area ESOS may be credited toward residential recreation area requirements as approved by the Planning and Zoning Administrator when the locational requirements of Section 26.5, Provision of Recreational Area, are satisfied. Connectivity of open space must be maintained.

j. k. Native Vegetation Preservation. When fifty percent (50%) or more of a site is preserved as ESOS, requirements for native plant salvage and mitigation (Section 27.6B) shall be waived within a development envelope. This modification cannot be applied to areas of distinct vegetation which are designated as a core resource area or native plants that are considered threatened or endangered under the Endangered Species Act or highly safeguarded by the Arizona Department of Agriculture.

RECESS

Chair Cox and the Planning and Zoning Commission took a 5 minute break before hearing the next item.

3. PUBLIC HEARING: REQUEST TO AMEND SECTION 27.9.E.4 OF THE ZONING CODE TO ALLOW PROPERTY OWNERS TO GRADE UP TO THE PROPERTY LINE AND/OR ONTO THE ADJACENT PROPERTY, OV714-004

David Laws, Permitting Manager, presented the following:

Zoning Code Amendment To Grading Provisions
Existing Code
Applicability Site Boundary Line
Applicability Internal Lot Boundaries
Grading Designs
Review and Conclude

Paul Oland, WLB on behalf of Maracay Homes, presented photos of homes where neighbors were able to grade across property lines, allowing for a more smooth graded appearance.

MOTION: A motion was made by Vice Chairman Buette and seconded by Commissioner Pitts to approve

MOTION carried, 6-0.

4. **REQUEST FOR PLANNING AND ZONING COMMISSION INITIATION OF A ZONING CODE AMENDMENT TO SECTION 27.10.D.3.f.vi.b TO ALLOW TOWN ENGINEER DISCRETION TO MODIFY DRIVEWAY ACCESS SEPARATION REQUIREMENTS WITHIN THE TANGERINE ROAD CORRIDOR OVERLAY DISTRICT**

Chad Daines, Principal Planner,

Tangerine Road Corridor Overlay District
Driveway Separation Requirements
The Central Issue
Code Amendment

MOTION: A motion was made by Chairman Cox and seconded by Vice Chairman Buette to accept

MOTION carried, 6-0.

5. **PRESENTATION AND DISCUSSION REGARDING REVIEW AND/OR UPDATE OF THE CONDITIONAL USE PERMIT REVIEW CRITERIA**

Chad Daines, Principal Planner, presented the following:

- Work Plan
- Conditional Use Permit's
- CUP Evaluation Criteria
- Zoning Code Evaluation Criteria
- Table Comparison

PLANNING UPDATE (INFORMATIONAL ONLY)

Bayer Vella, Planning Manager

-September 8 - A neighborhood meeting is to be held from 6-7:30 pm at Casas Adobes Baptist Church located at 10801 N. La Cholla Blvd regarding the Shannon Road south of IRHS Major General Plan Amendment

- September 10 - A neighborhood meeting is to be held at IRHS library lecture hall at 2475 W. Naranja Dr. at 6:00 pm regarding La Cholla BLVD and Naranja southwest and southwest Major General Plan Amendments

- Planning and Zoning Commission meeting is scheduled for October 7th and will be dedicated to Major General Plan Amendment cases only

ADJOURNMENT

MOTION: A motion was made by Vice Chairman Buette and seconded by Commissioner Rodman to adjourn

MOTION carried, 6-0.

DRAFT

Arellano, Rosevelt

From: [REDACTED]
Sent: Monday, September 01, 2014 10:46 AM
To: Arellano, Rosevelt; Vella, Bayer
Subject: P&Z - Grading Flexibility

Grading to or past a property line may not be a neighbor decision. An HOA may wish to comment as a representative of the entire community; not just the neighbor immediately adjacent. I would believe this would be, more often than not, the case.

In addition, should a neighbor consent to "working together" and subsequently sell his home, the new owner has nothing to say. Even if there is no HOA, residents within the immediate area must be involved. This proposal doesn't allow for a "Neighborhood Meeting" to gain understanding, and an assortment of ideas on a suitable remedy.

I believe these circumstances must be addressed within any zoning amendment.

Please forward to the Commission, as I may not be able to attend and comment publicly.

Bill Adler



Town Council Regular Session

Item # **7. a.**

Meeting Date: 10/01/2014
Requested by: Bayer Vella
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

RESOLUTION NO. (R)14-54, DECLARING THE PROPOSED AMENDMENT TO THE ORO VALLEY ZONING CODE SECTION 27.10.F.2.c.iii AND CHAPTER 27, RELATING TO ENVIRONMENTALLY SENSITIVE LANDS FLEXIBLE DESIGN OPTIONS, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

This is a procedural item to declare the draft ordinance a matter of public record. The draft ordinance has been posted online and made available in the Town Clerk's Office. If the final version is adopted, as approved by Town Council, it will be made available in the same manner.

BACKGROUND OR DETAILED INFORMATION:

Once adopted by Town Council, this proposed resolution will become a public record and will save the Town on advertising costs since the Town will forgo publishing the entire draft ordinance in print form. The current draft version of the draft ordinance has been posted on the Town's website and a printed copy is available for public review in the Town Clerk's Office. Once adopted, the final version will be published on the Town's website.

FISCAL IMPACT:

The Town will save on advertising costs by meeting publishing requirements by reference, without including the pages of amendments.

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)14-54, declaring the proposed amendments to the Oro Valley Zoning Code Revised Section 27.10.F.2.c.iii and Chapter 27, attached hereto as Exhibit "A" and filed with the Town Clerk, a public record.

Attachments

(R)14-54 Amending Section 27.10.F.2.c.iii
Exhibit "A"

RESOLUTION NO. (R)14-54

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT TO BE PLACED WITHIN CHAPTER 27.10.F.2.C.III, ENVIRONMENTALLY SENSITIVE LANDS, SECTION 27.10.F.2.C.III, OF THE ORO VALLEY ZONING CODE REVISED AND ENTITLED THE "REQUIREMENTS SUBJECT TO MODIFICATION"; ATTACHED HERETO AS EXHIBIT "A" AND FILED WITH THE TOWN CLERK

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, that certain document of the Oro Valley Town Code, entitled Chapter 27, "General Development Standards", Section 27.10.F.2.c.iii, "Requirements Subject to Modification" is attached hereto as Exhibit "A", three copies of which are on file in the Office of the Town Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this 1st day of October, 2014.

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”

Zoning Code Amendment
Modified Text Amendment

Additions shown in ALL CAPS

~~Deletions shown in strikethrough font~~

iii. Requirements Subject to Modification

The following requirements may be modified as they relate to the proposed construction of single-family attached and detached residences, multi-family residences, commercial, employment and mixed use projects.

- a. Building Setback. Minimum setbacks may be reduced to no less than five (5) feet on lots less than or equal to twelve thousand (12,000) square feet and up to twenty percent (20%) of the required distance on lots greater than twelve thousand (12,000) square feet. Reductions are subject to the following:
 - 1) Side yards shall not be less than five (5) feet, unless a zero lot line design is utilized.
 - 2) Setback reductions shall not result in on-lot driveway lengths that are less than twenty (20) feet.
 - 3) Reductions do not apply to setback requirements in subsection F.2.d.ii.e.2 of this section for a conservation subdivision design.
- b. Landscape Buffer Yards. Minimum required buffer yards may be reduced to ten (10) feet with a corresponding decrease in planting ratios specified in Section 27.6, Table 27-10, except when the buffer yard is adjacent to an existing residential subdivision or public street.
- c. Minimum Lot Size. Minimum lot sizes in all R1, R-4, R-S and SDH-6 districts may be modified subject to conservation design requirements of this section.
- d. MINIMUM LOT WIDTH. MINIMUM LOT WIDTHS IN ALL R1, R-4, R-2 AND SDH-6 DISTRICTS MAY BE MODIFIED SUBJECT TO CONSERVATION DESIGN REQUIREMENTS OF THIS SECTION.**
- ~~d~~. e. Off-Street Parking. Modifications resulting in reduced amounts of parking and circulation area are supported. Off-street parking requirements may be reduced in accordance with Section 27.7.C.2.
- ~~e~~. f. Building Height. Building heights for single-family attached and multi-family dwelling types may be increased by no more than thirteen (13) feet.
- ~~f~~. g. Open Space. Reductions may be provided in accordance with subsection F.2.f of this section, open space requirements.
- ~~g~~. h. Mixed Use. Residential uses that are functionally integrated, including access, nonvehicular circulation and amenities, with commercial or employment uses may be approved within commercial zoning districts.
- ~~h~~. i. Modified Review Process. Site plans and preliminary plats submitted in conformance with the approved Tentative Development Plan, as determined by the Planning and Zoning Administrator, may be administratively approved.
- ~~i~~. j. Recreation Area Credit. Permissible passive and/or active recreational amenities located within resource management area ESOS may be credited toward residential recreation area requirements as approved by the Planning and Zoning Administrator when the locational requirements of Section 26.5, Provision of Recreational Area, are satisfied. Connectivity of open space must be maintained.

j. k. Native Vegetation Preservation. When fifty percent (50%) or more of a site is preserved as ESOS, requirements for native plant salvage and mitigation (Section 27.6B) shall be waived within a development envelope. This modification cannot be applied to areas of distinct vegetation which are designated as a core resource area or native plants that are considered threatened or endangered under the Endangered Species Act or highly safeguarded by the Arizona Department of Agriculture.



Town Council Regular Session

Item # **7. b.**

Meeting Date: 10/01/2014
Requested by: Bayer Vella
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: ORDINANCE NO. (O)14-12, AMENDING SECTION 27.10.F.2.c.iii, ENVIRONMENTALLY SENSITIVE LANDS, OF THE ORO VALLEY ZONING CODE REVISED TO ALLOW LOT WIDTHS TO BE MODIFIED AS A FLEXIBLE DESIGN OPTION

RECOMMENDATION:

The Planning and Zoning Commission recommends approval of the proposed revisions depicted in Attachment 1, Exhibit "A."

EXECUTIVE SUMMARY:

The applicant has submitted an independent Zoning Code Amendment to amend the Environmentally Sensitive Lands (ESL) regulations to allow lot widths to be modified as a flexible design option. Flexible design options are development standards which can be modified as an incentive to develop conservation design projects. The purpose of the request is to further enable and incentivize open space conservation.

The Planning and Zoning Commission considered this item at its regular meeting on September 2, 2014, and has recommended approval of the revisions depicted in Attachment 1, Exhibit "A."

BACKGROUND OR DETAILED INFORMATION:

The Town adopted the ESL regulations with the objective of creating a balanced approach to conserving natural resources. The Town benefits by protecting its natural resources with projects built into the natural environment. The ESL regulations provide incentives to conserve natural resources with the ability to use flexible design options such as smaller lot sizes and reduced setbacks.

The ESL regulations provide an equitable balance between conservation and property development rights for sites with significant environmental constraints. Creating a balanced approach was a key consideration in working with a broad array of participants in the ESL ordinance process. Ensuring conservation of key environmental resources and providing developers greater design & process flexibility was strongly supported by the ESL Public Advisory Committee and other project participants.

To implement the ESL objective, a program of incentives was designed to accomplish the following:

1. Implement a balanced approach by reducing impacts to property owners/developers ("give" to offset "ask" for open space conservation).
2. Conserve significant open space by enabling use of a smaller development footprint without reducing the number of lots.

3. Entice users to “opt” into the code when not required in order to achieve more conservation.

Flexible Design Options:

To enable and incentivize conservation design projects, ESL permits the following flexible design options (i.e. standards subject to modification):

- Minimum Lot Size
- Building Setbacks
- Landscape Buffer Yards
- Off-Street Parking
- Building Height
- Open Space
- Mixed Use (may be considered within commercial zoning district)
- Modified Review Process
- Recreation Area
- Native Vegetation Preservation
- Density

Flexible Design Options – Review Process:

Flexible design options are enabled on a case-by-case basis by the Town. For a rezoning application, Town Council maintains discretion to permit an incentive or not. The ESL Public Advisory Committee envisioned that some incentives would be appropriate in many rezoning cases – but certainly not all.

Flexible Design Options – Review Criteria:

Flexible design options are subject to the following review criteria:

1. *Enables development to the base zoning density, at a minimum, for the entire site.*
2. *Compatibility with adjacent land uses is achieved through architectural design, buffers, and placement of structures and improvements to reduce view impacts.*
3. *The modification does not conflict with an approved treatment plan for cultural resources.*
4. *Statutes, development agreements, appeal processes, or other provisions of this code are not violated.*

Applicant’s Request:

The proposed amendment would allow lot widths to be modified as a flexible design option. The request is associated with a future rezoning application of the Miller Ranch property, located on the northeast corner of Tangerine Road and La Canada Drive. If approved, the amendment would apply to all properties subject to ESL.

Zoning Amendment Analysis:

The applicant’s narrative (Attachment 2) indicates that the original authors of ESL may have unintentionally omitted lot widths as a flexible design option. The applicant considers the omission to be a flaw of ESL because lot widths should be implicit to the ESL zoning incentives for greater design flexibility.

The proposed amendment (Attachment 3) would permit modified lot widths, provided that the proposed lots meet the minimum area requirement of the underlying zoning district (i.e. 7,000 sq. ft. lots on a site zoned R1-7). To provide greater design flexibility, the Planning and Zoning Commission recommends the following amendment (Attachment 1):

Minimum Lot Width: Minimum lot widths in all R-1, R-2, R-4 and SDH-6 districts may be modified subject to conservation design requirements of this section.

The proposed amendment (Attachment 1) provides greater design flexibility by allowing projects to incorporate ESL's minimum lot size zoning incentive (i.e. proposed 5,500 sq. ft. lots on a site zoned R1-7). Similar to other flexible design options, modified lot widths will be reviewed and approved on a case-by-case basis as part of a rezoning application.

General Plan Conformance:

The proposed amendment has been evaluated against the goals and policies of the General Plan. The relevant policies include:

- Preserving the natural environment by enabling and incentivizing open space conservation.
- Integrating projects into the natural environment by reducing the size and bulk of buildings.

The proposed amendment conforms to the above policies as follows:

- The proposed amendment will improve the preservation of the natural environment by further enabling and incentivizing open space conservation.
- The proposed amendment will reduce disturbances to environmentally sensitive areas by facilitating smaller building footprints and reduce disturbance to environmentally sensitive areas.

Planning and Zoning Commission Review:

The applicant's request was heard by the Planning and Zoning Commission on September 2, 2014. The main topics discussed at the meeting include the approval process, review criteria and ESL incentives.

At the conclusion of the public meeting, the Commission voted to recommend approval of a modified amendment based on the finding that the request would further enable and incentivize open space conservation. 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.

Public Notification and Comment:

Public notice has been provided as follows:

- All HOAs in the Town were notified of this hearing
- Public hearing notice was posted:
 - o In the Territorial newspaper
 - o At Town Hall
 - o On the Town website

To date, staff has received one email of concern (Attachment 6).

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to APPROVE Ordinance No. (O)14-12, an amendment to Section 27.10.F.2.c.iii relating to flexible design options, subject to the revisions depicted in Attachment 1, Exhibit "A."

OR

I MOVE to DENY Ordinance No. (O)14-12, an amendment to Section 27.10.F.2.c.iii relating to flexible design options, finding that _____.

Attachments

Attachment 1 - (O)14-12 Amending Section 27.10.F.2.c.iii

Exhibit "A"

Attachment 2 - Applicant Narrative

Attachment 3 - Applicant Amendment

Attachment 4 - PZC Staff Report

Attachment 5 - PZC Draft Meeting Minutes

Attachment 6 - Email of Concern

ORDINANCE NO. (O)14-12

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING SECTION 27.10.F.2.C.III, ENVIRONMENTALLY SENSITIVE LANDS REQUIREMENTS OF THE ORO VALLEY ZONING CODE REVISED; REPEALING ALL RESOLUTIONS, ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, on March 13, 1981, the Mayor and Council approved Ordinance (O)81-58, which adopted that certain document entitled “Oro Valley Zoning Code Revised (OVZCR); and

WHEREAS, it is necessary to revise Chapter 27, General Development Standards, Section 27.10.F.2.c.iii, Requirements Subject to Modification, to allow lot widths to be modified as a flexible design option; and

WHEREAS, the Planning and Zoning Commission held a meeting on September 2, 2014, and voted to recommend approval of amending Chapter 27, General Development Standards, Section 27.10 F.2.c.iii, Requirements Subject to Modification; and

WHEREAS, the Mayor and Council have considered the proposed amendments to Chapter 27, General Development Standards, Section 27.10.F.2.c.iii, Requirements Subject to Modification and finds that they are consistent with the Town's General Plan and other Town ordinances and are in the best interest of the Town.

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

SECTION 1. that certain document entitled Section Chapter 27, General Development Standards, Section 27.10.F.2.c.iii, Requirements Subject to Modification, of the Oro Valley Zoning Code Revised, attached hereto as Exhibit “A”, to allow lot widths to be modified as a flexible design option is hereby approved.

SECTION 2. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona, this 1st day of October, 2014.

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: _____

EXHIBIT “A”

Zoning Code Amendment
Modified Text Amendment

Additions shown in ALL CAPS

~~Deletions shown in strikethrough font~~

iii. Requirements Subject to Modification

The following requirements may be modified as they relate to the proposed construction of single-family attached and detached residences, multi-family residences, commercial, employment and mixed use projects.

- a. Building Setback. Minimum setbacks may be reduced to no less than five (5) feet on lots less than or equal to twelve thousand (12,000) square feet and up to twenty percent (20%) of the required distance on lots greater than twelve thousand (12,000) square feet. Reductions are subject to the following:
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 - 3) Reductions do not apply to setback requirements in subsection F.2.d.ii.e.2 of this section for a conservation subdivision design.
- b. Landscape Buffer Yards. Minimum required buffer yards may be reduced to ten (10) feet with a corresponding decrease in planting ratios specified in Section 27.6, Table 27-10, except when the buffer yard is adjacent to an existing residential subdivision or public street.
- c. Minimum Lot Size. Minimum lot sizes in all R1, R-4, R-S and SDH-6 districts may be modified subject to conservation design requirements of this section.
- d. MINIMUM LOT WIDTH. MINIMUM LOT WIDTHS IN ALL R1, R-4, R-2 AND SDH-6 DISTRICTS MAY BE MODIFIED SUBJECT TO CONSERVATION DESIGN REQUIREMENTS OF THIS SECTION.**
- ~~d.~~ e. Off-Street Parking. Modifications resulting in reduced amounts of parking and circulation area are supported. Off-street parking requirements may be reduced in accordance with Section 27.7.C.2.
- ~~e.~~ f. Building Height. Building heights for single-family attached and multi-family dwelling types may be increased by no more than thirteen (13) feet.
- ~~f.~~ g. Open Space. Reductions may be provided in accordance with subsection F.2.f of this section, open space requirements.
- ~~g.~~ h. Mixed Use. Residential uses that are functionally integrated, including access, nonvehicular circulation and amenities, with commercial or employment uses may be approved within commercial zoning districts.
- ~~h.~~ i. Modified Review Process. Site plans and preliminary plats submitted in conformance with the approved Tentative Development Plan, as determined by the Planning and Zoning Administrator, may be administratively approved.
- ~~i.~~ j. Recreation Area Credit. Permissible passive and/or active recreational amenities located within resource management area ESOS may be credited toward residential recreation area requirements as approved by the Planning and Zoning Administrator when the locational requirements of Section 26.5, Provision of Recreational Area, are satisfied. Connectivity of open space must be maintained.

j. k. Native Vegetation Preservation. When fifty percent (50%) or more of a site is preserved as ESOS, requirements for native plant salvage and mitigation (Section 27.6B) shall be waived within a development envelope. This modification cannot be applied to areas of distinct vegetation which are designated as a core resource area or native plants that are considered threatened or endangered under the Endangered Species Act or highly safeguarded by the Arizona Department of Agriculture.

418 North Toole Avenue
Tucson, Arizona 85701
520.622.9565



July 10, 2014

Rosevelt Arellano
Town of Oro Valley
Development and Infrastructure Services
11000 N La Canada Drive
Oro Valley, Arizona 85737

RE: ESL Text Amendment for Development Incentives

Dear Rosevelt:

We formally request your consideration for the proposed text amendment to the Town of Oro Valley Code Section 27.10 Environmentally Sensitive Lands (ESL). The proposed text amendment adds a planning development incentive to accommodate a modified minimum lot width option. The amendment promotes planning flexibility while maintaining the spirit of the ESL to encourage design flexibility to maximize open space. In response to our discussion on June 25th, this letter outlines our justification for the text amendment for the following code reference.

Code Reference: Town of Oro Valley Zoning Code, Chapter 27: General Development Standards, Section 27.10 Environmentally Sensitive Lands, (F) ESOS Use and Conservation Development, (2) Development Balance and Incentives, (c) Flexible Development, (iii) Requirements Subject to Modification, Page 278.63

The following is the proposed addition to the Zoning Code development incentives.

Minimum Lot Width. Minimum lot width may be modified subject to the minimum lot area conforming to the minimum area requirements of the zoning district.

Justification:

The Town of Oro Valley Code Section 27.10 Environmentally Sensitive Lands encourages compact development to preserve the maximum amount of open space while balancing planning flexibility including lot sizes and development typologies. From our firm's experience applying the ESL, we have identified the necessity to incorporate a development incentive for a modified lot width. The flexibility for the lot width will enhance planning for the desired lot sizes for residential development to meet the market's needs. The development incentive supports the delivery of current residential product, specifically lots with a width less than 70' and a depth greater than 100'. In addition, several of the jurisdictions in Southern Arizona currently allow a reduced lot width of 60' for a comparable lot area. The jurisdictions also have development incentives similar to the ESL conservation subdivision for reduced lot sizes with the inclusion of open space or recreation amenities. The proposed addition to the development incentives will align Oro Valley with the tools to deliver comparable lot sizes as allowed in other jurisdictions.

Oro Valley	Min Lot Area: 7,000SF	Min Lot Width: 70'	Zoning: R1-7
Marana	Min Lot Area: 7,000SF	Min Lot Width: 60'	Zoning: R-7
Pima County	Min Lot Area: 8,000SF	Min Lot Width: 60'	Zoning: CR-3
Sahuarita	Min Lot Area: 8,000SF	Min Lot Width: 60'	Zoning: R-3

Currently under the ESL, a modified minimum lot size is permitted as a conservation subdivision design option for project's conforming to the supplementary ESL requirements. The conservation subdivision design option allows a minimum lot size of 5,500SF under the R1-7 zoning district that can only be achieved with a dimensional variance. In order to achieve the modified lot size, scaling of dimensional proportions is implicit. The provision for a reduced lot width is not clearly identified in the Section 27.10. Thus, the assumption is a variation in lot size is achieved by modifying the lot configuration i.e. lot width to achieve a smaller overall lot size. This is a clear example of

418 North Toole Avenue
Tucson, Arizona 85701
520.622.9565



encouraging lot size flexibility as a development incentive associated to achieving the ESL criteria. Not all projects align with the criteria for the conservation subdivision provision; therefore the option for a modified lot width is an important option for future projects integrating the base ESL prerequisites. The development incentive sustains the spirit of the ESL and the General Plan's polices and goals.

In summary, the planning process presents the opportunity for a development to request planning and design options for development criteria within the code that is ultimately subject to the approval of Town Council or Planning and Zoning Administrator for a site plan and subdivision plat. The provision for design flexibility should be evaluated as each project presents planning and design considerations that deserve due consideration by staff and Town Council. In addition, the development community is pursuing varied lot widths and sizes to diversify their offerings in Oro Valley. The reduced lot widths conform to the mission of Section 27.10 Environmentally Sensitive Lands to maximize open space while maintaining permitted densities as a development incentive. Our request is for your support to allow Town Council and the Planning and Zoning Administrator to determine if the modified lot width is justified as a flexible design option as part of each application.

From our discussion with staff and the development community, the proposed text amendment is an appropriate addition to the ESL language. We appreciate your time on June 25th to discuss the text amendment application. We look forward to your input. Thanks for your time and consideration. Please contact me with any questions or if you need additional information at 520.622.9565 or sweaks@norris-design.com.

Respectfully,
Norris Design



Stacey Weaks, PLA

- b) Within major wildlife linkages, access is permitted for open space maintenance purposes only. Additional access can be permitted if, supported by scientific evidence, such access will not degrade the intended function of the linkage.
 - iii. Trails

Trails and associated amenities such as benches must conform to standards established by the Oro Valley Parks and Recreation Department.
 - iv. Signs
 - a) Permanent signs shall be posted at defined points of access into ESOS areas indicating the use restrictions contained in this section.
 - b) Signs must conform to standards established by the Oro Valley Parks and Recreation Department.
- 2. Development Balance and Incentives
 - a. Purpose

Achieving or exceeding base zoning densities while implementing conservation objectives is the purpose of this section, which includes increased flexibility for site planning, lot sizes and dwelling types.
 - b. Applicability
 - i. The following design options may be applied to property or portions of property when ESOS is applied to twenty-five percent (25%) or more of a project site, except as provided herein.
 - c. Flexible Development
 - i. Process. Development requirements may be modified to allow flexibility as a part of the rezoning, subdivision plat, or site plan review process. The process to enable use of flexible development options is delineated by application type:
 - a) As part of a rezoning application, the Town Council retains discretion to enable flexible design options on a case-by-case basis.
 - b) For site plan and subdivision plat proposals utilizing the ESL application incentive provided in subsection B.3 of this section, all flexible options are permitted upon Planning and Zoning Administrator review and approval, except the following:
 - 1) Subsection F.2.c.iii.e of this section, Building Height. Increases to building in excess of five (5) feet must be considered by the Conceptual Design Review Board and approved by Town Council.
 - 2) Subsection F.2.c.iii.f of this section, Open Space.
 - 3) Subsection F.2.c.iii.g of this section, Mixed Use.
 - ii. Review Criteria. The determination to permit a modification is subject to all of the following findings:

- a) Enables development to the base zoning density, at a minimum, for the entire site.
- b) Compatibility with adjacent land uses is achieved through architectural design, buffers, and placement of structures and improvements to reduce view impacts.
- c) The modification does not conflict with an approved treatment plan for cultural resources.
- d) Statutes, development agreements, appeal processes, or other provisions of this code are not violated.

iii. Requirements Subject to Modification

The following requirements may be modified as they relate to the proposed construction of single-family attached and detached residences, multi-family residences, commercial, employment and mixed use projects.

- a) **Building Setback.** Minimum setbacks may be reduced to no less than five (5) feet on lots less than or equal to twelve thousand (12,000) square feet and up to twenty percent (20%) of the required distance on lots greater than twelve thousand (12,000) square feet. Reductions are subject to the following:
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 - 3) Reductions do not apply to setback requirements in subsection F.2.d.ii.e.2 of this section for a conservation subdivision design.
- b) **Landscape Buffer Yards.** Minimum required buffer yards may be reduced to ten (10) feet with a corresponding decrease in planting ratios specified in Section 27.6, Table 27-10, except when the buffer yard is adjacent to an existing residential subdivision or public street.
- c) **Minimum Lot Size.** Minimum lot sizes in all R1, R-4, R-S and SDH-6 districts may be modified subject to conservation design requirements of this section.
- D) **MINIMUM LOT WIDTH. MINIMUM LOT WIDTH MAY BE MODIFIED SUBJECT TO THE MINIMUM LOT AREA REMAINING IN CONFORMANCE WITH THE AREA REQUIREMENTS OF THE ZONING DISTRICT.**
- E)d) **Off-Street Parking.** Modifications resulting in reduced amounts of parking and circulation area are supported. Off-street parking requirements may be reduced in accordance with Section 27.7.C.2.
- F)e) **Building Height.** Building heights for single-family attached and multi-family dwelling types may be increased by no more than thirteen (13) feet.
- G)f) **Open Space.** Reductions may be provided in accordance with subsection F.2.f of this section, open space requirements.
- H)g) **Mixed Use.** Residential uses that are functionally integrated, including access, non-vehicular circulation and amenities, with commercial or employment uses may be approved within commercial zoning districts.

- I)h) Modified Review Process. Site plans and preliminary plats submitted in conformance with the approved Tentative Development Plan, as determined by the Planning and Zoning Administrator may be administratively approved.
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 - K)j) Native Vegetation Preservation. When fifty percent (50%) or more of a site is preserved as ESOS, requirements for native plant salvage and mitigation (Section 27.6B) shall be waived within a development envelope. This modification cannot be applied to areas of distinct vegetation which are designated as a core resource area or native plants that are considered threatened or endangered under the Endangered Species Act or highly safeguarded by the Arizona Department of Agriculture.
- d. Conservation Subdivision Design
- i. Purpose

Conservation subdivision design positions residential development on a portion of the available land in order to maximize protected open space and improve the efficiency of infrastructure systems. The provisions of this section further provide off-sets to typical reductions in development yield derived from drainage and circulation improvements. Conservation options include potential increases to development density.
 - ii. General Requirements
 - a) Development shall be arranged in a manner to conserve identified resources.
 - b) The area to be developed must be consolidated to a greater extent than permitted in Section 23.4, Table of Dimensional Requirements, and provide a concomitant increase in ESOS.
 - c) Conservation subdivision design shall enable a maximum number of individual lots that adjoin open space areas. Designs that create a single grouping of residences are not intended unless specific site conditions leave no alternative. Multiple groupings of residences are typically expected in a conservation subdivision design. Examples of desired conservation design are shown in Figure 27.10-18.

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Zoning Code Amendment
Proposed Text Amendment
Attachment 3

Additions shown in ALL CAPS

~~Deletions shown in strikethrough font~~

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Zoning Code Amendment Planning and Zoning Commission Staff Report

CASE NUMBER: OV714-003

MEETING DATE: September 2, 2014

AGENDA ITEM: 2

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

Applicant: Stacey Weaks, Norris Design

Request: Zoning Code Amendment to Section 27.10.F.2.c.iii of the Oro Valley Zoning Code Revised

Recommendation: Approve Zoning Code Amendment

SUMMARY:

The applicant is requesting to amend the Environmentally Sensitive Lands (ESL) section of the Zoning Code to allow lot widths to be modified as a flexible design option. The purpose of the request is to further enable and incentivize open space conservation.

For discussion purposes, the request deals with minimum lot widths and no other sections of ESL.

Flexible design options are development standards which can be modified as an incentive to open space conservation and create an equitable balance between conservation and property development rights for sites with significant environmental constraints.

BACKGROUND OR DETAILED INFORMATION:

ESL requires various levels of open space and development standards aimed at respecting the Town's economic objectives and conserving environmental, scenic and cultural resources. Creating a balanced approach was a key consideration in working with a broad array of participants in the ESL ordinance process. Ensuring conservation of key environmental resources and providing developers greater design & process flexibility was strongly supported by the ESL Public Advisory Committee and other project participants.

A program of incentives was designed to accomplish the following:

1. Implement a balanced approach by reducing impacts to property owners/developers ("give" to offset "ask" for open space conservation).
2. Conserve significant open space by enabling use of a smaller development footprint without reducing the number of lots.
3. Entice users to "opt" into the code when not required in order to achieve more conservation.

The following is a list of topics whereby zoning incentives are provided:

- Minimum Lot Size
- Building Setbacks
- Landscape Buffer Yards
- Off-Street Parking
- Building Height
- Open Space
- Mixed Use (may be considered within commercial zoning district)
- Modified Review Process
- Recreation Area
- Native Vegetation Preservation
- Density

The Zoning Code specifically limits the extent of each incentive. Please see Attachment 1 for specific details on incentives and see Section 27.10 of the Zoning Code to review the entire ESL zoning section.

The review and incentive approval process cited in code is important. For example, each rezoning application falls under Town Council's discretion for permitting an incentive or not. The ESL Public Advisory Committee envisioned that some incentives would be appropriate in many rezoning cases – but certainly not all.

DISCUSSION / ANALYSIS:

Applicant's Request:

The proposed amendment would allow lot widths to be modified as a flexible design option. The request is associated with a future rezoning application of the Miller Ranch property, located on the northeast corner of Tangerine Road and La Canada Drive. The application proposes a rezoning from R1-144 to R1-7 with lots sizes no smaller than 7,000 sq. ft.

Zoning Amendment Analysis:

The applicant's narrative (Attachment 2) indicates that the original authors of ESL may have unintentionally omitted lot widths as a flexible zoning incentive. The applicant considers the omission to be a flaw of ESL because lot widths should be implicit to the ESL provisions for greater design flexibility (i.e. ESL's minimum lot size zoning incentive).

The proposed amendment (Attachment 3) would permit modified lot widths, provided that the proposed lots meet the minimum area requirement of the underlying zoning district. To ensure clarity of the zoning text, staff recommends the following (see Attachment 4):

Minimum Lot Width: Minimum lot widths in all R-1, R-4, R-2 and SDH-6 districts may be modified subject to conservation design requirements of this section.

General Plan Conformance Analysis

Policy 1.1 To preserve Oro Valley's natural Sonoran Desert environment and the scenic resources that are an important part of the community's quality of life.

Staff Comment: The proposed amendment will improve the preservation of the Sonoran Desert and scenic environment by further enabling and incentivizing open space conservation.

Policy 2.1.7 In order to maximize integration of the built environment with the natural environment and to minimize distractions of the built environment, The Town shall require all new development proposals to incorporate means of reducing the apparent size and bulk of buildings.

Staff Comment: The proposed amendment will reduce disturbances to environmentally sensitive areas by facilitating smaller building footprints and reduce disturbance to environmentally sensitive areas.

PUBLIC PARTICIPATION:

Public notice has been provided as follows:

- All HOAs in the Town were notified of this hearing
- Public hearing notice was posted:
 - In the Territorial newspaper
 - At Town hall
 - On the Town website

No comments have been received to date.

SUMMARY / CONCLUSION

The modified amendment (Attachment 4) represents a logical approach to enabling and incentivizing open space conservation. The proposed amendment would provide a flexible design option and reduce disturbances to environmentally sensitive areas.

RECOMMENDATION:

Based on the following findings:

- The proposed amendment would provide greater design flexibility.
- The proposed amendment would further enable and incentivize open space conservation.
- The proposal is consistent with the adopted tenants of ESL.
- The proposal is consistent with the relevant Goals and Policies of the General Plan.

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

Recommend approval to the Town Council of the requested Zoning Code Amendment OV714-003.

SUGGESTED MOTIONS:

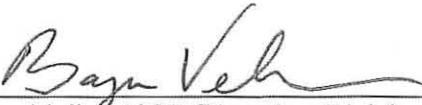
I move to recommend approval of the Zoning Code Amendment related to flexible design options, based on the finding that the request would further enable and incentivize open space conservation, subject to the revisions depicted in Attachment 4.

OR

I move to recommend denial of the Zoning Code Amendment, as depicted in Attachment 4, related to flexible design options, as the request does not meet the finding that

ATTACHMENTS:

1. ESL Zoning Code Incentives
2. Applicant's Narrative
3. Proposed Text Amendment
4. Staff Modified Text Amendment



Bayer Vella, AICP Planning Division Manager

**MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
STUDY/REGULAR SESSION
September 2, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

STUDY SESSION AT OR AFTER 6:00 P.M.

CALL TO ORDER

Chair Cox called the September 2, 2014 session of the Oro Valley Planning and Zoning Commission Study Session to order at 6:00 PM.

ROLL CALL

PRESENT:

Don Cox, Chairman
John Buette, Vice Chairman
Bill Rodman, Commissioner
Tom Drazazgowski, Commissioner
Frank Pitts, Commissioner
Greg Hitt, Commissioner

ABSENT:

Bill Leedy, Commissioner

ALSO PRESENT:

Lou Waters, Vice - Mayor and Council Liaison
Joe Hornat, Council Member
Bayer Vella, Interim Planning Manager
David Laws, Permitting Manager
Joe Andrews, Chief Civil Deputy Attorney

**1. PRESENTATION BY PHILIP SALETTA, WATER UTILITY DIRECTOR, ON
AVAILABILITY OF WATER RESOURCES WITHIN THE TOWN OF ORO
VALLEY AND SUBSEQUENT DISCUSSION**

Philip Saletta, Water Utility Director, presented the following:

Mission
Water Utility Goals and Objectives
Water Utility Commission
Oro Valley Water Supply Diverse Portfolio

Water Usage
Water Conservation Program
Potable Water System
Central Arizona Project Water
Reclaimed Water System
Oro Valley Water Utility Water Supply
Typical Aquifer Recharge & Recovery
Oro Valley Water Utility Central Arizona Project Water Delivery
Summary - Water Resource Planning for the Future

ADJOURNMENT

Chair Cox ended the Study Session at 6:30 PM.

REGULAR SESSION AT OR AFTER 6:30 PM

CALL TO ORDER

Chair Cox called the Planning and Zoning Commission Regular Session to order at 6:00 PM.

ROLL CALL

PRESENT:

Don Cox, Chairman
John Buette, Vice Chairman
Bill Rodman, Commissioner
Tom Drazazgowski, Commissioner
Frank Pitts, Commissioner
Greg Hitt, Commissioner

ABSENT:

Bill Leedy, Commissioner

ALSO PRESENT:

Lou Waters, Vice - Mayor and Council Liaison
Joe Hornat, Council Member
Bayer Vella, Interim Planning Manager
David Laws, Permitting Manager
Joe Andrews, Chief Civil Deputy Attorney

PLEDGE OF ALLEGIANCE

Chairman Cox led the Planning and Zoning Commission members and audience in the 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.

COUNCIL LIAISON COMMENTS

Council Member Hornat stated as the Town Council has been in recess, there are no updates to present this evening.

REGULAR AGENDA

1. REVIEW AND/OR APPROVAL OF THE AUGUST 5, 2014 REGULAR SESSION MEETING MINUTES

MOTION: A motion was made by Commissioner Pitts and seconded by Commissioner Rodman to approve

MOTION carried, 6-0.

2. PUBLIC HEARING: REQUEST TO AMEND SECTION 27.10.F.2.c.iii OF THE ENVIRONMENTALLY SENSITIVE LANDS (ESL) SECTION OF THE ZONING CODE TO ALLOW LOT WIDTHS TO BE MODIFIED AS A FLEXIBLE DESIGN OPTION, OV714-003

Rosevelt Arellano, Planner, presented the following:

Zoning Code Amendment ESL Flexible Design Standards
ESL Zoning Provisions
Conservation Subdivision
Flexible Design Standards

Stacy Weaks, of Norris Design on behalf of the Applicant, presented a Text Amendment Overview, including:

- Proposed text amendment
- Staff recommended text amendment
- Balance planning flexibility/maximize open space
- Comparable zoning criteria
- The proposed addition to the development incentives

Bill Adler, Oro Valley Resident, questioned how the width of the lots would be judged or measured? He stated this process would lengthen the permit application timeline. He suggested that a more thorough presentation would have been more beneficial.

MOTION: A motion was made by Commissioner Rodman and seconded by Commissioner Drzazgowski to approve to approve OV714-003 subject to the revisions depicted in Attachment 4

MOTION carried, 5-1 with Commissioner Pitts opposed.

Additions shown in **ALL CAPS**
Deletions shown in ~~strikethrough font~~

iii. Requirements Subject to Modification

The following requirements may be modified as they relate to the proposed construction of single-family attached and detached residences, multi-family residences, commercial, employment and mixed use projects.

a. Building Setback. Minimum setbacks may be reduced to no less than five (5) feet on lots less than or equal to twelve thousand (12,000) square feet and up to twenty percent (20%) of the required distance on lots greater than twelve thousand (12,000) square feet. Reductions are subject to the following:

- 1) Side yards shall not be less than five (5) feet, unless a zero lot line design is utilized.
- 2) Setback reductions shall not result in on-lot driveway lengths that are less than twenty (20) feet.
- 3) Reductions do not apply to setback requirements in subsection F.2.d.ii.e.2 of this section for a conservation subdivision design.

b. Landscape Buffer Yards. Minimum required buffer yards may be reduced to ten (10) feet with a corresponding decrease in planting ratios specified in Section 27.6, Table 27-10, except when the buffer yard is adjacent to an existing residential subdivision or public street.

c. Minimum Lot Size. Minimum lot sizes in all R1, R-4, R-S and SDH-6 districts may be modified subject to conservation design requirements of this section.

d. MINIMUM LOT WIDTH. MINIMUM LOT WIDTHS IN ALL R1, R-4, R-2 AND SDH-6 DISTRICTS MAY BE MODIFIED SUBJECT TO CONSERVATION DESIGN REQUIREMENTS OF THIS SECTION.

d. e. Off-Street Parking. Modifications resulting in reduced amounts of parking and circulation area are supported. Off-street parking requirements may be reduced in accordance with Section 27.7.C.2.

e. f. Building Height. Building heights for single-family attached and multi-family dwelling types may be increased by no more than thirteen (13) feet.

f. g. Open Space. Reductions may be provided in accordance with subsection F.2.f of this section, open space requirements.

g. h. Mixed Use. Residential uses that are functionally integrated, including access, nonvehicular circulation and amenities, with commercial or employment uses may be approved within commercial zoning districts.

h. i. Modified Review Process. Site plans and preliminary plats submitted in conformance with the approved Tentative Development Plan, as determined by the Planning and Zoning Administrator, may be administratively approved.

i. j. Recreation Area Credit. Permissible passive and/or active recreational amenities located within resource management area ESOS may be credited toward residential recreation area requirements as approved by the Planning and Zoning Administrator when the locational requirements of Section 26.5, Provision of Recreational Area, are satisfied. Connectivity of open space must be maintained.

j. k. Native Vegetation Preservation. When fifty percent (50%) or more of a site is preserved as ESOS, requirements for native plant salvage and mitigation (Section 27.6B) shall be waived within a development envelope. This modification cannot be applied to areas of distinct vegetation which are designated as a core resource area or native plants that are considered threatened or endangered under the Endangered Species Act or highly safeguarded by the Arizona Department of Agriculture.

RECESS

Chair Cox and the Planning and Zoning Commission took a 5 minute break before hearing the next item.

3. PUBLIC HEARING: REQUEST TO AMEND SECTION 27.9.E.4 OF THE ZONING CODE TO ALLOW PROPERTY OWNERS TO GRADE UP TO THE PROPERTY LINE AND/OR ONTO THE ADJACENT PROPERTY, OV714-004

David Laws, Permitting Manager, presented the following:

Zoning Code Amendment To Grading Provisions

Existing Code

Applicability Site Boundary Line

Applicability Internal Lot Boundaries

Grading Designs

Review and Conclude

Paul Oland, WLB on behalf of Maracay Homes, presented photos of homes where neighbors were able to grade across property lines, allowing for a more smooth graded appearance.

MOTION: A motion was made by Vice Chairman Buette and seconded by Commissioner Pitts to approve

MOTION carried, 6-0.

4. **REQUEST FOR PLANNING AND ZONING COMMISSION INITIATION OF A ZONING CODE AMENDMENT TO SECTION 27.10.D.3.f.vi.b TO ALLOW TOWN ENGINEER DISCRETION TO MODIFY DRIVEWAY ACCESS SEPARATION REQUIREMENTS WITHIN THE TANGERINE ROAD CORRIDOR OVERLAY DISTRICT**

Chad Daines, Principal Planner,

Tangerine Road Corridor Overlay District
Driveway Separation Requirements
The Central Issue
Code Amendment

MOTION: A motion was made by Chairman Cox and seconded by Vice Chairman Buette to accept

MOTION carried, 6-0.

5. **PRESENTATION AND DISCUSSION REGARDING REVIEW AND/OR UPDATE OF THE CONDITIONAL USE PERMIT REVIEW CRITERIA**

Chad Daines, Principal Planner, presented the following:

- Work Plan
- Conditional Use Permit's
- CUP Evaluation Criteria
- Zoning Code Evaluation Criteria
- Table Comparison

PLANNING UPDATE (INFORMATIONAL ONLY)

Bayer Vella, Planning Manager

-September 8 - A neighborhood meeting is to be held from 6-7:30 pm at Casas Adobes Baptist Church located at 10801 N. La Cholla Blvd regarding the Shannon Road south of IRHS Major General Plan Amendment

- September 10 - A neighborhood meeting is to be held at IRHS library lecture hall at 2475 W. Naranja Dr. at 6:00 pm regarding La Cholla BLVD and Naranja southwest and southwest Major General Plan Amendments

- Planning and Zoning Commission meeting is scheduled for October 7th and will be dedicated to Major General Plan Amendment cases only

ADJOURNMENT

MOTION: A motion was made by Vice Chairman Buette and seconded by Commissioner Rodman to adjourn

MOTION carried, 6-0.

DRAFT

Arellano, Rosevelt

From: [REDACTED]
Sent: Monday, September 01, 2014 10:36 AM
To: Arellano, Rosevelt; Vella, Bayer
Subject: P&Z - ESL Amendment

I believe - to meet the intent of the ordinance - this amendment to lot widths needs to be done on a case by case basis - not an amendment to the code.

In the case Mr. Weeks refers to the primary concern at the Council meeting was NOT the maintenance of sensitive land, but the visual impact upon the large, rural sized lots adjacent. The whole issue of density was to separate homes as much as possible to lessen the visual compactness of a row of homes.

It is my belief that it is incumbent upon the applicant to demonstrate that - in this case - this flexibility will not measurably increase the visual impact upon the neighbor's view to the east and north. The commentary seems to want the focus to be upon the meaning of the language in the ordinance, rather than the impact upon the surrounding area of the adjustment.

In my opinion, there is far too much government by interpretation. We need to try harder to be sure that any adjustment in the zoning will not increase the incompatibility with the surround area.

I'd appreciate this being forwarded to commission members.

Bill Adler



Town Council Regular Session

Item # **8.**

Meeting Date: 10/01/2014
Requested by: Bayer Vella
Submitted By: Matt Michels, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: ORDINANCE NO. (O)14-13, APPLICANT REQUESTS APPROVAL TO: 1. INCORPORATE A 39-ACRE PROPERTY LOCATED ON THE NORTH SIDE OF MOORE ROAD, BETWEEN YELLOW ORCHID DRIVE AND MYSTIC VIEW PLACE, INTO THE RANCHO VISTOSO PLANNED AREA DEVELOPMENT (PAD) AND ESTABLISH NEIGHBORHOOD DEVELOPMENT POLICIES FOR THE SUBJECT PROPERTY; 2. REZONE THE PROPERTY TO RANCHO VISTOSO PAD MEDIUM DENSITY RESIDENTIAL; AND 3. UTILIZE THE ENVIRONMENTALLY SENSITIVE LANDS (ESL) MODIFIED REVIEW PROCESS

RECOMMENDATION:

The Planning and Zoning Commission recommends approval of the applicant's request to integrate the property into Rancho Vistoso Planned Area Development with specific development standards, as shown in Exhibit "B" in Attachment 1 and approve the rezoning, subject to the conditions in Exhibit "C" in Attachment 1. The Commission did not support the use of the Environmentally Sensitive Lands (ESL) Modified Review Process.

EXECUTIVE SUMMARY:

The proposed rezoning is from R1-144 to Rancho Vistoso Planned Area Development (PAD) Medium Density Residential for a 39-acre property located on the north side of Moore Road, between Yellow Orchid Drive and Mystic View Place (see Attachment 2). The applicant proposes a 75-lot single-family residential subdivision with approximately 12.7 acres of undisturbed natural open space. The average lot size is 8,750 square feet with one and two-story homes.

On July 1, 2014, the Planning and Zoning Commission held a public hearing regarding this proposal and recommended approval of the rezoning and PAD amendment subject to the conditions in Attachment 1. The Commission did not support the use of the Environmentally Sensitive Lands (ESL) Modified Review Process. A more detailed discussion of Commission action is provided in the *Background or Detailed Information* section of this agenda item. The Planning and Zoning Commission staff report is included as Attachment 3 and the meeting minutes are included as Attachment 4.

Since the July 1st Planning and Zoning Commission hearing, the applicant has submitted a revised Tentative Development Plan (TDP) that reduces the number of lots from 105 to 75 (Attachment 5). All other design elements, including access, circulation, buffering and open space configuration are unchanged from the original TDP (Attachment 6). An analysis of the revised TDP is provided in the *Background or Detailed Information* section of this agenda item.

An additional neighborhood meeting is scheduled for September 22, 2014. The primary purpose of the meeting is to update the neighborhood on design modifications made since the Planning and Zoning

Commission hearing, including the reduction in lots and grading plan to mitigate view impacts.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

Land Use Context

Surrounding land use in the area is characterized by medium density single-family detached residential development. The General Plan Future Land Use and Zoning for the property and the surrounding area are depicted in Attachments 7 & 8.

Approvals To Date

- In 2013, a Major General Plan Amendment was approved for Medium Density Residential (2.1 – 5.0 du/ac.) with a maximum of 3.75 homes per acre.

Proposed Rancho Vistoso Neighborhood 10 Policies

The applicant proposes several Neighborhood Policies within the Rancho Vistoso PAD specific to the subject property (see Exhibit "B" in Attachment 1), including a modification to the front setback for homes with side-entry garages and limitations on the placement of two-story homes. These policies are addressed in greater detail in the Discussion/Analysis section of the attached 7/1/14 Planning and Zoning Commission staff report (Attachment 3).

DISCUSSION / ANALYSIS:

Rezoning Analysis

The proposed Rancho Vistoso PAD Medium Density Residential (MDR) zoning permits single family detached residential development at the proposed density (1.9 homes/acre). The proposed Rancho Vistoso MDR zoning is consistent with surrounding development and General Plan land use designation, and is as follows:

- The proposed Rancho Vistoso MDR zoning is consistent with subdivisions located adjacent to the east and west in Rancho Vistoso, as well as the subdivisions to the south of the property which are outside of Rancho Vistoso
- The parcel to the northwest is owned by Amphitheater School District and planned for a future middle school
- The existing Hohokam Park to the north is owned by the Rancho Vistoso Community Association
- The project is in conformance with the General Plan MDR land use designation and applicable goals and policies
- The proposed density of 1.9 homes/acre is lower than the maximum density of 3.75 homes/acre approved by the General Plan Amendment

Subdivision Design

The applicant proposes two entries to the subdivision from Moore Road. The property is traversed by two natural washes which will be conserved as part of the proposed development. Trails are proposed along the eastern wash (Highland Wash) and connecting the subdivision to Hohokam Park to the north.

The topography of the site is characterized by a ridgeline in the center of the property with grade falling east and west across the site. The applicant has proposed to limit select lots along the western boundary to single-story to reduce the visual impact of the development.

Recreational Areas

The Rancho Vistoso PAD provides for recreational areas throughout the master planned development and therefore is exempt from meeting the Town's recreational area requirement. Hohokam Park is located north of the site within Rancho Vistoso and the applicant has reached an agreement with the

Vistoso Community Association to provide additional recreational improvements within this park. The association has provided a letter regarding the improvements to the park (Attachment 9). The letter also confirms that the Vistoso Community Association has voted unanimously to support the rezoning request.

Rancho Vistoso Planned Area Development (Medium Density) Conformance

As part of the application, the applicant proposes to amend the existing Rancho Vistoso PAD to incorporate the new parcel (10-AA) into the PAD document and update tables, maximum lot numbers and other references to accommodate the inclusion of this property within the PAD (see Exhibit "B" in Attachment 1). The applicant also proposes modification to the front setback and two-story home limitations as discussed in Attachment 4.

Environmentally Sensitive Lands (ESL)

The project is in conformance with all applicable ESL regulations, including consistency with all Conservation Categories (see Attachment 10) and provision of Environmentally Sensitive Open Space (ESOS). A detailed discussion of conformance is provided in Attachment 3.

Modified Review Process

The ESL zoning regulation (Section 27.10.F.2.c.i.a) provides for a modified review process at Town Council's discretion for rezoning applications. If enabled, it allows for administrative review and approval of a site plan, provided it conforms to the rezoning-related Tentative Development Plan (TDP). This provision, and other flexible design options, are intended as additional benefits to incentivize conservation of open space.

The applicant has requested use of the modified review process. The Planning and Zoning Commission did not support the request based on a finding that the applicant did not demonstrate that the high point of the property would be graded sufficiently lower to mitigate visual impacts of two story homes.

Since the Commission hearing, the applicant has revised the TDP to reduce the number of lots from 105 to 75 and has provided additional grading information demonstrating that the site will be lowered. Staff has reviewed the revised TDP and has determined that this will mitigate visual impacts on adjacent development. Should the Town Council wish to approve the use of the ESL Modified Review Process, an additional motion has been provided for consideration.

PUBLIC PARTICIPATION:

Summary of Public Notice

Public notice has been provided consistent with Town requirements, including:

- Letters to all property owners within 600 feet
- Letters to all neighborhood meeting attendees
- HOA mailing
- Advertisement in The Daily Territorial and Arizona Daily Star newspapers
- Post on property
- Post at Town Hall and on website

Neighborhood Meetings

A neighborhood meeting was held March 13, 2014. Approximately six (6) interested parties were in attendance and a number of issues were discussed including: view impacts, drainage impacts, landscape buffers, timing of development and maintenance of the Moore Road right-of-way. The summary notes from the neighborhood meeting and a letter from a resident on the eastern boundary of the subject property are attached (Attachment 11).

An additional neighborhood meeting was scheduled for September 22, 2014. The primary purpose of the meeting was to update the neighborhood on design modifications made since the Planning and Zoning Commission hearing, including the reduction in lots and grading plan to mitigate view impacts. A summary of the neighborhood meeting will be provided at the October 1st Town Council meeting.

Planning and Zoning Commission

The Planning and Zoning Commission held a public hearing regarding the proposal on July 1, 2014. Nine speakers from the public expressed concerns with the proposal. Issues raised by the public and discussed by the Commission included:

- Grading of high point of property to mitigate view impacts
- Preference for single-story homes, especially along the western side of the subdivision
- Proposed density of subdivision
- Additional traffic on Moore Road
- Water use of the new subdivision
- Construction impacts
- Noise impacts

The Commission recommended extending the one-story height restriction along the western side of the property to address neighborhood concerns with two-story homes. As noted, the Commission did not support the use of the ESL Modified Review Process based on the finding that the applicant did not demonstrate that the high point of the property would be graded sufficiently lower to mitigate visual impacts of two story homes.

Since the July 1st Planning and Zoning Commission hearing, the applicant has submitted a revised TDP that reduces the number of lots from 105 to 75 (Attachment 5). Other design elements, including access, circulation, buffering and open space configuration are unchanged from the original TDP. The average lot size has increased from 6,250 square feet to 8,750 square feet. A summary of the proposed changes is provided in the table below:

	Original TDP	Revised TDP
Number of Lots	105	75
Average Lot Size	6,250 sq. ft.	8,750 sq. ft.
Density	2.7 homes/acre	1.9 homes/acre

The Planning and Zoning Commission recommends approval of the proposed rezoning and amendment to the Rancho Vistoso PAD subject to the conditions in Attachment 1. Please refer to the July 1st Planning and Zoning Commission Minutes (Attachment 4) for additional information regarding the Commission action.

FISCAL IMPACT:

NA

SUGGESTED MOTION:

Planning and Zoning Commission Recommendation

I MOVE to adopt Ordinance No. (O)14-13 approving the inclusion of the Olson Property in Rancho Vistoso Neighborhood 10, as shown in Exhibit "B" of Attachment 1 and to Rezone the property to Rancho Vistoso Planned Area Development (PAD) Medium Density Residential, subject to the conditions in Exhibit "C" of Attachment 1

OR

Motion to Approve including ESL Modified Review Process

I MOVE to adopt Ordinance No. (O)14-13 approving the inclusion of the Olson Property in Rancho Vistoso Neighborhood 10, as shown in Exhibit "B" of Attachment 1 and to Rezone the property to Rancho Vistoso Planned Area Development (PAD) Medium Density Residential, subject to the conditions in Exhibit "C" of Attachment 1, including use of the modified review process in Section 27.10.F.2.c.i.a, finding that the project complies with applicable Zoning Code requirements

OR

I move to DENY the Olson Property Rezoning, as the request does not meet the finding that _____.

Attachments

Attachment 1 - (O)14-13 Olsen Property Rezoning

Attachment 2 - Location Map

Attachment 3 - 7/1/14 PZ Commission Staff Report

Attachment 4 - 7/1/14 PZ Commission Minutes

Attachment 5 - Revised Tentative Development Plan

Attachment 6 - Site Analysis

Attachment 7 - General Plan Land Use Map

Attachment 8 - Zoning Map

Attachment 9 - Rancho Vistoso Community Association Letter

Attachment 10 - ESL Map

Attachment 11 - 3/13/14 Neighborhood Meeting Summary and Constituent Letter

ORDINANCE NO. (O)14-13

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING A REZONING REQUEST BY LAZARUS, SILVYN AND BANGS, P.C. ON BEHALF OF KENNETH OLSON FAMILY LIVING TRUST, TO REZONE FROM R1-144 TO RANCHO VISTOSO PAD MEDIUM DENSITY RESIDENTIAL FOR A 39 ACRE PROPERTY LOCATED ON THE NORTH SIDE OF MOORE ROAD BETWEEN YELLOW ORCHID DRIVE AND MYSTIC VIEW PLACE TO INCLUDE THE PROPERTY IN RANCHO VISTOSO NEIGHBORHOOD 10 AND ESTABLISH NEIGHBORHOOD DEVELOPMENT POLICIES FOR THE SUBJECT PROPERTY

WHEREAS, Lazarus, Silvyn and Bangs, P.C. on behalf of Kenneth Olson Family Living Trust (the “Applicant”), applied for a rezoning from R1-144 to Rancho Vistoso Planned Area Development Medium Density Residential for an approximately 39 acre property located on the north side of Moore Road between Yellow Orchid and Mystic View Place to include the property in Rancho Vistoso Neighborhood 10 and establish neighborhood development policies for the subject property, see map of property as depicted on Exhibit “A” and PAD Amendment, including Rancho Vistoso Neighborhood 10 policies as depicted on Exhibit “B” attached hereto; and

WHEREAS, the subject property is traversed by two natural washes which will be conserved as part of the proposed development; and

WHEREAS, trails are proposed along the eastern wash (Highland Wash) and connecting the subdivision to Hohokam Park to the north; and

WHEREAS, the Applicant wishes to change the zoning to Rancho Vistoso Medium Density Residential (MDR) which will create a consistent zoning on the subject property with the surrounding area to the east and west within the Rancho Vistoso PAD, and compatible development with the existing homes to the south; and

WHEREAS, the Applicant’s request for rezoning complies with the OVZCR; and

WHEREAS, the Applicant's request for rezoning complies with the applicable General Plan requirements; and

WHEREAS, on July 1, 2014, the Planning & Zoning Commission recommended approval for rezoning the property from R1-144 to Rancho Vistoso Medium Density Residential (MDR) with conditions; and

WHEREAS, the Town Council has duly considered the Applicant’s request for rezoning of 39 acre property located on the north side of Moore Road between Yellow Orchid and Mystic View Place.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona that the rezoning requested by Lazarus, Silvyn and Bangs, P.C. on behalf of Kenneth Olson Family Living Trust to rezone the 39 acre property located on the north side of Moore Road between Yellow Orchid and Mystic View Place to include the property in Rancho Vistoso Neighborhood 10 and establish neighborhood development policies for the subject property is hereby approved with the conditions attached hereto as Exhibit "C".

NOW THEREFORE BE IT FURTHER ORDAINED that:

1. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.
2. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona, on this 1st day of October, 2014.

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: _____

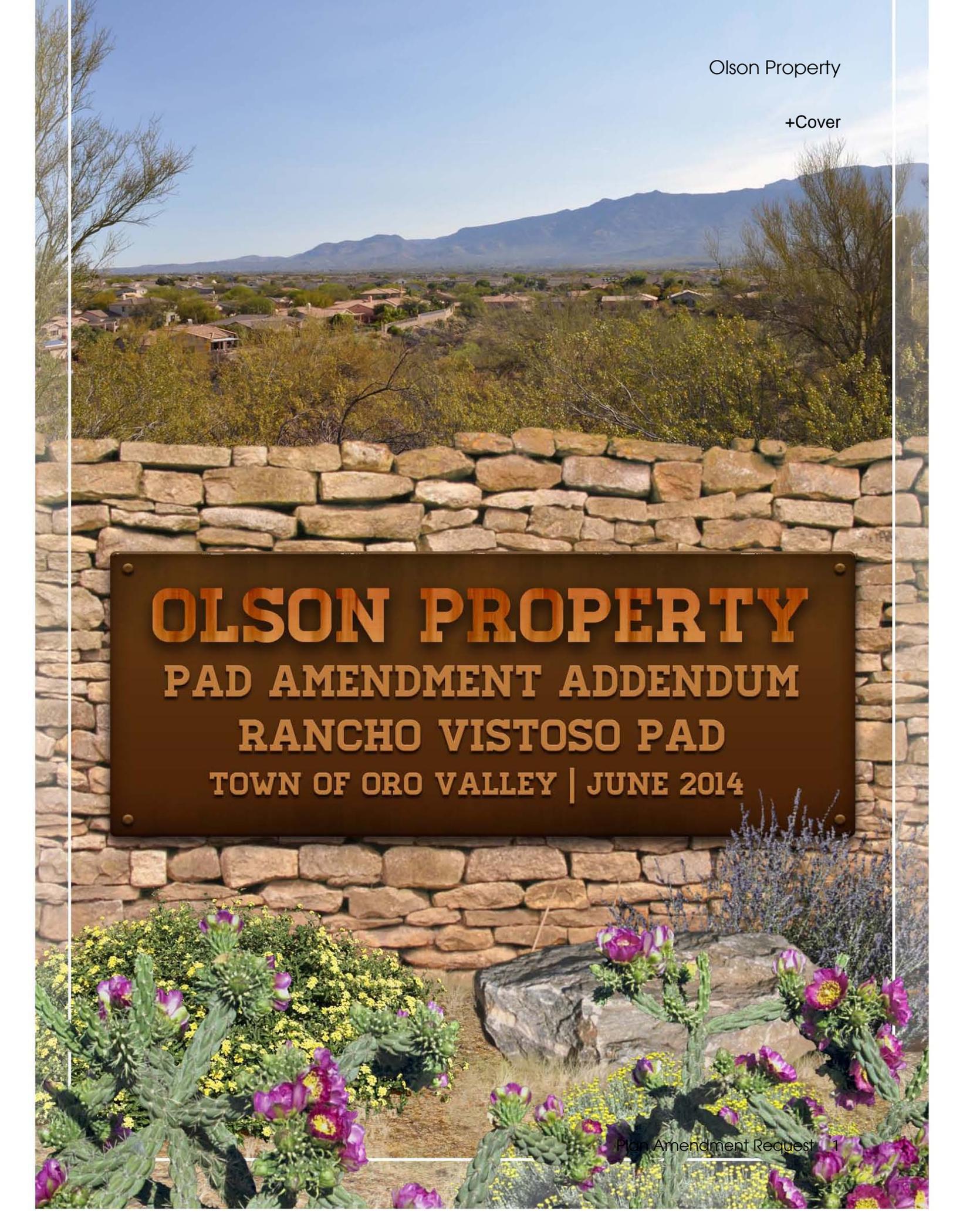
EXHIBIT "A"

MAP OF PROPERTY



EXHIBIT "B"

RANCHO VISTOSO PAD AMENDMENT



OLSON PROPERTY
PAD AMENDMENT ADDENDUM
RANCHO VISTOSO PAD
TOWN OF ORO VALLEY | JUNE 2014

**Olson Property-39 Acres
Rancho Vistoso PAD Amendment
Town of Oro Valley**

Submitted to:

**Town of Oro Valley
Planning Department**
11,000 North La Canada Drive
Tucson, Arizona 85737

Prepared for:

Kenneth Olson Family Living Trust
610 West Moore Road
Oro Valley, Arizona 85755

Submitted by:

Lazarus, Silvyn, & Bangs, PC
4733 E Camp Lowell
Tucson, Arizona 85712
Phone: (520) 207-4464

Prepared by:

The Planning Center
110 South Church Avenue, Suite 6320
Tucson, Arizona 85701
Telephone: (520) 623-6146

&

Psomas
333 East Wetmore Road, Suite 405
Tucson, Arizona 85705



June 2014

Table of Contents

I. Purpose..... 1

II. Rancho Vistoso PAD..... 1

III. Project Proposal..... 1

IV. Proposed PAD Requests 5

 A. Section 1.1: Rancho Vistoso Development Program 5

 B. Section 1.2: RV PAD Policies 6

List of Exhibits

Exhibit 1: Location Map..... 3

Exhibit 2: Planned Area Development Map 4

APPENDIX A: Rancho Vistoso Table A Revisions..... 8

APPENDIX A: RANCHO VISTOSO TABLE H REVISIONS 9



I. Purpose

This document serves as an addendum to the Rancho Vistoso Planned Area Development (PAD). The purpose of this document is to amend the Rancho Vistoso PAD (“PAD”) policies to include the Olson Property within Neighborhood 10 of the PAD. The Olson Property is located within the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 26, Township 11 South, Range 13 East, of the Gila and Salt River Meridian, Pima County, Arizona (the “Property”). The Property is approximately 39 acres located at 610 West Moore Road. The Property is surrounded on three sides by the PAD zoning, and Moore Road is located to the south. The Property is proposed to be developed as a single family residential subdivision, compatible with the existing surrounding development.

II. Rancho Vistoso PAD

Rancho Vistoso is a Master Planned Community consisting of 7665 acres located north of Tucson and bounded on the south by Tangerine Road, on the east by Oracle Road and on the north by the Tortolita Mountains. A community plan, land use plan and policies were approved originally by Pima County in 1977. Since then, Rancho Vistoso has been annexed into the Town of Oro Valley. Rancho Vistoso has evolved over the years into a thriving community with shopping and retail, schools, parks, churches, natural open space, a trail system, a resort hotel, a Town Center and adult community and an office park.

III. Project Proposal

As shown on Exhibit II.A: Rancho Vistoso Land Use Map, the Property is surrounded on the north, east and west by the PAD, Neighborhood 10; therefore the Property is proposed to be referred to as Unit AA of Neighborhood 10. Neighborhood 10 consists of residential densities varying from low to medium. The Property is surrounded by medium density to the east and west and low density to the northwest. A proposed school site and an existing Rancho Vistoso recreation facility (Hohokam Park) exist to the north. The Highland Wash runs through the northeast corner of the Property. In accordance with the recently approved general plan amendment (December 2013), Medium Density Residential (“MDR”) with a maximum of 3.75 Residences Per Acre (“RAC”) is appropriate for the Property.

The Property conceptual site plan consists of approximately 105 units with a density around 2.7 RAC. The Property concept includes a mix of 50-foot wide by 115 to 120-foot deep lots with one and two-story homes. Approximately 30 percent of the subdivision or 12.9 acres will remain open space in accordance with the Environmentally Sensitive Lands (ESL) incentives and requirements (Section 27.10). The washes along the western and eastern sides of the Property are designated as Critical Resource Areas (CRAs) on the ESL map and require a minimum 95%

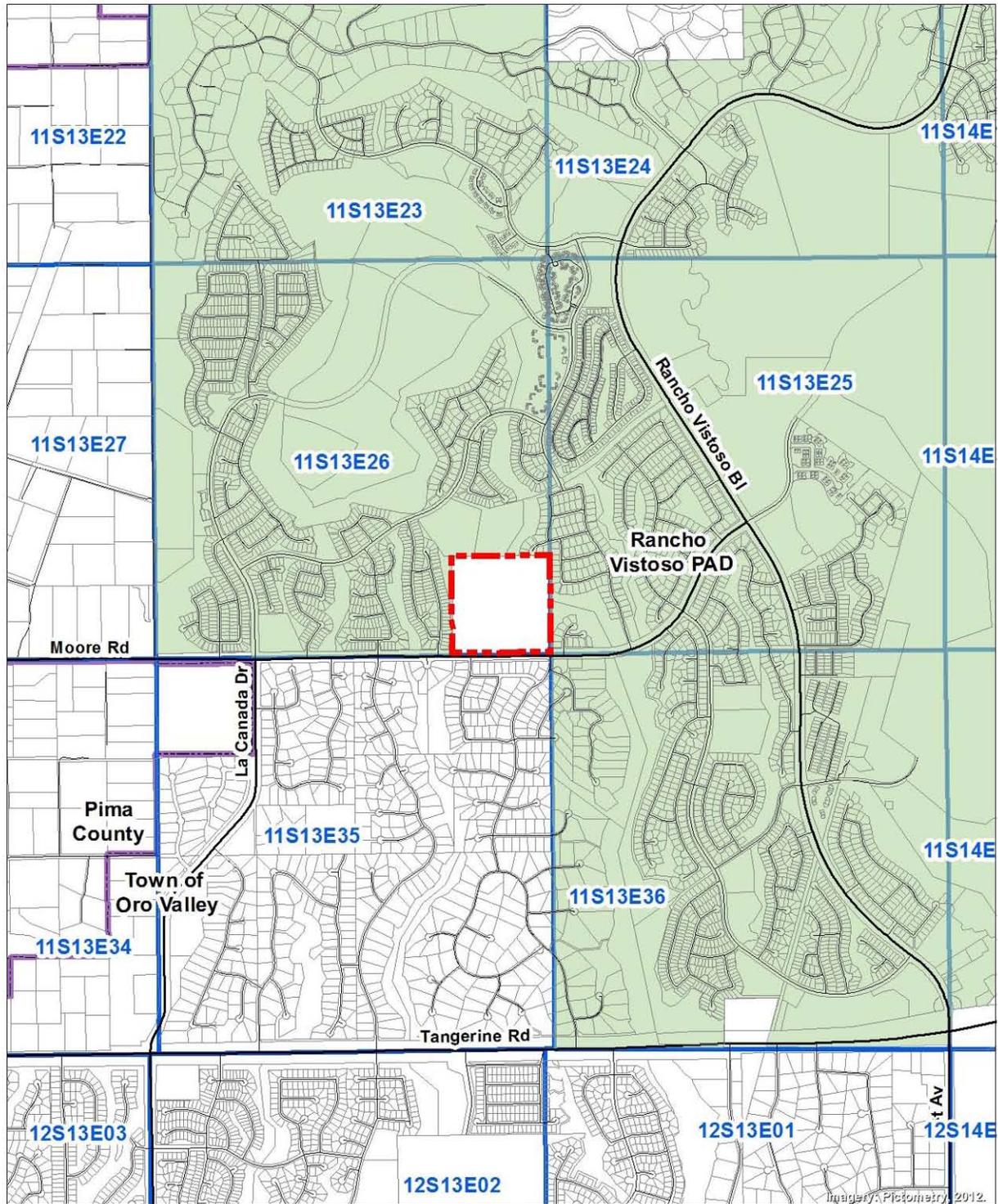


minimum open space. The remainder of the Property is designated Resource Management Area Tier I (25% minimum open space).

The dwelling unit cap for Rancho Vistoso PAD, Neighborhood 10 is 2,968 (per Table H of the PAD). There are currently approximately 1,400 existing and proposed homes. The additional 105 units proposed on the Property is within the Neighborhood 10 unit cap.



Exhibit 1: Location Map

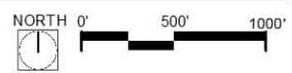


LEGEND

- PAD Amendment Boundary
- Jurisdictional Boundaries
- Township, Range & Section
- Rancho Vistoso PAD

Notes:

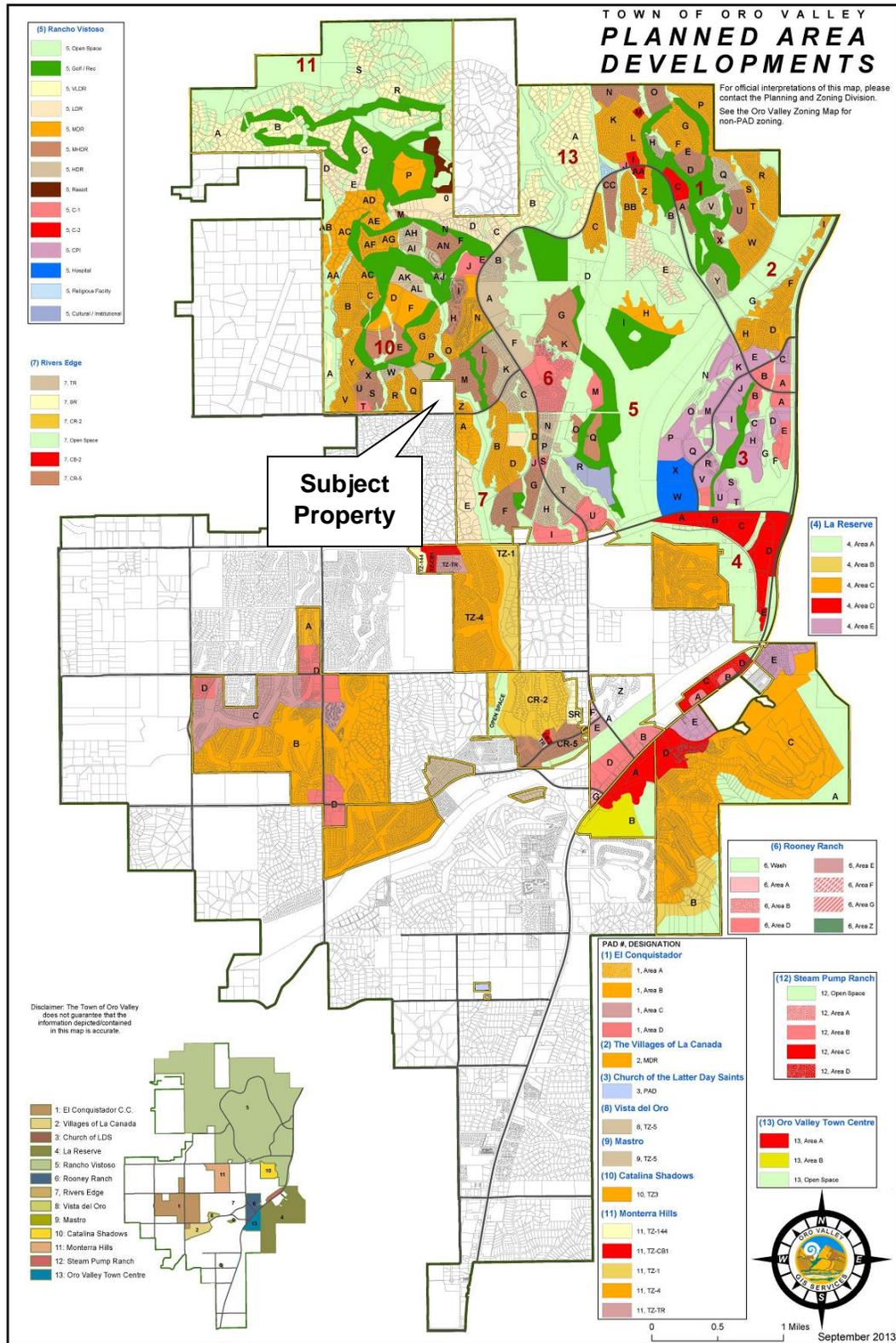
Project Site is located at:
 Township 11S, Range 13E, and Section 26
 Acreage: Approx. 39 AC
 Parcel ID #:219-22-0040



FILE NAME: location_6x8.mxd
 SOURCE: Pima County GIS, 2014



Exhibit 2: Planned Area Development Map



IV. Proposed PAD Requests

The following sections of the Rancho Vistoso (“RV”) PAD require an amendment in order to facilitate this rezoning request for the Property:

A. Section 1.1: Rancho Vistoso Development Program

1) RV PAD Acreage

Section 1.1.A, Section 1.1.D., and Section 1.1.E provide references to the overall acreage of the PAD consisting of 7,626 acres. The addition of the Olson Property would add approximately 39 acres for a total of 7,665 acres.

2) Legal Description

Section 1.1.C: Add the following legal description: Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 26, Township 11 South, Range 13 East, of the Gila and Salt River Meridian, Pima County, Arizona (the “Olson Property”).

3) Table A: RV PAD Land Use Summary

Create a new table as an addendum to Table A, the RV Land Use Summary to add in the additional 39 acres (the Property) to the overall total acres. See Appendix A for the entire redlined Table A.

Table A: Rancho Vistoso Land Use Summary

Neighborhood RAC/Other	10	Total	% of Total
2.7 RAC	39	39	0.05%
TOTAL	833.3	7711.3	1.0%

4) Table H: Neighborhood 10 Land Use Summary

Modify Table H, the Land Use Summary of Neighborhood 10 to add the Property as Unit AA. See Appendix A for the entire redlined Table H.

Table H: Rancho Vistoso Neighborhood 10 Land Use Summary

Planning Unit	2.7	Total planning unit area	Per PAD	Per Plat	Projected
AA	39	39		105	
Total Acres	39	833.3	2968	1334	1044
% of TOTAL		4.6%		7.0%	



B. Section 1.2: RV PAD Policies

The RV PAD policies contained in the RV PAD Section 1.2 govern the RV PAD. They include both general and neighborhood specific policies. The general policies apply to all development within the RV PAD. Neighborhood specific policies apply only to the indicated neighborhood. The following are policies that require revisions per the proposed Unit AA, Neighborhood #10.

1. Section 1.2.B. Planning Unit Policies

The Property is proposed for Medium Density Residential in accordance with the existing Medium Density Residential General Plan Designation for the Property. The average density for MDR is 4.5 RAC. The maximum density is 6.0 RAC.

2. Section 1.2.C. Neighborhood #10 Policies:

- a. The Neighborhood 10 Policies shall be modified for parcel "AA" as follows:
 - 1) The dwelling unit cap for Rancho Vistoso PAD Neighborhood 10 is 2,968 (per Table H of the PAD). There are currently approximately 1,400 existing and proposed homes. The additional 105 units proposed on this Property is within the Neighborhood 10 unit cap.
 - 2) All provisions of the Oro Valley Zoning Code, including the Environmentally Sensitive Lands (ESL) incentives and requirements (Section 27.10 of the Oro Valley Town Code) will apply. The existing washes along the western and eastern sides of the Property are designated as Critical Resource Areas (CRAs) on the ESL map and requires a minimum 95% minimum open space. The remainder of the Property is designated Resource Management Area Tier I (25% minimum open space).
 - 3) The Highland Wash will be owned and maintained by the Rancho Vistoso Master Homeowner's Association. This wash includes a section of Trail #326 on its east side as identified by the *Oro Valley Trails Task Force Report*. This trail section should be designated as a "permanent non-motorized public recreation easement," dedicated to the Town of Oro Valley.

3. Section 1.2.C. Neighborhood #10 Policies: Add specific policies for Planning Unit AA as follows:

- b. The building setbacks shall be modified for parcel "AA". as follows:
 - 1) Front setbacks may be reduced to 10' where a home has a side entry garage located perpendicular to the front facade of the dwelling.



- 2) Front setbacks may be reduced to 10' where a dwelling has living space, porch or massing that sits in front of a garage that opens or faces directly onto an abutting street.
 - 3) Garages that open or face directly onto an abutting street shall have a minimum 20' garage setback.
 - 4) Dwellings with a side entry garage shall have an articulation (e.g. windows) on the side facing the street.
- a. Two-story homes shall be restricted as follows:
- 1) No more than two shall be built adjacent to each other along Moore Road.
 - 2) No more than three shall be built adjacent to each other along interior streets.
 - 3) Shall not be built on corner lots.

4. Section 1.3.B.3: Medium Density (3-6 RAC) Residential

- c. The Medium Density designation applies to the parcel "AA". The yard setbacks shall be modified as follows:
- i. Front: 20 feet except for the specific policies related to Planning Unit AA:
 - Front setbacks may be reduced to 10' where a home has a side entry garage located perpendicular to the front facade of the dwelling.
 - Front setbacks may be reduced to 10' where a dwelling has living space, porch or massing that sits in front of a garage that opens or faces directly onto an abutting street.
 - Garages that open or face directly onto an abutting street shall have a minimum 20' garage setback.
 - ii. Side 5 feet or 0 feet for common wall on zero lot line development
 - iii. Rear: 10 feet



APPENDIX A: Rancho Vistoso Table A Revisions

TABLE A RANCHO VISTOSO PLANNED AREA DEVELOPMENT LAND USE SUMMARY													
NEIGHBORHOOD RAC/OTHER	1	2	3	4	5	6	7	*10	11 NORTH	*11 SOUTH	*13	TOTAL	% OF TOTAL
0.5 RAC									62.7		230.1	292.8	3.8%
1.0 RAC								18.2	229.7			247.9	3.2%
1.5 RAC												0.0	0.0%
2.0 RAC					48.8				113.0		40.0	201.8	2.6%
2.7 RAC								39.0				39.0	0.5%
3.0 RAC							23.7		5.4			29.1	0.4%
3.1 RAC										32.3		32.3	0.4%
3.2 RAC										27.1		27.1	0.4%
3.7 RAC										26.8		26.8	0.3%
3.8 RAC								65.1				65.1	0.8%
3.9 RAC								21.5				21.5	0.3%
4.0 RAC					87.0		87.6			53.8		228.4	3.0%
4.2 RAC								21.6				21.6	0.3%
4.3 RAC								26.7				26.7	0.3%
4.5 RAC	362.8							28.3				391.1	5.1%
4.7 RAC								8.9				8.9	0.1%
4.8 RAC								26.4				26.4	0.3%
5.2 RAC								54.6	35.4			90.0	1.2%
5.5 RAC							20.5					20.5	0.3%
6.0 RAC	26.5							64.4				90.9	1.2%
6.1 RAC								5.6				5.6	0.1%
6.2 RAC								12.2				12.2	0.2%
6.4 RAC								37.8				37.8	0.5%
6.5 RAC	102.7				36.3		27.1	32.5				198.6	2.6%
6.6 RAC								24.2				24.2	0.3%
7.0 RAC											1.0	1.0	0.0%
7.1 RAC										24.0		24.0	0.3%
8.0 RAC					36.7		30.5	25.6				92.8	1.2%
8.2 RAC								8.4		14.7		23.1	0.3%
8.5 RAC	64.9											64.9	0.8%
9.1 RAC										10.4		10.4	0.1%
10.0 RAC							28.6	34.4	2.4	32.2		97.6	1.3%
10.5 RAC					42.0							42.0	0.5%
12.0 RAC					73.8							73.8	1.0%
20.0 RAC					41.8							41.8	0.5%
21.0 RAC						15.0	22.1					37.1	0.5%
COMMERCIAL	44.1	22.5	56.0	108.4	47.4	60.3	30.9	19.2		1.9	1.6	392.3	5.1%
OPEN SPACE	151.7	186.0	383.3	206.4	741.2	9.7	142.6	117.8	562.8	51.1	194.4	2747.0	35.6%
OFFICE PARK		131.8	238.6									370.4	4.8%
SCHOOLS					36.3		10.0	10.0				56.3	0.7%
RESORT									21.3			21.3	0.3%
HOSPITAL			67.8									67.8	0.9%
GOLF	180.3				150.1			54.6	242.0	101.7	17.9	746.6	9.7%
PARKS			6.0		95.8		8.5	21.7		2.5		134.5	1.7%
ROW/UTILITY	56.8	29.3	58.8	28.8	118.7	5.6	50.3	54.6	53.3	21.6	12.3	490.1	6.4%
OTHER	10.2											10.2	0.1%
TOTAL	1,000.0	369.6	810.5	343.6	1,555.9	90.6	482.4	833.3	1,328.0	400.1	497.3	7711.3	100.0%

Source: Information taken from existing Planned Area Development for those areas not affected by the PAD Amendment (Ordinance No. (O)96-25) by Gage Davis & Associates

* Those neighborhoods affected by the PAD Amendment (Ordinance No. (O) 96-25) by The WLB Group, Inc.

Note: Errors in this table corrected on June 11, 2004.



APPENDIX A: RANCHO VISTOSO TABLE H REVISIONS

TABLE H RANCHO VISTOSO PLANNED AREA DEVELOPMENT NEIGHBORHOOD TEN LAND USE SUMMARY Revised July 10, 1996 PLANNING UNIT																									The WTB Group, Inc.				
RESIDENCE PER ACRE (RAC)																									RESIDENTIAL UNITS				
	1	2.7	3.8	3.9	4.2	4.3	4.5	4.7	4.8	5.2	6	6.1	6.4	6.5	6.6	8	8.2	10	15	COMM	SCHOOL	PARK/ REC	G.C.	ST.R/W	OPEN SPACE	TOTAL PLANNING UNIT AREA	PER PAD	PER PLAT	PROJECTED
A	18.2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5.6	23.8	18		14	
B	0	0	44.2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2.7	21.5	68.4	168		192
C	0	0	20.9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1.9	1.6	24.4	79		107	
D	0	0	0	0	21.6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2.4	2.4	26.4	91		70
E	0	0	0	0	0	0	0	0	0	0	0	0	0	37.8	0	0	0	0	0	0	0	0	0	1.1	8.4	47.3	242		190
F	0	0	0	0	0	0	0	0	26.4	0	0	0	0	0	0	0	0	0	0	0	0	0	1.3	0.1	27.8	127		100	
G	0	0	0	0	0	0	0	0	0	27.6	0	0	0	0	0	0	0	0	0	0	0	0	1.8	4.1	33.5	144	88		
H	0	0	0	0	0	0	0	0	0	0	13.0	0	0	0	0	0	0	0	0	0	0	0	2.2	3.7	18.9	78	0		
I	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12.2	0	0	0	2.0	0	14.2	183	181		
J	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13.5	0	0	1.1	0.1	14.7	0		0	
K	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	34.4	0	0	0	0	6.4	0	40.8	344	110		
L	0	0	0	0	0	0	0	0	0	0	0	0	0	0	25.6	0	0	0	0	0	0	7.2	0	5.0	10.7	48.5	205	124	
M	0	0	0	0	0	0	0	0	0	0	0	0	0	32.5	0	0	0	0	0	0	0	0	0	0	10.8	43.3	211	98	
N	0	0	0	0	0	0	0	0	0	0	42.5	0	0	0	0	0	0	0	0	0	0	0	7.0	6.3	55.8	255	267		
O	0	0	0	0	0	0	0	0	0	0	8.9	0	0	0	0	0	0	0	0	0	0	0	1.2	2.9	13.0	53	49		
P	0	0	0	0	0	0	0	8.9	0	0	0	0	0	0	0	0	0	0	0	10.0	7.6	0	1.6	5.6	33.7	42	55		
Q	0	0	0	0	0	21.2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1.0	4.1	26.3	95	105		
R	0	0	0	21.5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1.8	2.5	25.8	84	107		
S	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15.5	0	0	0	0	0	0	5.1	0	1.0	1.1	22.7	102		69
T	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5.7	0	0	0	1.3	0.3	7.3	0		0	
U	0	0	0	0	0	0	0	0	0	0	0	5.6	0	0	0	0	0	0	0	0	0	0	1.5	0.7	7.8	34		28	
V	0	0	0	0	0	26.7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3.4	13.0	43.1	115		99	
W	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8.4	0	0	0	0	0	1.1	0.4	9.9	69	35		
X	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8.7	0	0	0	0	0	0	1.8	0	1.1	0.3	11.9	57		35
Y	0	0	0	0	0	0	0	0	27.0	0	0	0	0	0	0	0	0	0	0	0	0	0	3.3	0	30.3	140		140	
Z	0	0	0	0	0	7.1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.8	2.0	9.9	32	10		
G.C.-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13.0	0.1	2.4	15.5	0			
G.C.-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	40.5	0.3	7.0	47.8	0			
G.C.-3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1.0	0.2	0.2	1.4	0			
G.C.-4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.1	0	0	0.1	0			
AA	0	39.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	39.0	0			
TOTAL ACRES	18.2	39.0	65.1	21.5	21.6	26.7	28.3	8.9	26.4	54.6	64.4	5.6	37.8	32.5	24.2	25.6	8.4	34.4	12.2	19.2	10.0	21.7	54.6	54.6	117.8	833.3	2968	1229	1044
% OF TOTAL	2.2%	4.7%	7.8%	2.6%	2.6%	3.2%	3.4%	1.1%	3.2%	6.6%	7.7%	0.7%	4.5%	3.9%	2.9%	3.1%	1.0%	4.1%	1.5%	2.3%	1.2%	2.6%	6.6%	6.6%	14.1%	100.0%			



EXHIBIT “C”

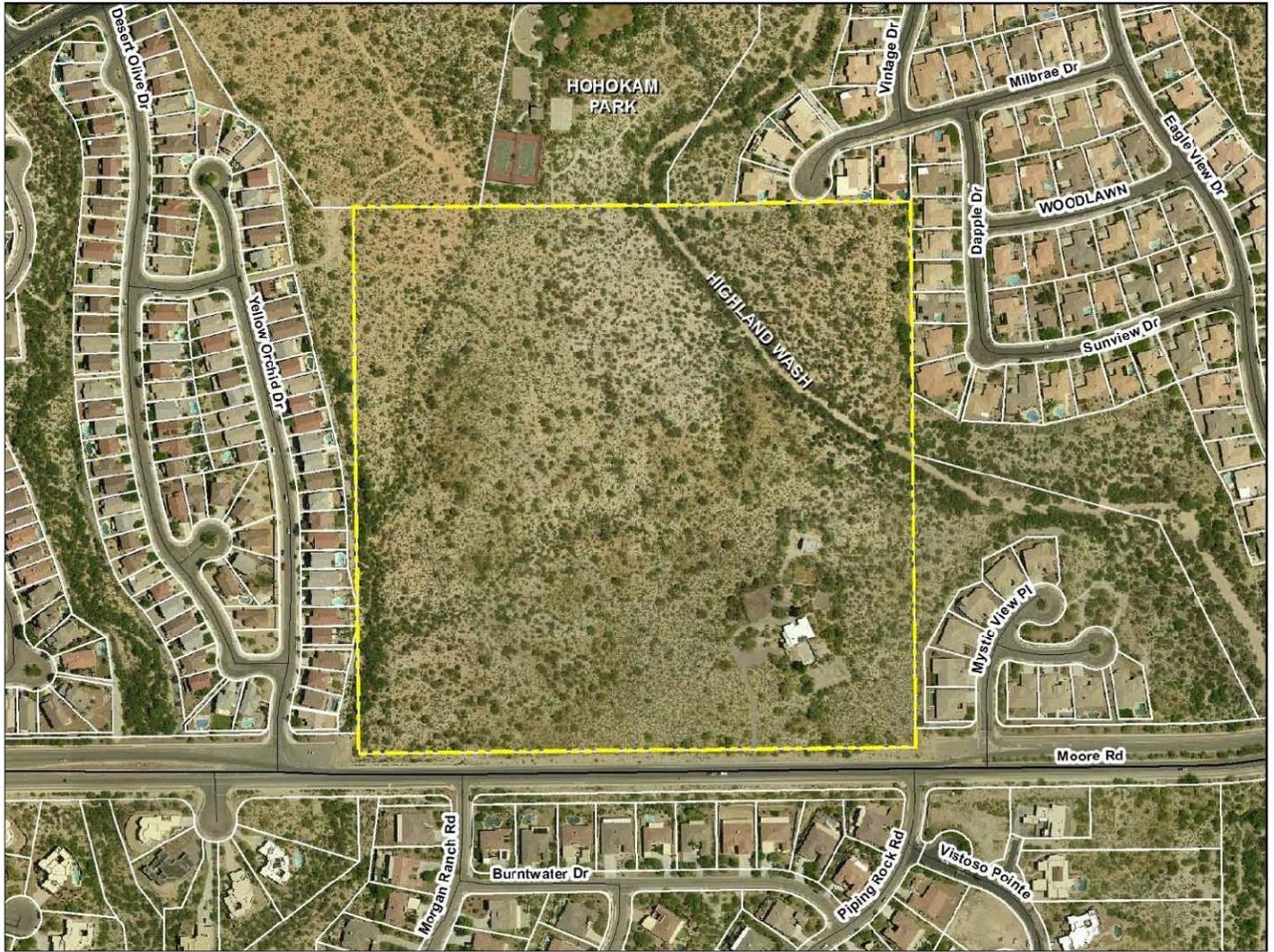
CONDITIONS OF APPROVAL

Planning

1. Lots abutting the western boundary of the developed area and within 948 feet of the north right of way line of Moore Road shall be restricted to one story in height, not to exceed 24 feet.
2. The developer shall designate the Highland Wash Trail #326 as a “permanent non-motorized public recreation easement” in a location approved by the Planning and Zoning Administrator and Town Engineer.
3. The developer shall construct a shared use path to provide access to the Hohokam Park to the north in a location approved by the Planning and Zoning Administrator and Town Engineer. This path shall be owned and maintained by the homeowners association.
4. A Cultural Resource Survey and Inventory Report prepared in accordance with Section 27.10.D.3.e. shall be completed prior to the approval of the Final Site Plan.
5. Lots highlighted on Attachment 7 of the Planning and Zoning Commission Staff Report dated July 1, 2014 shall be reconfigured to eliminate multiple rear yards abutting a side yard.

Engineering

1. The developer shall dedicate additional right-of-way along Moore Road to the Town of Oro Valley for an ultimate right-of-way of 150’ as depicted by the Tentative Development Plan in Attachment 2.
2. Moore Road shall be widened from a two-lane section along the project frontage to a four-lane section including curbs, raised medians, a multi-use lane, and sidewalk to match the existing roadway section on both sides of the project.



LOCATION MAP

OLSON PROPERTY REZONING (OV914-003)



Rezoning Planning and Zoning Commission Staff Report

CASE NUMBER: OV914-003 Olson Property

MEETING DATE: July 1, 2014

AGENDA ITEM: 4

STAFF CONTACT: Chad Daines, Principal Planner
cdaines@orovalleyaz.gov (520) 229-4896

Applicant: Keri Silvyn on behalf of Kenneth Olson Family Living Trust

Request: Rezoning 39 acres to Rancho Vistoso Planned Area Development (PAD) Medium Density Residential and amendment of the Rancho Vistoso PAD to include the property in Neighborhood 10 and establish neighborhood development policies for the subject property.

Location: North side of Moore Road between Yellow Orchid Drive and Mystic View Place

Recommendation: Approve with the conditions in Attachment 1

SUMMARY:

The proposed rezoning is from R1-144 to Rancho Vistoso PAD Medium Density Residential for a 39 acre property located on the north side of Moore Road, between Yellow Orchid Drive and Mystic View Place. The applicant proposes a 105 lot single-family residential subdivision with approximately 12.7 acres of undisturbed natural open space. The average lot size is 6,250 square feet with one and two-story homes.

The applicant proposes two entries to the subdivision from Moore Road. The property is traversed by two natural washes which will be conserved as part of the proposed development. Trails are proposed along the eastern wash (Highland Wash) and connecting the subdivision to Hohokam Park to the north.

The topography of the site is characterized by a ridgeline in the center of the property with grade falling east and west across the site. The applicant has proposed to limit select lots along the western boundary to single-story to reduce the visual impact of the development. The applicant's proposal is provided as Attachment 2.

BACKGROUND:

Land Use Context

The Existing Land Use, General Plan and Zoning for the property and the surrounding area is summarized below and depicted on Attachments 3 & 4.

	EXISTING LAND USE	GENERAL PLAN	ZONING
SUBJECT PROPERTY	Vacant / 1 Home	Medium Density (2.1 – 5.0 du/ac)	Single-Family Residential R1-144
NORTH	Vacant	School / Park	High Density / Golf & Recreation
SOUTH	Single-family Residential	Medium Density	R1-10
EAST	Single-family Residential	Medium Density	PAD – Medium Density
WEST	Single-family Residential	Medium Density	PAD – Medium Density

Approvals To Date

In 2013, a Major General Plan Amendment was approved for Medium Density Residential (2.1 – 5.0 du/ac.) with a maximum of 3.75 homes per acre.

Proposed Zoning District

The applicant proposes to rezone the property to Rancho Vistoso PAD Medium Density Residential and adopt Neighborhood Policies within the Rancho Vistoso PAD specific to the subject property. These policies are addressed in the Discussion/Analysis section of this report.

DISCUSSION / ANALYSIS:

Rezoning Analysis

The applicant proposes to rezone the property to Rancho Vistoso Medium Density Residential (MDR), which will create a consistent zoning on the subject property with the surrounding area to the east and west within the Rancho Vistoso PAD, and compatible development with the existing homes to the south. To the north is a parcel owned by Amphitheater School District and planned for a future middle school and the existing Hohokam Park owned by Vistoso Community Association.

Rancho Vistoso Planned Area Development (Medium Density) Conformance

As part of the application, the applicant proposes to amend the existing Rancho Vistoso PAD to incorporate the new parcel (10-AA) into the PAD document and update tables, maximum lot numbers and other references to accommodate the inclusion of this property within the PAD. The applicant also proposes modification to the front setback and two-story home limitations as shown in the following table:

	RANCHO VISTOSO PAD MDR STANDARD	APPLICANT PROPOSED MODIFICATION TO MDR	TOWN OF ORO VALLEY DESIGN STANDARD
FRONT	20 feet or Neighborhood 10 permits reduced setbacks for side entry garages	10 feet or 20 feet for front facing garages parallel to or in front of rest of home	N/A
SIDE	5 feet or 0 feet for common wall	No Modification Proposed	N/A
REAR	10 feet	No Modification Proposed	N/A
BUILDING HEIGHT	30 feet, two-stories	No Modification Proposed	N/A
TWO-STORY HOME LIMITATIONS	No more than (2) two-story homes built next to each other along major streets No more than (3) two-story homes built next to each other on interior streets No two-story homes built on corner lots	Specific lots limited to single story on western side of development No more than (2) two-story homes built next to each other along major streets (Moore Road) No more than (3) two-story homes built next to each other on interior streets No two-story homes built on corner lots	No more than (2) two-story homes built next to each other Two-story homes limited to 60% of the lots No two-story homes built on corner lots

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Front Setback: The Rancho Vistoso PAD provides similar allowances to the applicant's requested reduction in front setbacks for homes with side entry garages. The requested front setback for side entry garages and living spaces is also supported the Town of Oro Valley Design Standards which encourage staggered front setbacks to provide a varied streetscape and the use of side entry garages to reduce garage door dominance.

Two-story Limitations: A neighborhood issue raised was the impact of two-story homes on the adjoining residential area. To assess the visual impact of two-story homes, the applicant submitted a massing study, site cross sections, slope analysis and site photographs of the proposed height of homes in the development. Based on this information, the applicant has proposed limiting certain lots along the western boundary of the development to one-story homes (Attachment 6). Based on the proposed limitation, no two-story home along the western boundary of the development will be closer than roughly 225 feet to the existing homes to the west.

After field review of the primary view sheds, topographic conditions, site cross-sections, development setback from adjoining areas, massing information and site photographs; the western boundary is the most impacted and the one story limitation along this boundary will help mitigate the visual impact of the development on primary view sheds existing homes to the west. A condition has been included recommending that lots depicted on Attachment 6 be limited to single-story homes.

On interior streets, the maximum number of two-story homes which may be built next to each other is 3. Along Moore Road, no more than (2) two-story homes may be built next to each other. Corner lots are proposed to be limited to single-story. As can be seen from the above table, the proposed two-story limitations are consistent with other developments within Neighborhood 10. The proposed amendment does not reference the Oro Valley Design Standard which limits two-story homes to 60% of the lots within the development and a condition has been recommended to include this standard.

Modified Review Process

The Environmentally Sensitive Lands (ESL) zoning regulation (Section 27.10.F.2.c.i.a) provides for a modified review process at Town Council's discretion for rezoning applications. If enabled, it allows for administrative review and approval of a site plan, provided it conforms to the rezoning-related Tentative Development Plan. This provision, and other incentives, are intended as additional benefits for conserving open space.

The applicant has requested use of the modified review process and this request will be considered by Town Council in conjunction with this rezoning case. The recommendation section of this report includes a recommendation to Town Council on

the use of this modified review process. This modified process heightens the importance of the review and consideration of the Tentative Development Plan (TDP) during the Planning and Zoning Commission's public hearing.

Lot Configuration

One lot shown on the TDP has four rear yards along the side yard of this lot (Attachment 7), which will result in reduced privacy and creates an irregular lot which may present difficulties accommodating a range of house plans. A condition has been included to require redesign of these lots to address this issue.

Trails and Recreation Area

The Oro Valley Trailways Map identifies the Highland Wash on the eastern boundary of the development as the location for a connected trail system. The applicant has proposed a natural surface trail along the east side of the wash to provide the connectivity to the trail system within Rancho Vistoso. The Tentative Development Plan also includes a trail connection from the subdivision to the park and the future school to the north.

The proposed trails have been reviewed by Parks and Recreation Department staff who have recommended a condition requiring dedication of a "permanent non-motorized public recreation easement" over the trails. The Highland Wash and open spaces within the development will be owned and maintained by the Rancho Vistoso Master Homeowners Association.

The Rancho Vistoso PAD provides for recreational areas throughout the master planned development and therefore is exempt from meeting the Town's recreational area requirement. North of the site is Hohokam Park within Rancho Vistoso and the applicant has reached an agreement with the Vistoso Community Association to provide additional recreational improvements within this park. The association has provided a letter regarding the improvements to the park. (Attachment 8). The letter also confirms that the Vistoso Community Association has voted unanimously to support the rezoning request.

Environmentally Sensitive Lands (ESL)

Conservation Categories (Biologically Based)

The property is designated Critical Resource Area (CRA) and Resource Management Area (RMA) Tier 2 on the Town's ESL Planning Map (Attachment 5). The property is traversed by two wash corridors, which are designated CRA and 95% of these areas must be conserved. The remainder of the property is designated RMA Tier 2, requiring 25% of the balance of the site be conserved as open space. The proposed Tentative Development Plan (TDP) conserves 100% of the CRA area and 26% of the RMA area, in excess of ESL open space requirements.

Vegetation

The applicant has surveyed the property for Significant Vegetation. Based on the preliminary vegetation analysis, there are no distinctive native plant stands as defined by the Zoning Code. A full native plant inventory is required during the subsequent site plan process following the rezoning process.

Habitat

The applicant submitted an on-line environmental review letter from Arizona Game and Fish Department. This review indicates that there are no State listed threatened or endangered species within 3 miles of the subject property.

Conservation Categories (Non-biologically Based):

Cultural Resources

The applicant submitted a letter from the Arizona State Museum (ASM) indicating that the subject property has not been surveyed for cultural resources and there are no historic properties recorded on the property. The ASM recommends that the property be surveyed for cultural resources prior to development. A condition has been included requiring the cultural resource survey be completed prior to approval of the Final Site Plan.

Scenic Resources

The applicant has submitted site photographs and massing study to assess the visual impact of the proposed development on primary view sheds from adjacent areas. This information was utilized in analyzing the limitations to two-story homes addressed in the Rezoning Analysis section of this report.

Hillside Areas

The applicant conducted a hillside analysis identifying areas of slope on the subject property. The site contains minor areas with a slope of 15-25% and a significant area of 25% or greater slopes along the Highland Wash area. A full hillside analysis and compliance with the ESL hillside regulations are required during the subsequent site plan process.

General Plan Conformance Analysis

The proposed density (2.7 homes per acre) is in conformance with the Major General Plan Amendment approved last year for Medium Density with a maximum density not to exceed 3.75 homes per acre.

General Plan Amendments are also evaluated for consistency with the Vision, Goals and Policies of the General Plan. The following sections provide analysis relative to the consistency of the Rezoning request with the General Plan Vision and key General Plan Goals and Policies. Excerpts from the General Plan are shown in italics, followed by staff comment.

General Plan Vision

To be a well planned community that uses its resources to balance the needs of today against the potential impacts to future generations. Oro Valley's lifestyle is defined by the highest standard of environmental integrity, education, infrastructure, services, and public safety. It is a community of people working together to create the Town's future with a government that is responsive to residents and ensures the long-term financial stability of the Town.

The proposed amendment is consistent with the General Plan Vision. As discussed, critical environmental resources have be conserved and necessary infrastructure provided to serve the development and the area with the expansion of Moore Road. The proposal is consistent with adjacent land uses and measures have been proposed by the applicant to mitigate view impacts, in response to resident concerns.

General Plan Goals and Policies

The application has been reviewed against the following notable General Plan Goals and Policies.

Policy 1.1.1: The Town shall promote clustering of development to protect environmentally sensitive areas and to preserve significant, passive use, natural open space within residential neighborhoods. In large-lot or multi-family developments, clustering may also be accomplished by placing building pads close to each other, while employing other mechanisms to protect remaining natural open space.

The proposed development has been concentrated in the center of the property away from the most sensitive environmental resources on the site. The plan conserves the two washes, steeper sloped areas and significant open space areas on the site, achieving the intent of this policy.

Policy 1.1.3: *The Town shall continue to avoid development encroachment into washes, riparian areas, designated natural open space and environmentally sensitive lands. In cases where encroachment is unavoidable, such as in the case of utility or public safety, require compensation or trade to offset the loss of natural area.*

The two washes on the Property will be conserved and the development has been clustered to avoid larger natural open space and steeper sloped areas, meeting this policy.

Policy 7.1.1: *The Town shall continue to strive to protect the integrity and aesthetic context of existing neighborhoods through the use of appropriate buffers or other means of land use transition between incompatible uses.*

The applicant has provided large natural open spaces around the proposed development and proposed one-story home restrictions along the western boundary, which will reduce the development impact on the surrounding area, consistent with this policy.

Engineering

The Site Analysis addresses issues related to drainage and traffic. For drainage, the proposed rezoning request acknowledges that the development will be designed so that post-developed drainage conditions are consistent with pre-developed conditions in accordance with Town requirements.

The drainage system for the project shall be designed to ensure, among other requirements, that all habitable structures adjacent to washes will be protected from flooding and erosion. Two natural drainage courses affect the subject property, flowing in a southerly direction and generally paralleling the eastern and western development boundaries. Increased run-off from the development will be mitigated by use of detention basins which will ultimately discharge into the two natural watercourses which drain to existing culverts under Moore Road.

For traffic, an assessment was prepared to evaluate traffic related issues. Two ingress/egress access points are proposed along Moore Road. The western access point is directly across from Morgan Ranch Road, providing full access into/out of the development. The eastern access point is about 200 feet west of the existing Piping Rock Road intersection and also provides full access to the development. Moore Road is classified as a minor arterial, with a large amount of available capacity. A condition of this development is that the developer dedicate the additional right-of-way required to improve Moore Road from a two-lane section to a four-lane section which will increase its safety and capacity.

The developer will be responsible for constructing the Moore Road improvements which will include roadway widening, curbs, raised medians and a sidewalk along the frontage of the property to match the existing roadway section on both sides of the project. The anticipated volume of traffic generated by this development is low and therefore will not have a noticeable impact on the surrounding roadway network.

PUBLIC PARTICIPATION:

Summary of Public Notice

Public notice has been provided:

- Letters to all property owners within 600 feet
- Homeowners Association mailing
- Advertisement in The Daily Territorial and Arizona Daily Star newspapers
- Post on property
- Post at Town Hall and on website

Neighborhood Meeting

A neighborhood meeting was held March 13th. Approximately 6 interested parties were in attendance and a number of issues were discussed including; view impacts, drainage impacts, landscape buffers, timing of development and maintenance of the Moore Road right-of-way. The summary notes from the neighborhood meeting and a letter from a resident on the eastern boundary of the subject property are attached (Attachment 9).

RECOMMENDATION:

Based on the following findings:

- The request is consistent with the General Plan Medium Density Residential land use designation.
- The request is below and consistent with the maximum density of 3.75 homes per acre for the subject property established by the approved General Plan Amendment.
- The proposed cluster development plan conserves larger natural open space areas, washes, steeper sloped areas and other environmental resources on the property.
- The proposed limitations on one-story homes will reduce the visual impact of the proposed development on adjacent areas.

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

Recommend approval to the Town Council of the requested Rezoning under case OV914-003 and use of the modified review process in Section 27.10.F.2.c.i.a., subject to the conditions on Attachment 1

SUGGESTED MOTIONS:

I move to recommend approval of the Olson Property Rezoning to Rancho Vistoso Planned Area Development (PAD) Medium Density Residential, including use of the modified review process in Section 27.10.F.2.c.i.a., based on the findings in the recommendation section of this report and subject to the conditions on Attachment 1.

OR

I move to recommend denial of the Olson Property Rezoning, as the request does not meet the finding that_____.

ATTACHMENTS:

1. Conditions of Approval
2. Applicant Proposal
3. General Plan Land Use
4. Zoning Map
5. ESL Planning Map
6. One-story Home Limitation Map
7. Lot Configuration Exhibit
8. Vistoso Community Association Letter
9. Neighborhood Meeting Summary Notes and Resident Letter



Bayer Vella AICP, Interim Planning Manager

MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
REGULAR SESSION
July 1, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE

CALL TO ORDER AT OR AFTER 6:00 PM

Chairman Cox called the meeting to order at 6:00 PM

ROLL CALL

PRESENT: Don Cox, Chairman
John Buette, Vice-Chairman
Bill Leedy, Commissioner
Tom Drazazgowski, Commissioner
Greg Hitt, Commissioner
Bill Rodman, Commissioner
Frank Pitts, Commissioner

Commissioner Frank Pitts attended by phone.

ALSO PRESENT: Councilmember Hornat

.....

4. **PUBLIC HEARING: OLSON PROPERTY REZONING OF 39 ACRES FROM R1-144 TO RANCHO VISTOSO PLANNED AREA DEVELOPMENT (PAD) AMENDING PAD STANDARDS AND USE OF A MODIFIED REVIEW PROCESS, LOCATED ON THE NORTH SIDE OF MOORE ROAD, BETWEEN YELLOW ORCHID DRIVE AND MYSTIC VIEW PLACE, OV914-003**

Chad Daines, Principal Planner, presented the following:

- Applicant's Request
- Location
- Vicinity
- Background/Review Criteria
- General Plan
- Zoning
- RV Planned Area Development Medium Density Residential
- Environmentally Sensitive Lands Modified Review Process Incentive
- Tentative Development Plan (Illustrative)
- View Impacts

- One Story Restriction
- Recreational Area & Shared Use Path
- Trails
- Environmentally Sensitive Lands
- Neighborhood Meeting
- Summary & Recommendation

Keri Silvyn, Lazarus, Silvyn & Bangs, P.C. representing the Olson Family, presented the following:

- Regional View
- Aerial Image
- Approved General Plan Amendment Map
- Concept A
- Preliminary Conceptual Site Plan
- Project Information
- Neighborhood Interaction

Chairman Cox opened the Public Meeting.

Jennifer Vigil, Oro Valley resident, commented that she has enjoyed the view from her property for the last seven years and went on to express her concern with changing the density and the impact it would have. The more people we have the more water use overall and the garbage along the wash. The Town does not have single story restrictions at the highest part of the peak and having two story at the highest part of the peak will negatively affect the views.

Mike Hoss, Oro Valley resident, expressed his concern with the dust and dirt that is going to be stirred up during construction. Mr. Hoss went on to ask what was going to be done to keep the dust down and what is required?

Bill Alder, Oro Valley resident, commented that he has asked Town Council to direct Planning staff to revise the code for a view shed analysis that is clear, what it does and what it includes. How does a six foot decrease minimize adequately the view impact that we are trying address when the difference in elevations are 25 feet?

Laurie Bierer, Oro Valley resident, expressed her concern with the open view of the mountains, and the impact of those views.

Bill Machtiggir, Oro Valley resident, expressed his concern with Moore Road and the 10 foot setback, barriers and noise and traffic burden of 105 homes being proposed.

Carol Hoss, Oro Valley resident, commented that 75% of the houses in the area are built into the hills and single story homes. Ms. Hoss went on to express her concern with drainage and property values

Bill Weltsheft, Oro Valley resident, expressed opinion that the homes should be single story homes. It would be a better developed subdivision if the 2.1 density was favored. Traffic is also another concern.

Sue Maurer, Oro Valley resident, commented that she felt the development should be single story homes vs. the two story homes.

Coleen Hehli, Oro Valley resident, stated she is in opposition to the plan and hopeful that the request for the change in the amount of lots per acre would be denied or ask the developer to change the plans to single story homes on the entire western facing properties.

Ted Lavretta, Oro Valley resident, expressed his concern with the dense community and two story homes. He sees a problem with placing two story homes on higher elevations and strongly recommend single story homes along the west section of proposed property.

Jena Carpenter, non-resident and represents the Vistoso Community Association as Association Manager, commented that the Board of Directors of the Home Owners Association have been working with the Olson family to find a solution for the property to incorporate something that is beneficial to the joining homes.

Chairman Cox closed the Public Hearing.

David Laws, Permitting Manager, responded to the questions asked during the public hearing with regards to dust control and drainage.

MOTION: A motion was made by Vice-Chairman Buette and seconded by Commissioner Leedy to Recommend Approval of OV914-003 the Olson Property Rezoning to Rancho Vistoso Planned Area Development (PAD) Medium Density Residential, subject to the conditions in Attachment 1. The motion recommended denial of the use of the modified review process.

Commissioner Drazazgowski offered a friendly amendment to the motion to include the lots abutting the western boundary of the developed area and within 948 feet of the north right of the way line of Moore Road shall be restricted to one story in height, not including the pie shaped lots in the corner.

Friendly amendment was accepted by Vice Chair Buette and Commissioner Leedy.

1. **Attachment 1**

Conditions of Approval - REVISED

Olson Property

OV914-003

July 1, 2014, Planning and Zoning Commission

Planning

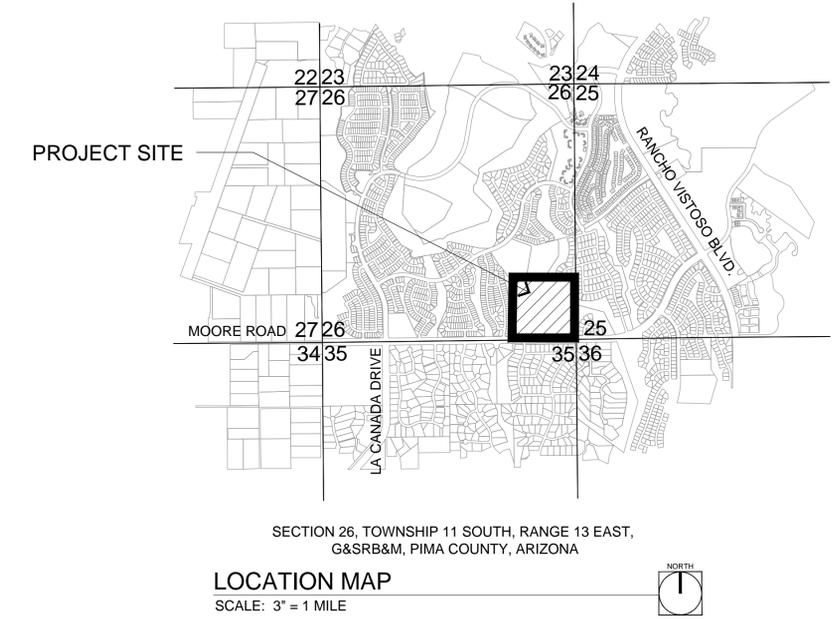
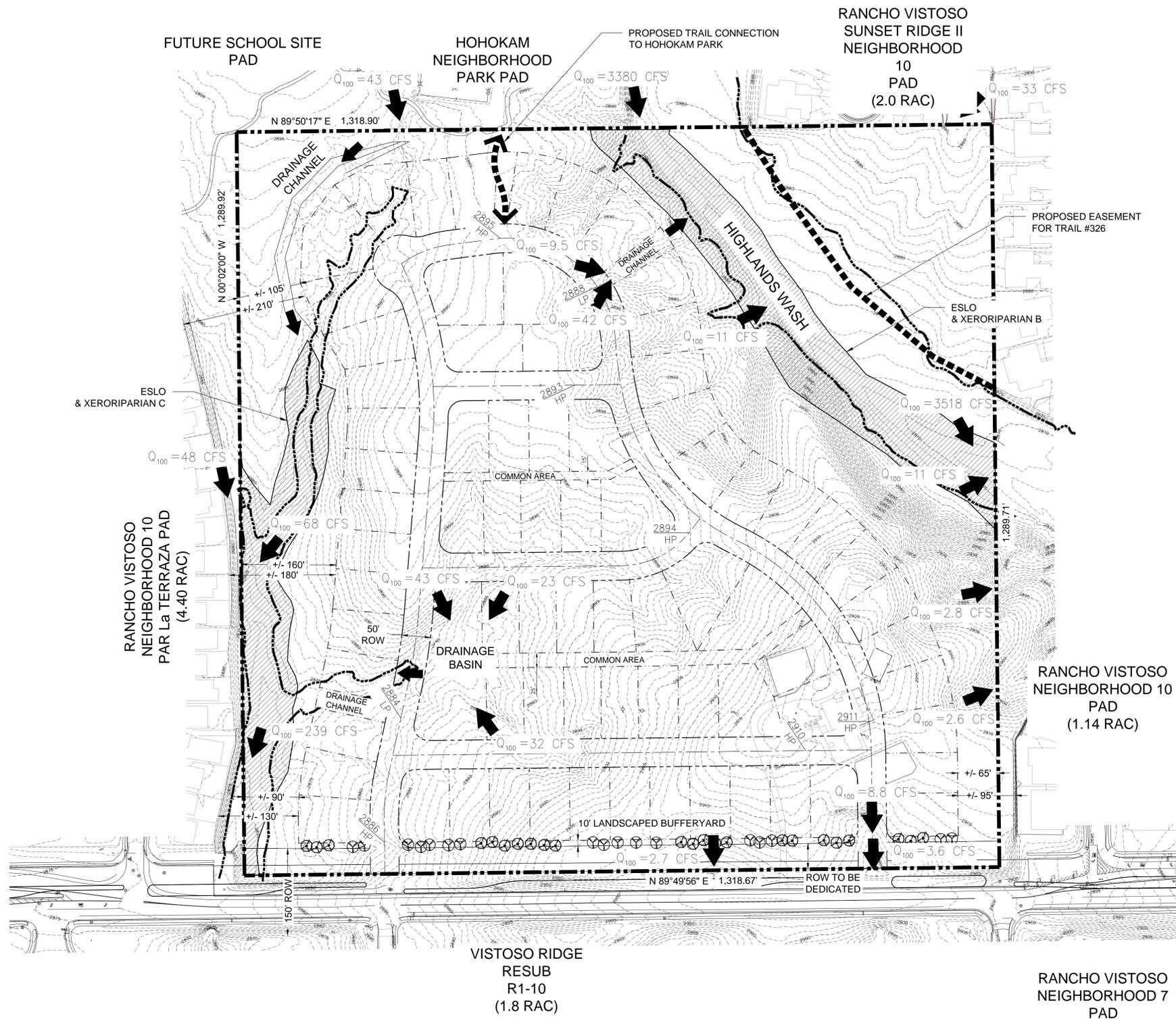
1. Lots abutting the western boundary of the developed area and within 948 feet of the north right of way line of Moore Road shall be restricted to one story in height, not to exceed 24 feet.
2. The developer shall designate the Highland Wash Trail #326 as a “permanent non-motorized public recreation easement” in a location approved by the Planning and Zoning Administrator and Town Engineer.
3. The developer shall construct a shared use path to provide access to the Hohokam Park to the north in a location approved by the Planning and Zoning Administrator and Town Engineer. This path shall be owned and maintained by the homeowners association.
4. A Cultural Resource Survey and Inventory Report prepared in accordance with Section 27.10.D.3.e. shall be completed prior to the approval of the Final Site Plan.
5. Lots highlighted on Attachment 7 of the Planning and Zoning Commission Staff Report dated July 1, 2014 shall be reconfigured to eliminate multiple rear yards abutting a side yard.

Engineering

6. The developer shall dedicate additional right-of-way along Moore Road to the Town of Oro Valley for an ultimate right-of-way of 150' as depicted by the Tentative Development Plan in Attachment 2.
7. Moore Road shall be widened from a two-lane section along the project frontage to a four-lane section including curbs, raised medians, a multi-use lane, and sidewalk to match the existing roadway section on both sides of the project.

MOTION carried, 6-1 with Commissioner Pitts opposed.

TENTATIVE DEVELOPMENT PLAN



GENERAL NOTES

- GROSS REZONE AREA: 39 ACRES
- ZONING REQUEST FROM R1-144 TO RANCHO VISTOSO PAD "MDR"
- RESIDENCES PER ACRE: 1.92
- NUMBER OF LOTS: 75
- BUILDING HEIGHT: MAX. 30'
- LOT SETBACKS: FRONT 20', REAR 10', SIDE YARDS 5'
- MINIMUM LOT SIZE: 8,125 SF (65'X125' MINIMUM)
- DEVELOPED AREA: 26.36 AC / 67%
- TOTAL UNDISTURBED OPEN SPACE: 12.68 AC / 33%
- CRITICAL RESOURCE AREA (CRA): 3.72 AC
 - CRA PRESERVATION REQ: 95%, PROPOSED 100%
- RESOURCE MANAGEMENT AREA (RMA) TIER II: 8.96 AC
 - RMA PRESERVATION REQ: 25%, PROPOSED: 26%
- FIRE HYDRANTS CONNECTED TO AN APPROVED WATER SUPPLY OF 1,000 GPM FOR FIRE PROTECTION SHALL BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE. TEMPORARY CONSTRUCTION OFFICE TRAILERS ARE CONSIDERED COMBUSTIBLE MATERIAL.
- APPROVED FIRE APPARATUS ACCESS ROADS SHALL BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE.
- TEMPORARY STREET SIGNS SHALL BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADWAYS ALLOWS PASSAGE OF VEHICLES. ALL STRUCTURES UNDER CONSTRUCTION SHALL BE CLEARLY IDENTIFIED WITH AN APPROVED ADDRESS.

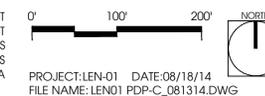
LEGEND

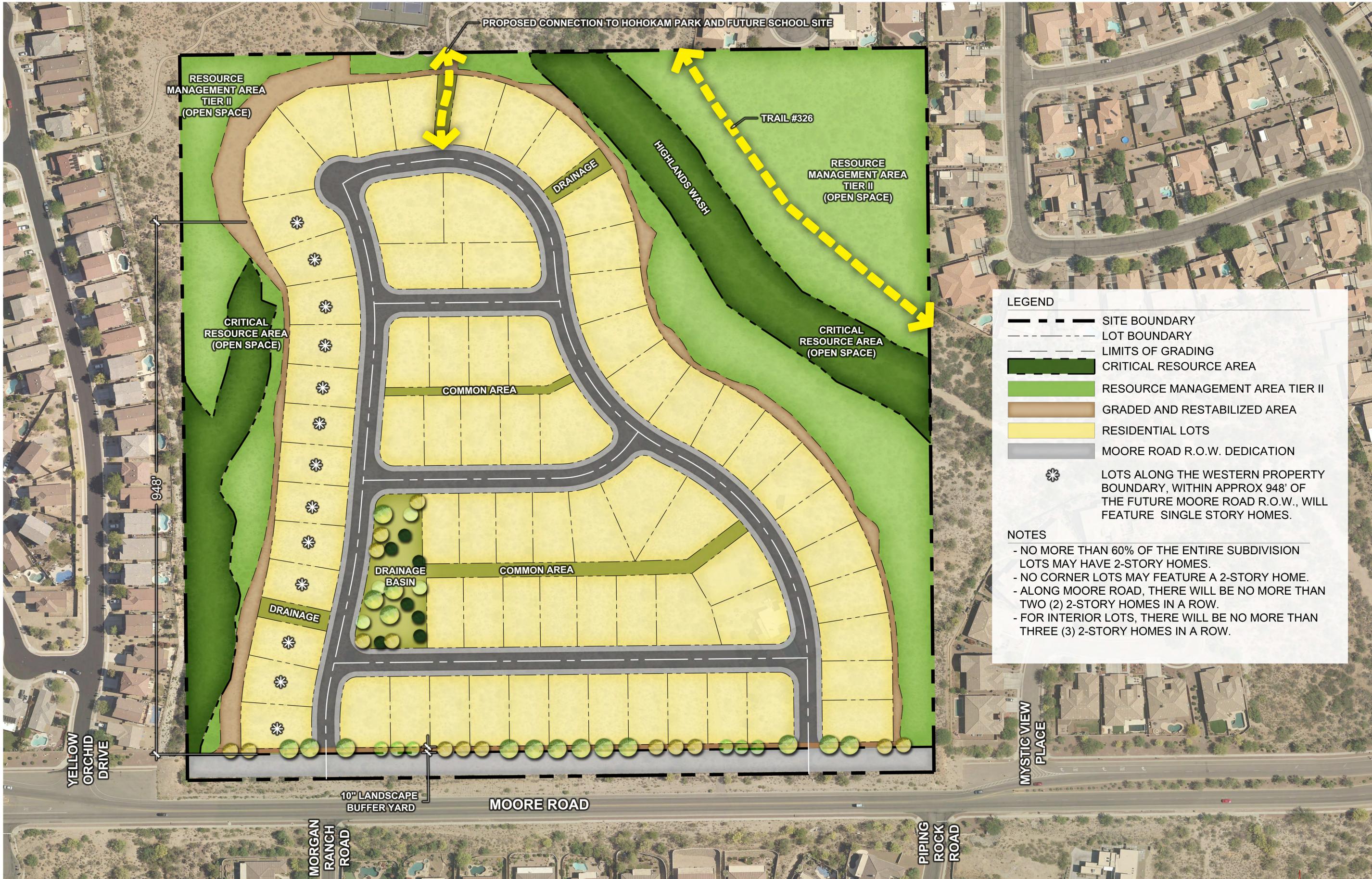
- SITE BOUNDARY
- ESLO - CRITICAL RESOURCE AREA & HIGH DENSITY VEGETATION & XERORIPARIAN LIMIT
- 1' ELEVATION CONTOUR
- PUBLIC RIGHT-OF-WAY
- LOT LINES
- 100 YEAR FLOODPLAIN
- PROPOSED TRAIL EASEMENT
- SURFACE FLOW DIRECTION

- PROJECT: OLSON PROPERTY REZONE
- ZONING REQUEST FROM R1-144 TO RANCHO VISTOSO PAD
- SCALE: 1"=100'
- CONTOUR INTERVAL: 1'
- DATE: AUGUST 18, 2013
- ORO VALLEY CASE #: OV914-003
- OWNER: OLSON FAMILY TRUST - 600 WEST MOORE ROAD
- APPLICANT: LAZARAUS, SILVYN & BANGS, PC - 4733 CAMP LOWELL

OLSON PROPERTY

THIS EXHIBIT WAS CREATED USING THE MOST RECENT AVAILABLE BOUNDARIES, ROAD ALIGNMENT, AND EASEMENT DATA PROVIDED BY THE DIFFERENT GOVERNMENTAL ENTITIES AND ENGINEERING FIRMS AND IS FOR PLANNING PURPOSES ONLY. FINAL AREA TOTALS BASED ON ENGINEERED DATA MAY VARY FROM THOSE SHOWN ON THIS EXHIBIT.





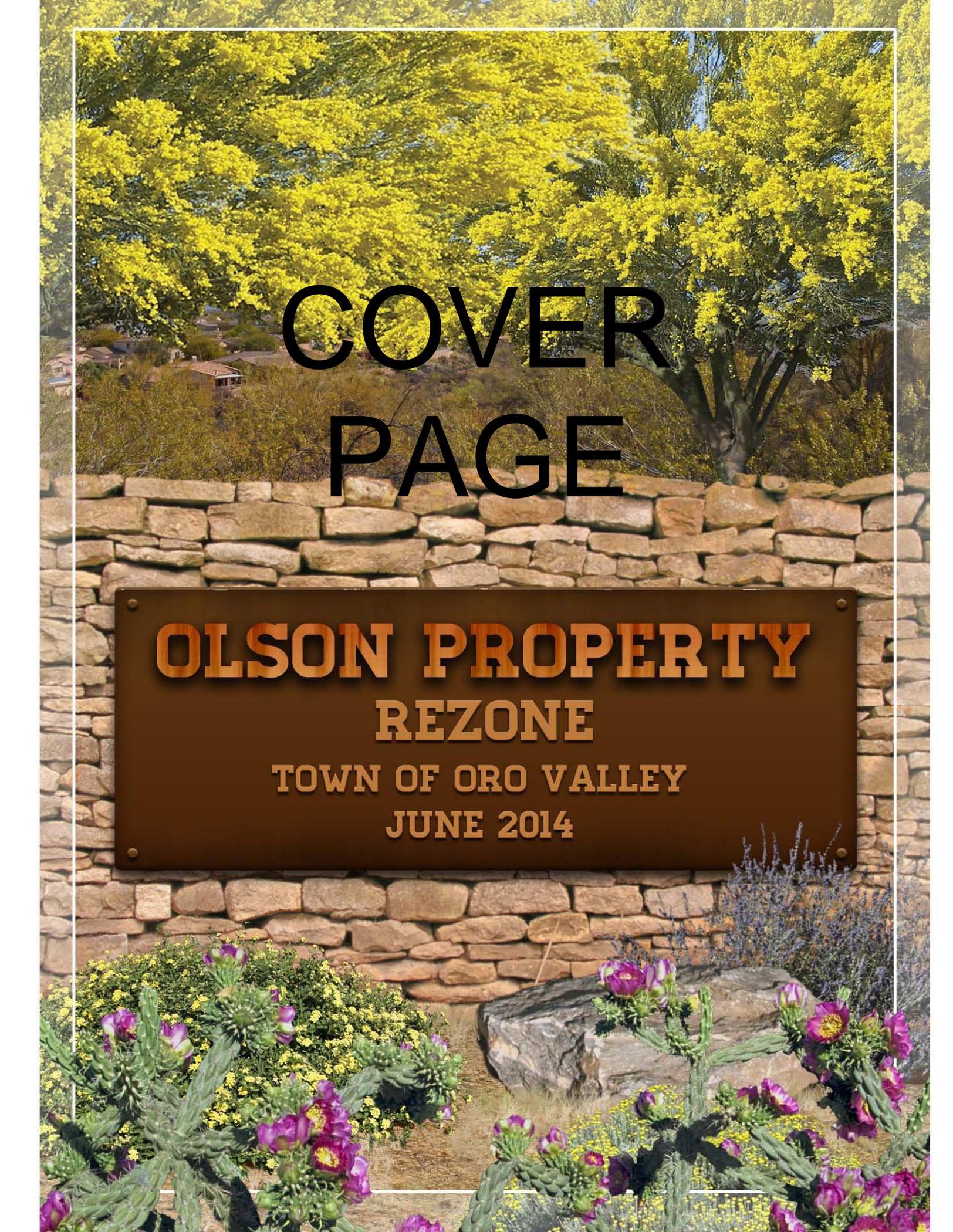
LEGEND

- SITE BOUNDARY
- LOT BOUNDARY
- LIMITS OF GRADING
- CRITICAL RESOURCE AREA
- RESOURCE MANAGEMENT AREA TIER II
- GRADED AND RESTABILIZED AREA
- RESIDENTIAL LOTS
- MOORE ROAD R.O.W. DEDICATION
- LOTS ALONG THE WESTERN PROPERTY BOUNDARY, WITHIN APPROX 948' OF THE FUTURE MOORE ROAD R.O.W., WILL FEATURE SINGLE STORY HOMES.

NOTES

- NO MORE THAN 60% OF THE ENTIRE SUBDIVISION LOTS MAY HAVE 2-STORY HOMES.
- NO CORNER LOTS MAY FEATURE A 2-STORY HOME.
- ALONG MOORE ROAD, THERE WILL BE NO MORE THAN TWO (2) 2-STORY HOMES IN A ROW.
- FOR INTERIOR LOTS, THERE WILL BE NO MORE THAN THREE (3) 2-STORY HOMES IN A ROW.

RANCHO VISTOSO PAD AMENDMENT - OLSON PROPERTY

A scenic landscape featuring a stone wall in the foreground, a large tree with bright yellow foliage in the background, and purple cacti in the lower foreground. The scene is set in a residential area with houses visible in the distance.

COVER PAGE

OLSON PROPERTY
REZONE
TOWN OF ORO VALLEY
JUNE 2014

**Olson Property
Rancho Vistoso Planned Area Development Amendment
Moore Road**

Submitted to:

TOWN OF ORO VALLEY
Development & Infrastructure Services
11000 North La Cañada Drive
Oro Valley, Arizona 85737

Prepared for:

KENNETH OLSON FAMILY TRUST
610 West Moore Road
Tucson, Arizona 85755

Submitted by:

LAZARUS, SILVYN, AND BANGS, PC
4733 East Camp Lowell
Tucson, Arizona 85712
Phone: (520) 207-4464

Prepared by:

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&
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333 East Wetmore, Suite 450
Tucson, Arizona 85705
Phone: (520) 292-2300

June 2014



A.	Project Overview	6
B.	Existing Land Uses	8
1.	Site Location	8
2.	Existing On-Site Land Use & Zoning	8
3.	Existing Zoning on Properties within a One-Quarter Mile Radius	10
4.	Well Sites	11
C.	Topography and Slope	14
1.	Hillside Conservation Areas	14
2.	Sloped Areas	14
3.	Rock Outcrops	14
4.	Other Significant Topographic Features	14
5.	Pre-Development Cross-Slope	14
D.	Hydrology	17
1.	Off-Site Watersheds/Balanced and Critical Basins	17
2.	Natural or Man-Made Off-site Features	18
3.	Off-Site Watersheds with Discharges Greater than 100 cfs	18
4.	On-Site Hydrology	20
5.	Downstream Drainage Conditions	20
E.	Vegetation	23
1.	Vegetative Communities & Associations	23
2.	Federally-Listed, Threatened or Endangered Species	24
3.	Vegetative Densities	24
F.	Wildlife	28
1.	Arizona Game and Fish Department (AGFD) Environmental Review	28
2.	AGFD Wildlife Concerns	28
G.	Viewsheds	30
1.	On-Site Viewsheds	30
2.	Site Photos	32
3.	Massing Studies	37
H.	Traffic Circulation and Road System	45
1.	Existing and Proposed Off-Site Streets	45
2.	Intersections	46
3.	Alternate Modes	46
I.	Recreation and Trails	48
1.	Open Space, Recreation Facilities, Parks and Trails	48
J.	Cultural Resources	50
1.	Arizona State Museum Letter	50
2.	Cultural Resources Survey and Inventory Report	50
3.	Field Survey Requirements/Results	50
K.	Schools	52
L.	Existing Infrastructure	54



1. Sewer	54
2. Water	57
M. McHarg Composite Map.....	60
II. Land Use Proposal	62
A. Project Overview.....	63
B. Tentative Development Plan.....	63
C. Existing Land Uses	63
1. Map of zoning boundaries and existing land uses	63
2. Proposed Development	63
D. Topography	68
1. Post Development Topography.....	68
2. 15% or Greater Slopes	68
3. Grading Plan.....	68
E. Hydrology	70
1. Post Hydrology	70
2. Encroachment/modification of Drainage Patterns.....	70
3. Off-Site Drainage Impacts	70
4. Engineering & Design Features	71
5. Conformance with Applicable Plans	71
F. Vegetation	74
1. TDP responds to vegetative characteristics	74
G. Wildlife	74
1. Mitigation Techniques.....	74
H. Buffer Plan.....	74
1. Mitigation Techniques	74
I. Viewsheds	79
1. Describe and map how the TDP mitigates impacts to:	79
J. Traffic.....	80
1. Traffic Impact Analysis.....	80
2. On-Site Rights-of-Way.....	82
3. Bicycle & Pedestrian Circulation	82
K. Sewers.....	82
1. Describe method for providing sewer service.	82
L. Recreation and Trails.....	82
1. Trails, Parks and Recreation areas.....	82
2. State the size (in acres) and type of parks and recreation areas identified.	83
3. Trail Access & Maintenance	85
4. Open Space Ownership	85
M. Cultural, Archeological and Historic Resources	85
1. Cultural and Historical Resources Protection Measures	85



2. Resource Incorporation	85
3. Archaeological Mitigation Measures	85
N. Schools.....	85
1. Students generated by this rezoning.	85
2. Remaining capacity within the area schools serving the site	86
3. Letter from Amphitheater School District indicating the area schools can accommodate the educational space requirement for the projected number of students	86
O. Water	88
1. Domestic water demand.....	88
2. Water service capacity.....	88
Appendix A: Traffic Impact Analysis.....	89

List of Exhibits

Exhibit I.A.1: Location Map	7
Exhibit I.B.2: Aerial View	9
Exhibit I.B.3.a: Existing Zoning.....	12
Exhibit I.C: Topography	16
Exhibit I.D.1: Off-Site Hydrology.....	19
Exhibit I.E.1: Vegetative Communities.....	26
Exhibit I.E.2: Vegetative Densities	27
Exhibit: I.F.1: AGFD Online Environmental Review	29
Exhibit I.G.2.a: Photo Key Map	33
Exhibit I.G.1.b: Site Photos.....	35
Exhibit I.H: Traffic	47
Exhibit I.I.1: Recreation and Trails.....	49
Exhibit I.J.1: Arizona State Museum Letter.....	51
Exhibit I.K: Schools	53
Exhibit I.L.1.a: PCWRD Letter	55
Exhibit I.L.1.b: Existing Sewer Network	56
Exhibit I.L.2: Water Availability Letter	58
Exhibit I.M: McHarg Composite Map	61
Exhibit II.B: Tentative Development Plan.....	65
Exhibit II.C.1: Proposed Zoning.....	66
Exhibit II.C.2: Proposed Open Space	67
Exhibit II.D: Grading Plan.....	69
Exhibit II.C: Post Development Hydrology.....	73
Exhibit II.H.1: Buffer Area Plan.....	75
Exhibit II.H.2: Cross Section Illustrations	76



Exhibit II.L.1: Recreation & Trails 84
Exhibit II.N.3: Amphitheater School District Response 87

List of Tables

Table 1.D.1.a: Summary of Off-site Hydrologic Analysis 17
Table I.D.5: Summary of On-site Hydrologic Analysis 21
Table I.H.1: Roadway Inventory 45
Table II.E.3: Summary of Post-Development Hydrologic Analysis 71
Table II.N.2: School Enrollment & Capacity..... 86



I. Site Analysis

OLSON PROPERTY REZONE

I. INVENTORY AND ANALYSIS

A. Project Overview

The Olson Property (“Property”) encompasses approximately 39 acres located in an infill area surrounded on three sides by the Rancho Vistoso Planned Area Development within the Town of Oro Valley (“Town”)(See Exhibit I.A.1: Location Map.) The Property is situated on the north side of Moore Road, east of La Cañada Drive and west of Rancho Vistoso Boulevard. The Property is currently zoned R-144 (Single Family Residential). A change in zoning to amend and add the Property to the Rancho Vistoso Planned Area Development (PAD) with a Medium Density Residential designation is requested for development of the Property. The Property is proposed for a single family residential subdivision, compatible with the existing surrounding development. An addendum to the Rancho Vistoso PAD is submitted under separate cover that outlines the addition of this parcel to the Rancho Vistoso PAD.

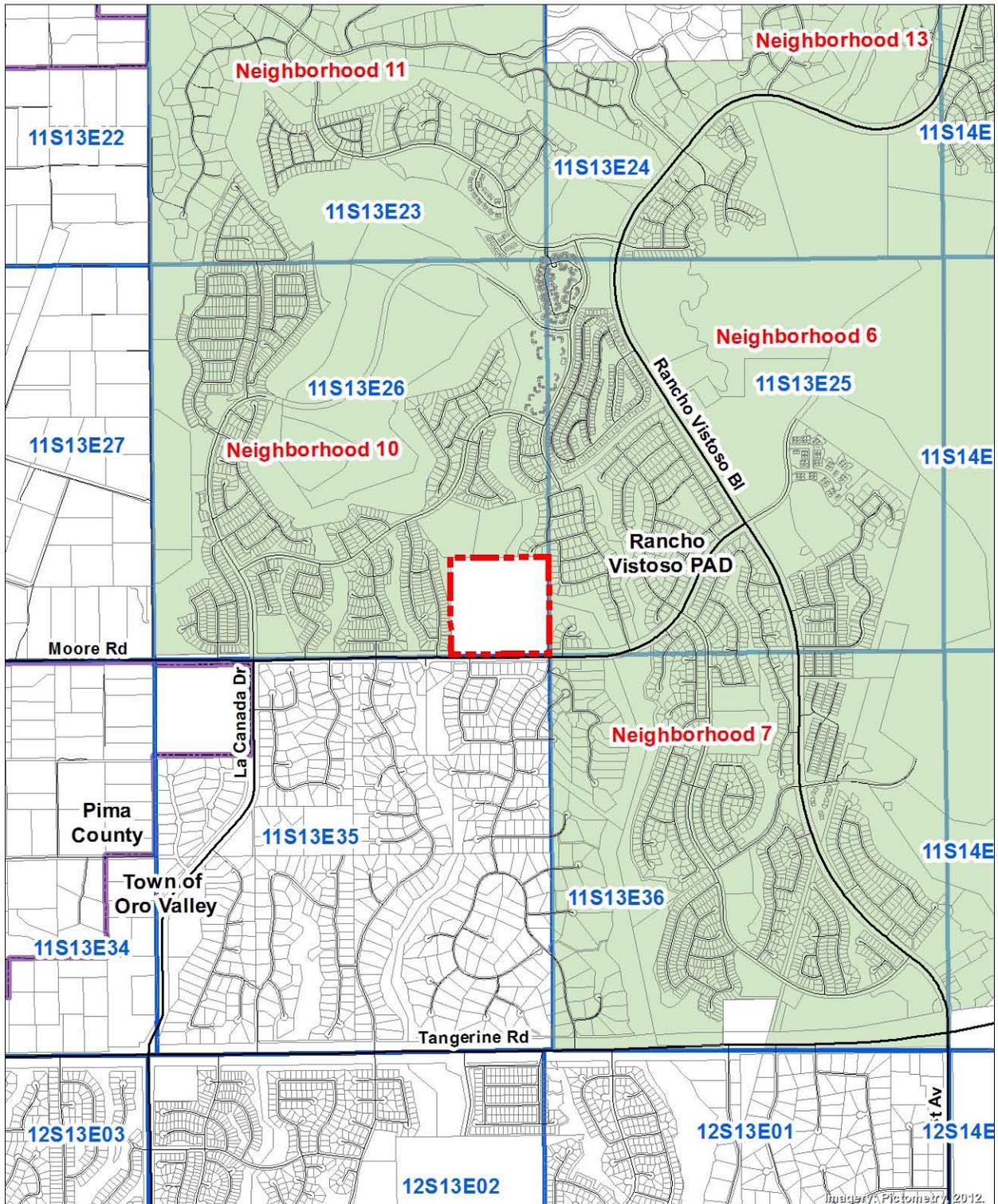
A major general plan amendment was approved on December 11, 2013, to designate the property medium density residential with a maximum density of 3.75 residences per acre (“RAC”). As shown on Exhibit I.A.1: Location Map, the Property is surrounded on the north, east and west by the RV PAD, Neighborhood 10; therefore the Property is proposed to be referred to as Unit “AA” of Neighborhood 10.

The primary purpose of the following Site Analysis is to identify the Property’s opportunities, constraints and various physical characteristics of the 39 acres. The Site Analysis provides a means whereby development is designed in a sensitive and responsive manner to the physical conditions of the Property. Information for this section was compiled from a variety of sources, including site visits, referencing topographic, hydrological, archaeological and traffic analyses, and correspondence with staff from the local jurisdictions. The Site Analysis follows the Town of Oro Valley requirements provided in the Town Zoning Code. Pursuant to such requirements, information on the following physical components of the Property was compiled to assess the suitability of the Property for development:

- Existing structures, roads and other development
- Topography and slope analyses
- Hydrology and water resources
- Vegetation and wildlife habitat
- Geology and soils
- Viewsheds
- Cultural resources
- Existing infrastructure and public services



Exhibit I.A.1: Location Map

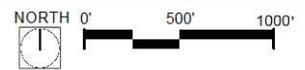


LEGEND

- PAD Amendment Boundary
- Jurisdictional Boundaries
- Township, Range & Section
- Rancho Vistoso PAD

Notes:

Project Site is located at:
 Township 11S, Range 13E, and Section 26
 Acreage: Approx. 39 AC
 Parcel ID #:219-22-0040



FILE NAME: location_6x8.mxd
 SOURCE: Pima County GIS, 2014



B. Existing Land Uses

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

1. Site Location

The Property is located within the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 26, Township 11 South, Range 13 East, of the Gila and Salt River Meridian, Pima County, Arizona (the "Property"). The Property is approximately 39 acres located at 610 West Moore Road bounded on three sides by the Rancho Vistoso PAD and Moore Road to the south. Pima County tax assessor designates the Property as parcel number 219-22-0040 (See Exhibit I.A.1: Site Location).

2. Existing On-Site Land Use & Zoning

The Property is currently zoned R1-144 (Single Family Residential District), which permits large single-family residential lots with a minimum of 144,000 square feet per lot.

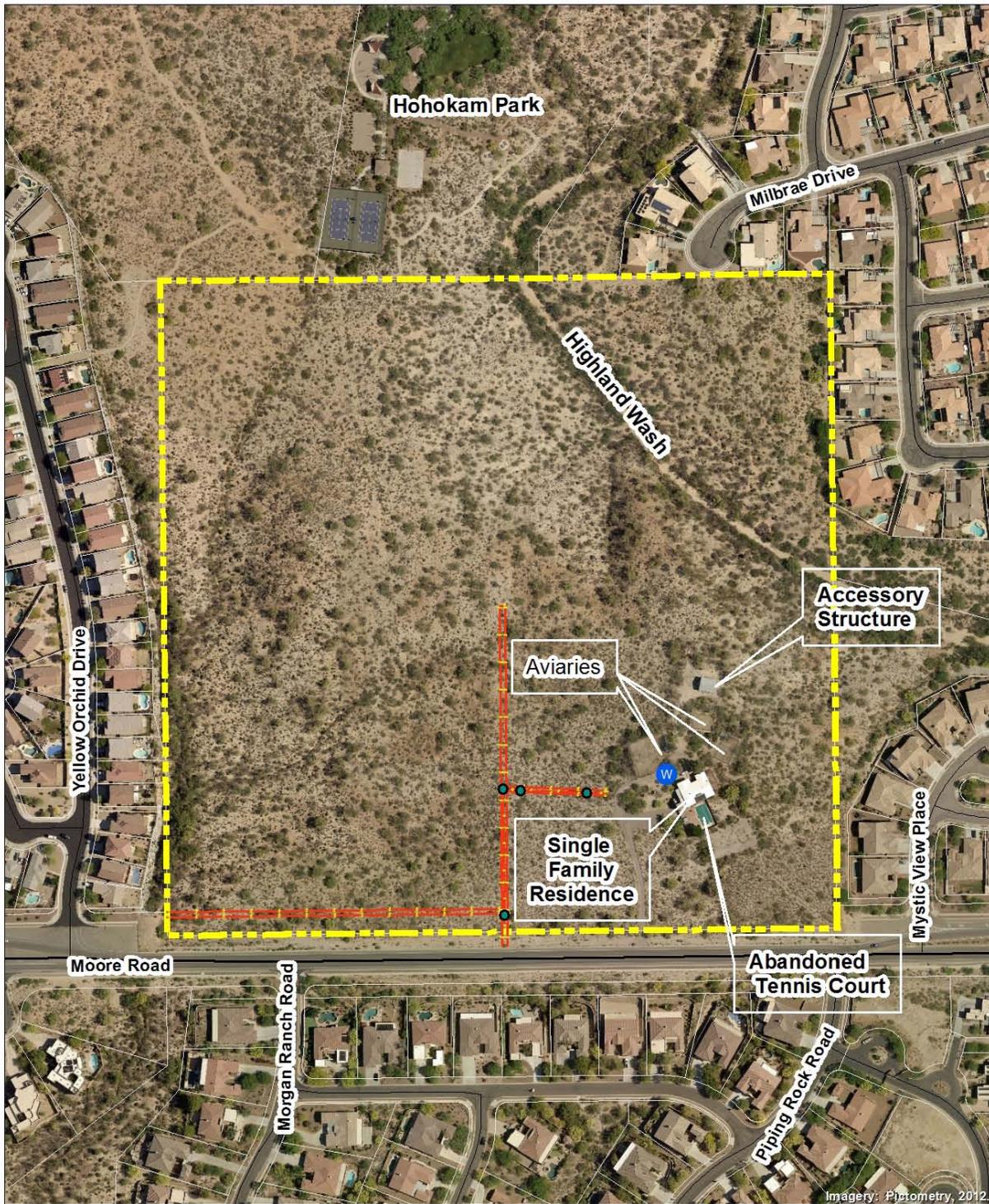
The existing land uses on the Property consist of a single family residence (see Exhibit I.B.2) and utilities associated with this structure. The single family residence is a 2,600 square-foot single story home, which is currently occupied by the Property owner. Accompanying elements associated with the single family residence include:

- A driveway leading from Moore Road to the west of the residence and ending in a small turn-around on the north side of the house;
- Three aviaries varying in size (1,200-4,200 in square feet) and approximately 20 feet in height built from metal post, chain link, and metal weave fencing materials;
- An abandoned tennis court that is approximately 5,300 square feet;
- A swimming pool located within a walled yard;
- 10-foot electric easement;
- Well site.

The remainder of the Property features relatively undisturbed desert scrub.

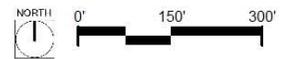


Exhibit I.B.2: Aerial View



LEGEND

- Site Boundary
- Existing Well
- 10' electric easement



FILE NAME: LEN-01_Veg.mxd
SOURCE: Pima County DOT GIS, 2014



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

a. Zoning

The zoning designations of surrounding properties, as depicted in Exhibit I.B.3.a, are as follows:

North: PAD (Rancho Vistoso Planned Area Development) Land Use Designations:

- MDR (Medium Density Residential)
- HDR (High Density Residential)
- Open Space
- Vacant Future School Site

East: PAD (Rancho Vistoso Planned Area Development) Land use Designations:

- MDR (Medium Density Residential)
- MHDR (Medium High Density Residential)

South: R1-7 (Single Family Residential District – 7,000 sq.ft. per lot)
R1-10 (Single Family Residential District – 10,000 sq.ft. per lot)
R1-20 (Single Family Residential District – 20,000 sq.ft. per lot)

West: PAD (Rancho Vistoso Planned Area Development) Land use Designations:

- MDR (Medium Density Residential)

b. Land Use

The Property is surrounded by single-family residential developments to the east, south, and west. The Property is bordered to the north by the Rancho Vistoso Hohokam Community Park. Exhibit I.B.3.b Existing Land Uses displays the following surrounding land uses within a ¼ mile radius:

North: Hohokam Park (Rancho Vistoso HOA community park)
Vacant School Site
Vistoso Golf Course
Rancho Vistoso Neighborhood 10
Vistoso Village, Rancho Vistoso Neighborhood 10
Vistoso Village, Rancho Vistoso Neighborhood 10

South: Vistoso Ridge Resub,
Vistoso Pointe, Rancho Vistoso Neighborhood 7
Vistoso Estates

East: Sunset Ridge Estates, Rancho Vistoso Neighborhood 10
Sunset Ridge II, Ranch Vistoso Neighborhood 10



West: La Terraza, Rancho Vistoso Neighborhood 10
Rancho Vistoso Neighborhood 10

c. Number of Stories of Existing Structures

North: Rancho Vistoso Neighborhood 10, One and Two Stories
Vistoso Village, Rancho Vistoso Neighborhood 10, One Story

South: Vistoso Ridge Resub: Single Story
Vistoso Point, Rancho Vistoso Neighborhood 7: One and Two Story
Vistoso Estates, 1-35: One Story

East: Sunset Ridge Estates, Rancho Vistoso Neighborhood 10: One Story
Sunset Ridge II, Ranch Vistoso Neighborhood : One and Two Stories

West: La Terraza, Rancho Vistoso Neighborhood 10: One and Two Stories
Rancho Vistoso Neighborhood 10: One and Two Stories

d. Pending and Conditional Rezonings

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

e. Subdivision/Development Plans Approved

There is no Subdivision or Development Plans approved to date for this Property.

Approved Subdivision or Development Plans within a ¼ mile radius of the Property are identified in the land use section above.

f. Architectural Styles of Adjacent Development

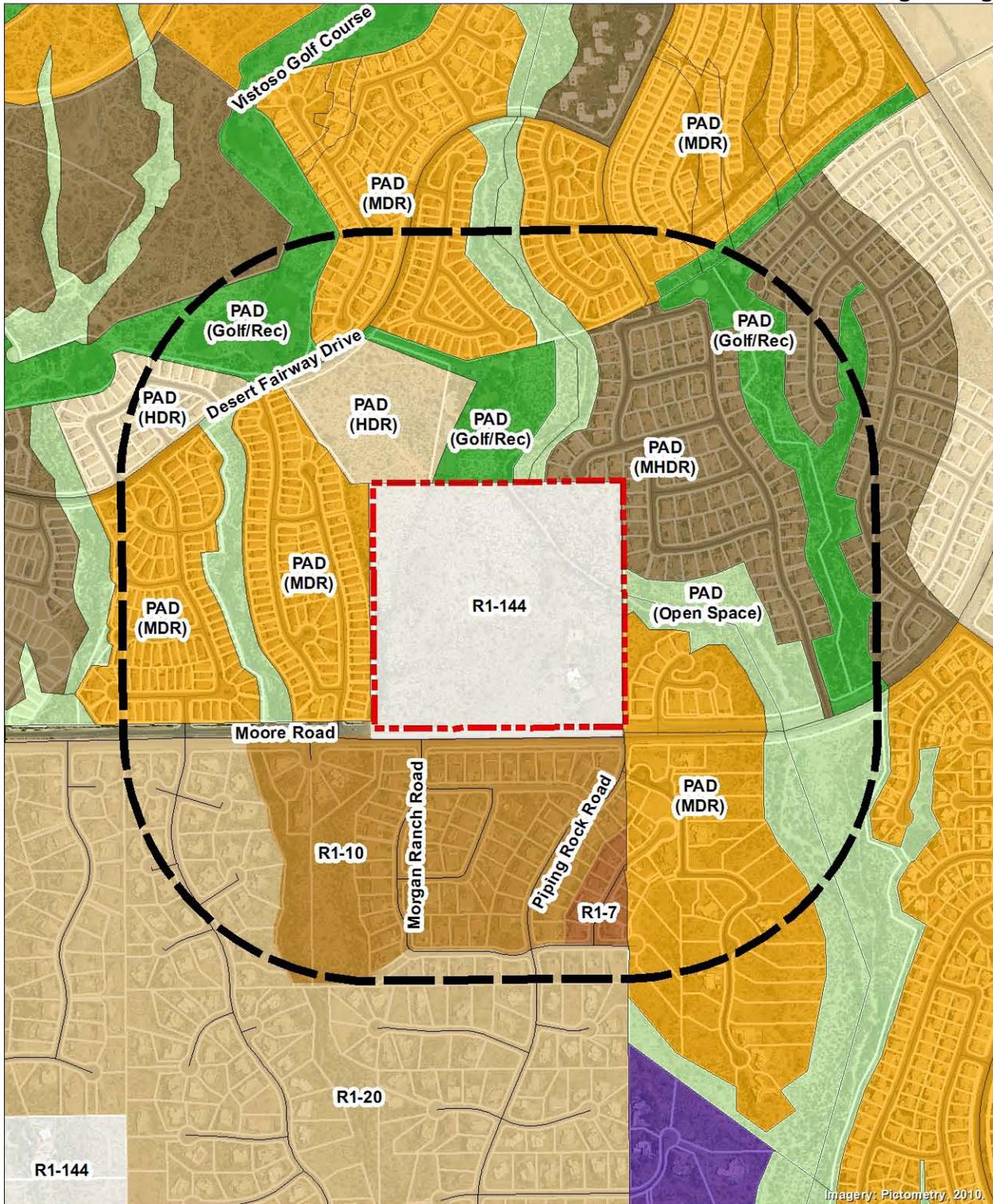
The prevailing general architectural style for adjacent residential developments is southwestern stucco. Buildings predominately feature gable or hip roofs with tile and some custom roof styles. Exterior stucco colors feature a range of light desert earth tones.

4. Well Sites

There is one well site on the Property. It is located near the northwest corner of the existing residence (see Exhibit I.B.1: Aerial Views).



Exhibit I.B.3.a: Existing Zoning



LEGEND

- Site Boundary
- Quarter Mile Radius

Zoning

- R1-7
- R1-10
- R1-20
- R1-144

Rancho Vistoso PAD Land Use Designations

- MDR
- MHDR
- HDR
- LDR
- Open Space
- Golf / Rec

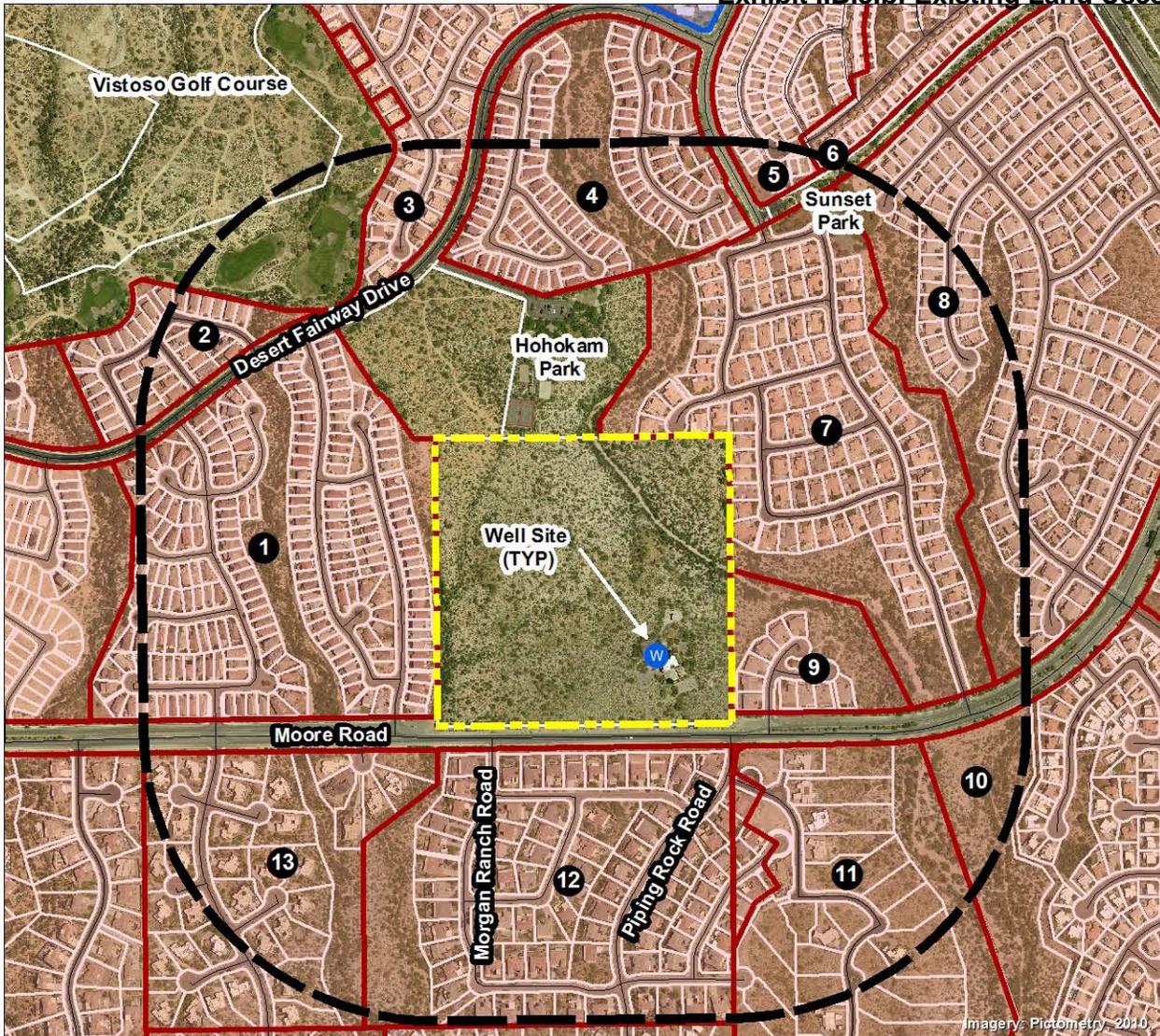


0' 400' 800'

FILE NAME: LEN-01_Zoning.mxd
SOURCE: Pima County DOT GIS, 2012



Exhibit I.B.3.b: Existing Land Uses

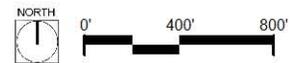


Existing Subdivisions/Developments

1. Rancho Vistoso Neighborhood 10, PAR. Q&R La Terraza (1 & 2 Story Southwestern Stucco Tract Homes, RAC=4.40)
2. Rancho Vistoso Neighborhood 10, 1-36 (1 & 2 Story Southwestern Stucco Tract Homes, RAC=4.06)
3. Rancho Vistoso Neighborhood 10, PAR. G 1-88 (1 & 2 Story Southwestern Stucco Tract Homes, RAC=2.95)
4. Rancho Vistoso Neighborhood 10, 1-102 (1 & 2 Story Southwestern Stucco Tract Homes, RAC=3.90)
5. Vistoso Village Rancho Vistoso Neighborhood 10, PAR. N, PH.III (1 Story Southwestern Stucco Duplexes, RAC=6.55)
6. Vistoso Village Rancho Vistoso Neighborhood 10, PAR. N, 1-40, 101-157, 174-177 (1 Story Southwestern Stucco Duplexes, RAC=6.06)
7. Rancho Vistoso Sunset Rigde II Neighborhood 10, 1-98 (1 & 2 Story Southwestern Stucco Tract Homes, RAC=2.09)
8. Rancho Vistoso Parcels K&L Neighborhood 10, 1-10 (1 & 2 Story Southwestern Stucco Tract Homes, RAC=2.87)
9. Rancho Vistoso Neighborhood 10 (1 Story Southwestern Stucco Tract Homes, RAC=1.14)
10. Rancho Vistoso Neighborhood 7, 1-317 (1 & 2 Story Southwestern Stucco and Pueblo Style Tract Homes, RAC=2.43)
11. Rancho Vistoso Neighborhood 7, 1-32 Vistoso Pointe (1 & 2 Story Custom Contemporary Stucco Homes, RAC=0.69)
12. Vistoso Ridge Resub, 36-121 (1 Story Southwestern Tract Homes, RAC=1.80)
13. Vistoso Estates, 1-35 (1 Story Semi-Custom Contemporary Santa Fe Homes, RAC=1.16)

LEGEND

- Site Boundary
- Quarter Mile Radius
- Approved Subdivision Plat
- Approved Development Plan
- Existing Well Site



FILE NAME: LEN-01_ExistingLU.mxd
SOURCE: Pima County DOT GIS, 2012



C. Topography and Slope

The Property ranges in elevation from 2,870 feet at the southwest corner to 2,900 feet at the center of the Property and then falls back down near the northeast corner of the Property to 2870 feet. There is an existing ridge near the southeast corner of the Property where the existing home is located, which sits at higher elevation of 2,920 feet. (See Exhibit I.C: Topography.)

1. Hillside Conservation Areas

This Property falls within the Hillside Development Zone provisions.

2. Sloped Areas

There are areas of greater than 25% slope on the Property. These areas are mainly associated with the west bank of the Highlands Wash (See Exhibit I.C: Topography.)

3. Rock Outcrops

There are no rock outcrops on the Property.

4. Other Significant Topographic Features

The Highlands Wash transects the northeast portion of the Property flowing from northwest to southeast. The Highlands Wash separates the developable portion of the Property from the neighboring subdivisions to the north and northeast. The existing residence is located on a knoll that is the high point of the Property. There is a smaller drainage along the western boundary running north to south. This drainage separates the Property from the neighboring subdivision to the west.

5. Pre-Development Cross-Slope

The Property is largely undeveloped, with the exception of the existing residence and associated improvements. As a result, the average cross-slope on the Property is 8.8%.

$$\text{Average Cross-Slope} = \frac{I \times L \times 0.0023}{A}$$

Where: I =	Contour Interval in Feet
L =	Total Combined Length of all Contours in Feet
0.0023 =	Conversion Factor for Feet to Acres Times 100



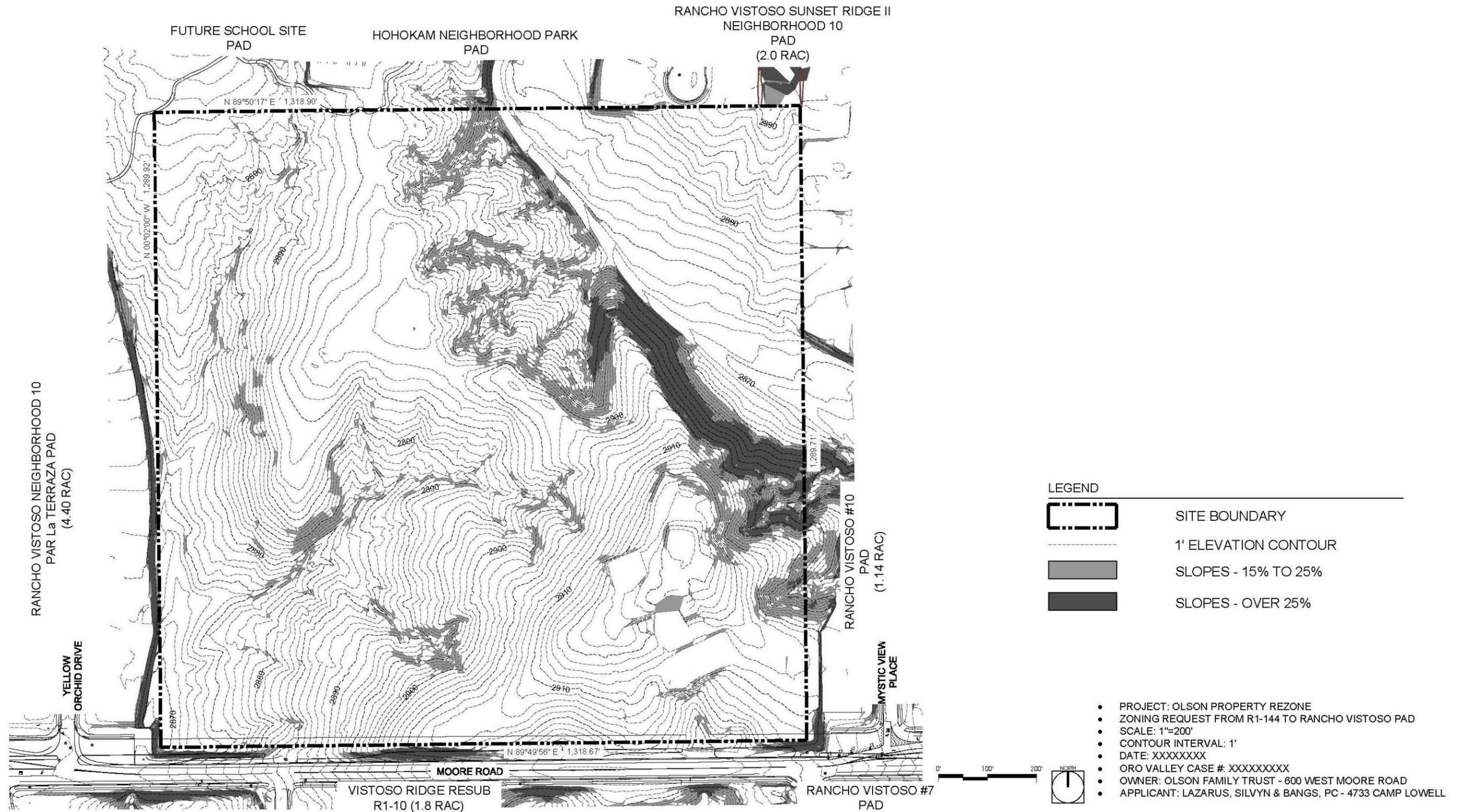
A =	Total Area of Property in Acres
-----	---------------------------------

$$\text{Average Cross-Slope} = \frac{1 \times 149,860 \times 0.0023}{39}$$

Average Cross-Slope = 8.8 percent



Exhibit I.C: Topography



D. Hydrology

1. Off-Site Watersheds/Balanced and Critical Basins

There are ten off-site watersheds that impact the Property: OS1 - OS4, and OS3A-OS3F. The discharges associated with these watersheds were derived using the methods outlined in the Pima County Hydrology Manual as permitted by the Drainage Criteria Manual for the Town. The precipitation data used was provided by the Town of Oro Valley. Off-site watersheds enter the Property at the concentration points of OS1, OS2, OS3 and OS4. Watersheds OS3A through OS3F contribute to OS3 which enters the Property at the eastern portion of the northern boundary. These seven contributing watersheds are mostly low density residential, however the terrain varies widely with slopes ranging from 0.5% to 24%. OS1 and OS2, which are mostly undeveloped, enter the Property at the west and north boundaries, respectively, while OS4 collects runoff from a section of Rancho Vistoso Neighborhood 10 Parcel M and enters the Property at the northeast corner. Runoff from the Property is directed towards two watersheds to the south and then channeled through the Vistoso Ridge subdivision. Please refer to Exhibit I.D.1: Off-Site Watershed Map for the delineation of the off-site watersheds upstream and downstream of the Property. The results of the off-site hydrologic analysis are summarized in Table I.D.1.a. (See Exhibit I.D.1: Off-Site Watersheds.)

a. *Balanced & Critical Basins*

According to the Drainage Criteria Manual for the Town all basins within the Town shall be considered as Critical Basins for the purpose of hydrologic analysis.

Table 1.D.1.a: Summary of Off-site Hydrologic Analysis

Concentration Point	Contributing Watersheds	Drainage Area (ac)	Length (ft)	Mean Slope	Basin Factor "Nb"	Tc (min)	Q100 (cfs)	Combined Q100 (cfs)*
OS1	OS1	7.6	1548	0.0203	0.035	6.9	48	48
OS2	OS2	6.1	1040	0.0188	0.034	5.0	43	43
OS3	OS3	60.2	3431	0.0086	0.034	16.4	267	3380
	OS3A	9.5	947	0.0135	0.032	5.3	66	
	OS3B	144.2	5891	0.0175	0.034	17.9	631	
	OS3C	54.1	3146	0.0149	0.035	12.4	260	
	OS3D	228.1	5857	0.0233	0.035	16.4	1086	
	OS3E	182.2	6122	0.0233	0.035	16.6	862	
	OS3F	27.6	1644	0.0578	0.042	5.2	208	
OS4	OS4	5.7	762	0.0033	0.032	8.3	33	33

* Computed by Direct Summation



2. Natural or Man-Made Off-site Features

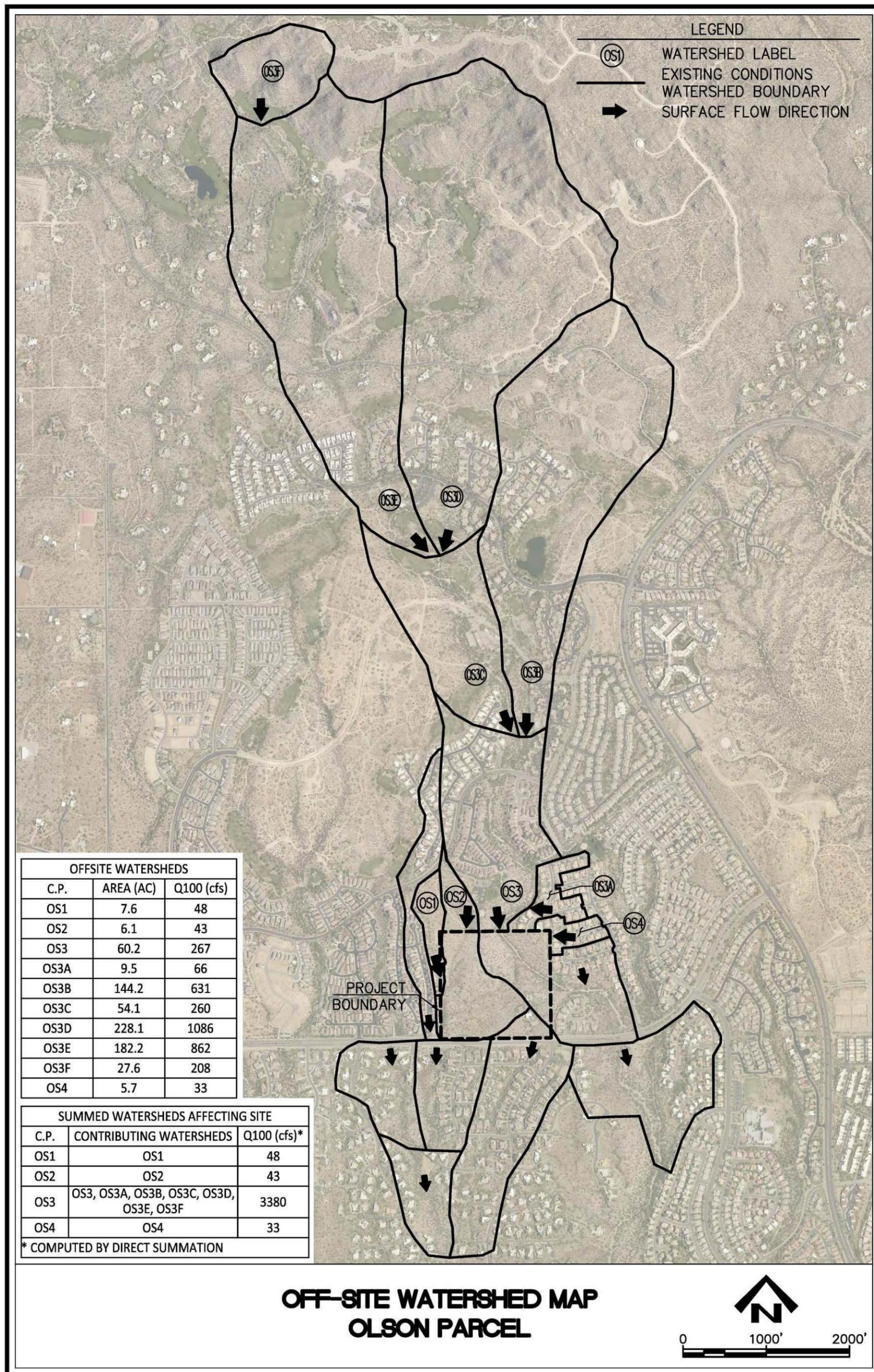
The Property is bound on the east by the southern portion of Rancho Vistoso Neighborhood 10 Parcel M and Rancho Vistoso Neighborhood 10 Parcel Z. With the exception of the minor off-site flow noted above as OS4, both developments drain to the southeast and do not affect the Property. Runoff along the western edge of the Property is collected in a natural channel that meanders back on the Property as it follows the easternmost side of Rancho Vistoso Neighborhood 10, Parcels Q and R. This channel collects flow from the western portion of the Property and directs flow through an off-site culvert at the southwest corner of the Property boundary. Additionally, this culvert collects runoff from another off-site watershed to the west that does not affect the Property. All runoff that affects, or is affected by, the Property continues to the Cañada de Oro Wash.

3. Off-Site Watersheds with Discharges Greater than 100 cfs

There are several upstream off-site watersheds with discharges greater than 100 cfs. These include OS3, OS3B, OS3C, OS3D, OS3E and OS3F. For their acreages and locations, please refer to Table 1 and Exhibit I.D.1: Off-Site Watershed Map.



Exhibit I.D.1: Off-Site Hydrology



4. On-Site Hydrology

a. 100-Year Floodplains

As part of the on-site drainage analysis, the 100-year floodplains for discharges greater than or equal to 50 cfs were modeled using the Army Corps of Engineers (ACOE) HEC-RAS software program. The 100-year floodplains are depicted on Exhibit I.D.4: On-site Hydrology.

Riparian habitats Xeroriparian B and Xeroriparian C (Pima County Ords. 2005-FC2) exist within the Property and follow the general path of the on-site channels. The riparian area is delineated on Exhibit I.D.4: On-Site Hydrology.

b. Sheet Flooding

In general, the runoff across the Property is conveyed in existing channels. In the limited areas where sheet flow occurs, discharges generated on-site are such that the depth of flow is nominal. For these reasons, no sheet flow areas were mapped.

c. Federally Mapped Floodways and Floodplains

There are no Federal Emergency Management Agency (FEMA) floodplains located within the Property boundaries. Per FIRM Panel Map No. 04019C1080L, the entire Property is located within Zone X unshaded which denotes areas that lie outside of the 500-year floodplain.

d. 100-Year Peak Discharges

For the on-site drainage analysis, the Property was split into fifteen watersheds (E1A-E1D, E2A-E2G, and E3-E6) which were analyzed using the methods outlined in the Pima County Hydrology Manual as permitted by the Drainage Criteria Manual for the Town. Watersheds E1 and E2 are the only watersheds that carry a 100-year discharge exceeding 50 cfs. These watersheds drain the west and east portions of the Property, respectively. The cumulative discharge was calculated by direct summation. The results of the on-site hydrologic analysis are summarized in Table I.D.5, and the watersheds are delineated on Exhibit I.D.4: On-Site Hydrology.

5. Downstream Drainage Conditions

Under existing conditions, runoff is split by a ridge that traverses the Property from the north boundary to a high point in the southeast quadrant at an existing residence. Two ridges extend from the high point to the southwest and southeast effectively dividing the Property into three parts. The western portion drains the majority of the Property to



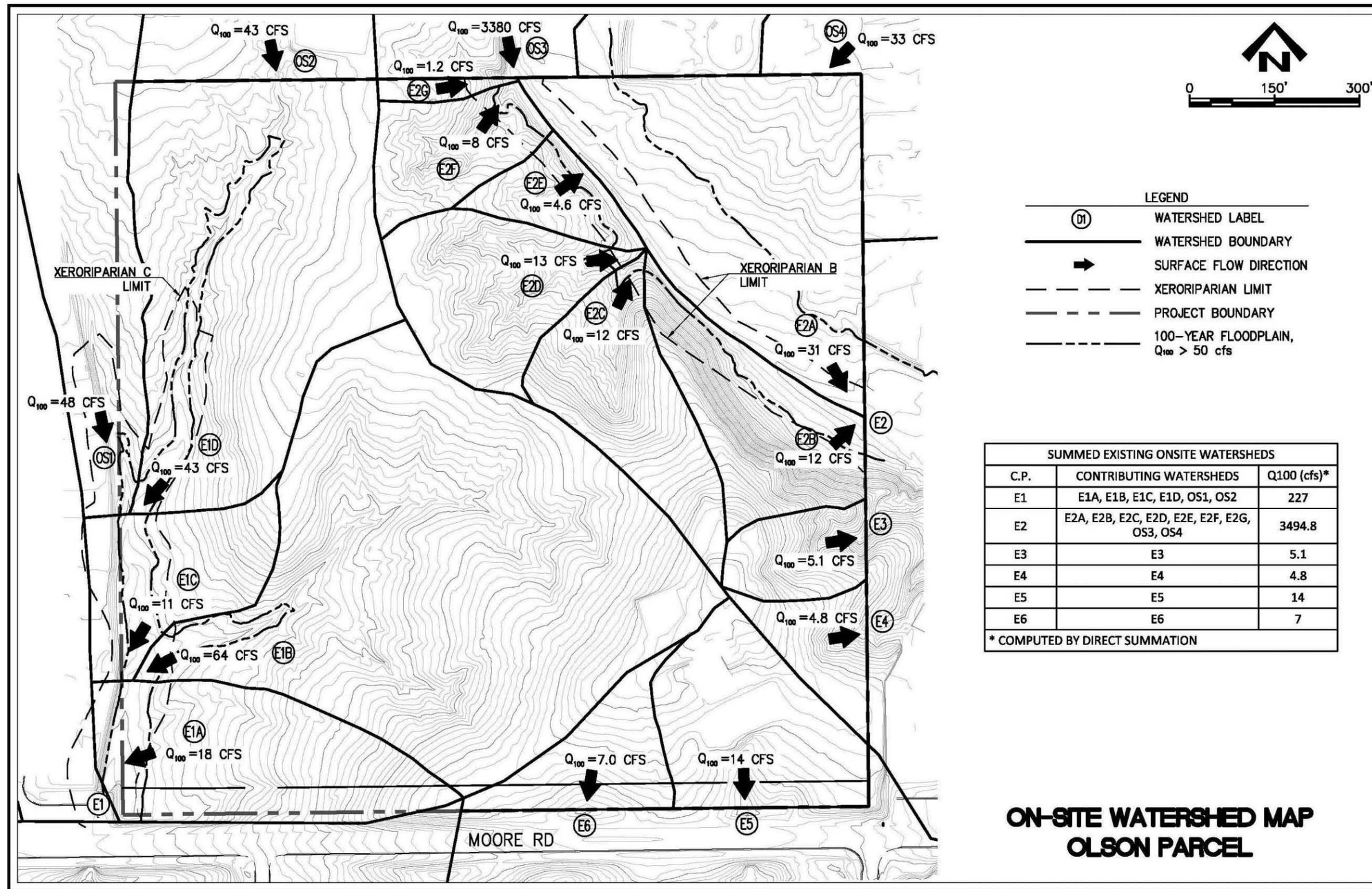
a culvert located near the southwest corner of the Property which directs the discharge under Moore Road and is then conveyed in a natural channel between the Vistoso Ridge and Vistoso Estates subdivisions. The northeast portion is collected in a natural channel that leaves the property near the midpoint of the eastern boundary and is conveyed between the Rancho Vistoso Sunset Ridge II and Rancho Vistoso Neighborhood 10 Parcel Z subdivisions. The smaller watershed to the south of the existing on-site residential development drains to two culverts that bring the runoff under Moore Road to the Vistoso Ridge subdivision. According to the drainage report for Vistoso Ridge, Lots 1-130 prepared by EEC, dated June 2, 1997 and revised May 23, 1997, rip-rap plunge basins were placed at the culvert outlets. Based on further analysis of the Property, any discharge from the plunge basins is conveyed between residences until it joins the existing channel to the east within the Vistoso Ridge subdivision. All runoff collected from the Property flows to tributaries of the Cañada del Oro wash.

Table I.D.5: Summary of On-site Hydrologic Analysis

Concentration Point	Contributing Watersheds	Drainage Area (ac)	Length (ft)	Mean Slope	Basin Factor "Nb"	Tc (min)	Q100 (cfs)	Combined Q100 (cfs)*
E1	OS1**	7.6	--	--	--	--	48	227
	OS2**	6.1	--	--	--	--	43	
	E1A	2.8	578	0.0633	0.050	5.0	18	
	E1B	10.3	1213	0.4130	0.035	5.0	64	
	E1C	1.7	387	0.0546	0.041	5.0	11	
	E1D	6.4	940	0.0222	0.035	5.0	43	
E2	OS3**	705.9	--	--	--	--	3380	3494.8
	OS4**	5.7	--	--	--	--	33	
	E2A	5.0	578	0.0370	0.035	5.0	31	
	E2B	2.0	322	0.1048	0.043	5.0	12	
	E2C	2.0	632	0.0710	0.047	5.0	12	
	E2D	2.0	466	0.0554	0.047	5.0	13	
	E2E	0.7	238	0.0712	0.050	5.0	4.6	
	E2F	1.2	356	0.0557	0.045	5.0	8	
E2G	0.2	219	0.0320	0.040	5.0	1.2		
E3	E3	0.8	275	0.1023	0.044	5.0	5.1	5.1
E4	E4	0.8	271	0.0656	0.042	5.0	4.8	4.8
E5	E5	2.2	372	0.0503	0.039	5.0	14	14
E6	E6	1.1	310	0.0482	0.041	5.0	7	7
* Computed by Direct Summation								
** Refer to Table 1 or the Off-Site Watershed Map for more information								



Exhibit I.G.4: On-Site Hydrology



E. Vegetation

1. Vegetative Communities & Associations

The Property has had limited human disturbance, which is largely limited to the area immediately surrounding the existing residence and associated structures. The remainder of the Property is relatively undisturbed. The Property consists largely of Sonoran Scrub vegetative community typically consisting of upland vegetation, including various Cholla cacti (*Opuntia bigelovii*, *fulgida*, and *versicolor*), Prickly Pear Cactus (*Opuntia engelmannii* and *phaeacantha*), Barrel cacti (*Ferocactus* sp.), Creosote (*Larrea tridentata*), with Foothills Palo Verde (*Parkinsonia microphylla*), Catclaw Acacia (*Acacia gregii*), Saguaros (*Carnegiea gigantea*) and various understory plant species indicative of Sonoran Scrub communities.

Riparian Habitat B is located within the limits of Highlands Wash in the northeast portion of the Property. Typical vegetation includes: Velvet Mesquite (*Prosopis velutina*), Foothills Palo Verde (*Parkinsonia mycrophylla*), Desert Hackberry (*Celtis pallida*), and other understory species typically found in an upland zone but occurring at a higher density on the Riparian B habitat zone.

Riparian habitat C overlaps the western drainage running north to south and extends about 2/3 of the length of the western boundary. Typical vegetation includes species typically found in upland areas albeit at a slightly higher density in the Riparian C zone (see Exhibit I.E.1: Vegetative Communities).

As shown in Exhibit I.E.1: Vegetative Communities, the southern half of the Property is classified as Sonoran Desertscrub. This area contains typical upland vegetation, including various Cholla cacti (*Opuntia bigelovii*, *fulgida*, and *versicolor*), Prickly Pear Cactus (*Opuntia engelmannii* and *phaeacantha*), with occasional Velvet Mesquite (*Prosopis velutina*) and Foothills Palo Verde (*Parkinsonia microphylla*).

Based on the preliminary vegetation survey and analysis, there are no “distinctive native plant stands” as defined in Town Zoning Code, Section 27.6.B.3.b.i. The Property contains a small number of saguaros up to 20 feet with arms. Relatively few young saguaros were identified in the preliminary survey.

The majority of Trees (*Prosopis velutina*, *Parkinsonia microphylla*) observed were in relatively a healthy condition and at a mature state in their life span. Two areas were observed to consist of greater than 50% tree canopy (*Prosopis velutina* and *Parkinsonia microphylla*) as shown on Exhibit I.E.2: Vegetative Densities and roughly correspond to the xeririparian classified habitats.

A full native plant inventory will be conducted at the time of Conceptual Site Plan submittal and will identify distinctive individual native plants. The preliminary vegetation survey identified 31 saguaros equal to or greater than 1-foot in height. It did



not identify any crested saguaros, native nurse trees with three or more saguaros, nor were there any areas which included 25 saguaros or more per half acre.



Photo 1: Typical vegetation make-up of upland vegetation at southeast boundary of project.



Photo 2: Average upland vegetation on northern half of project Property.



Photo 3: Example upland vegetation looking south from northern boundary of Property.



Photo 4: Typical upland vegetation and plant density. View looking east from northwestern portion of the Property.

2. Federally-Listed, Threatened or Endangered Species

There are no federally listed, threatened or endangered species identified on the Property. (See Exhibit I.F.1: AGFD Online Environmental Review Letter)

3. Vegetative Densities

The areas identified as “low/medium density” in the Vegetation Density Exhibit I.E.2 consist of the average plant density and species make-up for the majority of the project Property as well as the surrounding undisturbed vegetative communities. Areas mapped as “higher density” closely respond to the areas of riparian habitat and greater water availability for the plants’ root zones from natural rainfall runoff.



Photo 1: Example of higher density vegetation adjacent to Highlands Wash.

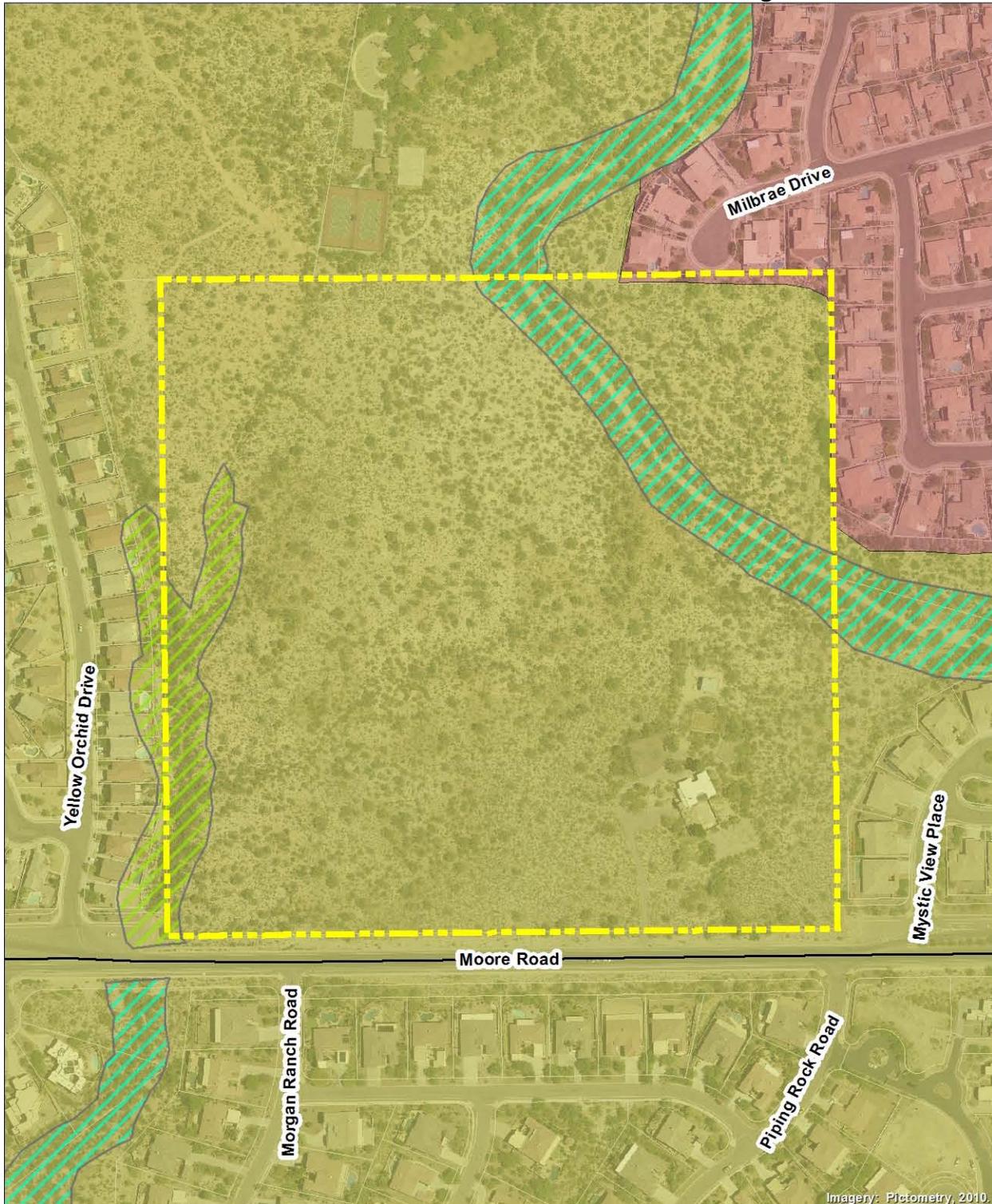


Photo 2 Example of higher density vegetation in wash area on western boundary.



Photo 3: Example of Highlands Wash vegetation density in foreground.

Exhibit I.E.1: Vegetative Communities



LEGEND

-  Site Boundary
-  Xeroriparian B
-  Xeroriparian C

Pima County Special Elements

-  Agriculture / Developed / Water / Bare Ground
-  Sonoran Desertscrub



FILE NAME: LEN-01_Veg.mxd
SOURCE: Pima County DOT GIS, 2012

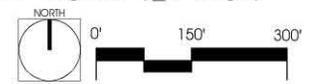


Exhibit I.E.2: Vegetative Densities



LEGEND

- Site Boundary
- Limited Vegetative Density (graded with some planted landscaping associated with the existing structure)
- Significant Vegetation
- 1 Acre Sample Area (Tree Canopy Coverage)
- Low/Medium Vegetative Density
- High Vegetative Density (Xero. C)
- High Vegetative Density (Xero. B)
- 01 Saguaros (≥ 1' Height)



FILE NAME: VEG ANALYSIS-060314.DWG /8.5X6.5 PT



F. Wildlife

1. Arizona Game and Fish Department (AGFD) Environmental Review

The summary page from Arizona's On-line Environmental Review has been included as Exhibit I.F.1: AGFD Online Environmental Review. According to the AGFD, there are no State listed threatened or endangered species within a 3-mile radius of the Property. The only state listed species are the Cactus Ferruginous Pygmy Owl and the Sonoran Desert Tortoise, which are listed as Wildlife of Special Concern in Arizona. In addition, there are no high densities of a given species population or unusually high diversity of species.

In addition, the AGFD does not list any aquatic or riparian ecosystems. The only known Xeroriparian areas are the Highlands Wash that runs along the northeast corner of the Property and a smaller wash that runs along the west boundary. All development will remain outside of these areas.

2. AGFD Wildlife Concerns

The AGFD has not identified any wildlife concerns associated with the Property (see Exhibit I.F.1: AGFD Online Environmental Review).

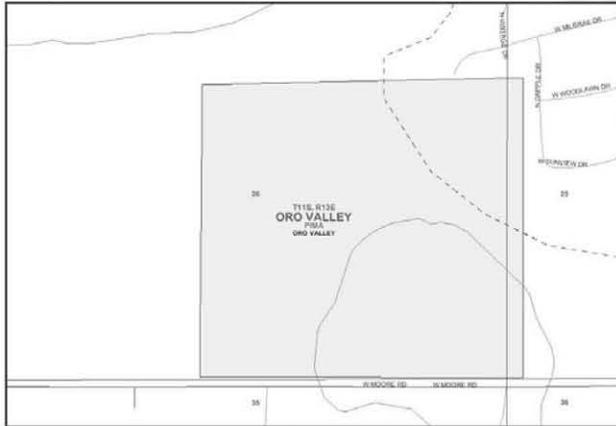


Exhibit: I.F.1: AGFD Online Environmental Review

Arizona's On-line Environmental Review Tool

Search ID: 20140218022513
 Project Name: LEN-01
 Date: 2/18/2014 12:38:35 PM

Project Location



The Department appreciates the opportunity to provide in-depth comments and project review when additional information or environmental documentation becomes available.

Special Status Species Occurrences/Critical Habitat/Tribal Lands within 3 miles of Project Vicinity:

Name	Common Name	FWS	USFS	BLM	State
Aquila chrysaetos	Golden Eagle	BGA		S	
Bat Colony					
Glaucidium brasilianum cactorum	Cactus Ferruginous Pygmy-owl	SC	S	S	WSC
Gopherus morafkai	Sonoran Desert Tortoise	C*	S		WSC
Tucson - Tortolita - Santa Catalina Mountains Linkage Design	Wildlife Corridor				

Project Name: LEN-01
Submitted By: Kelly Lee
On behalf of: CONSULTING
Project Search ID: 20140218022513
Date: 2/18/2014 12:38:31 PM
Project Category: Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction
Project Coordinates (UTM Zone 12-NAD 83): 501848.401, 3589236.572 meter
Project Area: 43.945 acres
Project Perimeter: 1689.019 meter
County: PIMA
USGS 7.5 Minute Quadrangle ID: 1684
Quadrangle Name: ORO VALLEY
Project locality is not anticipated to change

Location Accuracy Disclaimer

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Receipt is solely responsible for the project location and thus the correctness of the Project Review Receipt content.



G. Viewsheds

1. On-Site Viewsheds

The topography and vegetation of the Property dictates the location of high visibility areas and on-site viewsheds. The high point of the Property is where the existing home is located, and the low areas are located near the Highlands Wash in the northeast corner. Additionally, the Property is undulating with low to medium vegetation creating areas of low visibility within the interior of the Property, near the existing ridge and along the southeast boundary (See Exhibit I.G.1: Visibility Map).

a. Views onto the site from adjacent parcels:

The highest area of visibility on the Property is located near the southeast corner of the property. An existing house and accessory structures lie on this high point and are visible from all property boundaries. Other areas of high visibility include:

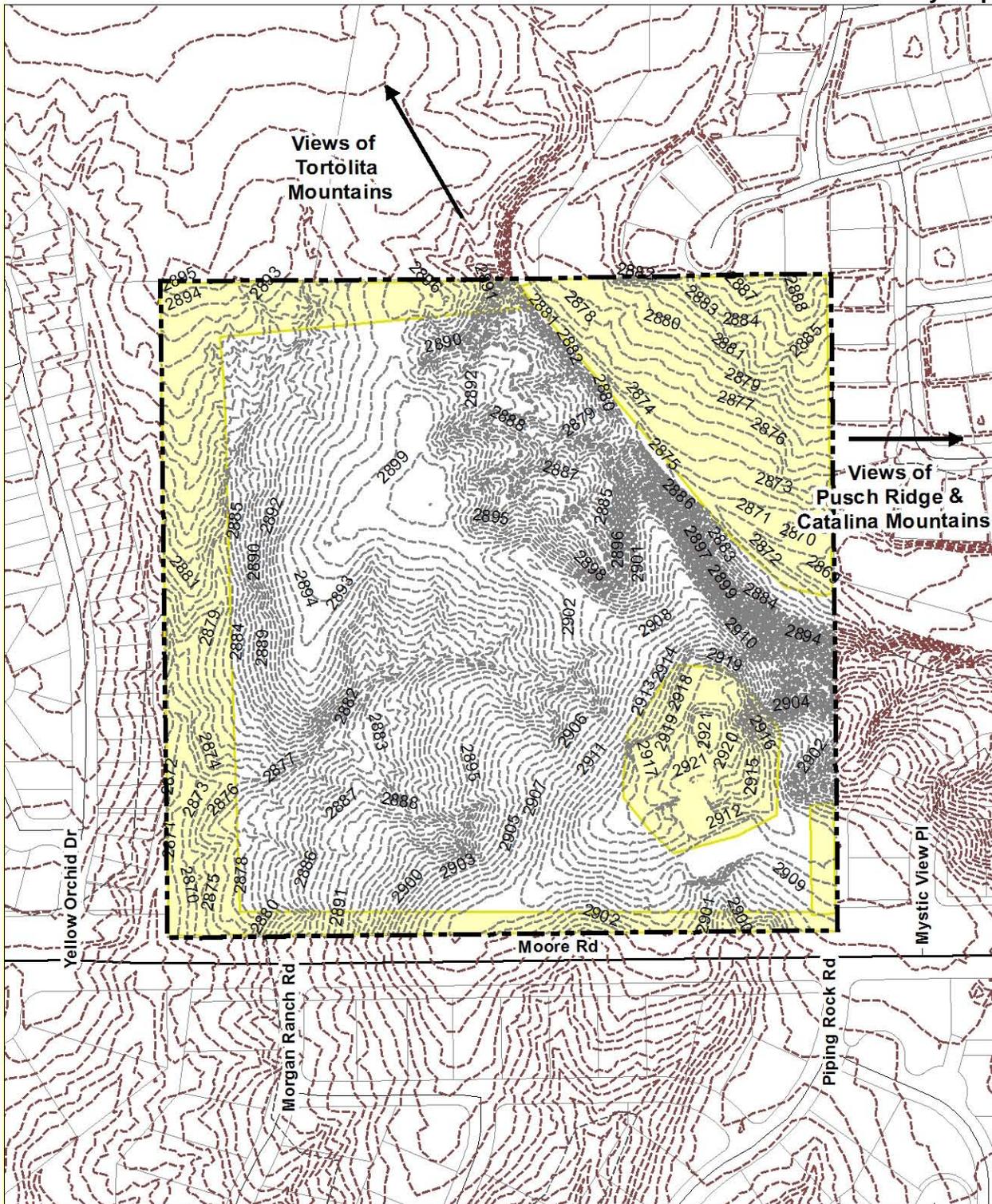
- The eastern boundary varies in topography from north to south.
 - The northeast corner of the Property, near the Highland Wash, is the lowest area of the Property and visible from the properties to the east.
 - The southeast corner sits higher than the northeast corner and is closer to the existing grades of the Property. Views are limited onto the Property with the existing patio walls and vegetation.
- The southern boundary adjacent to Moore Road is highly visible for approximately 10-20 feet along this property line. After 20 feet, the elevation of the Property increases and minimizes the views past this area. In addition, the homes across Moore Road sit below the existing grade of Moore Road and the subject Property, and therefore have minimal views of the Property.
- The western boundary is highly visible onto the Property. This area adjacent to the Property is at the same relative elevation along the entire property boundary.
- The northern boundary is highly visible along the Property line and across the north half of the Property.

b. Vistas across the site:

There are views of the Catalina Mountains and Pusch Ridge to the east, and views of the Tortolita Mountains to the north and northwest. Setbacks from adjacent properties, changes in topography, and existing privacy walls make it difficult to have a complete view across the Property from any adjacent property boundary (See Exhibit I.G.1: Visibility Map).



Exhibit I.G.1: Visibility Map



LEGEND

-  Site Boundary
-  High Visibility
-  Low Visibility
-  1' Contour
-  2' Contour



FILE NAME: LEN-01_visibility.mxd
SOURCE: Pima County GIS, 2014

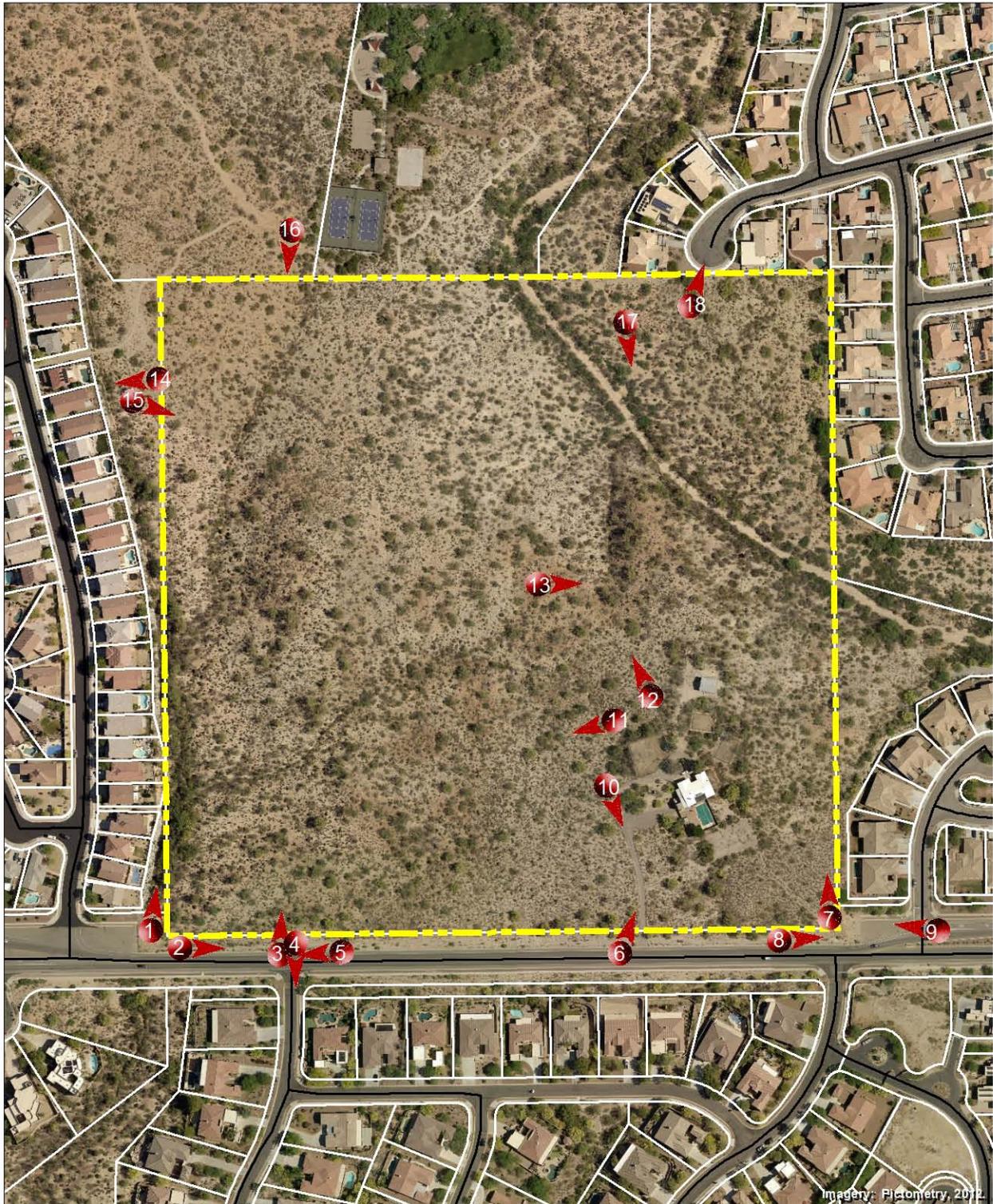


2. **Site Photos**

As demonstrated in the photographs on the following pages (Exhibit I.G.2.b: Property Photos) views of the Santa Catalina Mountains and Pusch Ridge are prominent from the Property to the east. There are also distant views of the Tortolita Mountains to the north (Exhibit I.G.2.a: Photo Key Map indicates the locations from which each of the photos was taken.)

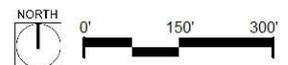


Exhibit I.G.2.a: Photo Key Map



LEGEND

-  Site Boundary
-  Photo ID and Location Where Photos Were Taken



FILE NAME: LEN01_photolocation_6x8.mxd
SOURCE: Pima County GIS, 2013



Exhibit I.G.1.b: Site Photos



Photo 1: View looking along the west boundary from the southwest property corner



Photo 2: View looking east along the south boundary of the Property



Photo 3: View looking across the Property to the north from the south boundary.



Photo 4: View across Moore Road looking toward Morgan Ranch Road.



Photo 5: View looking east from the south boundary



Photo 6: View looking northwest from the southeast property corner.

Exhibit I.G.1.b: Site Photos



Photo 7: View looking north from the southeast property corner



Photo 8: View looking east from the southeast boundary of the Property.



Photo 9: View looking west from the Moore Road alignment, east of the Property. Note the ridge at the southwest property corner.



Photo 10: View looking southeast from Olson unpaved driveway near the southeast corner of the Property.



Photo 11: View looking west from the Olson paved driveway near the southeast property corner.



Photo 12: View looking north near the middle of the site.



Photo 13: View looking east near the middle of the Property.



Photo 14: View looking west from the west boundary of the Property.



Photo 15: View looking northeast from the trail along the northwest boundary of the Property.



Photo 16: View looking east from the west boundary of the Property.



Photo 17: View looking south from the northern boundary of the Property.



Photo 18: View looking north from the northeast boundary of the Property.

3. Massing Studies

A massing study was conducted depicting the proposed structures superimposed on the existing landscape. Since the building elevations have not been finalized, simulations of typical single family residential 1- and 2-story products were utilized. The models were based on the typical height and width of the proposed structure without any architectural details. The details of the study include taking photos of the existing landscape from specific locations where there is adjacent development. Note that these photos were not taken from an adjoining neighbor's backyard. The photos were taken from the project boundary. The typical models were built in a 3-D modeling program and using a photo match process were aligned with the photographic images. The proposed pad elevations were taken into account as part of this study. Exhibit I.G.3.a below shows a key map of all the massing study photo locations. Exhibit I.G.3.b shows 7 existing conditions photos and 7 proposed condition photos.



Exhibit I.G.3.a: Massing Study Key Map

Exhibit I.G.3.b: Massing Study



Photo A: Existing Condition



Photo A: Proposed Condition



Photo B: Existing Condition



Photo B: Proposed Condition



Photo C: Existing Condition



Photo C: Proposed Condition



Photo D: Existing Condition

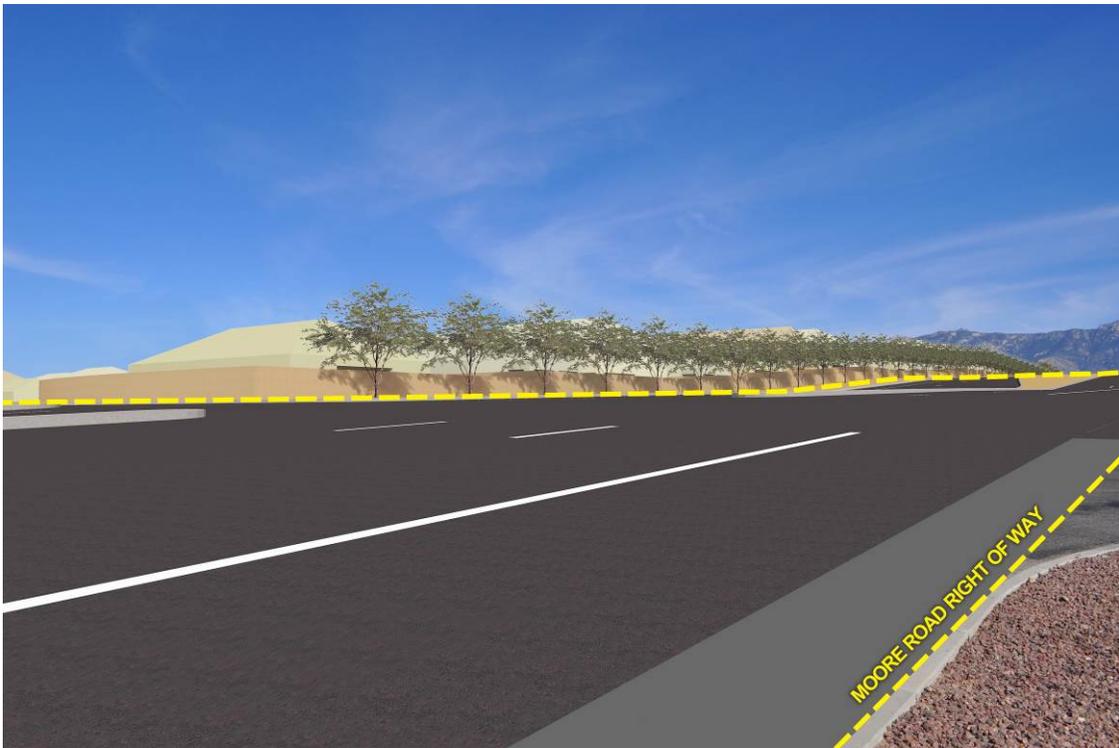


Photo D: Proposed Condition



Photo E: Existing Condition



Photo E: Proposed Condition



Photo F: Existing Condition



Photo F: Proposed Condition



Photo G: Existing Condition



Photo G: Proposed Condition

H. Traffic Circulation and Road System

1. Existing and Proposed Off-Site Streets

Access to the Property is provided by Moore Road. In accordance with the Town General Plan, Moore Road is a minor arterial. The majority of Moore Road is a 4-lane roadway with the exception of the portion adjacent to the Property, which is a 2-lane roadway.

Additional notable roadways within a one-mile vicinity of the Property include La Cañada Drive, Tangerine Road and Rancho Vistoso Boulevard. La Cañada is classified as a major arterial in the vicinity of the Property, Tangerine Road is a major arterial roadway and Rancho Vistoso Boulevard is a minor arterial. Table I.H.1: Roadway Inventory gives details on the current roadways within a one-mile radius of the Property. (See also Exhibit I.H: Traffic.)

Table I.H.1: Roadway Inventory

	Rancho Vistoso Boulevard	Moore Road	La Cañada Drive	Tangerine Road
Limits	Moore Road to Tangerine Road	La Cañada Drive to Rancho Vistoso Boulevard	Moore Road to Tangerine Road	La Cañada Drive to Rancho Vistoso Boulevard
Major Routes Classification	Minor Arterial	Minor Arterial	Major Arterial	Major Arterial
Existing R.O.W. (feet)	150	100	150	300
Future R.O.W. (feet)	150	150	150	350-400
Number of Lanes	4	2-4	4	4
Speed Limit	45	35	45	45
Ownership	Oro Valley	Oro Valley	Oro Valley	Oro Valley
ADT (Source, Year)	16,995 (PAG, 2013)	5,276 (National Data & Surveying Services, 2014)	4,956 (PAG, 2013)	17,641 (PAG, 2013)
Capacity (Vehicle Per Day)	35,820	14,040 (2-lane) 30,420 (4-lane)	35,820	35,820
Conforms to Width Standards	Yes	No	Yes	Yes
Surface Conditions	Paved	Paved	Paved	Paved



2. Intersections

The intersections at Rancho Vistoso Boulevard/Moore Road, La Cañada Drive/Moore Road and Tangerine/La Cañada Drive are most likely to be used by traffic from the Property and are all located within one mile of the Property.

3. Alternate Modes

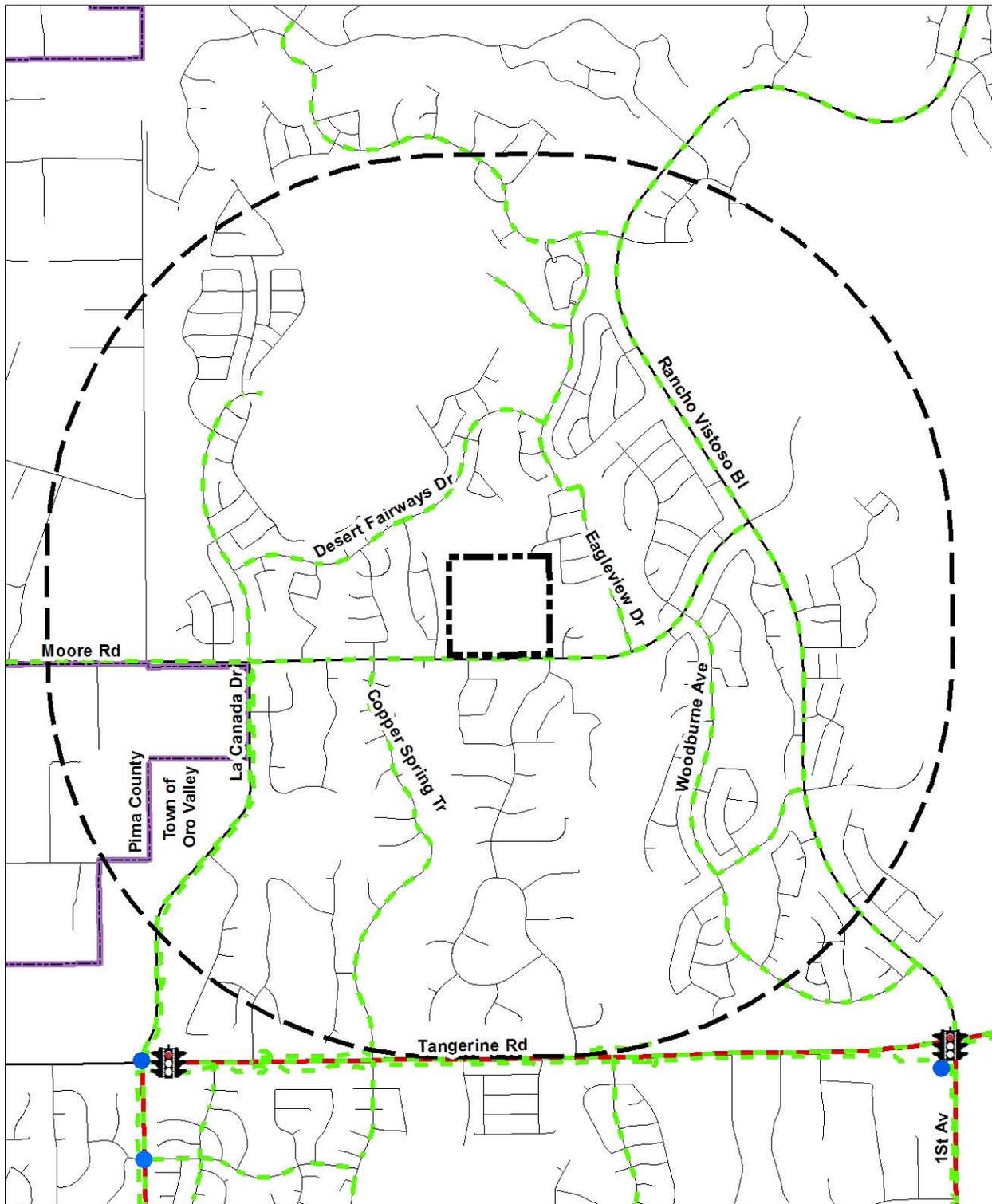
Several roadways within a one-mile radius of the Property feature designated bike routes. Adjacent to the Property, Moore Road consists of a designated bike route with a striped shoulder (Exhibit I.H: Traffic).

The Oro Valley Downtown Express Bus Route 107X runs along Tangerine Road within one mile of the Property (Exhibit I.H: Traffic.)

There are no sidewalks that connect to the Property.

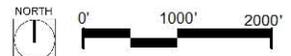


Exhibit I.H: Traffic



LEGEND

-  Site Boundary
-  One-Mile Radius
-  Jurisdictional Boundary
-  Bicycle Routes
-  SunTran Oro Valley Downtown Express Route 107X
-  SunTran Stops
-  Traffic Signals



FILE NAME: len01 traffic_6x8.mxd
SOURCE: Pima County GIS, 2014



I. Recreation and Trails

1. Open Space, Recreation Facilities, Parks and Trails

There are eight parks within a one-mile radius of the Property: Hohokam, Wildlife Ridge, Sunset, Cortona, Monticello, Torreno, Somerset Canyon and Honeybee Canyon (Exhibit I.I: Recreation and Trails). Seven of these parks are located within the Rancho Vistoso PAD and maintained by the Rancho Vistoso Homeowner's Association. The following is a list of each park and its amenities:

- Hohokam Park features a fenced dog park, children's playground equipment, three ramadas, barbeques, restroom facility, trails, tennis courts, volleyball courts and basketball courts.
- Wildlife Ridge Park has a baseball diamond, basketball and volleyball courts, children's playground equipment, trails, ramada, picnic tables, barbecues and a restroom facility.
- Sunset Park has picnic tables, barbecues, children's playground equipment, volleyball courts and basketball courts.
- Monticello Park has children's playground equipment, a basketball court, ramadas, picnic benches and a barbecue.
- Somerset Canyon Park has children's playground equipment, a ramada, picnic benches, and barbecues.
- Torreno Park features children's playground equipment and benches.
- Cortona Park features a ramada, benches and a barbecue.

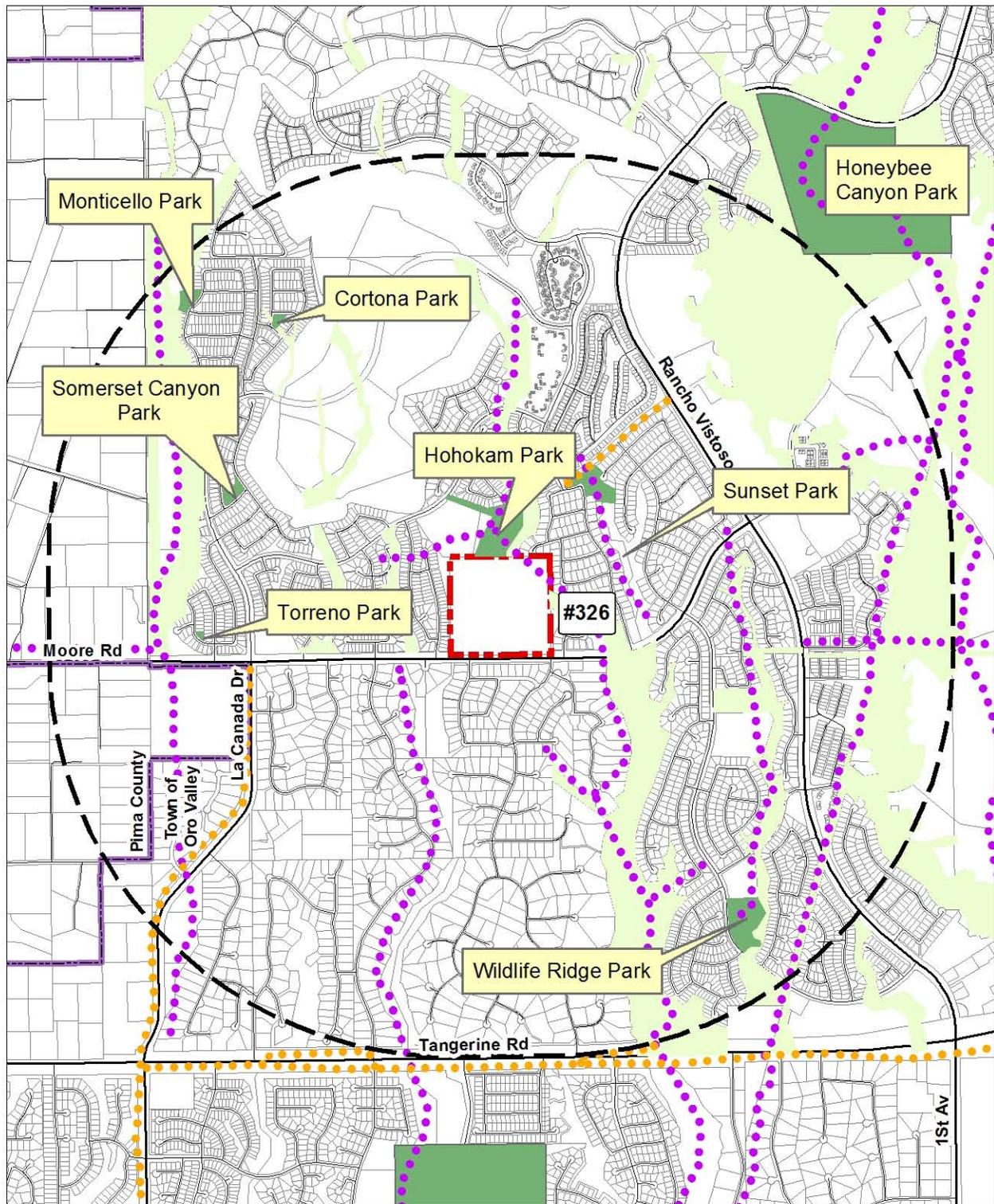
The Honeybee Canyon Park is a Town maintained park and is handicapped accessible with a drinking fountain, grills, ramadas, a restroom, trails and hiking.

There are several open space areas designated by the Rancho Vistoso PAD within a one-mile radius of the Property as shown on Exhibit I.I.1: Recreation and Trails.

There are several trails within a one-mile radius of the Property. In accordance with the Oro Valley Trails Task Force Report, Trail #326 runs along the northeast corner of the Property. This trail section will be designated as a "permanent non-motorized public recreation easement," and dedicated to the Town (See Exhibit I.I.1: Recreation and Trails.)



Exhibit I.I.1: Recreation and Trails



LEGEND

- Site Boundary
- One-Mile Radius
- Jurisdictional Boundary
- Existing Parks
- Open Space
- Trails
- Shared Use Paths



FILE NAME: len01 traffic_6x8.mxd
SOURCE: Pima County GIS, 2014



J. Cultural Resources

1. Arizona State Museum Letter

As shown on Exhibit I.J.1: Arizona State Museum (ASM) Letter, the site has not been surveyed for cultural resources.

2. Cultural Resources Survey and Inventory Report

In accordance with the ASM findings no historic properties are recorded on the Property.

3. Field Survey Requirements/Results

The ASM recommends that the Property be inspected for cultural resources by a qualified archaeological professional prior to any ground disturbing construction.



Exhibit I.J.1: Arizona State Museum Letter



Arizona State Museum

P.O. Box 210026
Tucson, AZ 85721-0026
Tel: (520) 621-6302
Fax: (520) 621-2976

ARCHAEOLOGICAL SITE RECORDS SEARCH RESULTS

E-mail Request Received: 3/3/2014

Search Completed: 3/21/2014

Requester Name and Title: Timothy Johnson, RLA, Principal
Company: The Planning Center
Address: 110 South Church, Suite 6320
City, State, Zip Code: Tucson, Arizona 85701
Phone/Fax/or E-mail: 623.6146

Project Name and/or Number	Project Description
Parcel 219-22-0040	Develop single family residential homes on ~39 acres

Project Area Location: 610 W Moore Rd, Town of Oro Valley, Pima County, Arizona.

Legal Description: a portion of SE, SE, S26, T11S, R13E, G&SR B&M, Oro Valley, Pima County, AZ.

Search Results: A search of the archaeological site files retained at the Arizona State Museum (ASM) found that the proposed project area has not been inspected for historic properties. No historic properties are recorded in the project area; twenty-three historic properties are recorded within a mile radius, including Honeybee and Sleeping Snake Villages. Thirteen archaeological inspections were completed between 1979 and 2011 within a mile of the project area. A color orthophotograph taken in 2012 depicts a partially developed parcel with a residence, a pool, other buildings or structures, paved parking, and a possible tennis court; the remainder of the parcel appears to be unmodified ground covered with native vegetation. Residential development surrounds the project area as well as paved roads. A small natural drainage crosscuts the NE portion of the project area; dirt recreational trails are also observable.

Sites in Project Area: Unknown; without an intensive inspection of the ground surface in the proposed project area, it is impossible to ascertain the presence or absence of historic properties.

Recommendations: Because the subject parcel has not been inspected for cultural resources and because significant cultural resources are recorded in the region, the ASM recommends that the parcel be inspected by a qualified archaeological professional in advance of any ground-disturbing construction. A professional archaeological contractor will conduct a thorough pedestrian inspection of the ground surface in the area of the proposed development, looking for evidence of significant historic or prehistoric remains, and will provide you with a report of the results of the inspection. The report will also contain the archaeological contractor's recommendations for additional archaeological work, if any, that may be needed in the project area. A list of qualified archaeological contractors is maintained on the ASM website posted at the following address: <http://www.statemuseum.arizona.edu/crservices/permits/index.shtml>.

Pursuant to *Arizona Revised Statutes* §41-865 et seq., if any human remains or funerary objects are discovered during the project work, all effort will stop within the area of the remains and Dr. Todd Pitezel, ASM assistant curator of archaeology, will be contacted immediately at (520)-621-4795.

If you have any questions about the results of this records search, please contact me at the letterhead address or the phone number or E-mail address as follows.

Sincerely,

Nancy E. Pearson
Assistant Permits Administrator
(520) 621-2096
nepearso@email.arizona.edu



K. Schools

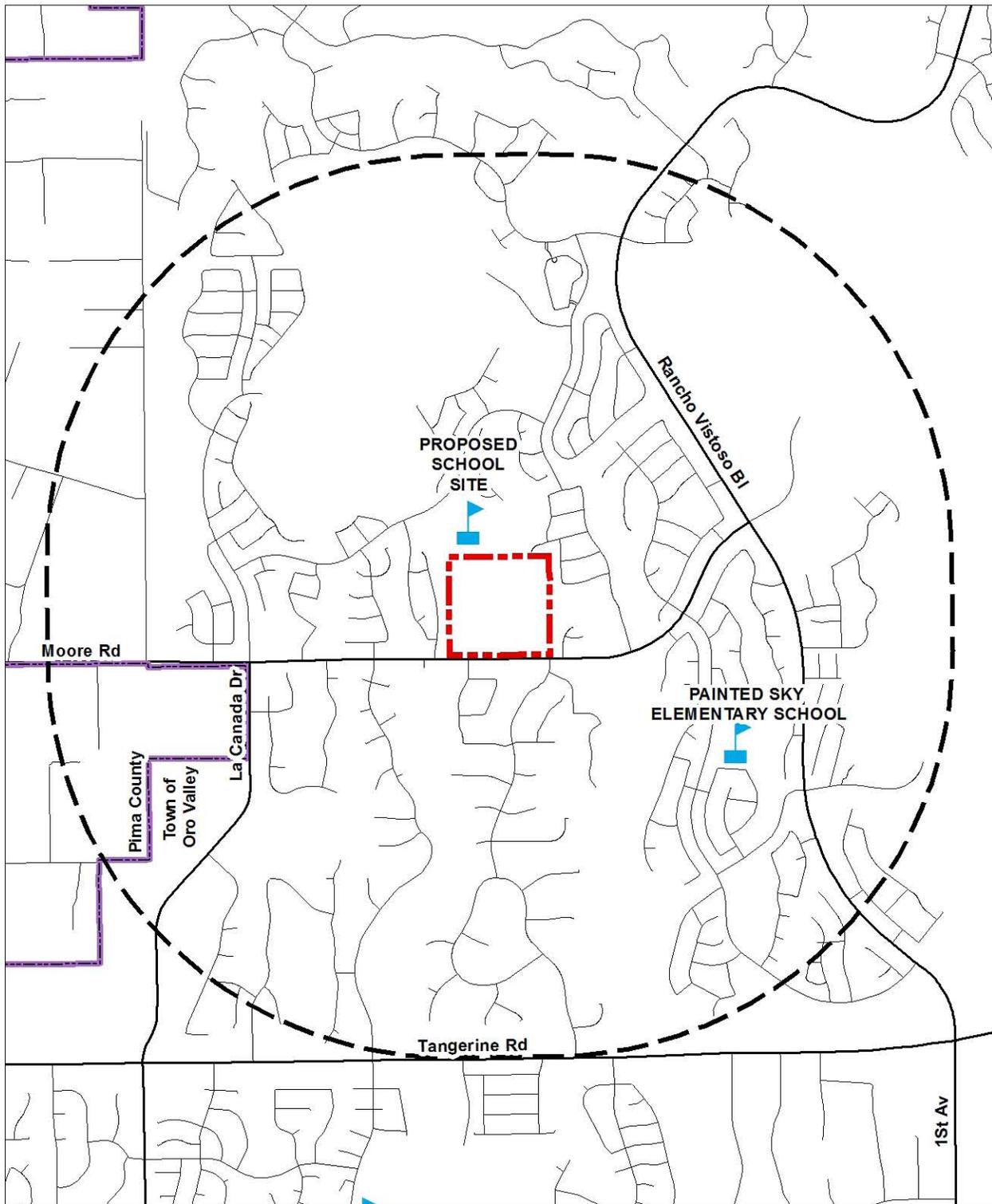
The Property is located within the Amphitheater Unified School District. Painted Sky is the only elementary school within one mile of the Property. One future school site has been designated north of the Property adjacent to the Hohokam Park site (See Exhibit I.K: Schools).

Public schools serving the Property are:

- Painted Sky Elementary, located ½ mile southeast at 12620 Woodburne Avenue;
- Coronado K-8 School, located approximately 4.5 miles to the northeast at 3401 East Wilds Road; and
- Ironwood Ridge High School, located approximately 3 mile southwest at 2475 West Naranja Drive.

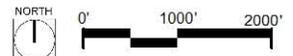


Exhibit I.K: Schools



LEGEND

-  Site Boundary
-  One-Mile Radius
-  Jurisdictional Boundary
-  Schools



FILE NAME: len01 traffic_6x8.mxd
SOURCE: Pima County GIS, 2014



L. Existing Infrastructure

1. Sewer

A letter from Pima County Regional Wastewater Reclamation Department was received stating capacity is currently available for the Property (See Exhibit I.L.1.a: Sewer Letter.) There is currently an 8" sewer line (G-97-111) that runs through the subdivision south of Moore Road to the southeast property corner where manhole 4712-40 is located. (See Exhibit I.L.1.b: Existing Sewer Network.)

However, preliminary engineering investigations of the Property and surrounding topography have shown that manhole #4712-16 is more easily accessible for a future sewer connection to the Property.



Exhibit I.L.1.a: PCWRD Letter



REGIONAL WASTEWATER RECLAMATION DEPARTMENT
201 NORTH STONE AVENUE
TUCSON, ARIZONA 85701-1207

JACKSON JENKINS
DIRECTOR

PH: (520) 724-6500
FAX: (520) 724-9635

February 28, 2014

Timothy Johnson
The Planning Center
110 S Church Avenue, Suite 6320
Tucson, Arizona 85701

Sewerage Capacity Investigation No. 2014-30 Type I

RE: Olsen Property, Parcel 219220040
Estimated Flow 22,680 gpd (ADWF).

Greetings:

The above referenced project is tributary to the Tres Rios Water Reclamation Facility via the Canada Del Oro Interceptor.

Capacity is currently available for this project in the public sewer G-97-111, downstream from manhole 4712-40.

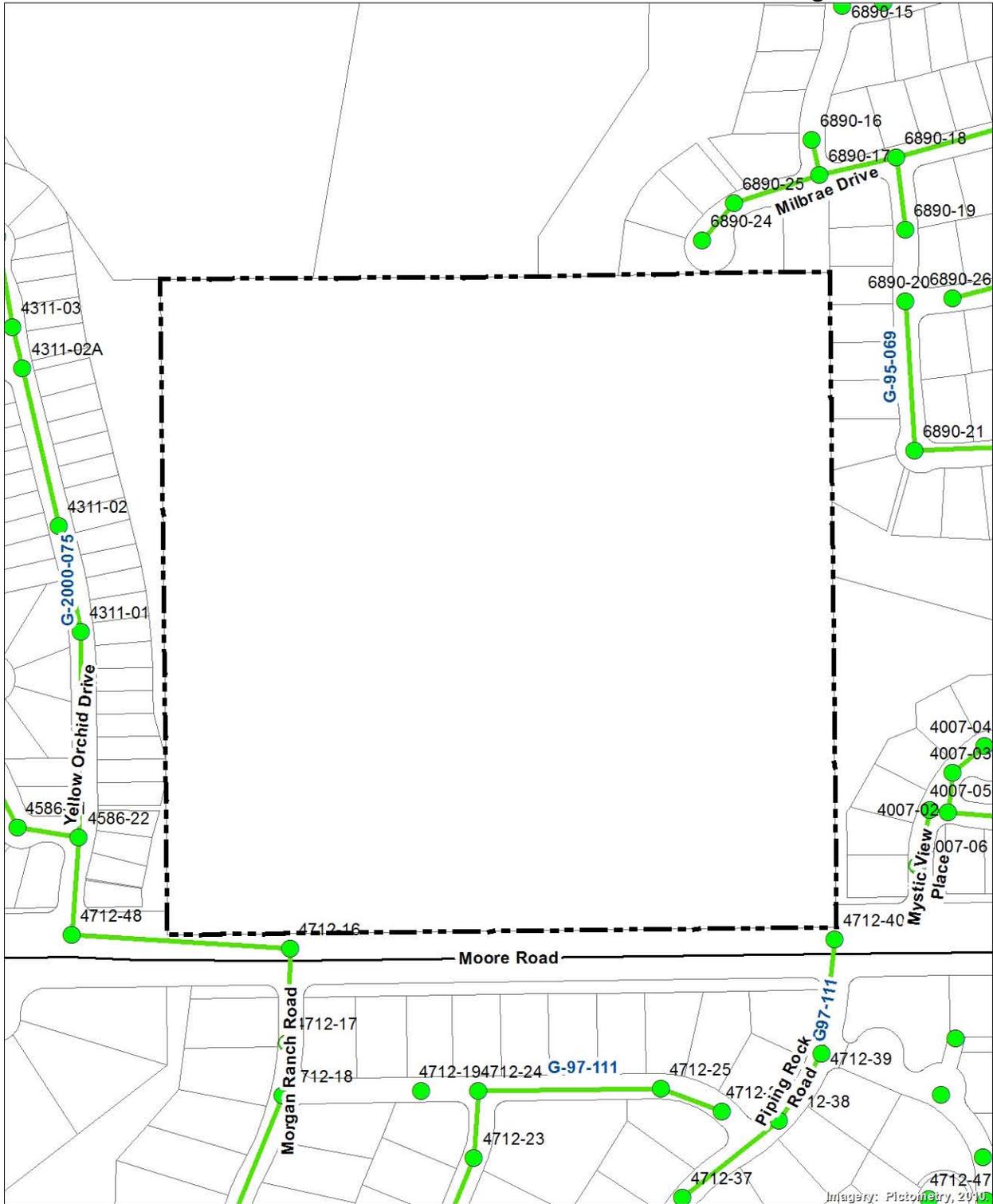
This letter is not a reservation or commitment of treatment or conveyance capacity for this project. It is an analysis of the system as of this date and valid for one year. Allocation of capacity is made by the Type III Capacity Response.

If further information is needed, please feel free to contact us at (520) 724-6642.

Reviewed by: Kurt Stemm

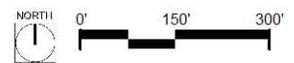


Exhibit I.L.1.b: Existing Sewer Network



LEGEND

- Site Boundary
- Manholes
- Sewer Network



FILE NAME: LEN-01_Veg.mxd
SOURCE: Pima County DOT GIS, 2012



2. Water

The Property is located within the Oro Valley Water Utility service area and has been designated by the State of Arizona as having an assured water supply. As shown on Exhibit I.L.2, the Oro Valley Water Utility has water availability for the Property.



Exhibit I.L.2: Water Availability Letter



Oro Valley Water Utility

April 8, 2014

Timothy Johnson
The Planning Center
110 S. Church Ste.6320
Tucson, AZ 85701

Subject: WATER AVAILABILITY

Parcel : Olsen Property, 610 West Moore Road. 219-22-0040

To whom it may concern:

The Town of Oro Valley Water Utility currently has water service available to the above property under the following conditions:

- A Water Plan is submitted by the applicant and approved by the Water Utility
- A Line Extension Agreement is executed by the applicant.
- All construction is in accordance with the approved Water Plan and the new facilities are accepted by the Water Utility in accordance with the requirements of the Line Extension Agreement.
- Payment of all water development impact fees, meter fees and other required fees and charges. (A water meter for residential and/or commercial use cannot be sold until after the issuance of an approved building permit.)

WATER SUPPLY

The Town of Oro Valley Water Utility has been designated by the State of Arizona, Department of Water Resources, as having an Assured Water Supply (AWS No. 2003-001 Decision and Order No. 26-400765). This development lies within the boundary of the Oro Valley Water Utility's planned water service area. Once the property is platted, it will be noted on the plat(s) for these properties that the property meets the State requirement of an Assured Water Supply because it will be served by Oro Valley Water Utility.

www.orovalleyaz.gov
11000 N. La Cañada Drive • Oro Valley, Arizona 85737
Phone: (520) 229-5000 • fax: (520) 229-5029



Exhibit I.L.2: Water Availability Letter (cont)



Oro Valley Water Utility

WATER SERVICE

The developer shall be required to submit a Water Plan identifying water system improvements. These include but are not limited to:

- Water Use
- Fire Flow Requirements
- Offsite/ Onsite Water Facilities
- Loops and Proposed Connection Points to Existing Water System
- Easements/Common Areas

Once a Water Plan is submitted, it will be determined if the proposed plan can meet the water requirements of the proposed development. The developer shall be fiscally and financially responsible for all water system improvements and modifying/enhancing the existing water system to meet those needs. It is recommended that the applicant contact the Water Utility to discuss the construction of water system improvements prior to submitting a Water Plan for the property.

This letter and the comments herein regarding water availability are valid for a period of one year only through April 8, 2015. Issuance of this letter is not to be construed as approval of a Water Plan and/or acceptance of any construction for water service.

If you have any questions or would like more details regarding any construction improvements that may be required in a Water Plan, please call me at 229-5017.

Sincerely,

Mark Moore
New Development Coordinator

cc: Phillip C. Saletta, P.E. Water Utility Director

www.orovalleyaz.gov
11000 N. La Cañada Drive · Oro Valley, Arizona 85737
Phone: (520) 229-5000 · fax: (520) 229-5029



M. McHarg Composite Map

Information regarding topography, hydrology, vegetation, wildlife and views has been combined to form the McHarg Composite Map. The purpose of the McHarg Composite Map is to highlight areas that are available for development. The following Property characteristics are shown on Exhibit I.M:

- 100-year floodplains greater than or equal to 50 cfs;
- Sheet flooding areas with flood depths greater than or equal to one foot;
- Federally mapped floodway and floodplains;
- Areas where vegetation facilitates soil stabilization;
- Areas on-site that are highly visible from off-site locations

Refer to Section II for information on how the land use concept responds to the Property's physical constraints.



Exhibit I.M: McHarg Composite Map



II. Land Use Proposal

OLSON PROPERTY REZONE

II. LAND USE PROPOSAL

A. Project Overview

This project proposes to amend the Rancho Vistoso PAD to include the Property within the Rancho Vistoso PAD. The Property surrounded on three sides by the Rancho Vistoso PAD is proposed to be developed as a medium density single-family detached residential neighborhood. The goal is to provide quality housing in a growing community. This development will complement the Town's existing neighborhoods, and will be seamlessly integrated into the Rancho Vistoso PAD by providing quality housing that complements the existing housing offerings in Rancho Vistoso.

This residential neighborhood is planned for approximately 105 lots, with an average lot size of 50'x125' or 6,000 square feet. There will be a mix of one and two-story homes. The Property was designed to preserve critical habitat areas and will ensure that 25% ESLO open space is provided in areas of the Property that justify the most protection and act as an excellent natural buffer between this project and existing neighboring communities. These areas will be preserved as natural open space as a part of the Tentative Development Plan.

The architectural design and landscape treatments of the proposed development will be consistent with and complementary to nearby existing residential developments, and will adhere to the Rancho Vistoso PAD design guidelines and the Town Design Guidelines. Please refer to Exhibit II.B: Tentative Development Plan (TDP).

B. Tentative Development Plan

Refer to Exhibit II.B: Tentative Development Plan.

C. Existing Land Uses

1. Map of zoning boundaries and existing land uses

Refer to Exhibit II.C.1: Proposed Zoning.

2. Proposed Development

Historically, the Property was used as a single family residence. The existing on-site land use includes one residential structure and three accessory structures. These structures will not be included as a part of the Tentative Development Plan.

The proposed development will complement off-site land uses. The land uses surrounding the Property are single-family residential to the east and west, and a large park and school property to the north plus single family across Moore Road to the south. Additionally, this project will include significant buffers, both natural and enhanced, to provide a transition between proposed homes and surrounding properties.

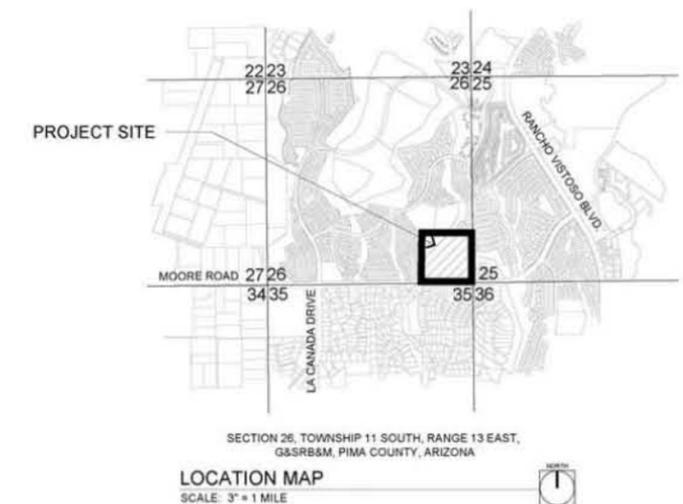
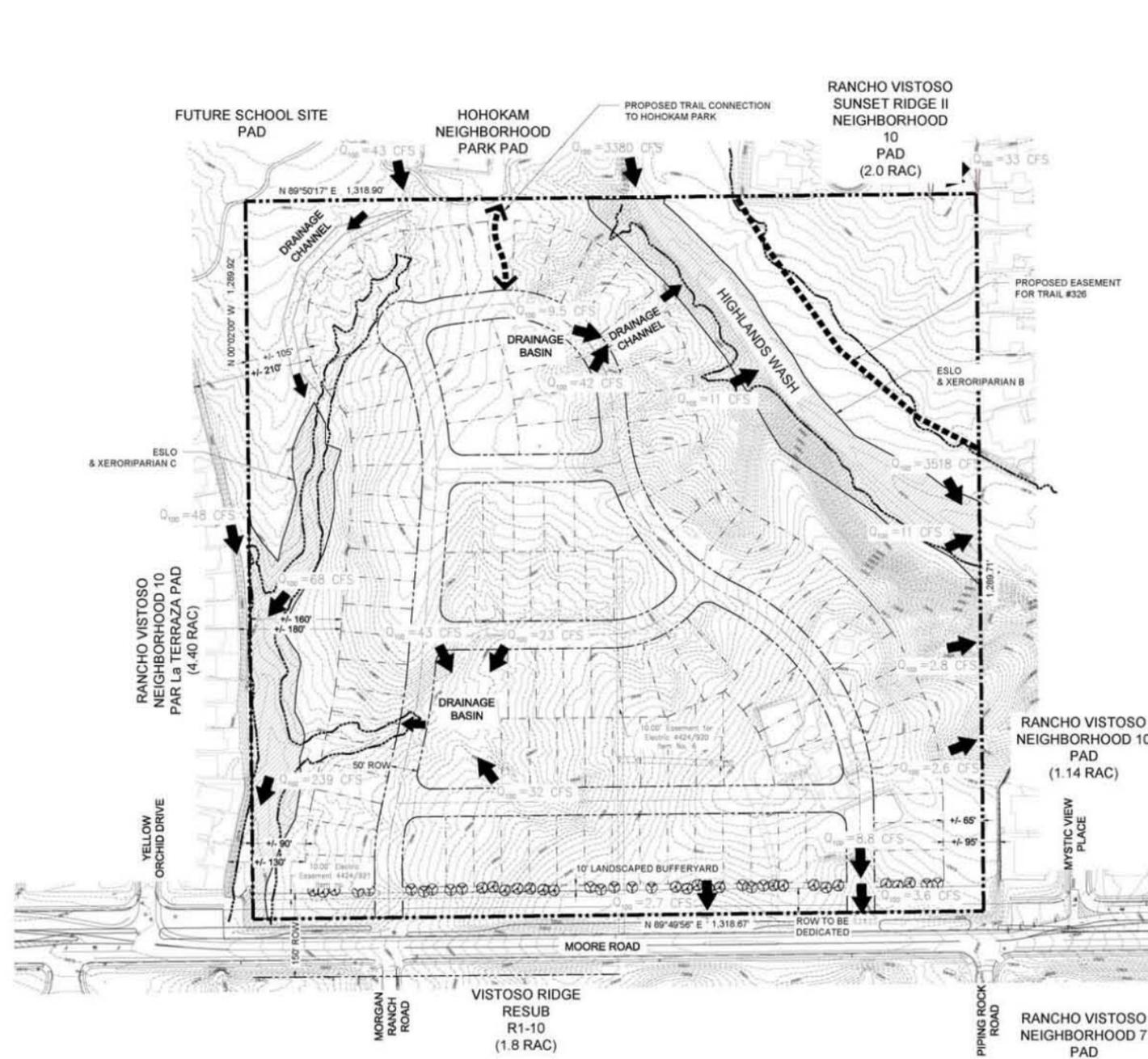


In accordance with the Environmentally Sensitive Lands Ordinance (ESLO, Chapter 27.10 of the Town Code), 25% or 9.75 acres of designated open space is required in areas of the Property that justify the most protection. As shown on Exhibit II.B and Exhibit II.C.2, the designated open space areas total approximately 12.7 acres. The designated Critical Resource Areas (CRAs) total approximately 3.72 acres of the Property and consist of the Highlands Wash and an unnamed wash located on the western edge of the Property (see Exhibit II.C.2: Dedicated Open Space Map). The remaining 8.96 acres of open space is Tier 2 Resource Management Area in accordance with the ESLO. The method of conservation of the Environmentally Sensitive Open Space (ESOS) areas will be platted as common areas and maintained by the Rancho Vistoso Homeowner's Association.

In addition, the building height requirements are based upon the Rancho Vistoso PAD standards and the Town Design Standards. These standards will provide for diversity in home design and help mitigate for impacts to adjacent subdivisions. No more than 2 two-story homes shall be located side by side on a major street, no more than 3 two-story homes shall be built adjacent to each other along interior streets and two-story homes shall be limited to no more than 60% of the lots within the development.



Exhibit II.B: Tentative Development Plan



- GENERAL NOTES**
- GROSS REZONE AREA: 39 ACRES
 - ZONING REQUEST FROM R1-144 TO RANCHO VISTOSO PAD
 - RESIDENCES PER ACRE: 2.7
 - NUMBER OF LOTS: 105 BUILDING HEIGHT: MAX. 30'
 - LOT SETBACKS: FRONT 20', REAR 10', SIDE YARDS 5'
 - MINIMUM LOT SIZE: 6,250 SF (50'X125' MINIMUM)
 - DEVELOPED AREA: 26.36 AC / 67%
 - TOTAL UNDISTURBED OPEN SPACE: 12.68 AC / 33%
 - CRITICAL RESOURCE AREA (CRA): 3.72 AC
 - CRA PRESERVATION REQ: 95%, PROPOSED 100%
 - RESOURCE MANAGEMENT AREA (RMA) TIER II: 8.96 AC
 - RMA PRESERVATION REQ: 25%, PROPOSED: 26%
 - FIRE HYDRANTS CONNECTED TO AN APPROVED WATER SUPPLY OF 1,000 GPM FOR FIRE PROTECTION SHALL BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE. TEMPORARY CONSTRUCTION OFFICE TRAILERS ARE CONSIDERED COMBUSTIBLE MATERIAL.
 - APPROVED FIRE APPARATUS ACCESS ROADS SHALL BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE.
 - TEMPORARY STREET SIGNS SHALL BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADWAYS ALLOWS PASSAGE OF VEHICLES. ALL STRUCTURES UNDER CONSTRUCTION SHALL BE CLEARLY IDENTIFIED WITH AN APPROVED ADDRESS.

LEGEND

	SITE BOUNDARY
	ESLO - CRITICAL RESOURCE AREA & HIGH DENSITY VEGETATION & XERORIPARIAN LIMIT
	1' ELEVATION CONTOUR
	PUBLIC RIGHT-OF-WAY
	LOT LINES
	100 YEAR FLOODPLAIN
	PROPOSED TRAIL EASEMENT
	SURFACE FLOW DIRECTION

- PROJECT: OLSON PROPERTY REZONE
- ZONING REQUEST FROM R1-144 TO RANCHO VISTOSO PAD
- SCALE: 1"=100'
- CONTOUR INTERVAL: 1'
- DATE: JUNE 12, 2013
- ORO VALLEY CASE #: OV914-003
- OWNER: OLSON FAMILY TRUST - 600 WEST MOORE ROAD
- APPLICANT: LAZARAUS, SILVYN & BANGS, PC - 4733 CAMP LOWELL

OLSON PROPERTY

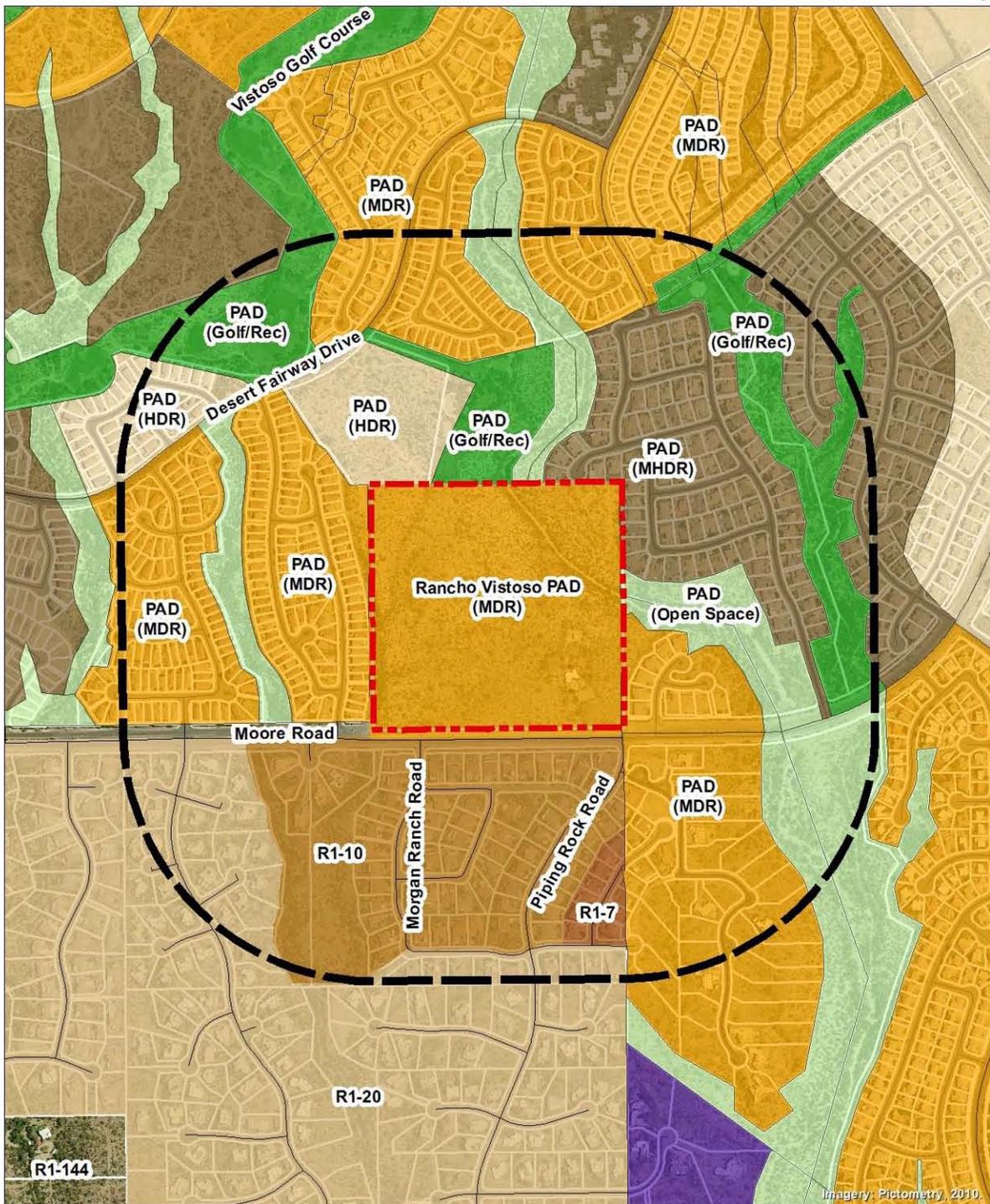
THIS EXHIBIT WAS CREATED USING THE MOST RECENT AVAILABLE BOUNDARIES, ROAD ALIGNMENTS, AND EASEMENT DATA PROVIDED BY THE DIFFERENT GOVERNMENTAL ENTITIES AND ENGINEERING FIRMS AND IS FOR PLANNING PURPOSES ONLY. FINAL AREA TOTALS BASED ON ENGINEERED DATA MAY VARY FROM THOSE SHOWN ON THIS EXHIBIT.

PROJECT: LENO-01 DATE: 04/07/14 FILE NAME: LENO1 POP-B.DWG

THE PLANNING CENTER
a division of TSC CONSULTING, INC.
The Planning Center logo



Exhibit II.C.1: Proposed Zoning



LEGEND

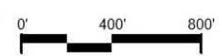
- Site Boundary
- Quarter Mile Radius

Zoning

- R1-7
- R1-10
- R1-20
- R1-144

Rancho Vistoso PAD Land Use Designations

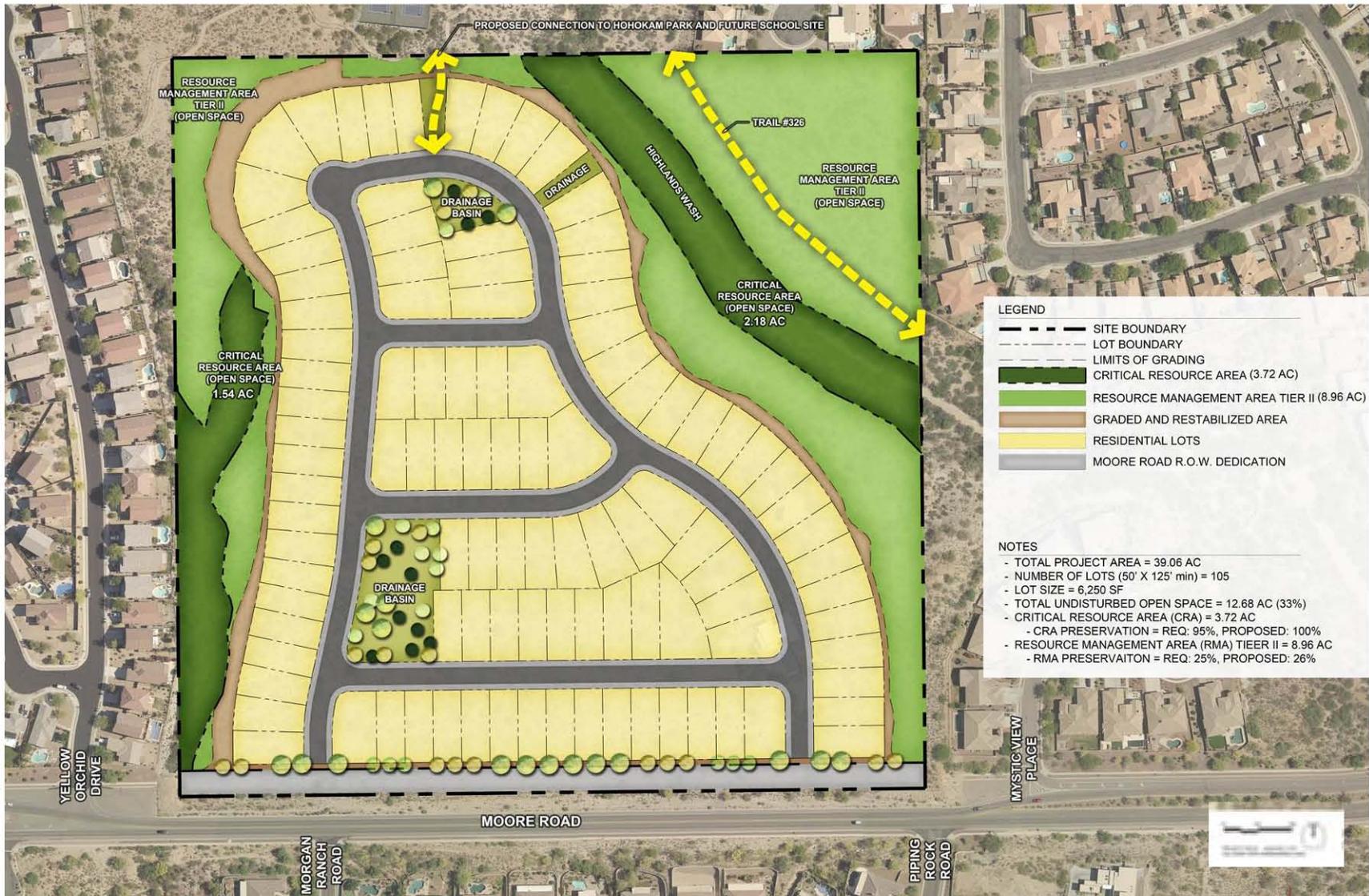
- MDR
- MHDR
- HDR
- LDR
- Open Space
- Golf / Rec



FILE NAME: LEN-01_Zoning.mxd
SOURCE: Pima County DOT GIS, 2012



Exhibit II.C.2: Proposed Open Space



D. Topography

1. Post Development Topography

The proposed development of the Property will include grading in the center portion of the Property, leaving the eastern and western edges of the Property as open space. The open space on both edges of the Property acts as the main collectors for off-site flows from the properties to the north. As shown on the Exhibit II.D: Grading Plan, the proposed grading will match existing conditions as closely as feasible to reduce the amount of cut and fill associated with the project development.

2. 15% or Greater Slopes

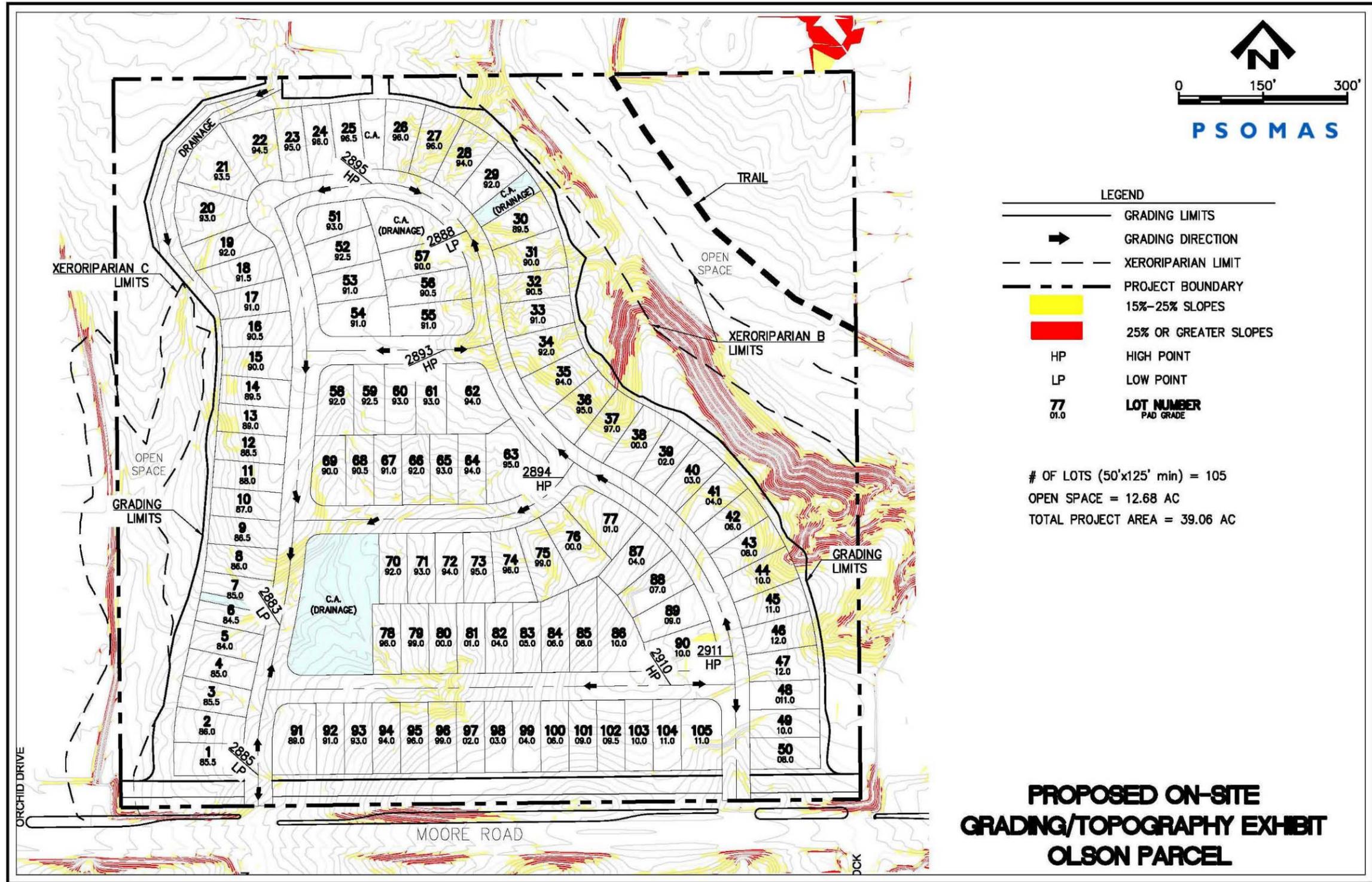
Due to the fairly steep existing terrain on the property, disturbance of the areas with 15% or greater slopes can't be entirely avoided. However, the majority of the 15% or greater slopes on the Property are associated with the two natural drainage areas and will be preserved as natural open space.

3. Grading Plan

The Property disturbance for development is approximately 26.7 acres of the total 39.1 property acreage. Approximately 32.5% of the Property or 12.7 acres of natural open space will be preserved.



Exhibit II.D: Grading Plan



E. Hydrology

1. Post Hydrology

The proposed development includes grading the center portion of the Property between the natural on-site channels. The subdivision will be graded as closely as feasible to the natural conditions. While the drainage courses will remain the same, the increased impervious cover will result in a greater amount of runoff than anticipated for existing conditions. Although the Property is in a critical basin the expected density is less than three residences per acre (RAC) and does not require detention according to the Town Drainage Criteria Manual. The property must still, however, ensure that there is no downstream impact due to a change in the peak discharge. In order to compensate for the additional runoff, two areas within the project will be left as functional open space and used as detention basins (See Exhibit II.E.1: Post Hydrology).

2. Encroachment/modification of Drainage Patterns

As stated previously, the Property will be graded to match existing drainage patterns as similarly as possible. Discharge points will direct the flow to existing natural channels, and basins will be constructed to alleviate any potential downstream impact due to the development.

At locations where erosion may occur due to the concentration of discharges, or at properties adjacent to the open space, mitigation techniques, such as the use of rock riprap splash pads, will be incorporated for protection of existing and proposed entities.

Under developed conditions, the on-site flows will be carried in the streets which will be designed to ensure runoff is conveyed at safe velocities and is contained within the right-of-way.

3. Off-Site Drainage Impacts

There are fifteen post-development watersheds within the Property, D1A-D1B, D2B-D2E, D3-D9, D5A, and E2A. The Property hydrologic analysis for the developed conditions was performed using the methods provided in the Pima County Hydrology Manual as permitted by the Drainage Criteria Manual for the Town of Oro Valley. Refer to Exhibit II.E.1: Post Development Hydrology Map for a depiction of the anticipated drainage impacts to off-site land uses upstream and downstream, and see Table II.E.3 for a summary of the post-development hydrologic analysis.



Table II.E.3: Summary of Post-Development Hydrologic Analysis

Concentration Point	Contributing Watersheds	Drainage Area (ac)	Length (ft)	Mean Slope	Basin Factor "Nb"	Tc (min)	Q100 (cfs)	Combined Q100 (cfs)*
D1	OS1**	7.6	--	--	--	--	48	239
	OS2**	6.1	--	--	--	--	43	
	D1A	3.8	608	0.0296	0.032	5.0	25	
	D1B	3.6	1060	0.0198	0.032	5.0	25	
	D7	4.4	736	0.0367	0.022	5.0	32	
	D8	3.1	555	0.0198	0.022	5.0	23	
	D9	5.7	1005	0.0119	0.022	5.0	43	
D2	OS3**	705.9	--	--	--	--	3380	3517.5
	OS4**	5.7	--	--	--	--	33	
	E2A**	5.0	--	--	--	--	31	
	D2B	1.8	221	0.1700	0.050	5.0	11	
	D2C	1.8	406	0.0775	0.050	5.0	11	
	D2D	1.2	413	0.0266	0.022	5.0	9.5	
	D2E	5.6	1184	0.0220	0.022	5.0	42	
D3	D3	0.4	166	0.1343	0.050	5.0	2.8	2.8
D4	D4	0.4	139	0.0674	0.040	5.0	2.6	2.6
D5	D5	0.6	267	0.0480	0.042	5.0	3.6	12.4
	D5A	1.2	176	0.0568	0.022	5.0	8.8	
D6	D6	0.4	153	0.0461	0.035	5.0	2.7	2.7
* Computed by Direct Summation								
** Refer to Tables 1 and 2 or the Off-Site and On-Site Watershed Maps for more information								

4. Engineering & Design Features

Detention facilities will be used to mitigate any additional discharge caused by development. The location of the proposed detention basins are highlighted on Exhibit II.E.1: Post Development Hydrology Map. Features such as rock riprap protection will be used as an erosion-control measure to protect lots adjacent to the floodplain or along the open space if necessary, and to prevent erosion at discharge points from the basins.

5. Conformance with Applicable Plans

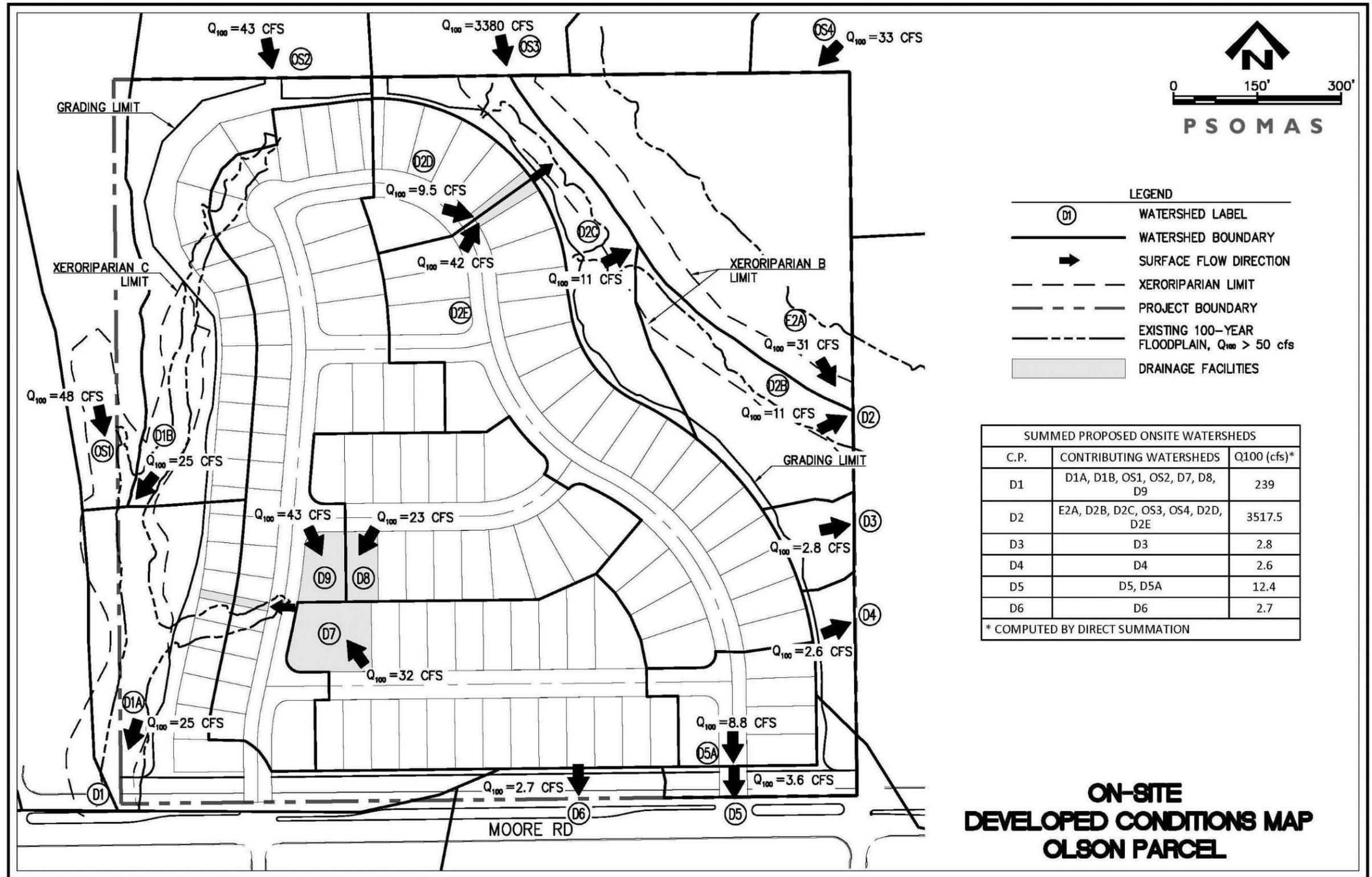
The TDP conforms to all applicable area plan policies, basin management policies, and other applicable Town policies relating to flood control. Accordingly, flow will be contained within the right-of-way of the streets, and although the proposed density (RAC) is less than three and detention is not required, on-site basins will be provided to mitigate any downstream impact. Post-construction runoff exiting the Property will



be at quantities less than or equal to that of existing conditions through the use of detention facilities. Town of Oro Valley and Pima County requirements, as related to drainage, have been reviewed and applied to the best of the engineer's knowledge and ability.



Exhibit II.C: Post Development Hydrology



F. Vegetation

1. TDP responds to vegetative characteristics

All vegetation within the two on-site wash corridors will be preserved as Environmentally Sensitive Open Space (ESOS). These wash corridors will provide contiguous open space within and beyond the Property.

Where development is proposed the native plants will be inventoried and viable specimens will be transplanted per the Town's Native Plant Preservation Ordinance.

G. Wildlife

1. Mitigation Techniques.

Wildlife movement is currently restricted downstream of the project by Moore Road. However, by preserving the two washes on-site as a part of ESL, this project will not further inhibit wildlife movement. Wildlife will be able to access the washes from the north and will have the space necessary to thrive in the over 12 acres of open space provided in the TDP.

H. Buffer Plan

1. Mitigation Techniques

A landscape bufferyard will be used to mitigate any impacts that may result from this development. A minimum of 10 foot width will be used for the southern bufferyard. Additionally, an approximate 40-foot area consisting of undisturbed natural open space will be provided along the northern edge of the Property where the project is adjacent to Hohokam Park. The riparian areas along the west and east sides of the Property will be preserved and will act as natural buffers for neighboring residential areas. See Exhibit II.H.1: Buffer Area Plan. See Exhibit II.H.2: Cross-section Illustrations for proposed treatments to be used to buffer the proposed development with existing uses.



Exhibit II.H.1: Buffer Area Plan

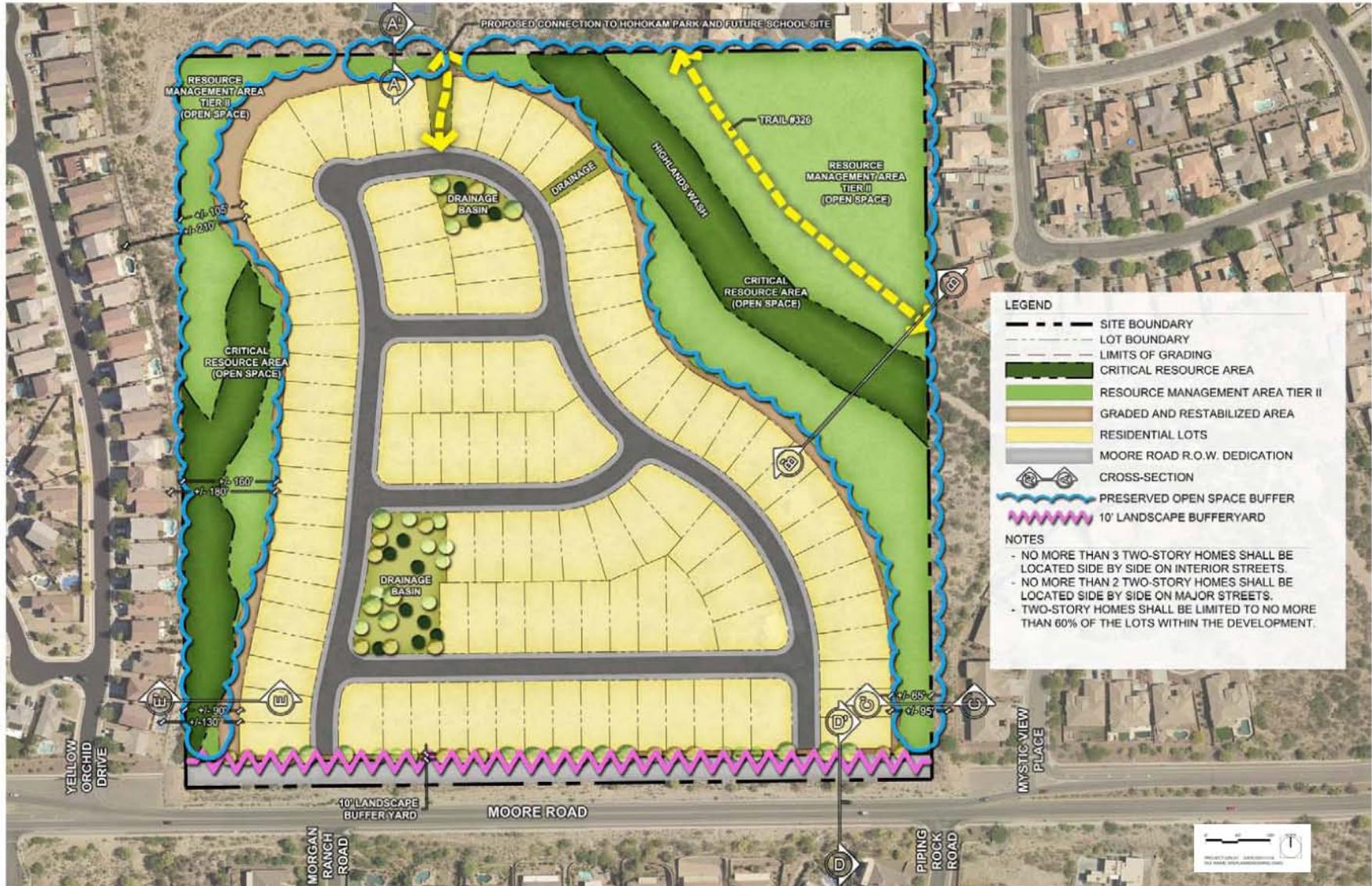
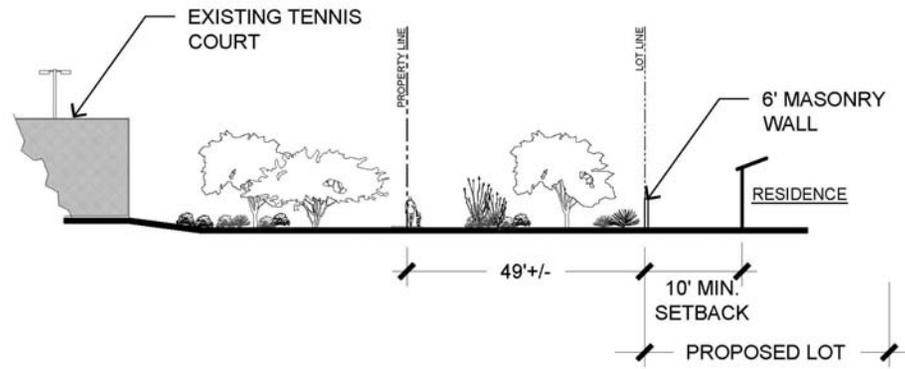
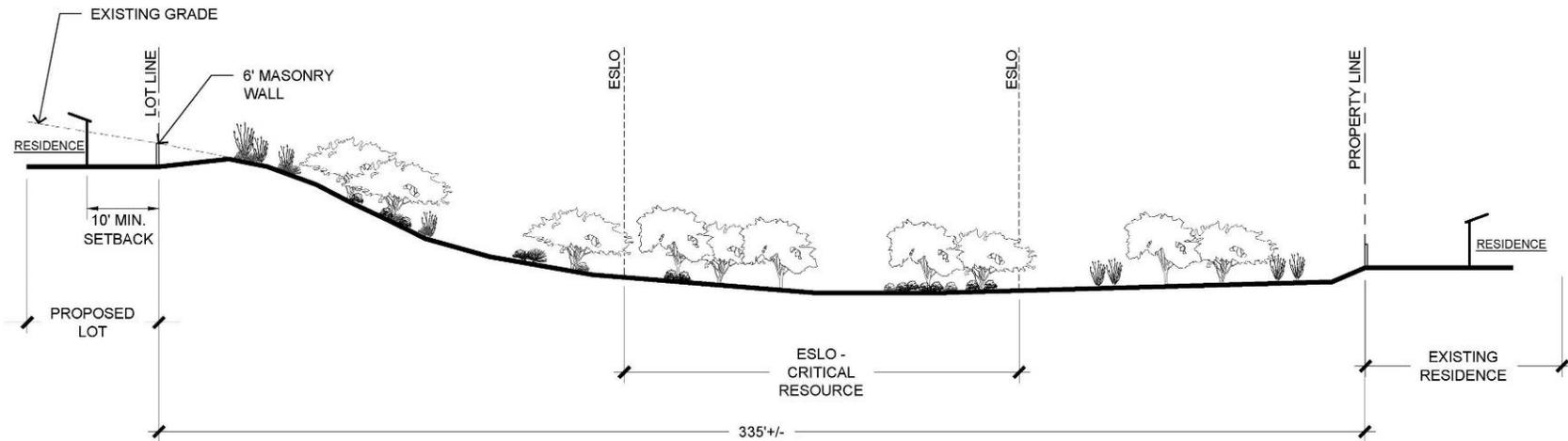


Exhibit II.H.2: Cross Section Illustrations



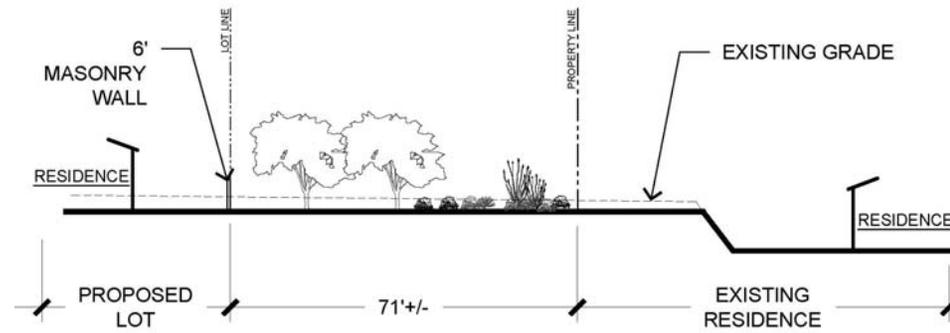
Cross Section A: North Boundary



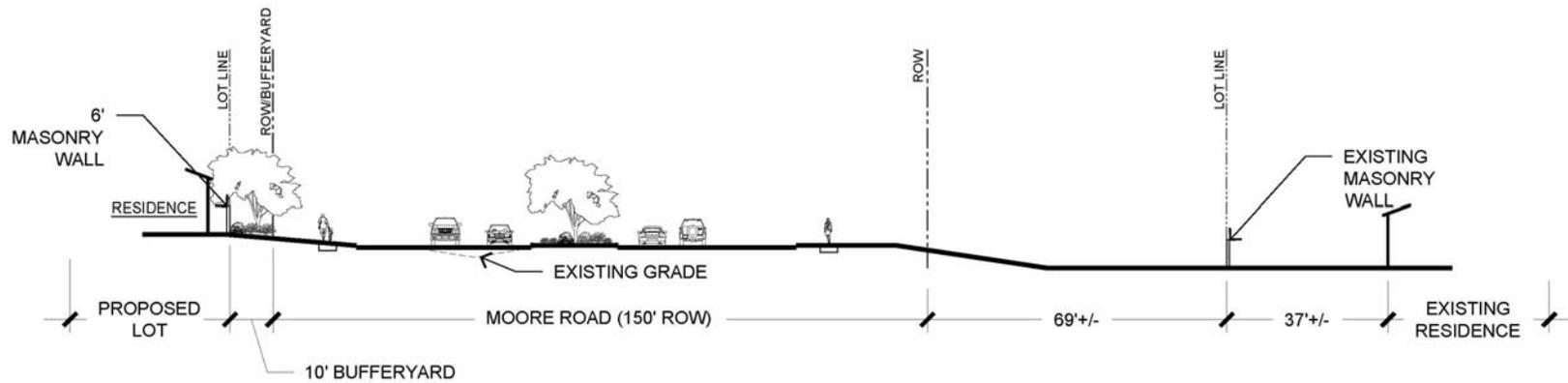
Cross Section B: East Boundary



Exhibit II.H.2: Cross Section Illustrations



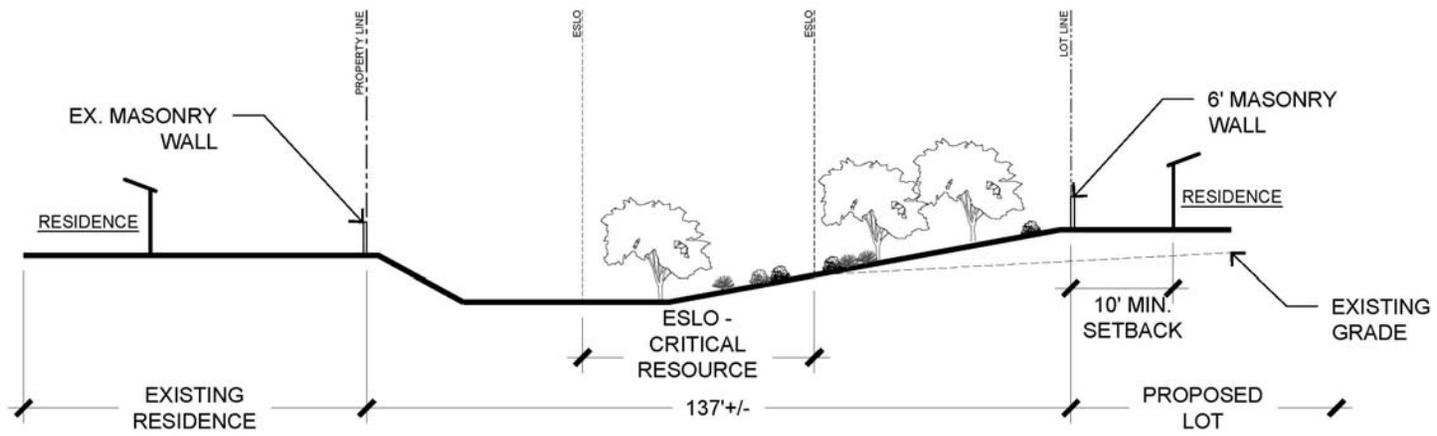
Cross Section C: Southeast Boundary



Cross Section D: South Boundary (Adjacent to Moore Road)



Exhibit II.H.2: Cross Section Illustrations



Cross Section E: West Boundary



I. Viewsheds

1. Describe and map how the TDP mitigates impacts to:

a. *Views and vistas from off-site*

There are views of the Catalina Mountains and Pusch Ridge to the east, and views of the Tortolita Mountains to the north and northwest. Setbacks from adjacent properties, changes in topography, and existing privacy walls, however, make it difficult to have a complete view across the Property from any adjacent Property boundary. As part of the mitigation techniques for viewshed impact to these views and vistas, the proposed subdivision will be restricted to a maximum of 60% two-story homesites; therefore only 63 homes of 105 may be two story in building height. In addition, no more than 2 two-story homes shall be located side by side on a major street, and no more than 3 two-story homes shall be built adjacent to each other along interior streets.

The following is a description of views and vistas or absence of existing views and vistas from each Property boundary and how the proposed development will mitigate for these views:

- Western boundary: The adjacent subdivision has views of Pusch Ridge and the Catalina Mountains. The proposed open space areas are strategically located to provide a large setback between uses. The proposed building setbacks vary from 90 feet to 210 feet from existing structure to proposed structure.
- Eastern boundary: The adjacent subdivision has views of the Tortolita Mountains. The existing viewsheds vary from the northeast corner to the southeast corner. The northeast corner has unimpacted views whereas the southeast corner is located adjacent to the existing home and highest area of the Property, which impacts the viewshed. The mitigation techniques along the east boundary also include large setback of open space dedication ranging from 70 feet at the southeast corner to 460 feet at the northeast corner.
- Southern Boundary: This boundary is adjacent to Moore Road and a single family subdivision on the south side of Moore Road. These homesites have distant views of the Tortolita Mountains, which are currently limited by the lower elevation of the subdivision as compared to the roadway and the Property. The proposed development will have minimal impact.
- Northern Boundary: The existing land uses north of the Property include recreational facilities and a future school. There are no views and vistas looking across the Property to the south.



b. Areas of high visibility

- Northeast corner near the Highland Wash is the lowest area of the Property and visible from the properties to the east. This area will remain as open space and to limit impact to viewsheds in this area.
- South boundary adjacent to Moore Road is highly visible along the property line. The visibility across the Property decreases due to the sloping elevation and the native vegetation. A landscape border in this area will help screen the proposed development from the existing development across Moore Road to the south.
- West boundary is highly visible onto the Property from off-site. This area adjacent to the Property is relatively at the same elevation along the entire property boundary. Mitigation strategies for this area include larger perimeter setbacks than required by Town Code and minimizing the two-story structures to 60%.
- North boundary is highly visible along the area of this property line. Mitigation strategies includes a minimum 30-foot building setback.

J. Traffic

1. Traffic Impact Analysis

See Appendix A for a Traffic Impact Analysis.

- a. Proposed internal circulation and access to/from arterial streets, explaining location and rationale for placement.*

As shown on Exhibit II.A: Tentative Development Plan, the project is expected to have two access points along Moore Road. The western access for the project will be directly across from the existing Morgan Ranch Road, creating a four-way intersection on Moore Road. The eastern access is proposed approximately 200 feet west of the existing intersection of Moore Road and Piping Rock Road. This proposed driveway will be right-in, right-out only.

- b. If off-site improvements are required, indicate which roads and time frame for improvements.*

According to the Traffic Impact Analysis, it is recommended that Moore Road be widened from a two-lane section along the project frontage to a four-lane divided section that matches the four-lane sections on either side (including multi-use lanes). It is also recommended that the medians at either end of the south boundary (where Moore Road intersects Yellow Orchid Drive and Mystic View Place) be reconstructed to current standards and sidewalk be provided along the frontage of the Property to match existing sidewalk on either side of the Property. These improvements will be done in conjunction with development of the Property.



-
- c. *Projected ADT for internal circulation system at buildout and level of service to all streets. Include a projection of traffic volumes and capacity analysis for intersections.*

The proposed single family homes will generate approximately 10 vehicle trips per day per homes. At 105 home sites, this community is anticipated to generate 1,050 average daily trips (ADT). The Property will have two access points, both located on Moore Road. The capacity of Moore Road (as a 4-lane roadway) is 12,398 vehicle per day, which is significantly greater than the projected volume of 5,993 at the opening year of the project.

- d. *Impact to existing development abutting off-site streets*

Since this proposed development will connect directly to Moore Road, an arterial street, no off-site streets are proposed.

- e. *Capacity analyses for proposed internal and off-site streets, including right-of-way and pavement widths, geometrics, design speeds, and traffic control improvements needed.*

In accordance with the Traffic Impact Analysis found in Appendix A, the level of service (LOS) for Moore Road is LOS C or better. Note that the threshold of a four-lane roadway is 12,398 vehicles per day, which is significantly greater than the projected volume of 5,993 at the opening year of this project.

- f. *A description of improvements required for those streets described in subparagraph e above.*

The improvements required for Moore Road include widening from a two-lane section along the project frontage to a four-lane divided section that matches the four-lane sections on either side (including multi-use lanes).

- g. *The party/agency whom the applicant believes to be responsible for making necessary improvements.*

The future developer/builder will be responsible for making the necessary improvements to Moore Road.

- h. *Evidence that proposed turning movements will meet safety standards in relationship to traffic volumes.*

See TIA , Appendix A.



2. On-Site Rights-of-Way

The on-site rights-of-way will meet Town of Oro Valley standards for a local residential street. They will be public built to a 50-foot wide cross section.

3. Bicycle & Pedestrian Circulation

Bicycle lanes and public sidewalks will be provided along Moore Road as part of the future Moore Road widening. Pedestrian sidewalks will be provided on both sides of the internal public streets in accordance with the Town of Oro Valley standards. A pedestrian trail easement will be dedicated to the Town of along the Highland Wash through the northeast corner of the Property that links to the Rancho Vistoso recreation area and the future public school site. A second connection will also be provided from the northern internal roadway to an existing trail just south of the Rancho Vistoso Hohokam Park tennis courts.

K. Sewers

1. Describe method for providing sewer service.

The proposed development will tie into the existing Pima County Regional Wastewater Reclamation Department sewer line in Moore Road (G-97-111). The existing sewer tie in point is approximately 25' deep, therefore, the project should be able to tie into the existing line without any significant slope issues.

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

L. Recreation and Trails

1. Trails, Parks and Recreation areas

Rancho Vistoso is a master planned community with existing parks, trails, recreation areas and open space. If this project is rezoned to Rancho Vistoso PAD, it plans to utilize these constructed and planned community recreation facilities.



There are many community parks as well as the Golf Club at Vistoso within a mile of the Property. The closest park is the Hohokam Park to the north of the Property. This park will be most utilized by the residents of this project. To ensure accessibility to this recreational amenity, the Tentative Development Plan shows a trail easement along the Highlands Wash, which will be dedicated to the Town as part of the subdivision plat and a trail connection from the northern internal roadway linking the neighborhood to Hohokam Park and the future school site (See Exhibit II.L.1: Parks, Trails, and Recreation).

2. State the size (in acres) and type of parks and recreation areas identified.

Approximately 20 acres of Rancho Vistoso park space exists within one mile of the Property. There are seven parks within a one-mile radius of the Property: Hohokam, Wildlife Ridge, Sunset, Cortona, Monticello, Torreno, and Somerset Canyon. The following is a list of each park and its amenities:

- Hohokam Park is approximately 8 acres featuring a fenced dog park, children's playground equipment, three ramadas, barbeques, restroom facility, trails, tennis courts, volleyball courts and basketball courts.
- Wildlife Ridge Park is approximately 6 acres and has a baseball diamond, basketball and volleyball courts, children's playground equipment, trails, ramada, picnic tables, barbecues and a restroom facility.
- Sunset Park is approximately 3.5 acres and has picnic tables, barbecues, children's playground equipment, volleyball courts and basketball courts.
- Monticello Park is approximately 1.3 acres and has children's playground equipment, a basketball court, ramadas, picnic benches and a barbecue.
- Somerset Canyon Park is approximately 1.2 acres featuring children's playground equipment, a ramada, picnic benches, and barbecues.
- Torreno Park is approximately 8,000 square feet featuring children's playground equipment and benches.
- Cortona Park is approximately 0.5 acres featuring a ramada, benches and a barbecue.

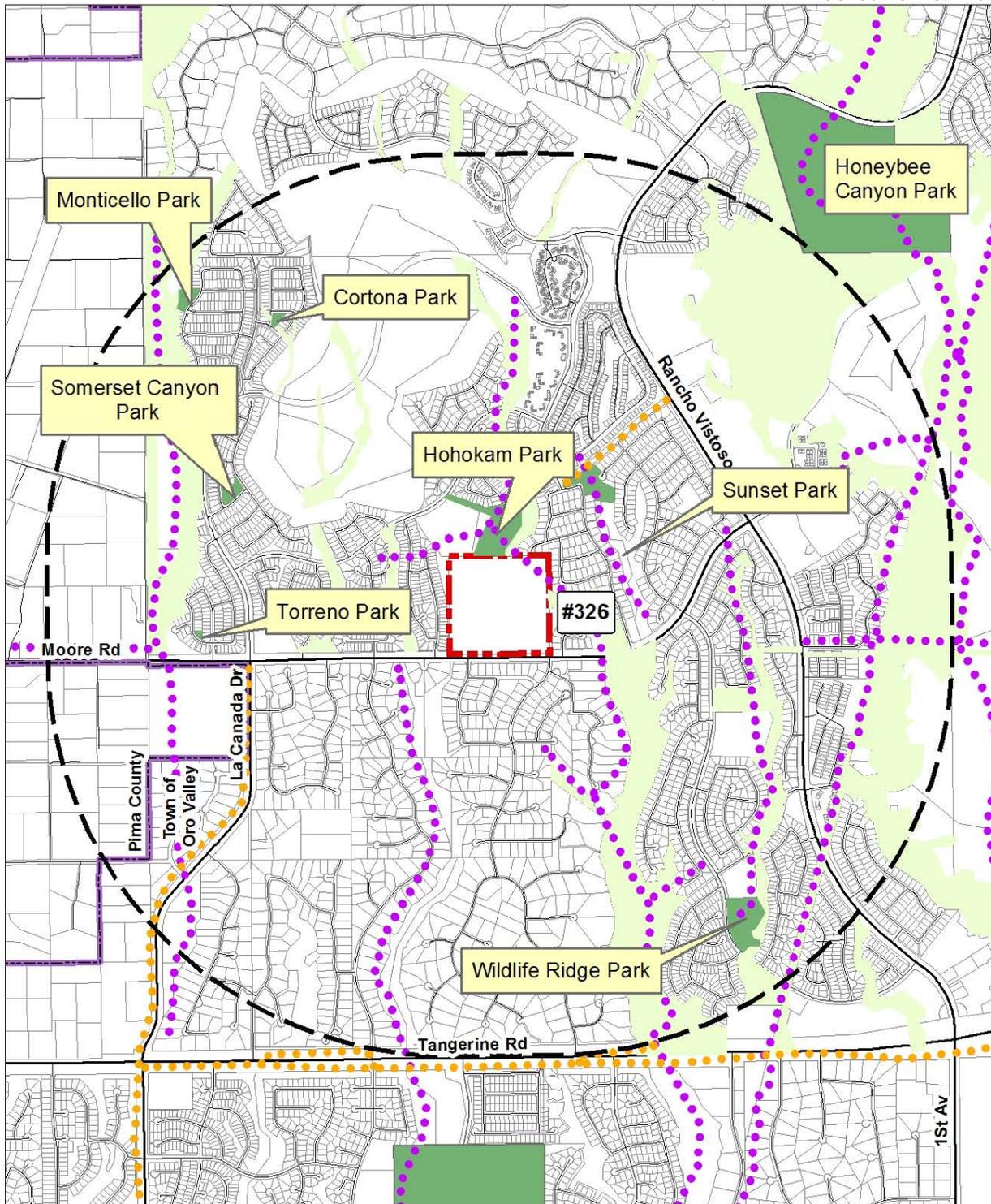
The Honeybee Canyon Park is a 77-acre Town of Oro Valley maintained park and is handicapped accessible with a drinking fountain, grills, ramadas, a restroom, trails and hiking.

There are several open space areas designated by the Rancho Vistoso PAD within a one-mile radius of the Property as shown on Exhibit II.L.1: Recreation and Trails.

There are several trails within a one-mile radius of the Property. In accordance with the Oro Valley Trails Task Force Report, Trail #326 runs along the northwest corner of the Property. This trail section will be designated as a "permanent non-motorized public recreation easement," and dedicated to the Town of Oro Valley (See Exhibit I.I: Recreation and Trails) in conjunction with the final subdivision plat.



Exhibit II.L.1: Recreation & Trails



LEGEND

- Site Boundary
- One-Mile Radius
- Jurisdictional Boundary
- Existing Parks
- Open Space
- Trails
- Shared Use Paths



FILE NAME: len01 traffic_6x8.mxd
SOURCE: Pima County GIS, 2014



3. Trail Access & Maintenance

There are several Oro Valley Parks and Recreation Trails within a one mile radius of the Property. Specifically, Trail #326 traverses the northeastern corner of the Property. In order to preserve the integrity of the Town's established trail system, a permanent public recreation easement for non-motorized modes of transportation will be provided for trail #326.

4. Open Space Ownership

The Rancho Vistoso Homeowners Association (HOA) will own and maintain the open space within the development.

M. Cultural, Archeological and Historic Resources

1. Cultural and Historical Resources Protection Measures

Cultural resources will be treated according to State and local rules governing the treatment and handling of cultural resources. Specifically, the steps outlined in the Town's ESL Ordinance regarding cultural resources will be followed.

2. Resource Incorporation

Not applicable.

3. Archaeological Mitigation Measures

There remains the possibility that ground-disturbing activities could reveal the presence of heretofore-undiscovered cultural resources or human remains." If such materials are discovered during construction or at any time, all work must stop in the area and Arizona State Museum shall be notified at (520) 621-4795 immediately pursuant to A.R.S. §41-865 and A.R.S. §41-844." and the Town of Oro Valley must be also notified.

N. Schools

1. Students generated by this rezoning.

Utilizing the accepted standards student multiplier of 0.25 elementary school students per home and 0.1 secondary school students per home, the proposed development is expected to generate approximately 26 elementary students, 10 junior high age students, and 10 high school students.



2. Remaining capacity within the area schools serving the site

According to the Amphitheater School District, there is capacity for the proposed development within the area schools. See Table II.N.2 below.

Table II.N.2: School Enrollment & Capacity

School	Current School Enrollment	Current School Capacity	(Under)/Over
Painted Sky Elementary	609	800	(-191)
Coronado	564	800	(-236)
Ironwood Ridge High School	1,852	2,290	(-438)

3. Letter from Amphitheater School District indicating the area schools can accommodate the educational space requirement for the projected number of students

As shown on Exhibit II.N.3, a response was provided by Todd Jaeger, J.D, Associate to the Superintendent & General Counsel from the Amphitheater Unified School District.



Exhibit II.N.3: Amphitheater School District Response

Dear Ms. Lee:

I understand you are still in need of the capacity figures for this project. The project would be served by Painted Sky Elementary, Coronado K-8 (for Middle School) and Ironwood Ridge High School.

Capacity and current year enrollment for those schools follows below:

<u>School</u>	<u>Capacity</u>	<u>13-14 Enroll</u>
Painted Sky	800	609
Coronado	800 (MS)	564
IRHS	2,290	1,852

Given the size of project you have described, we would not anticipate any issues is accommodating resulting student enrollment.

Please let me know if you need any additional information.

Todd A. Jaeger, J.D.
Associate to the Superintendent & General Counsel
Amphitheater Unified School District
701 W. Wetmore Rd.
Tucson, AZ 85705
(520) 696-5156
Fax: (520) 696-5074
tjaeger@amphi.com



O. Water

1. Domestic water demand

The proposed development will tie into the existing Town Utility water line in Moore Road (PN 00-13). The water line is currently designated as a protected water main, however, based on correspondence with Oro Valley Water, the protected status has expired. The estimated average daily water demand for this project is 25,462.5 gallons per day or 17.7 gallons per minute, assuming 97 g.p.c.d and 2.5 persons per dwelling unit.

2. Water service capacity

Town Water is the Water service provider for this area. They have indicated that water capacity and infrastructure is available for the Property.

See Exhibit I.L.1.b: Water Service Capacity.



OLSON PROPERTY REZONE

III. TRAFFIC IMPACT ANALYSIS

OLSON PROPERTY
TRAFFIC IMPACT ANALYSIS
ORO VALLEY, ARIZONA

PREPARED BY

P S O M A S

333 EAST WETMORE RD, SUITE 450
TUCSON, AZ 85705
PH. (520) 292 2300

PREPARED FOR

LENNAR

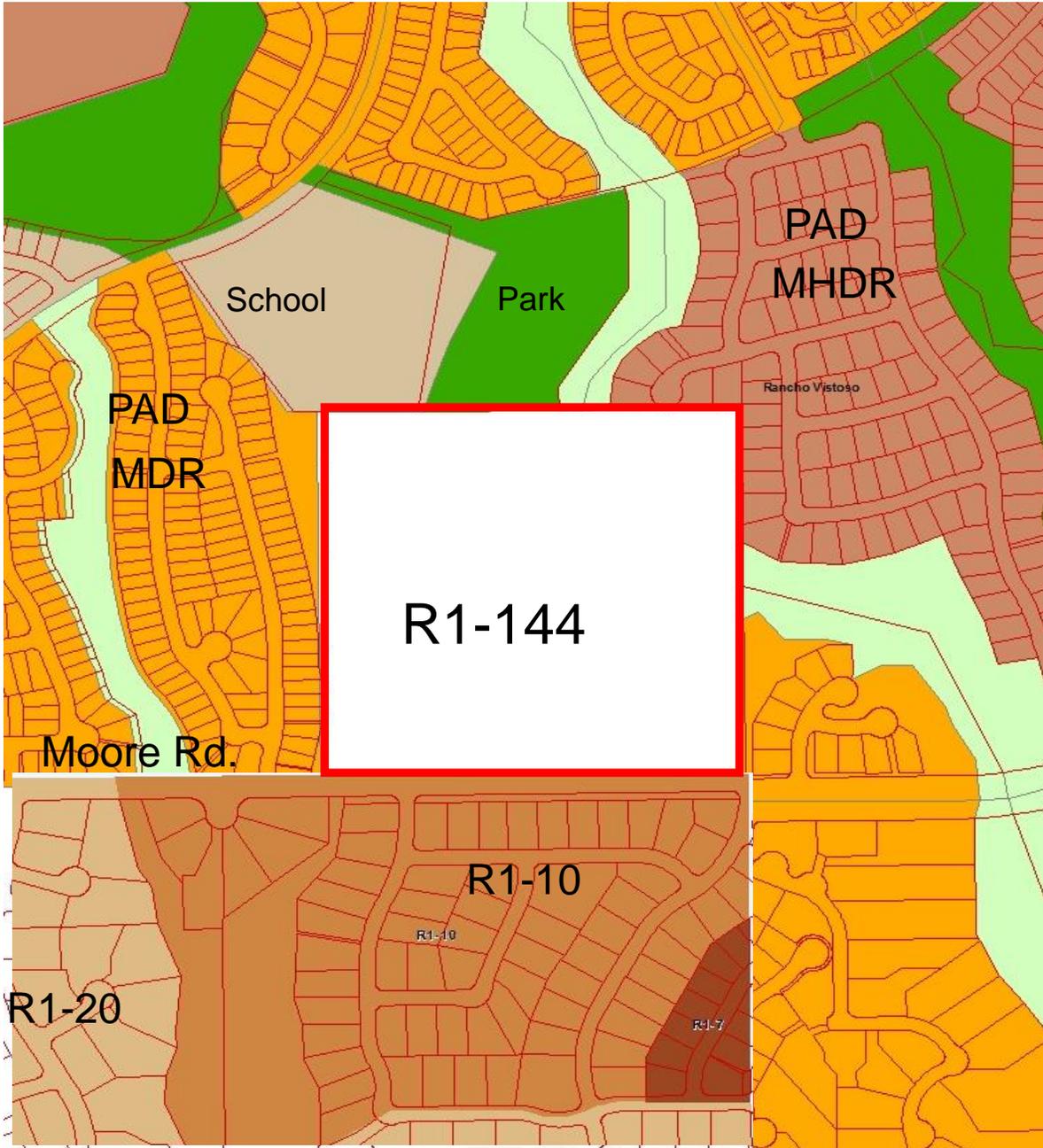
3275 WEST INA ROAD, SUITE 275
TUCSON, AZ 85741

PSOMAS PROJECT No. 7USH120202
MARCH 2014



GENERAL PLAN LAND USE MAP

OLSON PROPERTY REZONING (OV914-003)



ZONING MAP

OLSON PROPERTY REZONING (OV 914-003)



Vistoso Community Association
www.ranchovistosohoa.com

June 11, 2014

Town of Oro Valley Planning Commission and Town Council
c/o Mr. Matt Michels, Planning Administrator
11000 N. La Canada Drive
Oro Valley, AZ 85737

Re: Case No. OV914-003; Rezoning Request for the Olson Property; 39 acres located at 610 W. Moore Road

Dear Mr. Michels:

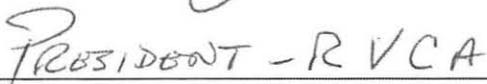
As you are aware, the Vistoso Community Association is an Arizona non-profit homeowners' association (the "Association") that manages the properties in the Rancho Vistoso community in the Town of Oro Valley ("Town"). The Association supports the proposed rezoning of the Olson Property (the "Property") as presented in the above-referenced case. The Association is very excited about the addition of the Property into the Rancho Vistoso community, and has been working with the Olson family to incorporate the Property into the Association and the community. To that end, the Association's Board has voted (unanimously) to support the rezoning.

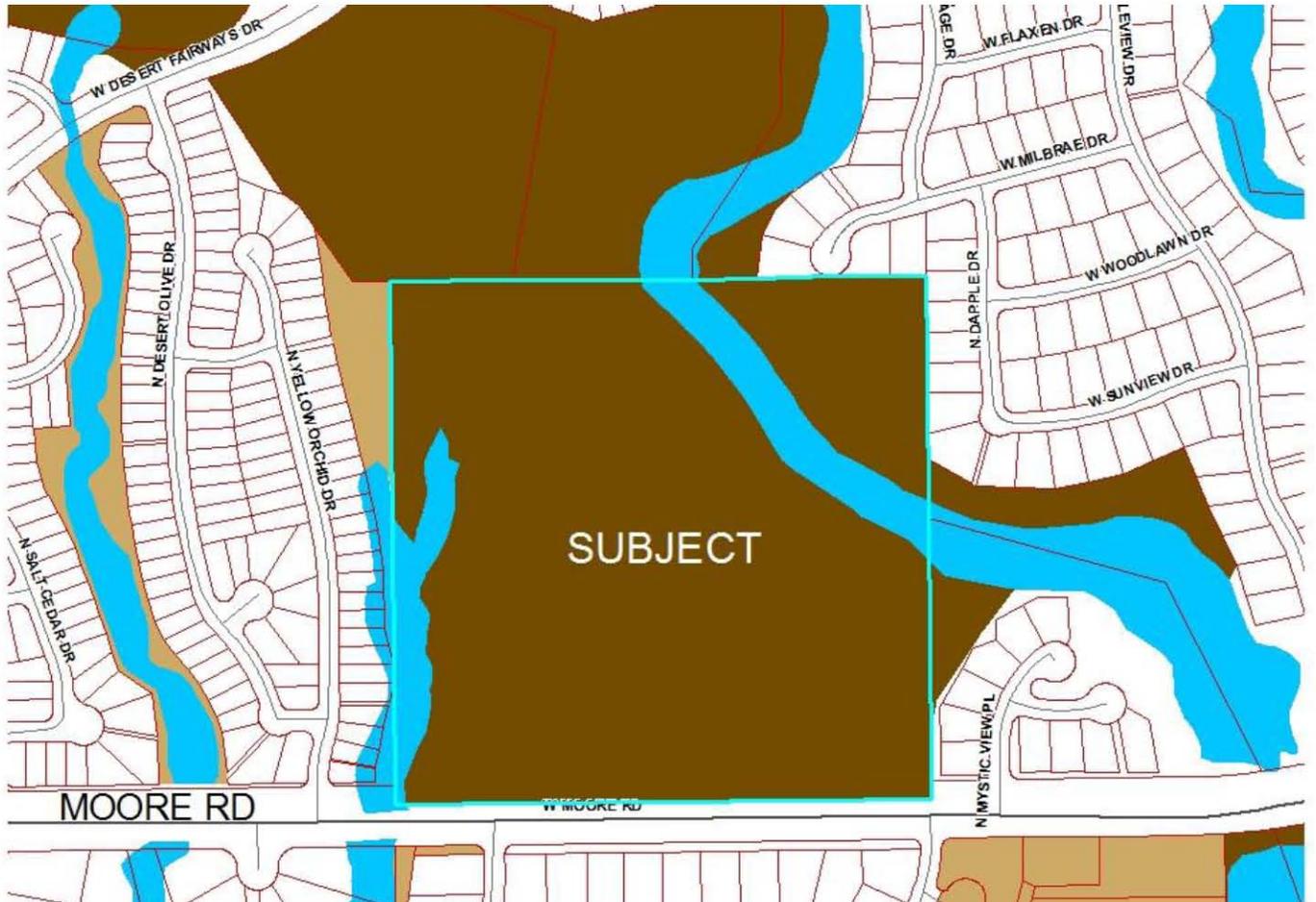
As part of the Associations' support of the rezoning, the Association does not believe it is in the best interests of the Rancho Vistoso community for the Town to require additional active or passive park or recreational amenities within the Property as part of the rezoning. The Association works hard to manage and maintain the existing park and recreational amenities in the community, and is working with the Olson Property owners (as part of the process to bring the Property within the Association regulatory documents) to secure improvements to the Hohokam Park north of the Property. We believe a commitment of this nature to the Hohokam Park (along with the inclusion of the Olson Property into the Association and the rezoning to Rancho Vistoso PAD), is a more appropriate and cost-effective contribution to the park system than an additional park or recreational feature would be.

Please feel free to call with any questions or concerns.

Sincerely,


Name


Title



ESL PLANNING MAP

OLSON PROPERTY REZONING (OV914-003)

Neighborhood Meeting Summary
Olson Property Rezoning
March 13, 2014
6:00 – 7:30 PM
First Resurrection Lutheran Church

Public Comments and Questions: Following are topics discussed at the neighborhood meeting

- Several residents asked if there was any limitations on the location of two story homes. The Zoning Code limitations relative to two-story homes was explained. Several residents requested the applicant consider limiting the entire development to single-story homes. A resident suggested the use of story poles to help understand the view impacts of the planned homes.
- The elevation changes on the subject property were discussed and the need to complete a view shed analysis on the property
- A resident questioned existing and proposed drainage patterns and possible impact on adjacent property.
- The timing of the overall development schedule was discussed and necessary approvals which would be needed including this rezoning and Conceptual and Final Site Plan approvals.
- A resident requested clarification whether there would be additional landscape buffers including additional trees which would be installed between the existing and proposed homes.
- A resident provided a comment on the historic maintenance of the Moore Road landscape. The discontinued maintenance of the Moore Road landscape was discussed and the need for this development to provide for the maintenance adjacent to this development.

For more information, please contact Matt Michels, Senior Planner, at (520) 229-4822 or mmichels@orovalleyaz.gov.

May 20, 2014

Town of Oro Valley Mayor and Council
c/o Development and Infrastructure Services
11000 N. La Canada Drive
Oro Valley, AZ 85737

RE: Olson Property PAD Amendment/Rezoning

Dear Mayor Satish Hiremath and Town Council,

My name is Dr. Christopher Sullivan and I live at 12833 N. Mystic View Place in Oro Valley. I had attended the neighborhood meeting for the Olson Property rezoning held on March 13, 2014 at the Resurrection Lutheran Church. After that meeting I had a conversation with the Olson's attorney, Keri Silvyn, and explained to her that my house sits on the eastern edge of the Olson property the 2nd house to the left on Mystic View Place. I had concerns about the impacts of two-story construction on the eastern boundary of the proposed concept plan and how these impacts would affect my property. Mrs. Silvyn stated that view studies were being prepared as part of the rezoning application and that we would be able to discuss those when they were completed and the application had been made to the Town of Oro Valley.

After a few emails with Mrs. Silvyn, a meeting was scheduled for May 14th at my residence. Present at this meeting was Ben Becker with CBRE, who is the broker and representative for the Olson family, as well as Kevin Tarbox with Lennar Home. At this meeting, the proposed eastern Lot boundaries were marked on the Olson property and we were able to walk the Olson property behind my residence. With this information, I was able to make the determination that the open space between the proposed lots on the Olson property and the boundary of my property provided a sufficient bufferyard and my concerns were all addressed.

I appreciate the time and effort that was made to meet with me at my request, mark the boundaries of the proposed lots and respond to my questions. With this additional information, I support this rezoning.

Sincerely,



Dr. Christopher Sullivan
csullivan@genesisobgyn.net



Town Council Regular Session

Item # **9.**

Meeting Date: 10/01/2014
Submitted By: Kristy Diaz-Trahan, Parks and Recreation
Department: Parks and Recreation

Information

SUBJECT:

NARANJA PARK PROGRAMMING & DESIGN MASTER PLAN UPDATE PRESENTATION AND APPROVAL OF PROGRAMMING ELEMENTS

RECOMMENDATION:

The Parks & Recreation Advisory Board unanimously approved the programming components for Naranja Park at their September 16, 2014, meeting. Staff agrees and recommends that Council approve the programming components as presented.

EXECUTIVE SUMMARY:

The Naranja Park “programming” element recommendation was presented to the Parks & Recreation Advisory Board (PRAB) on September 16, 2014, for review and approval. The Town’s consultant, McGann & Associates, conducted a statistically valid telephone survey (report is attached) of Oro Valley residents, distributed and collected opinion surveys, and met with parks user groups to ascertain their requirements and wishes for both the future Naranja Park and Oro Valley parks system amenities. The data from the community outreach process identified a desired list of amenities for Naranja Park, which consists of the following elements for the 70-75 buildable acres:

- Multi-sport fields with lights
- User storage facility
- Outdoor performance space/amphitheater
- Playgrounds and splash pad
- Picnic areas with ramadas
- General-use area with large ramada
- Skate/bike park
- Bicycle staging area
- Tennis courts
- Food service vending area(s)
- Expand existing trail system
- Existing dog park
- Existing archery range and walking courses
- Municipal operations area
- Recreation center
- Event center (footprint)

The PRAB unanimously approved these elements at their September 16, 2014, meeting.

BACKGROUND OR DETAILED INFORMATION:

It was determined that an update of the Naranja Park Plan was needed to reflect the current site's use, the Town's new demographics, and the recreational amenities desired by the residents. The Town Council approved \$40,000 in FY 2014 and \$40,000 in FY 2015 for an update to the Plan. The scope of the project includes: community outreach/data collection; feasibility studies; facility programming; and conceptual design.

Proposals were solicited for the update in December 2013. The final contract was signed with the consultant, McGann & Associates, in March 2014. The interdepartmental team involved on the project consists of representatives from McGann & Associates, Parks and Recreation, Development & Infrastructure Services, the Town Manager's Office, and the Oro Valley Police Department.

The initial Open House for this project was held on Thursday, June 5th for Oro Valley residents. A statistically valid telephone survey of 300 Oro Valley residents was also conducted this summer. In addition, information was provided and opinions sought from residents at other Town events such as the 4th of July Celebration, Oro Valley Farmer's Market, and the "Put Me In Coach" event. Additional workshops were also held with park user groups (such as youth field sport organizations, etc.) and the Town's Youth Advisory Council. In total, approximately 500 people provided information on desired facilities for Naranja during the community outreach process.

Based on the outreach efforts, McGann & Associates presented their findings and programming recommendations to the PRAB on September 18, 2014. The PRAB unanimously approved the following elements as presented:

- Multisport fields with lights
- User storage facility
- Outdoor performance space/amphitheater
- Playgrounds and splash pad
- Picnic areas with ramadas
- General-use area with large ramada
- Skate/bike park
- Bicycle staging area
- Tennis courts
- Food service vending area(s)
- Expand existing trail system
- Existing dog park
- Existing archery range and walking courses
- Municipal operations area
- Recreation center
- Event center (footprint)

FISCAL IMPACT:

The fiscal impact of the recommended programming elements has not been established, but will be identified when the conceptual design is created.

SUGGESTED MOTION:

I MOVE to (recommend or deny) approval of the Naranja Park programming elements as presented.

Attachments

Naranja Park Telephone Survey Report



**TOWN OF ORO VALLEY
NARANJA PARK PROGRAM AND
FACILITY NEEDS OUTREACH SURVEY**

June 2014

-Draft-

Prepared for:



McGann & Associates
Landscape Architects and Planners

Tucson, Arizona

Prepared by:

FMR ASSOCIATES, INC.



Tucson, Arizona

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**TOWN OF ORO VALLEY NARANJA PARK PROGRAM AND
FACILITY NEEDS OUTREACH SURVEY**

June 2014

Digest of the Contents

<u>Introduction and Goals</u>	I-1
<u>Methodology Overview</u>	I-1
<u>Respondent Characteristics</u>	I-2
<u>Table I-1.</u> Gender of Respondents	
<u>Table I-2.</u> Age of Respondents	
<u>Table I-3.</u> Length of Residence in Oro Valley	
<u>Current Oro Valley Park Usage Index Explanation</u>	I-3
<u>Table I-4.</u> Current Oro Valley Usage Index	
<u>Executive Summary</u>	I-4
<u>Details of the Findings</u>	1
I. <u>Current Park Usage</u>	1
<u>Table 1.</u> Frequency of Visiting Various Town of Oro Valley Parks and Related Facilities	
II. <u>Facility Importance Evaluations</u>	3
<u>Table 2.</u> Importance of Constructing New Facilities for Organized Sports Programs	
<u>Table 2a.</u> Importance of Various Types of Organized Sports Facilities (Among Those Who Say Constructing Such Facilities Are at Least “Somewhat Important”)	
<u>Table 3.</u> Importance of Constructing New General Recreation Facilities	
<u>Table 3a.</u> Importance of Various Types of General Recreation Facilities (Among Those Who Say Constructing Such Facilities Are at Least “Somewhat Important”)	
<u>Table 4.</u> Importance of Constructing Outdoor Recreation Facilities	
<u>Table 4a.</u> Importance of Various Types of Outdoor Recreation Facilities (Among Those Who Say Constructing Such Facilities Are at Least “Somewhat Important”)	
<u>Table 5.</u> Importance of Constructing Multi-Use Facilities Community Centers With Facilities for Indoor Recreation/Fitness Programs	
<u>Table 5a.</u> Importance of Various Types of Indoor Recreation, Fitness and Community Center Facilities (Among Those Who Say Constructing Such Facilities Are at Least “Somewhat Important”)	
<u>Table 6.</u> Importance of Constructing Facilities for Music, Dance and Theatrical Performances	
<u>Table 6a.</u> Importance of Various Types of Music, Dance and Theatrical Performance Facilities (Among Those Who Say Constructing Such Facilities Are at Least “Somewhat Important”)	

**TOWN OF ORO VALLEY NARANJA PARK PROGRAM AND FACILITY NEEDS
OUTREACH SURVEY**

June 2014

Digest of the Contents (Cont'd)

	<u>Table 7.</u>	Importance of Establishing Various Types of Natural Resource Areas and Natural Open Space Areas	
	<u>Table 7a.</u>	Importance of Various Types of Natural Resource Areas (Among Those Who Say Establishing Such Areas Are at Least “Somewhat Important”)	
III.	<u>Revenue Option Evaluations</u>	18
	<u>Table 8.</u>	Likelihood of Supporting Various Means of Raising Revenues to Fund Park Improvements and New Facilities in the Town of Oro Valley	

Appendix

	<u>Survey Methodology and Sample Selection</u>	A-1
	<u>Statistical Reliability</u>	A-2
	<i>Confidence Intervals for a Given %</i>		
	<i>Significance of Difference Between %</i>		
	<u>Category Definitions by Types of Facilities/Amenities Evaluated</u>	A-4
	<u>Copy of Survey Instrument</u>		

**TOWN OF ORO VALLLEY
NARANJA PARK PROGRAM AND
FACILITY NEEDS OUTREACH SURVEY**

June, 2014

**Introduction
and Goals**

This Outreach Survey, conducted for McGann & Associates, was designed to assess resident attitudes and opinions to determine program and facility needs for the further development and planning of Naranja Park in Oro Valley. This telephone survey is part of the overall Programming and Conceptual Design Updates project conducted by McGann & Associates for the Town of Oro Valley.

Areas of Investigation – The following areas of investigation were considered the central points for this Outreach Survey:

1. **Current Oro Valley Parks Usage** – What is the aided visitation of the various parks and related facilities in the Town of Oro Valley? What is the visitation profile for each park facility?
2. **Facility Importance Evaluations** – Among Oro Valley residents, what is the perceived level importance of constructing different categories of parks, sports, recreation, performance, community and natural resource park facilities? For each considered important by residents, what is the importance of specific facilities or amenities that define the category?
3. **Revenue Option Evaluations** – What is the likelihood of support for three different methods that the Town might implement to fund improvements for parks and new facilities?

**Methodology
Overview**

To accomplish the goals of this study, a random sampling of adult (18 or older) Town of Oro Valley residents was interviewed by telephone during June 2014. The specific procedures used to select the sample are explained in detail in the Appendix of this report.

Respondent Characteristics

Sample Composition – Tables I-1 to I-3 summarize the characteristics of the final completed in-tab sample of 306 adult Oro Valley residents.

In accordance with the sampling quotas (determined using 2010 Census data for the Town of Oro Valley), the final in-tab sample includes a mix of 49% men and 51% women (Table I-1). The median age is 58.1 years (Table I-2).

A majority of residents surveyed have lived in the Town of Oro Valley for more than ten years (57%) (Table I-3). Still, 16% are “newer” residents (for less than five years) – while the balance (26%) are 6-to-10 year residents.

Table I-1 Gender of Respondents

	Total	Current OV Park Usage		
		Frequent	Occasional	Infrequent/ Non
Men	49%	51%	47%	56%
Women	51%	49%	53%	44%
	N=306	N=70	N=182	N=54

Table I-2 Age of Respondents

	Total	Current OV Park Usage		
		Frequent	Occasional	Infrequent/ Non
18 to 24	5%	9%	3%	4%
25 to 34	9%	23%	4%	7%
35 to 44	12%	10%	13%	11%
45 to 54	18%	26%	17%	9%
55 to 64	22%	17%	25%	15%
65 or older	35%	16%	37%	54%
	N=306	N=70	N=182	N=54

Table I-3 Length of Residence in Oro Valley

	Total	Current OV Park Usage		
		Frequent	Occasional	Infrequent/ Non
Less than three years	5%	6%	5%	6%
3-5 years	11%	9%	12%	13%
6-10 years	26%	37%	26%	15%
More than 10 years	57%	49%	57%	67%
	N=306	N=70	N=182	N=54

**Current
Oro Valley
Park Usage
Index**

As an additional dimension of respondent classification, we have developed a Current Oro Valley Park Usage Index. This index categorizes all survey respondents into one of three classifications based on their past visitation of the seven Oro Valley parks evaluated: James D. Kreigh Park, Cañada del Oro Riverfront Park, West Lambert Lane Park, Honey Bee Canyon Park, Naranja Park, the Oro Valley Aquatic Center and Steam Pump Ranch. The three index categories are based on Table 1 results and defined as follows:

- ✓ **Frequent Users** – residents who have visited at least three of the seven parks monthly (1-3 times per month) or more frequently.
- ✓ **Occasional Users** – residents who indicate mixed or less regular visitation of the seven parks.
- ✓ **Infrequent/Non-Users** – residents who report only infrequent (less than annual) visitation and/or have never visited (or are unfamiliar with) *all* seven parks evaluated.

As indicated in Table I-4, six of ten Oro Valley residents are categorized as occasional park users. Among the rest, more are frequent (23%) than infrequent/non-users (18%).

Table I-4

Current Oro Valley Park Usage Index

	Total
Frequent	23%
Occasional	60%
Infrequent/Non	18%
	N=306

**TOWN OF ORO VALLEY NARANJA PARK PROGRAM AND
FACILITY NEEDS OUTREACH SURVEY**

June 2014

Executive Summary

A 306-person, randomly-selected and statistically-projectable telephone survey of adult (18 or older) Oro Valley residents was conducted in June 2014.

The survey was designed to determine resident attitudes and opinions to determine program and facility needs for the further development and planning of Naranja Park. Specifically, survey respondents were asked to evaluate six different categories of parks facilities or improvements (along with up to 34 specific facilities/amenities).

Before evaluating the six different categories, survey respondents were read the following statement: “The Town of Oro Valley is updating its plan for parks throughout the community. It is also updating the plan for Naranja Park – a largely undeveloped park site located north of Naranja Drive, between La Cañada Drive and First Avenue.”

Survey respondents were read the six categories of park facilities or amenities and asked to indicate their degree of importance for the Town to construct such facilities or amenities. For each category rated “very” or “somewhat” important, residents were asked to rate the importance of specific facilities or amenities within that category.

The Sample – A sampling plan (based on population data from the 2010 Census) was developed to ensure that the sample was as close as possible to actual gender/age distributions for the Town of Oro Valley. The final in-tab sample is reflective of these sampling quotas, with a mix of 49% men/51% women and a median age of 58.1 years. (For comparison purposes, the 2010 Census data for Oro Valley is 47% male/53% female, with a median age of 55.5. years.)

The display below summarizes the demographic composition of the survey sample, broken out by the Oro Valley Park Usage Index. It is clear that frequent park users are balanced between men and women, skew younger and tend to be newer Town of Oro Valley residents.

Display 1 Demographic Summary by Oro Valley Park Usage Index

	Total	Current OV Park Usage Index⁽¹⁾		
		Frequent	Occasional	Infrequent/ Non
Male/Female	49%/51%	51%/49%	47%/53%	56%/44%
Median age	58.1 years	48.3 years	60.0 years	58.5 years
Length of residence in Oro Valley:				
5 or fewer years	16%	15%	17%	19%
6-10 years	26%	37%	26%	15%
More than 10 years	57%	49%	57%	67%

(1) See page I-3 for explanation of Current Oro Valley Park Usage Index.

1.0 Current Park Usage

A summary of the annual aided visitation of the seven Town of Oro Valley parks/facilities (plus the multi-use path system) includes:

- ✓ **Cañada del Oro Riverfront Park** (56% visit/use at least annually)
- ✓ **James D. Kreigh Park** (46%)
- ✓ **The Town's multi-use path system** (43%)
- ✓ **Steam Pump Ranch** (41%)
- ✓ **Oro Valley Aquatic Center** (38%)
- ✓ **Honey Bee Canyon Park** (37%)
- ✓ **Naranja Park** (29%)
- ✓ **West Lambert Lane Park** (27%)

2.0 Facility Importance Evaluations

Display 2 summarizes the Net Importance (Very Important minus Not Important) for the six park categories of park facilities/amenities evaluated.

The three categories with the highest Net Importance include: Outdoor Recreation Facilities (+44%); Natural Resource Parks & Natural Open Space Areas (+42%); and General Recreation Facilities (+40%).

Display 2

Importance of Constructing/Establishing Different Categories of Park-Related Facilities

Category Description:	Very Important	Not Important	Net Importance ⁽¹⁾
Outdoor Recreation Facilities	55%	11%	+44%
Natural Resource Parks & Natural Open Space Areas	54%	12%	+42%
General Recreation Facilities	50%	10%	+40%
Multi-Use Community Centers With Facilities for Indoor Recreation/Fitness Programs	51%	14%	+37%
New Facilities for Organized Sports Programs	44%	12%	+32%
Music, Dance & Theatrical Performance Facilities	41%	21%	+20%

(1) Net Importance = Very Important minus Not Important. Based on results of Tables 2, 3, 4, 5, 6 and 7 in the main report.

Based on the degree of perceived importance of the six categories summarized above, survey respondents evaluated up to 34 specific park facilities/amenities. (Refer to page A-4 in the Appendix for a per-category summary of the facilities/amenities tested.) The importance of these 34 facilities/amenities was measured on a “1-to-5” scale – where “5” is “very important” and “1” is “not at all important.”

Display 3 on the following page summarizes the Weighted Net Importance of all 34 park facilities/amenities. As detailed in the footnotes included for Display 3, the Weighted Net Importance is derived by multiplying Net Importance for each facility/amenity (from the “1-to-5” scale) by the Indexed High Importance of Category Description. The Weighted Net Importance allows for a direct, “apples-to-apples” comparison of the 34 park facilities/amenities evaluated.

The three park facilities/amenities with the highest Weighted Net Importance include: playgrounds and play structures (81); ramadas and picnic areas (78); and paved walking paths (71).

Display 3 Weighted Net Importance of Specific Types of Facilities/Amenities

	Important (4 & 5)	Not Important (1 & 2)	Net Importance ⁽¹⁾	Indexed High Importance of Category Description ⁽²⁾	Weighted Net Importance ⁽³⁾
Playgrounds and play structures	82%	3%	79%	1.02	81
Ramadas and picnic areas	78%	2%	76%	1.02	78
Paved walking paths	76%	6%	70%	1.02	71
Youth baseball and Little League fields	69%	12%	57%	0.90	51
Indoor court facilities, such as basketball, pickleball and racquetball/handball	62%	14%	48%	1.04	50
Multi-sport fields – fields for soccer, lacrosse, football, etc.	68%	13%	55%	0.90	50
Youth softball fields	66%	12%	54%	0.90	49
Rooms for aerobics, yoga and similar classes	63%	16%	47%	1.04	49
Natural surface trails	60%	14%	46%	1.02	47
Outdoor basketball courts	56%	18%	38%	1.12	43
Tennis courts	52%	15%	37%	1.12	41
Cardio and weight training facilities	57%	21%	36%	1.04	37
Dog park	55%	19%	36%	1.02	37
Indoor theater	54%	18%	36%	0.84	30
Outdoor amphitheater	53%	23%	30%	0.84	25
Meeting rooms and classrooms	45%	22%	23%	1.04	24
Fitness courses	46%	24%	22%	1.02	22
Interpretive trails	42%	23%	19%	1.10	21
Indoor walking track	47%	31%	16%	1.04	17
Mountain bicycle trails	46%	30%	16%	1.02	16
Birding areas	41%	28%	13%	1.10	14
Adult recreational softball fields	39%	27%	12%	0.90	11
Art studios	41%	32%	9%	1.04	9
Skate park	37%	29%	8%	1.12	9
Adult, full-size baseball fields	34%	31%	3%	0.90	3
Computer labs	37%	35%	2%	1.04	2
Sand volleyball courts	34%	35%	-1%	1.02	-1
Racquetball courts	28%	38%	-10%	1.12	-11
BMX park	20%	48%	-28%	1.12	-31
Pickleball courts	20%	53%	-33%	1.12	-37
Remote control model airplane park	19%	57%	-38%	1.12	-43
Ropes course	17%	58%	-41%	1.12	-46
Golf courses	17%	63%	-46%	1.02	-47
Zip lines	17%	64%	-47%	1.12	-53

- (1) "Net Importance" = "Important" (4 & 5 scale responses) - "Not Important" (1 & 2 scale responses) (from Tables 2a, 3a, 4a, 5a, 6a and 7a).
- (2) "Indexed High Importance of Category Description" = "Very Important" (from Tables 2, 3, 4, 5, 6 and 7) for each category divided by the average "Very Important" for all categories.
- (3) "Weighted Net Importance" = "Net Importance" x "Indexed High Importance of Category Description."

3.0 Revenue Option Evaluations

Of the three methods evaluated that the Town of Oro Valley might use to generate revenue to fund improvements for parks and new facilities, only one elicits support.

Most survey respondents (56%) are “very” (33%) or “somewhat” (23%) likely to support **user fees** to fund improvements for parks and new facilities. This compares to 19% who are not likely to support.

Meanwhile, six of ten each are *not* likely to support **a Town of Oro Valley property tax** or **increased sales tax** to fund park improvements and new facilities. Just two of ten each are likely to support either revenue-raising method.

Details of the Findings

Current Park Usage

Parks and Related Facilities Visitation – Residents were read the names of seven Town of Oro Valley parks/facilities (plus the Town’s multi-use path system) and asked how often they visit each. Results are summarized in Table 1, ranked by the sum of frequent (daily + weekly + monthly) visitation.

The two most-visited parks/facilities include:

- **Cañada del Oro Riverfront Park** (34% frequent visitors, with another 22% who visit “a few times per year.” Frequent visitors skew slightly male and are more likely to be 18 to 54, although 18 to 34 year-olds are most apt to visit at least once a week. Nearly three of ten overall have never visited [28%], especially progressively newer Oro Valley residents.)
- **The Town’s multi-use path system** (32% frequent users, with another 11% who utilize the paths “a few times per year.” Frequent usage is consistent regardless of gender and among residents 18 to 64 [with an emphasis on 35 to 44 year-olds]. Four of ten are non-users [especially those 65+].)

About two of ten overall are frequent visitors of the following parks/facilities:

- **Steam Pump Ranch** (23% frequent visitors, with another 18% who visit “a few times per year.” Frequent usage is consistent between men and women, and greatest among 18 to 34 or 55 to 64 year-olds. More than four of ten are non-users [44%], including a majority of 35 to 54 year-olds and newer [for less than five years] Oro Valley residents.)
- **James D. Kreigh Park** (22% frequent visitors, with another 24% who visit “a few times per year.” Frequent visitors are most apt to be younger [18 to 34]. Men and 45 to 64 year-olds are more likely to visit “a few times per year.” Overall, 42% never visit – including the majority of those 65+.)
- **Oro Valley Aquatic Center** (17% frequent visitors, with another 21% who visit “a few times per year.” Men and 18 to 34 year-olds are most likely to indicate frequent visitation, while 35 to 44 or 55 to 64 year-olds tend to visit “a few times per year.” One-half never visited, including a majority of women, 45 to 54’s and those 65 or older.)

Fewer are frequent visitors of the remaining parks/facilities evaluated:

- **West Lambert Lane Park** (16% frequent visitors, with another 11% who visit “a few times per year.” Frequent users tend to be 18 to 34 or 45 to 64. Nearly two-thirds overall [65%] have never visited [55%] or are unfamiliar [10%.])
- **Honey Bee Canyon Park** (14% frequent visitors, with another 23% who visit “a few times per year.” Frequent visitors skew female and younger [18 to 34]. Meanwhile, those who visit “a few times a year” tend to be men and older [45 to 64]. More than four of ten have never visited [42%.])
- **Naranja Park** (12% frequent visitors, with another 17% who visit “a few times per year.” Residents 35 to 64 are more likely to be regular visitors. Six of ten are non-visitors [54%] or unfamiliar [7%.])

Table 1 **Frequency of Visiting Various Town of Oro Valley Parks and Related Facilities**
(Ranked by Percentage of Frequent Visitors)

(N=306)	% Frequent Visitors*	Nearly Every Day	Once a Week	1-3 Times/ Month	A Few Times/ Year	Less Often	Never	Don't Know/ Unfamiliar
Cañada del Oro Riverfront Park	34%	7%	8%	19%	22%	13%	28%	3%
The Town's multi-use path system	32%	9%	8%	15%	11%	5%	40%	12%
Steam Pump Ranch	23%	1%	8%	14%	18%	10%	44%	5%
James D. Kriegh Park	22%	3%	6%	13%	24%	7%	42%	6%
Oro Valley Aquatic Center	17%	5%	5%	7%	21%	11%	49%	3%
West Lambert Lane Park	16%	1%	1%	14%	11%	8%	55%	10%
Honey Bee Canyon Park	14%	2%	1%	11%	23%	17%	42%	4%
Naranja Park	12%	2%	2%	8%	17%	10%	54%	7%

* Frequent Visitors = “Nearly Every Day” + “Once a Week” + “1-3 Times Per Month”

Question: First, I am going to read you names of the various parks and related facilities in the Town of Oro Valley. For each, tell me if you visit nearly every day, once a week, one to three times a month, a few times each year or less often. If you have never visited, just let me know. How often do you visit...

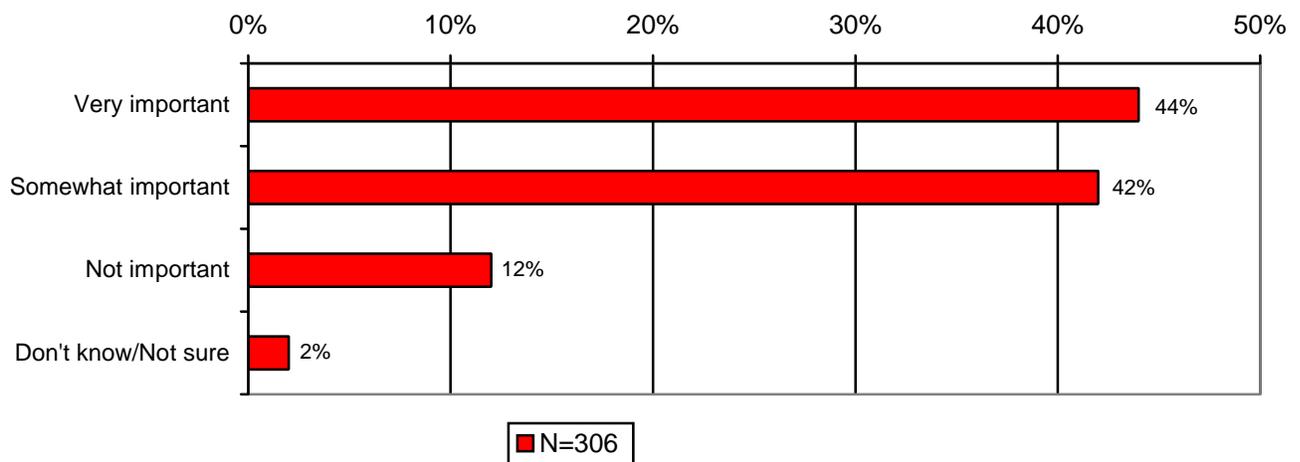
Facility Importance Evaluations

Before evaluating different categories of park facilities or improvements, all respondents were read the following statement: “The Town of Oro Valley is updating its plan for parks throughout the community. It is also updating the plan for Naranja Park – a largely undeveloped park site located north of Naranja Drive, between La Cañada Drive and First Avenue.”

Respondents were then read six different categories of park facilities or amenities and asked to indicate their degree of importance for the Town to construct such facilities or amenities. For each category rated “very” or “somewhat” important, residents were asked to rate the importance of specific facilities or amenities within that category. Turn to page A-4 in the Appendix for a per-category summary of the facilities/amenities tested.

Importance of Constructing New Facilities for Organized Sports Programs – The vast majority (86%) indicate that it is “very” (44%) or “somewhat” (42%) important for the Town of Oro Valley to construct new facilities for organized sports programs. Women and 18 to 54 year-olds are most apt to indicate a high degree of strong importance. In addition, there is strong importance regardless of current park usage. Overall, just 12% think that new facilities or organized sports programs are “not important.”

Table 2 Importance of Constructing New Facilities for Organized Sports Programs



Question: How important do you think it is for the Town to construct new facilities for organized sports programs? Would you say it is...

Importance of Various Types of Organized Sports Facilities – Among the 86% who think it is important for the Town to construct new facilities for organized sports programs, the specific features considered most highly important (measured on a “1-to-5” scale) include:

- **Youth baseball and Little League fields** (46% “very important” [a “5” on the “1-to-5” scale]/69% important to some degree, 4.0 average score. Most highly important to women, 35 to 54 year-olds and progressively more frequent park users.)
- **Multi-sport fields – fields for soccer, lacrosse, football, etc.** (43% “very important”/68% important to some degree, 4.0 average score. Women and frequent or occasional park users indicate the greatest degree of strong importance.)
- **Youth softball fields** (40% “very important”/66% important to some degree, 3.9 average score. Women and the oldest residents are most apt to say that youth softball fields are “very important.” More highly important to infrequent/non park users [4.1] than frequent or occasional visitors [3.8-3.9].)

Overall, there is a lesser degree of importance (regardless of current park usage) placed on **adult recreational softball fields** (39% important, 3.2 average score) or **adult, full size baseball fields** (34% important, 3.1 average score).

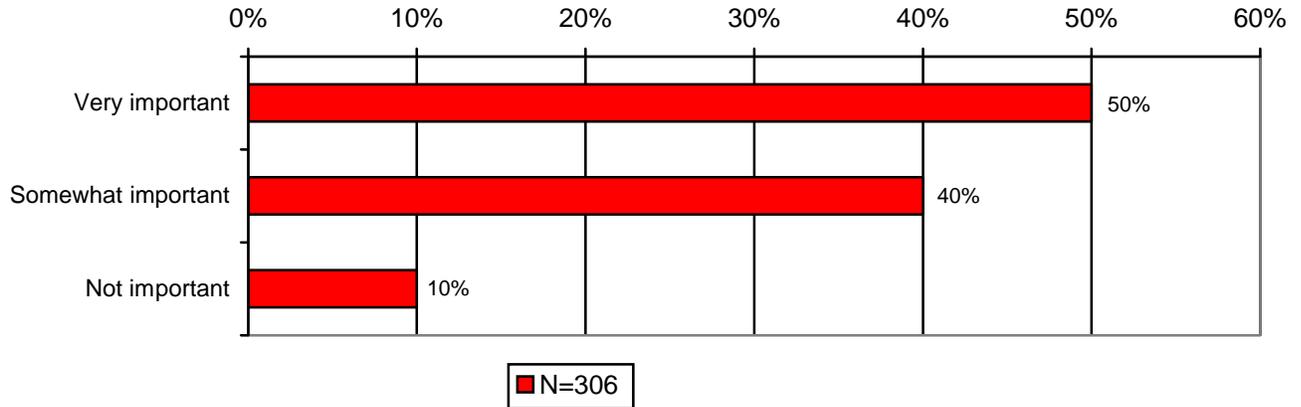
Table 2a Importance of Various Types of Organized Sports Facilities
(Among Those Who Say Constructing Such Facilities Is at Least “Somewhat” Important)

(N=264)	Very Important	Somewhat Important	Neither Important Nor Unimportant	Not Very Important	Not At All Important	Average Score on 1-5 Scale
Youth baseball and Little League fields	46%	23%	19%	9%	3%	4.0
Multi-sport fields – fields for soccer, lacrosse, football, etc.	43%	25%	19%	9%	4%	4.0
Youth softball fields	40%	26%	21%	8%	4%	3.9
Adult recreational softball fields	17%	22%	34%	19%	8%	3.2
Adult, full-size baseball fields	14%	20%	35%	21%	10%	3.1

Question: I am now going to read you some types of outdoor sports facilities. Rate the importance of each on a “1-to-5” scale, where a “5” is “very important” and “1” is “not at all important.” You can give me any number between “1” and “5.” How important are...

Importance of Constructing New General Recreation Facilities – One-half of residents think that it is “very important” for the Town to construct new recreational facilities for families and individuals who are *not* involved in organized sports programs. This especially true among women, 18 to 34 year-olds and residents for less than six years. Another four of ten say such facilities are “somewhat important,” with just one of ten who indicate they are unimportant.

Table 3 Importance of Constructing New General Recreation Facilities



Question: How important do you think it is for the Town to construct new recreational facilities for families and individuals who are *not* involved in organized sports programs? Would you say it is...

Importance of Various Types of General Recreation Facilities – Among the nine of ten who believe constructing general recreation facilities is important, the three specific features that elicit the highest degree of strong importance include:

- **Playgrounds and play structures** (55% “very important” [a “5” on the “1-to-5” scale]/82% important to some degree, 4.3 average score. Strong importance is directly related to current park usage, and highest among 18 to 44 year-olds and 3-to-10 year Oro Valley residents.)
- **Ramadas and picnic areas** (53% “very important”/78% important to some degree, 4.3 average score. Frequent Oro Valley park users, women and 18 to 54 year-olds [with an emphasis on 18 to 34’s] are more apt to indicate a high level of strong importance.)
- **Paved walking paths** (50% “very important”/76% important to some degree, 4.2 average score. Important to both frequent and occasional park users, especially women – with fewer differences based on age.)

At least one-half or so overall consider the following general recreation facilities important to some degree:

- **Natural surface trails** (60% important [31% “very”], 3.7 average score. Women, those 45 or older and newer Town residents [for less than six years] indicate some increased importance – with few differences based on current park usage.)
- **Dog park** (55% important [33% “very”], 3.6 average score. More highly important to occasional [3.7] or infrequent/non [3.5] park users as compared to frequent [3.3] visitors. Women and 35 to 54 year-olds also place increased importance on a dog park.)
- **Mountain bicycle trails** (46% important [26% “very”], 3.3 average score. Progressively more frequent park visitors, women and 45 to 54 year-olds indicate increased importance. Meanwhile, most 18 to 34 year-olds think mountain bike trails are unimportant.)
- **Fitness courses** (46% important [20% “very”], 3.3 average score. Of higher importance to both frequent [3.5] and infrequent/non park visitors [3.6]. On average, fitness courses score lower only among 45 to 54 year-olds.)

Fewer overall place importance on **sand volleyball courts** (34% important, 2.9 average score) or, especially, **golf courses** (17% important, 2.2 average score).

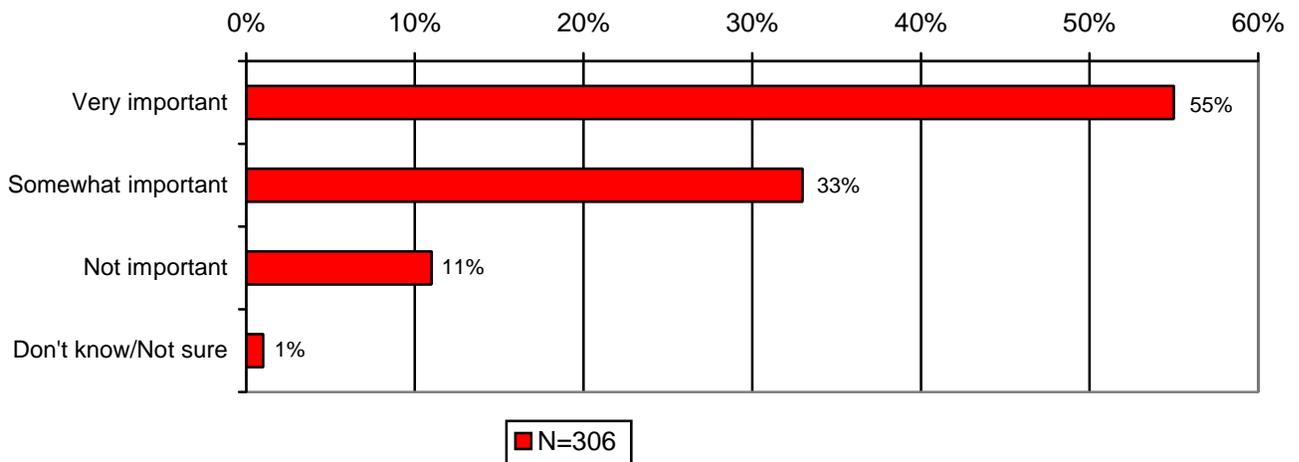
Table 3a Importance of Various Types of General Recreation Facilities
 (Among Those Who Say Constructing Such Facilities
 Is at Least “Somewhat” Important)

(N=274)	Very Important	Somewhat Important	Neither Important Nor Unimportant	Not Very Important	Not At All Important	Average Score on 1-5 Scale
Playgrounds and play structures	55%	27%	15%	2%	1%	4.3
Ramadas and picnic areas	53%	25%	20%	1%	1%	4.3
Paved walking paths	50%	26%	19%	4%	2%	4.2
Natural surface trails	31%	29%	26%	10%	4%	3.7
Dog park	33%	22%	26%	11%	8%	3.6
Mountain bicycle trails	26%	20%	24%	17%	13%	3.3
Fitness courses	20%	26%	29%	14%	10%	3.3
Sand volleyball courts	12%	22%	30%	19%	16%	2.9
Golf courses	11%	6%	20%	17%	46%	2.2

Question: I am now going to read you some types of facilities for general recreation. Rate the importance of each on a “1-to-5” scale, where a “5” is “very important” and “1” is “not at all important.” You can give me any number between “1” and “5.” How important are...

Importance of Constructing Outdoor Recreational Facilities – A majority of residents survey say that is “very important” for the Town of Oro Valley to construct recreational facilities for school age children, young adults and older active adults (55%). The percentage of strong importance is high among both men (52%) and women (58%), as well as among those 18 to 64 (with an emphasis on 35 to 44 year-olds). Strong importance is directly related to current park usage. Another one-third overall think constructing outdoor recreational facilities is “somewhat important,” while just one of ten say it is “not important.”

Table 4 **Importance of Constructing Outdoor Recreation Facilities**



Question: How important do you think it is for the Town to construct new outdoor recreation facilities for school age children, young adults and older active adults? Would you say it is...

Importance of Various Types of Outdoor Recreation Facilities – Among the 88% of residents who report that constructing outside recreation facilities is at least “somewhat” important, two specific features are considered more highly important:

- **Outdoor basketball courts** (27% “very important” [a “5” on the “1-to-5” scale]/56% important to some degree, 3.6 average score. On average, there are few differences based on current park usage or gender. Instead, it is 18 to 34 year-olds who place the highest degree of strong importance on outdoor basketball courts.)
- **Tennis courts** (24% “very important”/52% important to some degree, 3.6 average score. More highly important to frequent park users, women and 18 to 34 year-olds.)

More also consider a **skate park** important (37%) than not (29%), for a 3.1 average score. This is the case regardless of current park usage. As might be anticipated, perceived importance skews younger (18 to 34).

Each of the remaining outdoor recreation facilities tested elicit a lower degree of importance overall:

- **Racquetball courts** (28% important versus 38% not important, 2.8 average score. Some elevated importance among 18 to 34 year-olds.)
- **BMX park** (20% important versus 48% not important, 2.6 average score. Only 18 to 34 year-olds indicate some increased importance.)
- **Pickleball courts** (20% important versus 53% not important, 2.5 average score.)
- **Remote control model airplane park** (19% important versus 57% not important, 2.4 average score.)
- **Ropes course** (17% important versus 58% not important, 2.3 average score.)
- **Zip lines** (17% important versus 64% not important, 2.2 average score.)

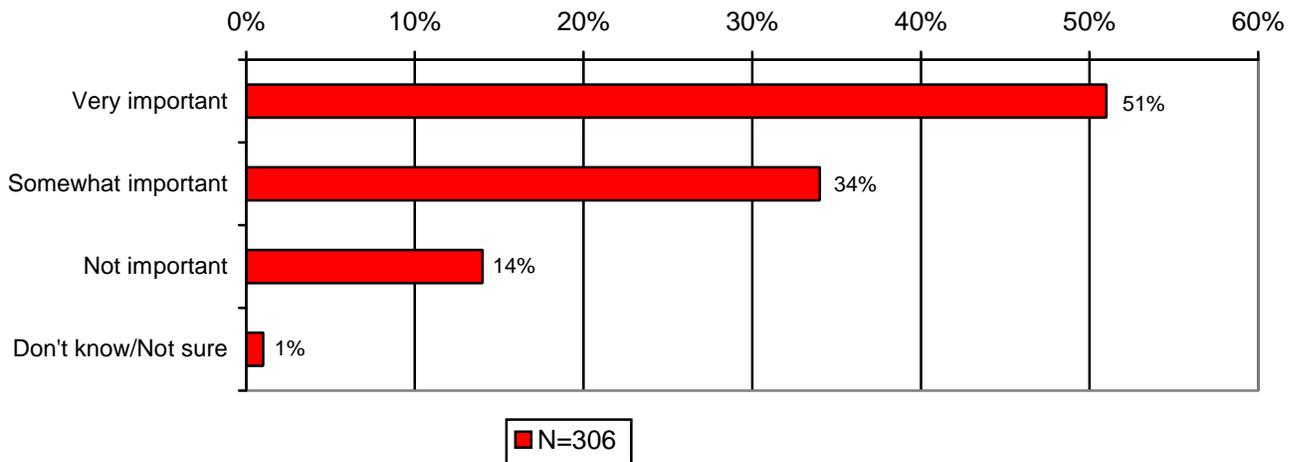
Table 4a Importance of Various Types of Outdoor Recreation Facilities
 (Among Those Who Say Constructing Such Facilities
 Is at Least “Somewhat” Important)

(N=270)	Very Important	Somewhat Important	Neither Important Nor Unimportant	Not Very Important	Not At All Important	Average Score on 1-5 Scale
Outdoor basketball courts	27%	29%	25%	10%	8%	3.6
Tennis courts	24%	28%	32%	9%	6%	3.6
Skate park	19%	18%	33%	16%	13%	3.1
Racquetball courts	13%	15%	33%	18%	20%	2.8
BMX park	11%	9%	32%	25%	23%	2.6
Pickleball courts	8%	12%	27%	22%	31%	2.5
Remote control model airplane park	8%	11%	24%	26%	31%	2.4
Ropes course	8%	9%	26%	20%	38%	2.3
Zip lines	11%	6%	18%	17%	47%	2.2

Question: I am now going to read you some types of outdoor recreation facilities. Rate the importance of each on a “1-to-5” scale, where a “5” is “very important” and “1” is “not at all important.” You can give me any number between “1” and “5.” How important are...

Importance of Constructing Multi-Use Community Centers With Facilities for Indoor Recreation/Fitness Programs – A slight majority of residents overall (51%) indicate that it is “very important” for the Town to construct a multi-use community center with facilities for indoor recreation and fitness programs, along with meeting rooms, classrooms and studios. These tend to be frequent (50%) or occasional (55%) park users, as well as women and 18 to 44 year-olds. Another one-third say constructing multi-use community centers is “somewhat important” – while 14% (more often infrequent/non users) say it is “not important.”

Table 5 **Importance of Constructing Multi-Use Community Centers With Facilities for Indoor Recreation/Fitness Programs**



Question: How important do you think it is for the Town to construct a multi-use community center with facilities for indoor recreation and fitness programs, along with meeting rooms, classrooms and studios? Would you say it is...

Importance of Various Types of Indoor Recreation, Fitness and Community Center Facilities – Among the 85% who say that constructing a multi-use center is important (to some degree), most think it is important that the center include:

- **Rooms for aerobics, yoga and similar classes** (39% “very important” [a “5” on the “1-to-5” scale]/63% important to some degree, 3.8 average score. More highly important to women, with few differences [on average] based on age and frequent or occasional park visitors.)
- **Indoor court facilities, such as basketball, pickleball and racquetball/handball** (37% “very important”/62% important to some degree, 3.8 average score. Important to both frequent and occasional park users – along with 18 to 44 year-olds.)
- **Cardio and weight training facilities** (35% “very important”/57% important to some degree, 3.6 average score. High importance is directly related to current park usage, and higher among women and 18 to 34 year-olds. Consistent levels of importance among 35 to 64 year-olds.)

Two other community center features are important to just less than one-half, including:

- **Meeting rooms and classrooms** (45% important [25% “very”], 3.4 average score. More important to occasional or infrequent/non visitors [3.5 each versus 3.1 among frequent visitors], women and those 55 or older.)
- **Indoor walking track** (47% important [28% “very”], 3.3 average score. Scores highest among infrequent/non visitors [3.7 versus 3.2 each among frequent or occasional users], women and 55 to 64 year-olds.)

The two remaining features – **art studios** (3.2 average score) and **computer labs** (3.1 average score) – elicit some degree importance among about four of ten each (41% and 37%, respectively). Both (particularly computer labs) are more important to infrequent/non park visitors.

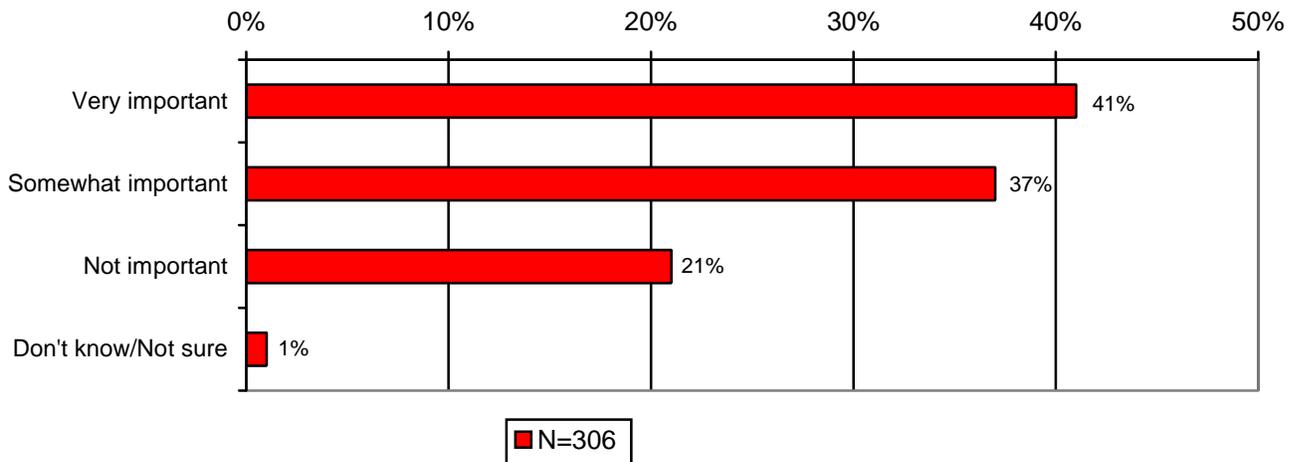
Table 5a **Importance of Various Types of Indoor Recreation, Fitness and Community Center Facilities**
 (Among Those Who Say Constructing Such Facilities Is at Least “Somewhat” Important)

(N=260)	Very Important	Somewhat Important	Neither Important Nor Unimportant	Not Very Important	Not At All Important	Average Score on 1-5 Scale
Rooms for aerobics, yoga and similar classes	39%	24%	22%	9%	7%	3.8
Indoor court facilities, such as basketball, pickleball and racquetball/handball	37%	25%	24%	7%	7%	3.8
Cardio and weight training facilities	35%	22%	23%	12%	9%	3.6
Meeting rooms and classrooms	25%	20%	32%	12%	10%	3.4
Indoor walking track	28%	19%	22%	13%	18%	3.3
Art studios	21%	20%	27%	21%	11%	3.2
Computer labs	21%	16%	28%	20%	15%	3.1

Question: I am now going to read you some types of indoor recreation, fitness and community center facilities that might be included in a multi-use center. Rate the importance of each on a “1-to-5” scale, where a “5” is “very important” and “1” is “not at all important.” You can give me any number between “1” and “5.” How important is are...

Importance of Constructing Facilities for Music, Dance and Theatrical Performances – Nearly eight of ten residents (78%) indicate that it is “very” (41%) or “somewhat” (37%) important for the Town of Oro Valley to construct facilities for music, dance and theatrical performances. Strong importance is higher among infrequent/non visitors (46% versus 40% each of frequent or occasional users) – as well as among men, 35 to 44 year-olds and residents 55 or older. Two of ten overall claim these facilities are “not important,” more often the most long-term (10+ years) Oro Valley residents.

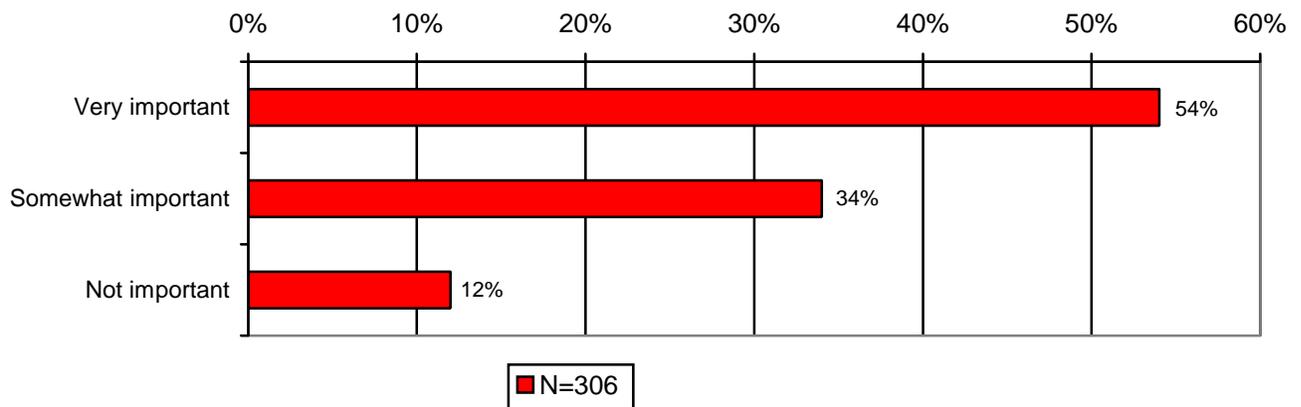
Table 6 **Importance of Constructing Facilities for Music, Dance and Theatrical Performances**



Question: How important do you think it is for the Town to construct facilities for music, dance and theatrical performances? Would you say it is...

Importance of Establishing Accessible Natural Resource Parks and Natural Open Space Areas – A majority of Oro Valley residents surveyed (54%) say that it is “very important” for the Town to establish natural resource parks and natural open space areas (featuring preserved tracts of desert land with trails but no other development, where the public can walk, hike, observe and enjoy the natural environment). This is especially true among occasional park visitors, women, 35 to 64 year-olds and 3-to-5 year Oro Valley residents. Among the rest, one-third indicate that such natural resource areas are “somewhat important” – while just 12% believe they are “not important.”

Table 7 **Importance of Establishing Accessible Natural Resource Parks and Natural Open Space Areas**



Question: How important do you think it is for the Town to establish accessible natural resource parks and natural open space areas featuring preserved tracts of desert land with trails but no other development, where the public can walk, hike, observe and enjoy the natural environment? Would you say it is...

Importance of Various Types of Natural Resource Areas – Among the 88% who think natural resource areas are important to some degree, the two options evaluated elicit very similar opinions:

- **Interpretive trails** (42% important [20% “very”], 3.2 average score. On average, scores are slightly higher among occasional park visitors, women and 55 to 64 year-olds. Overall, 23% think these trails are unimportant – more often 18 to 34 year-olds.)
- **Birding areas** (41% important [19% “very”], 3.2 average score. Women and those 55+ indicate increased importance – with few differences based on current park usage. Nearly three of ten consider birding areas to be not important. These tend to be men and 18 to 44 year-olds.)

Table 7a **Importance of Various Types of Natural Resource Areas**
 (Among Those Who Say Establishing Such Areas
 Is at Least “Somewhat” Important)

(N=268)	Very Important	Somewhat Important	Neither Important Nor Unimportant	Not Very Important	Not At All Important	Average Score on 1-5 Scale
Interpretive trails	20%	22%	35%	8%	15%	3.2
Birding areas	19%	22%	31%	13%	15%	3.2

Question: I am now going to read you some types of natural resource areas. Rate the importance of each on a “1-to-5” scale, where a “5” is “very important” and “1” is “not at all important.” You can give me any number between “1” and “5.” How important are...

Revenue Option Evaluations

Likelihood of Supporting Various Means to Fund Park Improvements and New Facilities – Residents were asked to rate (on a “1-to-5” scale) the likelihood of supporting three methods that the Town of Oro Valley might use to generate revenue to fund improvements for parks and new facilities.

Of the three methods evaluated, only one elicits support. As indicated in Table 8, most residents (56%) are “very” (33%) or “somewhat” (23%) likely to support **user fees** to fund improvements for parks and new facilities. This compares to 19% who are not likely to support – resulting in a 3.6 average score on the “1-to-5” scale. There is similar likelihood of support among both frequent and occasional park visitors (3.7 each versus 3.2 among infrequent/non users), and regardless of gender or age (slightly lower only among those 65+).

On the other hand, six of ten each are *not* likely to support a **Town of Oro Valley property tax** or **increased sales tax** (2.3 average score each) to fund park improvements and new facilities. Just two of ten each are likely to support either revenue-raising method.

Table 8 Likelihood of Supporting Various Means of Raising Revenues to Fund Park Improvements and New Facilities in the Town of Oro Valley

(N=306)	Very Likely	Somewhat Likely	Neither Likely Nor Unlikely	Not Very Likely	Not At All Likely	Average Score on 1-5 Scale
User fees	33%	23%	24%	8%	11%	3.6
A Town of Oro Valley property tax	10%	10%	23%	14%	44%	2.3
Increased sales tax	8%	11%	22%	16%	42%	2.3

Question: In order to fund improvements for parks and new facilities, the Town of Oro Valley would need to raise revenues from residents – to supplement existing taxes and fees. As I read some different ways that the Town might use to generate revenue, tell me how likely you would be to support each on a “1-to-5” scale – where a “5” means you are “very likely” to support the method and “1” is “not at all likely.” You can give me any number between “1” and “5.” To fund improvements for parks and new facilities, how likely would you be to support...

**TOWN OF ORO VALLEY
NARANJA PARK PROGRAM AND
FACILITY NEEDS OUTREACH SURVEY**

June 2014

Appendix

**Survey
Methodology
and Sample
Selection**

This study consists of a 306-person, randomly-selected and statistically-projectable sample of adult (18 or older) Town of Oro Valley residents. A sampling plan (based on population distribution data from 2010 Census data) was developed to ensure the composition of the final sample was as close as possible to actual sex/age proportions in the Town of Oro Valley.

All interviews were conducted by telephone during June 2014. The fielding was conducted using a computer-assisted predictive dialing system. Respondents included in this survey were selected through a random sampling procedure that allows equal probability of selection. This technique ensures that area residents who are not yet listed in a telephone directory (or choose not to be listed) are still eligible for selection. In addition, qualified respondents in each household were further randomized by the “last birthday” method. There was only one interview per residence. The telephone interviews lasted 12 minutes on average. Neither the interviewer nor the interviewee had any direct knowledge of the study sponsor. All interviews were conducted and validated by the FMR field staff.

Cell Phone Only Households – To address “cell phone only” households (households without a land line that utilize a cell phone exclusively), FMR interviewers manually dialed randomly-generated cell phone numbers (based on known cell phone exchanges) and attempted to interview these households. Potential respondents reached through manually dialing were given three options: to proceed with the interview using their cell phone provider’s calling plan minute allocations; allow for a call-back at a mutually arranged time on a land line; or to call the cell phone back when minutes are “free” (i.e., weekends, evenings, etc.).

Statistical Reliability

The statistics in this report are subject to a degree of variation that is determined by sample (or sub-sample) size. All research data are subject to a certain amount of variation for this reason. This does not mean that the figures represented in the various tables are wrong. It means that each percentage represents a possible “range” of response. This is because the random sampling process, as well as human behavior itself, can never be perfect. For this sample, N=300 (conservatively rounded), the statistical variation is $\pm 5.7\%$ under the most extreme circumstances – with a 95% confidence level. That is, when the percentages shown in the tables are near 50% (the most conservative situation), the actual behavior or attitude may range from 44.3% to 55.7%. The 95% confidence level means that if the survey were repeated 100 times, in 95 cases the same range of response would result. Those percentages that occur at either extreme (for example, 10% or 90%) are subject to a smaller degree of statistical fluctuation (in this case, $\pm 3.3\%$).

Sub-samples, such as gender or age groups, have a higher degree of statistical fluctuation due to the smaller number of respondents in those groupings.

Confidence Intervals for a Given Percent (at the 95% confidence level)

N (Base for %)	Reported Percentage				
	10 or 90%	20 or 80%	30 or 70%	40 or 60%	50%
300	3.3%	4.5%	5.1%	5.5%	5.7%
250	3.8%	5.0%	5.8%	6.2%	6.3%
200	4.2%	5.5%	6.4%	6.8%	6.9%
100	5.9%	7.8%	9.0%	9.6%	9.8%
50	8.3%	11.1%	12.7%	13.6%	13.9%
25	11.8%	15.7%	18.0%	19.2%	19.6%

Example: If the table shows that 20% of all respondents (when N=300) have a positive or negative attitude about a question category, the chances are 95 out of 100 that the true value is 20% ± 4.5 percentage points; that is, the range of response would be 15.5% to 24.5%.

Significance of Difference Between Percentages
(at the 95% confidence level)

Average of the Bases of Percentages Being Compared	Reported Percentage				
	10 or 90%	20 or 80%	30 or 70%	40 or 60%	50%
250	5.2%	7.1%	8.1%	8.6%	8.8%
200	5.9%	7.8%	8.9%	9.6%	9.8%
150	6.8%	9.1%	10.3%	11.0%	11.3%
100	8.3%	11.0%	12.7%	13.6%	13.9%
50	11.7%	15.7%	18.0%	19.2%	19.7%
25	16.7%	22.2%	25.5%	27.2%	27.7%

Example: If a table indicates that 35% of women have a positive attitude toward a category of response, and that 24% of men have the same attitude, the following procedure should be used to determine if this attitude is due to chance:

The average base is 150 (rounded) for the reported percentages $(151+155)/2=153$. The average of the percentages is 30.0% – $(35+24)/2=29.5\%$. The difference between the percentages is 11%. Since 11% is greater than 10.3% (the figure in the table for this base and this percentage), the chances are 95 out of 100 that the attitude is significantly different between female and male Oro Valley residents.

Category Definitions by Types of Facilities/Amenities Evaluated

Category Description	Facilities/Amenities Evaluated
New Facilities for Organized Sports Programs	Multi-sport fields – fields for soccer, lacrosse, football, etc. Youth baseball and Little League fields Youth softball fields Adult, full-size baseball fields Adult recreational softball fields
General Recreation Facilities	Playgrounds and play structures Ramadas and picnic areas Paved walking paths Fitness courses Natural surface trails Mountain bicycle trails Dog park Sand volleyball courts Golf courses
Outdoor Recreation Facilities	Outdoor basketball courts Skate park Tennis courts BMX park Racquetball courts Zip lines Ropes course Pickleball courts Remote control model airplane park
Multi-Use Community Centers With Facilities for Indoor Recreation/Fitness Programs	Indoor court facilities, such as basketball, pickleball and racquetball/handball Cardio and weight training facilities Rooms for aerobics, yoga and similar classes Indoor walking track Meeting rooms and classrooms Computer labs Art studios
Music, Dance & Theatrical Performance Facilities	Outdoor amphitheater Indoor theater
Natural Resource Parks & Natural Open Space Areas	Interpretive trails Birding areas

**TOWN OF ORO VALLEY NARANJA PARK PROGRAM AND
FACILITY NEEDS OUTREACH SURVEY**
June 2014

COPY OF SURVEY INSTRUMENT

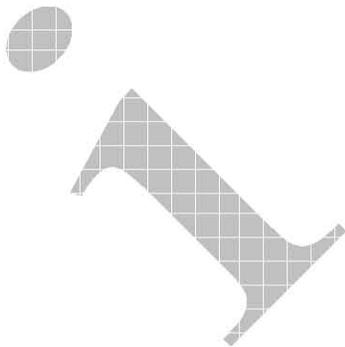
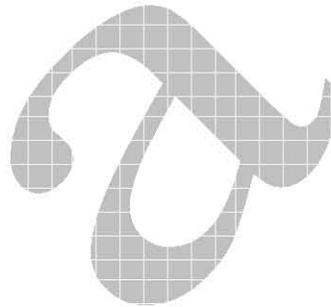
D. How many years have you lived in Oro Valley? (READ)

Less than three years 1

3-5 years..... 2

6-10 years..... 3

-OR- More than 10 years..... 4 (20)



ORO VALLEY PARKS PROGRAM SURVEY
 - Main Questionnaire -

1. First, I am going to read you names of the various parks and related facilities in the Town of Oro Valley. For each, tell me if you visit nearly every day, once a week, one to three times a month, a few times each year or less often. If you have never visited, just let me know. How often do you visit...**(READ ITEMS IN RANDOM ORDER) (READ LOCATIONS ONLY IF NEEDED FOR CLARIFICATION)**

(MARK 'X' WHERE START)	Nearly Every Day	Once a Week	1-3 Times Per Month	A Few Times/ Year	Less Often	Never	Don't know/ Unfamiliar	
() James D. Kriegh ("Kree") Park (On Calle Concordia near Oracle Road)	1	2	3	4	5	6	7	(21)
() Cañada del Oro Riverfront Park (On Lambert Lane west of Oracle Road)	1	2	3	4	5	6	7	(22)
() West Lambert Lane Park (On Lambert Lane west of La Cañada)	1	2	3	4	5	6	7	(23)
() Honey Bee Canyon Park (On Rancho Vistoso and Honey Bee Trail)	1	2	3	4	5	6	7	(24)
() Naranja ("Na-rahn-hah") Park (On Naranja ("Na-rahn-hah") Drive east of La Cañada)	1	2	3	4	5	6	7	(25)
() Oro Valley Aquatic Center (On Calle Concordia near Oracle Road)	1	2	3	4	5	6	7	(26)
() Steam Pump Ranch (Near Oracle Road and First Avenue)	1	2	3	4	5	6	7	(27)
<u>ASK LAST:</u>								
() Finally, how often do you utilize the Town's multi-use path system?	1	2	3	4	5	6	7	(28)

(READ TO ALL): The Town of Oro Valley is updating its plan for parks throughout the community. It is also updating the plan for Naranja ("Na-rahn-hah") Park – a largely undeveloped park site located north of Naranja ("Na-rahn-hah") Drive, between La Cañada Drive and First Avenue. To begin...**(CONTINUE TO Q.2)**

2. How important do you think it is for the Town to construct new facilities for organized sports programs? Would you say it is...(READ)

- Very important 1 (ASK Q.2a)
- Somewhat important..... 2 (ASK Q.2a)
- OR- Not important 3 (SKIP TO Q.3)

(DO NOT READ) Don't know/Not sure 4 (SKIP TO Q.3) (29)

2a. I am now going to read you some types of outdoor sports facilities. Rate the importance of each on a "1-to-5" scale, where a "5" is "very important" and "1" is "not at all important." You can give me any number between "1" and "5." How important are...(READ ITEMS IN RANDOM ORDER)

<u>(MARK 'X' WHERE START)</u>	Very Important		Neither Important Nor Unimportant		Not at All Important	
() Multi-sport fields – fields for soccer, lacrosse, football, etc.	5	4	3	2	1	(30)
() Youth baseball and Little League fields	5	4	3	2	1	(31)
() Youth softball fields	5	4	3	2	1	(32)
() Adult, full-size baseball fields	5	4	3	2	1	(33)
() Adult recreational softball fields	5	4	3	2	1	(34)

3. How important do you think it is for the Town to construct new recreational facilities for families and individuals who are not involved in organized sports programs? Would you say it is...(READ)

- Very important 1 (ASK Q.3a)
- Somewhat important..... 2 (ASK Q.3a)
- OR- Not important 3 (SKIP TO Q.4)

(DO NOT READ) Don't know/Not sure 4 (SKIP TO Q.4) (35)

3a. I am now going to read you some types of facilities for general recreation. Rate the importance of each on a "1-to-5" scale, where a "5" is "very important" and "1" is "not at all important." You can give me any number between "1" and "5." How important are...(READ ITEMS IN RANDOM ORDER)

<u>(MARK 'X' WHERE START)</u>	Very Important		Neither Important Nor Unimportant		Not at All Important	
() Playgrounds and play structures	5	4	3	2	1	(36)
() Ramadas and picnic areas	5	4	3	2	1	(37)
() Paved walking paths	5	4	3	2	1	(38)
() Fitness courses	5	4	3	2	1	(39)
() Natural surface trails	5	4	3	2	1	(40)
() Mountain bicycle trails	5	4	3	2	1	(41)
() Dog park	5	4	3	2	1	(42)
() Sand volleyball courts	5	4	3	2	1	(43)
() Golf courses	5	4	3	2	1	(44)

4. How important do you think it is for the Town to construct new outdoor recreation facilities for school age children, young adults and older active adults? Would you say it is...(READ)

Very important1 (ASK Q.4a)

Somewhat important.....2 (ASK Q.4a)

-OR- Not important.....3 (SKIP TO Q.5)

(DO NOT READ) Don't know/Not sure4 (SKIP TO Q.5) (45)

4a. I am now going to read you some types of outdoor recreation facilities. Rate the importance of each on a "1-to-5" scale, where a "5" is "very important" and "1" is "not at all important." You can give me any number between "1" and "5." How important are...(READ ITEMS IN RANDOM ORDER)

<u>(MARK 'X' WHERE START)</u>	<u>Very Important</u>	4	<u>Neither Important Nor Unimportant</u>	2	<u>Not at All Important</u>	(46)
() Outdoor basketball courts	5	4	3	2	1	(46)
() Skate park	5	4	3	2	1	(47)
() Tennis courts	5	4	3	2	1	(48)
() BMX park	5	4	3	2	1	(49)
() Racquetball courts	5	4	3	2	1	(50)
() Zip lines ⁽¹⁾	5	4	3	2	1	(51)
() Ropes course ⁽²⁾	5	4	3	2	1	(52)
() Pickleball courts ⁽³⁾	5	4	3	2	1	(53)
() Remote control model airplane park	5	4	3	2	1	(54)

(1) (INTERVIEWER: IF RESPONDENT NEEDS A DEFINITION OF "ZIP LINES," SAY: "A user in a harness rides or glides along a cable mounted above an incline.")

(2) (INTERVIEWER: IF RESPONDENT NEEDS A DEFINITION OF "ROPES COURSE," SAY: "Individual users or teams go across sturdy ropes suspended a few feet above the ground.")

(3) (INTERVIEWER: IF RESPONDENT NEEDS A DEFINITION OF "PICKLEBALL COURTS," SAY: "Pickleball is a racquet sport similar to tennis and badminton that utilizes paddles, a net and a ball similar to a wiffle ball.")

5. How important do you think it is for the Town to construct a multi-use community center with facilities for indoor recreation and fitness programs, along with meeting rooms, classrooms and studios? Would you say it is...(READ)

- Very important 1 (ASK Q.5a)
- Somewhat important..... 2 (ASK Q.5a)
- OR- Not important..... 3 (SKIP TO Q.6)

(DO NOT READ) Don't know/Not sure 4 (SKIP TO Q.6) (55)

5a. I am now going to read you some types of indoor recreation, fitness and community center facilities that might be included in a multi-use center. Rate the importance of each on a "1-to-5" scale, where a "5" is "very important" and "1" is "not at all important." You can give me any number between "1" and "5." How important is are...(READ ITEMS IN RANDOM ORDER)

<u>(MARK 'X' WHERE START)</u>	<u>Very Important</u>	<u>4</u>	<u>Neither Important Nor Unimportant</u>	<u>3</u>	<u>2</u>	<u>Not at All Important</u>	<u>1</u>	<u>(56)</u>
() Indoor court facilities, such as basketball, pickle ball and racquetball/handball	5	4	3	2	1			
() Cardio and weight training facilities	5	4	3	2	1			(57)
() Rooms for aerobics, yoga and similar classes	5	4	3	2	1			(58)
() Indoor walking track	5	4	3	2	1			(59)
() Meeting rooms and classrooms	5	4	3	2	1			(60)
() Computer labs	5	4	3	2	1			(61)
() Art studios	5	4	3	2	1			(62)

6. How important do you think it is for the Town to construct facilities for music, dance and theatrical performances? Would you say it is...(READ)

- Very important 1 (ASK Q.6a)
- Somewhat important..... 2 (ASK Q.6a)
- OR- Not important..... 3 (SKIP TO Q.7)

(DO NOT READ) Don't know/Not sure 4 (SKIP TO Q.7) (63)

6a. I am now going to read you some types of facilities for music, dance and theatrical performances. Rate the importance of each on a "1-to-5" scale, where a "5" is "very important" and "1" is "not at all important." You can give me any number between "1" and "5." How important is an...(READ ITEMS IN RANDOM ORDER)

<u>(MARK 'X' WHERE START)</u>	<u>Very Important</u>	<u>4</u>	<u>Neither Important Nor Unimportant</u>	<u>3</u>	<u>2</u>	<u>Not at All Important</u>	<u>1</u>	<u>(64)</u>
() Outdoor amphitheater	5	4	3	2	1			(64)
() Indoor theater	5	4	3	2	1			(65)

7. How important do you think it is for the Town to establish accessible natural resource parks and natural open space areas featuring preserved tracts of desert land with trails but no other development, where the public can walk, hike, observe and enjoy the natural environment? Would you say it is...(READ)

- Very important 1 (ASK Q.7a)
- Somewhat important..... 2 (ASK Q.7a)
- OR- Not important..... 3 (SKIP TO Q.8)

(DO NOT READ) Don't know/Not sure 4 (SKIP TO Q.8) (66)

7a. I am now going to read you some types of natural resource areas. Rate the importance of each on a "1-to-5" scale, where a "5" is "very important" and "1" is "not at all important." You can give me any number between "1" and "5." How important are...(READ ITEMS IN RANDOM ORDER)

(MARK 'X' WHERE START)	Very Important		Neither Important Nor Unimportant		Not at All Important
() Interpretive trails	5	4	3	2	1 (67)
() Birding areas	5	4	3	2	1 (68)

8. In order to fund improvements for parks and new facilities, the Town of Oro Valley would need to raise revenues from residents – to supplement existing taxes and fees. As I read some different ways that the Town might use to generate revenue, tell me how likely you would be to support each on a "1-to-5" scale – where a "5" means you are "very likely" to support the method and "1" is "not at all likely." You can give me any number between "1" and "5." To fund improvements for parks and new facilities, how likely would you be to support...(READ ITEMS IN RANDOM ORDER)

(MARK 'X' WHERE START)	Very Likely		Neither Likely Nor Unlikely		Not at All Likely
() User fees	5	4	3	2	1 (69)
() Increased sales tax	5	4	3	2	1 (70)
() A Town of Oro Valley property tax	5	4	3	2	1 (71)

(END): THANK RESPONDENT FOR HIS/HER TIME AND SAY: "IN CASE THE OFFICE WANTS TO CHECK MY WORK, MAY I HAVE YOUR FIRST NAME AND THE ZIP CODE OF YOUR HOME ADDRESS?"

RESPONDENT'S NAME _____ ZIP CODE _____ (72-76)

*** (REMEMBER TO VERIFY RESPONDENT'S PHONE NUMBER) ***

FOR OFFICE USE ONLY:

Validation Questions

Q _____ Q _____

Q _____ Q _____

Q _____ Q _____



Town Council Regular Session

Item # **10.**

Meeting Date: 10/01/2014
Submitted By: Kristy Diaz-Trahan, Parks and Recreation
Department: Parks and Recreation

Information

SUBJECT:

DISCUSSION AND POSSIBLE ACTION TO APPROVE A YOUTH SCHOLARSHIP PROGRAM IN CONJUNCTION WITH ORO VALLEY PARKS AND RECREATION PROGRAMS

RECOMMENDATION:

Staff recommends approval of this scholarship program, as it will make fee-based recreation programs more accessible to youth who reside in financially constrained households within Oro Valley.

EXECUTIVE SUMMARY:

There has been a desire for the Town to develop a program to assist in meeting the needs of youth who cannot participate in recreational programs and activities due to financial constraints. From the Council's direction, Town staff has developed a financial assistance program that will make scholarships for designated parks & recreation programs available to Oro Valley youth 17 years and under who meet reduced or free lunch needs. The mechanism to collect contributions for the scholarship fund will be through a voluntary *Round-Up* program administered through Oro Valley Water Utility customer bills.

BACKGROUND OR DETAILED INFORMATION:

Applications for a scholarship will be made available to Oro Valley residents via online or at the Parks & Recreation Department's office. To apply, a copy of the child's assisted or free lunch letter from the school district must be submitted along with the application. In the situation that the child does not receive this assistance, home-schooled children for example, then copies of the following documents will be required in order to utilize the standard calculation in determining if the student meets reduced or free lunch needs:

- Photo Identification
- Residence/Residential Address
- Utility Expenses
- Proof of Income

Once the application has been processed, staff will notify the applicant's family of his/her qualification status. The following two (2) qualification rates will be offered:

- 50% Rate (students meeting reduced lunch threshold)
- 75% Rate (students meeting free lunch threshold)

A student receiving the 75% rate will only have to pay 25% of the respective program's cost in order to participate. For example, if a program costs \$50, then the youth's family will only need to pay \$12.50 (75% reduction).

Scholarships are awarded based on available *Round-Up* funding and may be used for the majority of

classes and activities listed in the Parks & Recreation Program Guide. Depending on the utilization of the program by the youth and the available funding, there likely will be funding available to support an adaptive aquatics program that we are currently developing. The scholarship annual maximum is \$1,000 per youth.

Costs for marketing the program and requesting contributions, such as printing and mailing billing inserts, would be paid from the Town's General Fund.

To collect funds for the scholarships, the *Round-Up* program will simply provide a water customer the option to pay his/her water bill by rounding up to the next dollar. The amounts collected will be applied to the scholarship fund. For example, if a person's bill is \$93.30, the person would "round-up" the payment to \$94. The \$0.70 difference then goes into the scholarship fund. Lump sum donations are also accepted and all donated funds are tax deductible. This program is similar to other utility bill programs that support charitable organizations.

When enrolling into the program, water customers will identify the amount and manner of their contribution:

1. Round-up their monthly bill to the nearest dollar
2. Defined contribution amount to be added to their bill each month
3. One-time contribution amount to be added to their bill

As a result, this information is entered into the customer's account, with the subsequent billing statement reflecting his/her contribution. The data entry will take less than five (5) minutes per applicant and the amount of the contributions will automatically be reported on the traditional month-end reports. The collected money will then be transferred to the scholarship fund.

FISCAL IMPACT:

In order to implement this program, the Water Utility Department will need to allocate between \$1,200 and \$2,300 of its funds for custom programming. This is a one-time expenditure that can be accommodated within the current budget and can be accomplished within one week.

SUGGESTED MOTION:

I MOVE to (approve or deny) the Youth Scholarship Program as presented.
