

ORDINANCE NO. (O)15-04

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING THE REZONING FROM ROONEY RANCH “Z” PLANNED AREA DEVELOPMENT TO “NAKOMA SKY” PLANNED AREA DEVELOPMENT TO DEVELOP A 400-UNIT SENIOR LIVING AND CARE CAMPUS ON THE 79.5 ACRES LOCATED SOUTHEAST OF THE FIRST AVENUE AND NARANJA DRIVE INTERSECTION

WHEREAS, the subject property is currently zoned as Rooney Ranch “Z” Planned Area Development; and

WHEREAS, the Applicant has requested that approximately 79.5 acres of property currently known as Rooney Ranch “Z” Planned Area Development (PAD) to be rezoned to Nakoma Sky PAD to develop a 400-unit senior living and care campus, located southeast of the First Avenue and Naranja Drive intersection, attached hereto as Exhibit “B”; and

WHEREAS, the Applicant’s request for a rezoning to PAD complies with the Oro Valley Zoning Code Revised and is found to be in conformance with the Town’s adopted General Plan including future land use designations; and

WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing on January 6, 2015, and voted to recommend approval to the Town Council with conditions, attached hereto as Exhibit “A”; and

WHEREAS, the Town Council has duly considered the Applicant’s proposal for the rezoning of the Rooney Ranch “Z” PAD to Nakoma Sky PAD,.

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

- Section 1. The rezoning of the Rooney Ranch “Z” PAD to the Nakoma Sky PAD, attached hereto as Exhibit “A” for 79.5 acres southeast of the First Avenue and Naranja Drive intersection to develop a 400-unit senior living and care campus, with conditions 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parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.
- 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 Council of the Town of Oro Valley, Arizona on this 21st day of January, 2015.

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”

Conditions of Approval

Planning

1. The building height of the apartment building in the campus core (Development Area C) shall include reduced building height elements on the ends of the building as depicted in Appendices A and D within the PAD.
2. The visual impact of the bulk and mass of the apartment building in the campus core (Development Area C) shall be mitigated through the use of the following:
 - a. Varied roof and wall planes, with a heightened emphasis on the roofline of the southern wing of the building.
 - b. Differing building and roof materials and textures as shown in Appendix B.
 - c. Landscaping at the base of buildings and terraces on multiple levels of the building.
 - d. Low reflectivity windows.
 - e. Several muted earth tone colors.
 - f. Architectural features at the corners of the building to soften the building façade as depicted on Appendix A.
 - g. Other measures approved by the Conceptual Design Review Board and Town Council which mitigate the visual impact of the building.

The extent of mitigation shall be determined by the Conceptual Design Review Board and Town Council in conjunction with the Conceptual Design application.

3. The architectural character and theming of the project will be equal to or better than the representative imagery shown in Appendices A, B, and C, as determined by the Conceptual Design Review Board and Town Council.
4. Consistent roof plane variation, wall plane articulation and architectural treatment is required on all building elevations of every building within the PAD boundary as provided in Section 2.1.D. of Addendum A Design Standards.
5. Vehicular parking required for the project beyond that which is shown on Exhibit R: Tentative Development Plan or Exhibit DD: Optional Surface Parking Locations shall be beneath the apartment building (either underground or under the building).
6. The recreational facilities and amenities contained within the community park and gardens will be open to the public and the theater, classrooms and other indoor facilities, as appropriate, will be made available for limited public use. A Public Access Agreement shall be approved the Town prior to the zoning becoming effective.
7. The last paragraph in Section II-A.7 Tentative Development Plan, shall be amended to read as follows: “Exhibit R Tentative Development Plan is the

hereby adopted as the approved tentative design for the project. Amendments to the Tentative Development Plan shall be subject to Section 22.3.D.2 of the Oro Valley Zoning Code Revised.”

8. The use of water features for ornamental purposes in the PAD is prohibited.
9. This development shall comply with the requirements of Section 26.5.B, Section 26.5.C and Section 26.5.D of the Oro Valley Zoning Code. The term dwelling unit in Section 26.5.C. shall include beds, bedrooms and living units for the purpose of calculating the amount of recreational area. All park and recreation area plans shall be reviewed and approved by the Oro Valley Parks and Recreation Advisory Board (PRAB).
10. Pocket parks/informal gathering spaces will be required in each housing node (Development Areas B, C, D, E and H). A shaded seating area including a ramada and associated amenities shall be provided in each park area.
11. A sufficient quantity of trees shall be provided along the shared use path alignments to create a continuous length of canopy that creates the opportunity for shade.
12. All plant materials shall be selected from the Oro Valley Native Plant List (Zoning Code Addendum C). Section II-A.9 shall be amended to reflect this condition.
13. All shared use paths shall be constructed in conformance with *Pima County Regional Trail System Master Plan* standards
14. A shared use path shall be constructed on the top of any constructed bank protection along the Canyon Del Oro Wash. In addition, a shaded seating area and pedestrian/bicycle connection shall be provided at 500-foot intervals along the path.
15. Delete independent living uses in the *Table of Permitted Uses* for commercial, medical and service development areas (Areas A, F, and G). These uses include:
 - Apartment
 - Condominium
 - Duplex/Multiple Dwelling
 - Multiple Dwelling Unit
 - Residential Dwelling (Attached or Detached)
 - Townhouse for senior living

Engineering

1. If bank protection is constructed along the Canyon Del Oro Wash, a multi-use path that meets the requirements of the Town of Oro Valley and *Pima County Regional Trail System Master Plan* standards shall be provided. In addition, a 50' wide area shall be reserved along the top of the bank protection for the purpose of a future linear park.

Oro Valley Water Utility

1. A 100 foot by 100 foot site shall be dedicated to the Water Utility for a future well in a location approved by the Water Utility Director.

General

1. The PAD document shall be amended to incorporate all conditions established within Attachment A. References, notations and imagery inconsistent with these conditions shall be deleted from the PAD document.

EXHIBIT "B"

NAKOMA SKY PAD