AGENDA
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
January 21, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

ROLL CALL

EXECUTIVE SESSION - Pursuant to ARS 38-431.03.(A)(1) Personnel matters - Police Chief's annual performance review

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

UPCOMING MEETING ANNOUNCEMENTS

COUNCIL REPORTS
- **Spotlight on Youth**

DEPARTMENT REPORTS

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

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

CALL TO AUDIENCE – At this time, any member of the public is allowed to address the Mayor and Town Council on any issue ***not listed on today's agenda.*** Pursuant to the Arizona Open Meeting Law, individual Council Members may ask Town Staff to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "Call to Audience." In order to speak during "Call to Audience" please specify what you wish to discuss when completing the blue speaker card.

PRESENTATIONS

1. Presentation of Plaques of Appreciation to Outgoing Board and Commission Members

CONSENT AGENDA
(Consideration and/or possible action)

A. Minutes - December 17, 2014 and January 7, 2015

B. Fiscal Year 2014/15 Financial Update through November 2014

REGULAR AGENDA

1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 9S (LIQUOR STORE WITH SAMPLING PRIVILEGES) LIQUOR LICENSE FOR WALMART SUPERCENTER #3379, LOCATED AT 2150 E. TANGERINE ROAD

2. RESOLUTION NO. (R)15-08, APPROVING AND AUTHORIZING THE TOWN TO ENTER INTO A DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND THE HIGHLANDS HOMEOWNERS ASSOCIATION (THE HIGHLANDS INC.) FOR POLICE DEPARTMENT TRAFFIC ENFORCEMENT ON PRIVATE STREETS

3. PUBLIC HEARING: ORDINANCE NO. (O)15-02, REZONING OF AN APPROXIMATELY 149-ACRE PROPERTY (KNOWN AS KAI NORTH) FROM R1-144 (LARGE LOT RESIDENTIAL) TO C-1 (COMMERCIAL) AND R1-7 (MEDIUM DENSITY RESIDENTIAL) WITH LOT SIZES RANGING FROM 5,520 SQUARE FEET TO 7,200 SQUARE FEET, LOCATED AT THE SOUTHEAST CORNER OF TANGERINE ROAD AND FIRST AVENUE, OV914-002

4. <u>NAKOMA SKY SENIOR LIVING CAMPUS</u>

   a. RESOLUTION NO. (R)15-09, DECLARING A CERTAIN DOCUMENT KNOWN AS THE NAKOMA SKY PLANNED AREA DEVELOPMENT, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD AND RESOLUTION NO. (R)15-10, DECLARING A CERTAIN DOCUMENT KNOWN AS THE ENVIRONMENTALLY SENSITIVE LANDS PLANNING MAP, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD

   b. PUBLIC HEARING: NAKOMA SKY SENIOR LIVING CAMPUS ON A 79.5-ACRE PROPERTY, LOCATED SOUTHEAST OF THE INTERSECTION OF 1ST AVENUE AND NARANJA DRIVE

      1. RESOLUTION NO. (R)15-11, ADOPTING A MINOR GENERAL PLAN TEXT AMENDMENT TO CLARIFY THE INTENT AND APPLICABILITY OF A GENERAL PLAN SPECIAL AREA POLICY THAT RESTRICTS RESIDENTIAL SUBDIVISION DEVELOPMENT ON THE PROPERTY TO NO MORE THAN THREE (3) UNITS PER ACRE

      2. ORDINANCE NO. (O)15-03, ADOPTING AN AMENDMENT TO THE ENVIRONMENTALLY SENSITIVE LANDS (ESL) PLANNING MAP TO MODIFY THE RIPARIAN AREA BOUNDARIES ON A CRITICAL RESOURCE AREA ON THE EAST SIDE OF THE PROPERTY

      3. ORDINANCE NO. (O)15-04, REZONING FROM ROONEY RANCH "Z" PLANNED AREA DEVELOPMENT (PAD) TO NAKOMA SKY PAD TO ENABLE DEVELOPMENT OF A 79.5-ACRE SENIOR LIVING AND CARE CAMPUS, INCLUDING DINING, RECREATIONAL, CULTURAL, AND RETAIL USES

5. DISCUSSION AND POSSIBLE ACTION TO INITIATE AN AMENDMENT TO THE ORO VALLEY ZONING CODE REVISED (OVZCR) RELATING TO INCREASED REGULATIONS FOR SIGN ILLUMINATION

6. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING THE IMPLEMENTATION OF ORDINANCE (O)14-17 AMENDING THE TAX CODE OF THE TOWN OF ORO VALLEY TO INCREASE THE LOCAL TRANSACTION PRIVILEGE TAX (TPT) RATE FROM 2% TO 2.5% IN VARIOUS CATEGORIES

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: 1/14/15 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: 01/21/2015
Submitted By: Julie Bower, Town Clerk's Office
Department: Town Clerk's Office

Information

SUBJECT:
Presentation of Plaques of Appreciation to Outgoing Board and Commission Members

RECOMMENDATION:
N/A

EXECUTIVE SUMMARY:
N/A

BACKGROUND OR DETAILED INFORMATION:
Outgoing members are as follows:

Historic Preservation Commission
Ed Hannon, 2009 - 2014

Parks and Recreation Advisory Board
John Hickey, 2011 - 2014
Dana Hallin, 2013 - 2014

Planning and Zoning Commission
John Buette, 2010 - 2014
Don Cox, 2011 - 2014

Storm Water Utility Commission
Richard (Dick) Horn, 2010 - 2014
Leo Leonhart, 2008 - 2014

Water Utility Commission
Robert Milkey, 2008 - 2014
Elizabeth Shapiro, 2006 - 2014
Richard Verlaque, 2012 - 2014

FISCAL IMPACT:
N/A

SUGGESTED MOTION:
N/A

Town Council Regular Session **Item # A.**

Meeting Date: 01/21/2015

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

Department: Town Clerk's Office

Information

SUBJECT:

Minutes - December 17, 2014 and January 7, 2015

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 December 17, 2014 and January 7, 2015 minutes.

Attachments

12/17/14 Draft Minutes

1/7/15 Draft Minutes

MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
December 17, 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 (Attended by telephone)
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

PLEDGE OF ALLEGIANCE

Mayor Hiremath led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

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

COUNCIL REPORTS

Vice Mayor Waters reported on the Shop-with-A-Cop program which was administered by the Fraternal Order of Police Lodge #53.

DEPARTMENT REPORTS

No reports were received.

ORDER OF BUSINESS

Mayor Hiremath said the agenda would stand as posted.

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INFORMATIONAL ITEMS

1. Letter of Appreciation - Oro Valley Police Department

CALL TO AUDIENCE

No comments were received.

CONSENT AGENDA

A. Minutes - December 3, 2014

B. Fiscal Year 2014/15 Financial Update through October 2014

C. Resolution No. (R)14-65, approving a Facility Lease Agreement between the Town of Oro Valley and the Friends of the Oro Valley Public Library

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Zinkin to approve Consent Agenda items (A)-(C).

MOTION carried, 7-0.

REGULAR AGENDA

1. RESOLUTION NO. (R)14-66, APPROVING THE ACQUISITION OF THE EL CONQUISTADOR COUNTRY CLUB, GOLF, AND TENNIS FACILITIES AND AUTHORIZING THE TOWN MANAGER TO TAKE THE NECESSARY ACTIONS TO COMPLETE THE ACQUISITION

Town Manager Greg Caton presented item #1 and outlined the following:

-The Property - Review
-Ownership and Management Plan
-Due Diligence

Development and Infrastructure Services Director Paul Keesler presented the following:

-Current Zoning and Entitlements
-Current Zoning
-El Conquistador P.A.D.

Parks and Recreation Director Kristy Diaz-Trahan presented the following:

-2005 General Plan Elements 8 & 9
-Community Outreach and Input

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-Organizational Input
-AZ Community Recreation Centers by the Numbers

Finance Director Stacey Lemos presented the following:

Estimated Revenue and Expenses
-Community & Recreation Center

Capital Improvements - Facilities
-5-year forecast

Troon Operating Projections
-Golf, Food/Beverage, Tennis

Capital Improvements - Golf
-10-year forecast
Financing Recommendation
-Acquisition, Operations, Capital

Community Center Cost Comparison
-Purchase El Conquistador Country Club vs. New Build at $20 Million

Scott Van Newkirk, Senior Vice President of Global Business Development for Troon, discussed the following:

-Troon Background
-Value Proposition
-Operational Efficiencies
-Troon's Experience Within the Hospitality Industry
-Troon Successfully Manages Golf for Public Agencies
-Key Challenges Facing Town
-Clubhouse & Golf Course Renovation Support
-Troon Impact on Renovations at BallenIsles
-Sales & Marketing Strategy
-Troon Tennis
-First Tee Programming / Troon
-Troon Family Golf
-Troon's Player Development Month
-Various Programming Concepts
-Success Story of Indian Wells Golf Resort
-Financial Impacts

Mayor Hiremath opened the public hearing.

The following individuals spoke in support of item #1.

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Oro Valley resident Kay Williams
President of the Oro Valley Youth Advisory Council (Y.A.C.), Charles Huang
Oro Valley resident Guy Cook
Oro Valley resident and HOA President, Curt Balko
Oro Valley resident Steve Jones
Oro Valley resident Richard Tracy Sr.
Oro Valley resident Betty Danker
Oro Valley resident John Anderson
Oro Valley resident John Gorman
Oro Valley resident Ed Korte
Oro Valley resident Jim Heckman
Oro Valley resident Dick Johnson
Oro Valley resident Dick Eggerding

The following individuals spoke in opposition to item #1.

Oro Valley resident Bill Ayers
Oro Valley resident Wally Vette
Oro Valley resident Alan Dankwerth
Oro Valley resident John Spitler
Oro Valley resident Steve Nord
Oro Valley resident Steve Knapp, Board of Directors of Sun City Oro Valley
Oro Valley resident Art Wiese
Oro Valley resident Jerry Rich
Oro Valley resident Geri Ottobony
Oro Valley resident Shirl Lamonna
Oro Valley resident Virginia Mead
Oro Valley resident Pat Straney
Oro Valley resident Paul Emmert
Oro Valley resident Alex Bissett
Oro Valley resident Richard Highberger
Oro Valley resident Joe Winfield
Oro Valley resident Gil Alexander
Oro Valley resident John Ellinwood
Oro Valley resident Lori Pettijohn
Oro Valley resident Lynne St. Angelo
George Cates

The following individuals spoke on item #1.

Oro Valley resident Bernie Eaton
Oro Valley resident Rick Chandler
Oro Valley resident Helen Dankwerth
Oro Valley resident Jerry Ward
Oro Valley resident Mark Schneider
Oro Valley resident Tom Danker

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Oro Valley resident Alexander Sussman
Oro Valley resident Jeff Horowitz

Mayor Hiremath closed the public hearing.

Mayor Hiremath recessed the meeting at 9:10 p.m.

Mayor Hiremath reconvened the meeting at 9:20 p.m.

Discussion ensued amongst Council and staff regarding the acquisition of the El Conquistador Country Club, golf and tennis facilities.

MOTION: A motion was made by Mayor Hiremath and seconded by Councilmember Hornat to approve Resolution No. (R)14-66, approving the acquisition of the El Conquistador Country Club, golf and tennis facilities as presented.

Councilmember Burns made an amendment to the motion to direct the Town Manager to immediately sell or enter into a public/private partnership for the golf portion of the El Conquistador purchase, seconded by Councilmember Garner.

AMENDMENT failed, 3-4 with Mayor Hiremath, Vice Mayor Waters, Councilmember Hornat and Councilmember Snider opposed.

MOTION carried, 4-3 with Councilmember Burns, Councilmember Garner, and Councilmember Zinkin opposed.

2. PUBLIC HEARING: ORDINANCE NO. (O)14-17, AMENDING THE TAX CODE OF THE TOWN OF ORO VALLEY TO INCREASE THE LOCAL TRANSACTION PRIVILEGE TAX (TPT) RATE FROM 2% TO 2.5% IN VARIOUS CATEGORIES

Mayor Hiremath opened the public hearing.

The following individuals spoke in support of item #2.

Dave Perry, President and CEO of the Greater Oro Valley Chamber of Commerce and Oro Valley resident
Oro Valley resident Helen Dankwerth

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Hornat and seconded by Mayor Hiremath to approve Ordinance No. (O)14-17, amending the Tax Code of the Town of Oro Valley to increase the local transaction privilege tax (TPT) rate from 2% to 2.5% in the various categories outlined in the Ordinance in Exhibit "A" and dedicating the .5% sales tax increase to the community center project.

MOTION carried, 4-3 with Councilmember Burns, Councilmember Garner, and Councilmember Zinkin opposed.

3. DISCUSSION AND POSSIBLE ACTION TO INITIATE THE 60-DAY PUBLIC NOTICE PROCESS FOR A FUTURE DISCUSSION REGARDING NEW AND INCREASED RECREATION FEES

MOTION: A motion was made by Mayor Hiremath and seconded by Vice Mayor Waters to initiate the 60-day public notice process to discuss new and increased recreation fees at the regular Council meeting on March 18, 2015.

MOTION carried, 6-1 with Councilmember Garner opposed.

FUTURE AGENDA ITEMS

No future agenda items were received.

CALL TO AUDIENCE

No comments were received.

ADJOURNMENT

MOTION: A motion was made by Councilmember Burns and seconded by Vice Mayor Waters to adjourn the meeting at 11:31 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 17th day of December, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2015.

_____
Julie K. Bower, MMC
Town Clerk

DRAFT

MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
January 7, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

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

ROLL CALL

PRESENT: Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Brendan Burns, Councilmember (Arrived after Roll Call)
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

EXECUTIVE SESSION - To receive legal advice pursuant to ARS 38-431.03(A)(3) regarding Council chambers security and pursuant to ARS 38-431.03(A)(2) to discuss confidential records

MOTION: A motion was made by Vice Mayor Waters and seconded by Mayor Hiremath to go into Executive Session at 5:01 p.m. to receive legal advice pursuant to ARS 38-431.03(A)(3) regarding Council chambers security and pursuant to ARS 38-431.03(A)(2) to discuss confidential records.

MOTION carried, 6-0.

Councilmember Burns arrived to the meeting.

Mayor Hiremath said the following staff members would join Council in Executive Session: Police Chief Danny Sharp, Town Attorney Kelly Schwab, Town Manager Greg Caton and Town Clerk Julie Bower.

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

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

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ROLL CALL

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

PLEDGE OF ALLEGIANCE

Mayor Hiremath led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

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

COUNCIL REPORTS

Mayor Hiremath proclaimed January 9, 2015 as National Law Enforcement Appreciation Day and encouraged all residents to show support for law enforcement officers.

Officer Kevin Mattocks accepted the proclamation on behalf of the Oro Valley Police Department.

Mayor Hiremath announced that in recognition of National Law Enforcement Appreciation Day, the Town of Oro Valley would host an open house this Friday, January 9th from 2:00 p.m. to 4:00 p.m. in the Oro Valley Council Chambers. All members of the community were invited to attend and share messages of support for local law enforcement.

Councilmember Snider reported on National Law Enforcement Appreciation Day.

Councilmember Snider reported on a December 31, 2014 Explorer newspaper article entitled, "Fact Check: Development not permissible on OV golf course land". Councilmember Snider clarified that there were entitlements on the El Conquistador Country Club property.

DEPARTMENT REPORTS

Development and Infrastructure Services Director Paul Keesler reported that the Town would host an open house for the Tangerine Road widening project on Wednesday, January 14th from 6:00 p.m. to 7:30 p.m. in the Oro Valley Council Chambers.

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ORDER OF BUSINESS

Mayor Hiremath said the agenda would stand as posted.

CALL TO AUDIENCE

Oro Valley resident Elizabeth Snyder talked about the need for supporting law enforcement and shared ways on how to do so.

Oro Valley resident Bob Hefner, head of the Sun City Oro Valley Neighborhood Watch program a.k.a. The Posse, said The Posse had a very close partnership with the Oro Valley Police Department for over 25 years and that he had never met a more dedicated and service-oriented Police Department.

CONSENT AGENDA

Vice Mayor Waters requested that item (F) be removed from the Consent Agenda for discussion.

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

B. Resolution No. (R)15-01, authorizing the filing of an application with the Arizona Power Authority for the 2017 Hoover Dam power reallocation

C. Resolution No. (R)15-02, authorizing and approving a subgrantee agreement between the Town of Oro Valley and the Arizona Department of Homeland Security to fund overtime and mileage under the Operation Stonegarden program

D. Resolution No. (R)15-03, authorizing and approving a subgrantee agreement between the Town of Oro Valley and the Arizona Department of Homeland Security to fund the purchase of hand-held thermal imaging equipment under the Operation Stonegarden program

MOTION: A motion was made by Councilmember Garner and seconded by Mayor Hiremath to approve Consent Agenda items (B-D).

MOTION carried, 7-0.

A. Minutes - December 10, 2014

Councilmember Zinkin asked if the revised December 10, 2014 minutes were made available to the public prior to the meeting.

Town Clerk Julie Bower said the revised minutes were made available to the public in the online Council packet.

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

MOTION carried, 7-0.

E. Resolution No. (R)15-04, approving the annual Legislative Agenda of the Town and protocols guiding the Town's priorities for the upcoming legislative session and any lobbying activities

Councilmember Zinkin argued that the election consolidation had not worked, specifically, voter turn-out was lower and Independents had to take an extra step to ensure that they received their ballot.

Town Manager Greg Caton said that the Town, along with the Arizona League of Cities and Towns, had rigorously fought the election consolidation law during the last legislative session and were unsuccessful.

Town Clerk Julie Bower said voter turn-out for the last Town of Oro Valley regular election held in August of 2014 had increased by 8.5% compared to the last Town of Oro Valley regular election held in March of 2012. Election costs were not currently available but it was anticipated that costs would be significantly lower than election costs incurred in 2012.

MOTION: A motion was made by Mayor Hiremath and seconded by Councilmember Hornat to approve item (E) as presented.

MOTION carried, 6-1 with Councilmember Zinkin opposed.

F. Resolution No. (R)15-05, approving changes to the 2014 Bond Election proposed project known as the Oro Valley Business Accelerator to meet the needs of the 2015 Bond Election proposed project

Vice Mayor Waters discussed the changes to the bond proposal.

Economic Development Manager, Amanda Jacobs, discussed the following changes to the bond proposal.

-Moving from Town owned property to privately owned property
-Originally 20,000 sq. feet for incubator, now 50,000 sq. feet

Dr. Kent Wertman, Vice President and Tucson Site Researcher Director, spoke about the business incubator program and the need to support the growth and development of new technology.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve item (F) as presented.

MOTION carried, 7-0.

REGULAR AGENDA

1. REQUEST TO MODIFY THE CONDITIONS OF APPROVAL TO ELIMINATE THE EXPIRATION DATE, DEFINE THE LOCATION, QUANTITY AND DURATION OF EACH EVENT AND LIMIT THE NUMBER OF VEHICLES RELATED TO THE SALES OF RECREATIONAL VEHICLES AT THE ORO VALLEY MARKETPLACE

Senior Planner Patty Hayes presented item #1 and outlined the following:

-Proposal
-Location
-Display Location
-Conditions & Recommendation

Discussion ensued amongst Council and staff regarding item #1.

Gary Wilson, representative for La Mesa RV, said the total number of vehicles at the location was capped at 150.

The following individual spoke in opposition to item #1.

Oro Valley resident Don Bristow

The following individual spoke in support of item #1.

Dave Perry, President and CEO of the Greater Oro Valley Chamber of Commerce and Oro Valley resident

MOTION: A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve the request to eliminate the December 2014 expiration date for the sale of recreational vehicles at the Oro Valley Marketplace subject to conditions in Attachment 1.

Attachment 1
Conditions of Approval

1. A maximum of 4 recreation vehicle sales events per year.

2. Each event may be open to the public for a maximum of 4 days. Four additional days allowed for set up and clean up.

3. Maximum number of recreational vehicles is limited to 150 per event.

4. Location of the event is restricted to the Oro Valley Marketplace on a vacant lot north of Red Lobster as shown in Attachment 3.

5. Approval can be retracted at the discretion of the Planning and Zoning Administrator or Building Official due to circumstances that are deemed to make the event no longer appropriate for the area.

MOTION carried, 7-0.

2. AMENDING VARIOUS SECTIONS OF THE ORO VALLEY ZONING CODE REVISED AS IT RELATES TO SENIOR CARE USES

a. RESOLUTION NO. (R)15-06, DECLARING THE PROPOSED AMENDMENTS TO VARIOUS SECTIONS OF THE ORO VALLEY ZONING CODE REVISED RELATING TO SENIOR CARE, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Burns to approve Resolution No. (R)15-06, declaring the proposed amendments to various sections of the Oro Valley Zoning Code revised related to senior care uses, provided as Exhibit "A" within the attached resolution and filed with the Town Clerk, a public record.

MOTION carried, 7-0.

b. PUBLIC HEARING: ORDINANCE NO. (O)15-01, AMENDING VARIOUS SECTIONS OF THE ORO VALLEY ZONING CODE REVISED (OVZCR) RELATED TO SENIOR CARE USES INCLUDING AMENDMENTS TO DEFINITIONS, ALLOWABLE ZONING DISTRICTS AND DEVELOPMENT STANDARDS

Principal Planner Chad Daines presented item #2b. and outlined the following:

-Reason for Request
-Proposed Solution
-Common Senior Care Elements
-Similarities with Multi-Family
-Permitted Zoning Districts
-Recreational Area
-Assisted Living Homes
-Stakeholder Review
-State & County Regulations
    -Internal Operations
-International Fire and Building Codes
-Zoning Code

-General Plan Policies
-Recommendation

Discussion ensued amongst Council and staff regarding item #2b.

Mayor Hiremath opened the public hearing.

The following individual spoke in opposition to item #2b.

Oro Valley resident Bill Adler

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Burns to continue item #2b. to a date uncertain and reserve the option to hold a study session if necessary.

MOTION carried, 7-0.

3. PUBLIC HEARING: RESOLUTION NO. (R)15-07, AUTHORIZING AND APPROVING INCREASES IN THE WATER RATES, FEES AND CHARGES FOR THE TOWN OF ORO VALLEY WATER UTILITY

Water Utility Director Philip Saletta presented item #3 and outlined the following:

-Mayor & Council Water Policies
-Water Rates Analysis
    -Preferred Financial Scenario

Water Utility Administrator Shirley Seng outlined the following:

-Water Rates Analysis
    -Rate Comparison FY 2014-15
-Customer Impacts
-Service Fees & Charges
-Review of Schedule
-Water Rates Recommendation

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

Discussion ensued amongst Council and staff regarding item #3.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve Resolution No. (R)15-07, authorizing and approving increases in water rates, fees and charges for the Town of Oro Valley Water Utility.

MOTION carried, 7-0.

4. DISCUSSION AND POSSIBLE DIRECTION REGARDING A COUNCIL RULE FOR PRESENTATIONS FROM COUNCILMEMBERS

Mayor Hiremath gave an overview of item #4.

Discussion ensued amongst Council regarding a Council rule for presentations from Councilmembers.

Mayor Hiremath recessed the meeting at 8:08 p.m.

Councilmember Burns left the meeting at 8:08 p.m.

Mayor Hiremath reconvened the meeting at 8:11 p.m.

The Town Council initiated the following Council rule for presentations from Councilmembers: Any unadulterated literature could be displayed at a Council meeting without previously submitting the literature to the Town Manager and any adulterated literature shall be submitted to the Town Manager one week prior to the meeting date or, at a minimum, at least 24 hours before the meeting.

FUTURE AGENDA ITEMS

Councilmember Hornat requested a future agenda item to discuss and review the groundwater preservation fee, seconded by Councilmember Garner.

Councilmember Zinkin requested a future agenda item to be placed on the January 21, 2015 Council agenda regarding the discussion and possible delay of the effective date of Ordinance No. (O)14-17 regarding the increase of the local sales tax from 2% to 2.5% to a date beyond the potential referendum election date, seconded by Councilmember Garner.

Councilmember Zinkin requested a future agenda item for the February 18, 2015 Council meeting to discuss and take possible action on Personnel Policy #14 regarding overtime, seconded by Councilmember Garner.

CALL TO AUDIENCE

No comments were received.

DRAFT

ADJOURNMENT

MOTION: A motion was made by Mayor Hiremath and seconded by Vice Mayor Waters to adjourn the meeting at 8:44 p.m.

MOTION carried, 6-0.

Prepared by:

_____
Michael Standish, CMC
Deputy Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 7th day of January, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2015.

_____
Julie K. Bower, MMC
Town Clerk

DRAFT

Attachment 3

Town Council Regular Session **Item # B.**

Meeting Date: 01/21/2015

Requested by: Stacey Lemos **Submitted By:** Wendy Gomez, Finance

Department: Finance

Information

SUBJECT:

Fiscal Year 2014/15 Financial Update through November 2014

RECOMMENDATION:

This item is for information only.

EXECUTIVE SUMMARY:

In the General Fund (see attachment A), revenues collected through November totaled $12.4 million, or 38.6% of the budget amount of $32.3 million. Year-to-date expenditures through November totaled $12.2 million, or 37.7% of the budget amount of $32.5 million. The adopted FY 2014/15 General Fund budget included a transfer out of one-time revenues in the amount of $2.5 million to the General Government CIP Fund for capital projects. Please note that year-to-date expenditures now include approximately one-third of this budgeted transfer out to the General Government CIP Fund of approximately $883,000.

In the Highway Fund (see attachment B), revenues collected through November totaled $1.2 million, or 41.5% of the budget amount of $3.0 million. Year-to-date expenditures through November totaled $1.3 million, or 28.8% 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 November totaled $317,265, or 33.4% of the budget amount of $949,000. Year-to-date expenditures through November totaled $355,228, or 37.0% of the budget amount of $961,000.

BACKGROUND OR DETAILED INFORMATION:

GENERAL FUND

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

Revenues	$32,144,199
Less:	
Expenditures	($32,151,945)
Est. Decrease in Fund Balance	($ 7,746)

General Fund Revenues

- Local sales tax collections in the General Fund total $6.0 million or 38.5% of the budget amount of $15.7 million. Sales tax collections in the General Fund are estimated to come in below budget by approximately $208,000 or 1.3%, based on current collections-to-date trending slightly below budgeted levels. Please see Attachment E for a monthly tracking of General Fund local sales tax collections, including construction and utility sales tax.
- Federal Grant revenues are estimated to come in over budget by about $83,000 or 13.9%, due to grant funds received for a Police DUI Tahoe and hosting of collision investigation training classes, funded by the Governor's Office of Highway Safety.
- State Grant revenues are estimated to come in under budget by $75,000, or 4.7%. This capacity was placed in the budget for potential funding of a new school resource officer and is not expected to be utilized this fiscal year. Corresponding personnel savings of $75,000 are included in the Police Department's year-end estimated expenditures.
- Charges for Services revenues are estimated to come in over budget by about $84,000 or 5.0%, due to revenue trends at the Aquatic Center, zoning & subdivision fees and user fee revenues for field and court rentals.
- Fine revenues are estimated to come in under budget by about $16,000 or 8.9%, based on current trends and citation filings.

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 under budget by approximately $305,000 or 0.9%, due primarily to projected vacancy and personnel savings. Note that these savings are estimates and are subject to change.

HIGHWAY FUND

Highway Fund Revenues

- State shared highway user funds total $1.1 million, or 41.4% 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 under budget by about $6,000 or 0.1%, due to projected vacancy savings. Note that these savings are estimates and are subject to change.

BED TAX FUND

Bed Tax Revenues

- Bed tax revenues total $315,522, or 33.4% 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. In addition, as noted earlier, Attachment E includes a breakdown of monthly local sales tax collections for the General Fund.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

This item is for information only.

Attachments

Attachment A - General Fund

Attachment B - Highway Fund

Attachment C - Bed Tax Fund

Attachment D - Summary All Funds

Attachment E - GF Local Sales Tax

ATTACHMENT A

November YTD Financial Status

FY 2014/2015

General Fund

% Budget Completion through November --- 41.7%

	Actuals thru 11/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
LOCAL SALES TAX	6,033,486	15,676,905	38.5%	15,469,015	-1.3%
LICENSES & PERMITS	562,032	1,805,547	31.1%	1,805,547	0.0%
FEDERAL GRANTS	367,976	597,365	61.6%	680,272	13.9%
STATE GRANTS	417,526	1,607,300	26.0%	1,532,300	-4.7%
STATE/COUNTY SHARED	4,172,294	10,303,762	40.5%	10,303,762	0.0%
OTHER INTERGOVERNMENTAL	-	15,000	0.0%	15,000	0.0%
CHARGES FOR SERVICES	765,833	1,688,995	45.3%	1,773,213	5.0%
FINES	55,058	180,000	30.6%	163,965	-8.9%
INTEREST INCOME	33,300	81,125	41.0%	81,125	0.0%
MISCELLANEOUS	39,433	135,000	29.2%	135,000	0.0%
TRANSFERS IN	-	185,000	0.0%	185,000	0.0%
TOTAL REVENUES	**12,446,939**	**32,275,999**	**38.6%**	**32,144,199**	**-0.4%**

	Actuals thru 11/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
COUNCIL	101,324	207,022	48.9%	207,022	0.0%
CLERK	139,388	497,102	28.0%	497,102	0.0%
MANAGER	268,332	721,724	37.2%	721,724	0.0%
HUMAN RESOURCES	138,619	371,998	37.3%	371,998	0.0%
FINANCE	277,239	748,060	37.1%	747,617	-0.1%
INFORMATION TECHNOLOGY	579,915	1,432,374	40.5%	1,432,374	0.0%
GENERAL ADMINISTRATION	642,554	1,867,600	34.4%	1,798,600	-3.7%
LEGAL	250,378	756,855	33.1%	756,855	0.0%
COURT	293,710	789,826	37.2%	789,826	0.0%
DEV & INFRASTRUCTURE SVCS	1,644,925	4,564,803	36.0%	4,404,426	-3.5%
PARKS & RECREATION	1,088,045	2,722,617	40.0%	2,722,617	0.0%
POLICE	5,779,639	14,885,819	38.8%	14,810,819	-0.5%
TRANSFERS OUT	1,044,298	2,890,965	36.1%	2,890,965	0.0%
TOTAL EXPENDITURES	**12,248,364**	**32,456,765**	**37.7%**	**32,151,945**	**-0.9%**
SURPLUS / (DEFICIT)	**198,574**	**(180,766)**		**(7,746)**	

BEGINNING FUND BALANCE	***11,534,023***
Plus: Surplus / (Deficit)	***(7,746)***
ENDING FUND BALANCE **	***11,526,277***

* Year-end estimates are subject to further revision

** Ending fund balance amounts are estimates and are subject to further revision

ATTACHMENT B

November YTD Financial Status *FY 2014/2015*

Highway Fund

% Budget Completion through November --- 41.7%

	Actuals thru 11/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
LICENSES & PERMITS	24,554	52,000	47.2%	58,882	13.2%
STATE/COUNTY SHARED	1,140,524	2,754,947	41.4%	2,754,947	0.0%
CHARGES FOR SERVICES	53,955	129,493	41.7%	129,493	0.0%
INTEREST INCOME	8,774	19,250	45.6%	19,250	0.0%
MISCELLANEOUS	3,137	10,000	31.4%	10,000	0.0%
TOTAL REVENUES	**1,230,943**	**2,965,690**	**41.5%**	**2,972,572**	**0.2%**

	Actuals thru 11/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
ADMINISTRATION	226,404	610,478	37.1%	610,478	0.0%
TRANSPORTATION ENGINEERING	194,878	537,275	36.3%	537,275	0.0%
PAVEMENT MANAGEMENT	221,715	1,219,002	18.2%	1,219,002	0.0%
STREET MAINTENANCE	437,087	1,053,631	41.5%	1,047,748	-0.6%
TRAFFIC ENGINEERING	174,677	934,276	18.7%	934,276	0.0%
TOTAL EXPENDITURES	**1,254,761**	**4,354,662**	**28.8%**	**4,348,779**	**-0.1%**
SURPLUS / (DEFICIT)	**(23,818)**	**(1,388,972)**		**(1,376,207)**	

BEGINNING FUND BALANCE	***4,175,161***
Plus: Surplus / (Deficit)	***(1,376,207)***
ENDING FUND BALANCE **	***2,798,954***

* Year-end estimates are subject to further revision

** Ending fund balance amounts are estimates and are subject to further revision

November YTD Financial Status *FY 2014/2015*

Bed Tax Fund

% Budget Completion through November --- 41.7%

	Actuals thru 11/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
BED TAXES	315,522	944,571	33.4%	944,571	0.0%
INTEREST INCOME	1,744	4,125	42.3%	4,125	0.0%
TOTAL REVENUES	**317,265**	**948,696**	**33.4%**	**948,696**	**0.0%**

	Actuals thru 11/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
ECONOMIC DEVELOPMENT	187,685	608,457	30.8%	608,457	0.0%
TRANSFERS OUT	167,543	352,543	47.5%	352,543	0.0%
TOTAL EXPENDITURES	**355,228**	**961,000**	**37.0%**	**961,000**	**0.0%**
SURPLUS / (DEFICIT)	**(37,962)**	**(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

** Ending fund balance amounts are estimates and are subject to further revision

ATTACHMENT D

Consolidated Year-to-Date Financial Report through November, 2014

FY 2014/2015

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 Nov 2014
General Fund - Unassigned	9,925,988	12,446,939	-	12,446,939	1,047,439	8,129,417	2,965,886	105,622	-	-	12,248,364	10,124,563
General Fund - Assigned	1,608,035											1,608,035
Highway Fund - Restricted	4,175,161	1,230,943	-	1,230,943	-	689,362	239,628	325,772	-	-	1,254,761	4,151,343
Seizure & Forfeiture - State	526,901	86,184	-	86,184	-	-	42,225	31,525	-	-	73,750	539,335
Seizure & Forfeiture - Justice	349,724	346	-	346	-	46,545	27,361	3,465	-	-	77,371	272,699
Bed Tax Fund - Committed	425,099	317,265	-	317,265	167,543	90,842	96,843	-	-	-	355,228	387,136
Impound Fee Fund	7,346	14,400	-	14,400	-	10,197	-	-	-	-	10,197	11,549
Municipal Debt Service Fund	533,928	59,296	329,627	388,923	-	-	5,553	-	-	667,200	672,753	250,098
Oracle Road Debt Service Fund	281	152,075	2,000	154,075	-	-	695	-	-	-	695	153,661
Alternative Water Resources Dev Impact Fee Fund	3,336,099	452,306	-	452,306	-	-	39,127	67,416	-	-	106,543	3,681,862
Potable Water System Dev Impact Fee Fund	4,505,635	237,301	-	237,301	-	-	-	-	-	-	-	4,742,936
Townwide Roadway Development Impact Fee Fund	2,791,166	201,375	-	201,375	-	-	-	151,984	-	-	151,984	2,840,557
Parks & Recreation Impact Fee Fund	21,555	48,624	-	48,624	-	-	-	-	-	-	-	70,179
Library Impact Fee Fund	114,798	-	-	-	-	-	-	-	-	-	-	114,798
Police Impact Fee Fund	205,936	19,672	-	19,672	-	-	-	-	-	-	-	225,608
General Government Impact Fee Fund	3,502	1	-	1	-	-	-	-	-	-	-	3,503
Naranja Park Fund	737,056	-	-	-	-	-	-	234,406	-	-	234,406	502,650
General Government CIP Fund	1,500,000	-	883,333	883,333	-	-	-	238,114	-	-	238,114	2,145,219
Water Utility	11,823,342	6,418,623	-	6,418,623	3,119	1,077,949	2,152,591	1,077,878	-		4,311,537	13,930,428
Stormwater Utility	503,474	249,192	-	249,192	1,919	128,306	149,947	13,953	-	-	294,125	458,541
Fleet Fund	84,949	705,328	-	705,328	-	30,894	264,627	331,684	-	-	627,205	163,072
Benefit Self Insurance Fund	584,509	934,154	-	934,154	-	-	1,206,198	-	-	-	1,206,198	312,465
Recreation In-Lieu Fee Fund	6,190	-	-	-	-	-	-	-	-	-	-	6,190
Total	**43,770,674**	**23,574,024**	**1,214,960**	**24,788,984**	**1,220,020**	**10,203,512**	**7,190,681**	**2,581,819**	**-**	**667,200**	**21,863,231**	**46,696,426**

General Fund Local Sales Tax Collections

FY 2014/2015

CATEGORY	JULY	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Construction Sales Tax	353,257	365,877	343,071	317,595	291,816								**1,671,616**
Utility Sales Tax	269,772	299,154	292,456	261,333	135,966								**1,258,681**
All Other Local Sales Tax *	624,020	415,665	384,822	841,011	700,831								**2,966,349**
TOTAL	**$1,247,049**	**$1,080,696**	**$1,020,349**	**$1,419,939**	**$1,128,613**								**$ 5,896,646**

* Note: Does not include cable franchise fees or sales tax audit revenues

Town Council Regular Session **Item # 1.**

Meeting Date: 01/21/2015

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 9S (LIQUOR STORE WITH SAMPLING PRIVILEGES) LIQUOR LICENSE FOR WALMART SUPERCENTER #3379, LOCATED AT 2150 E. TANGERINE ROAD

RECOMMENDATION:

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

1. No protests 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 9S Liquor License request.

EXECUTIVE SUMMARY:

An application for a Series 9S (liquor store with sampling privileges) Liquor License has been submitted by Clare Abel for Walmart Supercenter #3379, located at 2150 E. Tangerine Road. This request consists of adding sampling privileges to an existing Series 9 License.

Agent Clare Abel has submitted all necessary paperwork to the Town of Oro Valley and the Arizona Department of Liquor Licenses and Control. Ms. Abel has paid all related fees associated with applying for the liquor license ($500 Application Processing Fee per application).

BACKGROUND OR DETAILED INFORMATION:

The liquor store (series 9) license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, this liquor license is transferable from person to person and/or location to location within the same county, and allows a spirituous liquor store retailer to sell all types of spirituous liquors, only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of delivery. Series 9 (liquor store) licensees and applicants may apply for unlimited sampling privileges by completing the Sampling Privileges form. Internet sale of liquor is not permitted in the State of Arizona. Liquor must be delivered to an Arizona liquor-licensed wholesaler, then an Arizona liquor-licensed retailer prior to delivery to the consumer.

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

Police Chief Daniel Sharp completed a standard background check on Walmart Supercenter #3379, located at 2150 E. Tangerine Road, and Agent Clare Abel and has no objection to the approval of the Series 9S 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 / deny) approval of the issuance of a Series 9S Liquor License to the Arizona Department of Liquor Licenses and Control for Clare Abel and principals for Walmart Supercenter #3379, located at 2150 E. Tangerine Road.

Attachments

Walmart Supercenter #3379 Liquor License

Oro Valley POLICE

DANIEL G. SHARP
CHIEF OF POLICE

TO: Mike Standish

FROM: Daniel G. Sharp

DATE: December 22, 2014

RE: Background Investigation, Application for Liquor Store Sampling Privileges
Walmart Supercenter #3379
2150 E Tangerine Rd
Oro Valley AZ

On December 22, 2014 the Oro Valley Police Department completed the standard background check on Walmart Supercenter and Clare Hollie Abel. The purpose for this was the addition of Sampling Privileges.

The Oro Valley Police Department has no objection for the issuance of a liquor Store Sampling Privileges license.

11000 N. La Cañada Drive • Oro Valley, AZ 85737
Phone 520-229-4900 • Fax 520-229-4979 • www.ovpd.org

State of Arizona
Department of Liquor Licenses and Control

DEC 3'14PM 1:36 TOV

800 W. Washington 5th Floor
Phoenix, Arizona 85007
(602) 542-5141

State/Local Government Routing Sheet
Add Sampling Privileges To Active
Liquor Store (series 9) or Beer and Wine Store (series 10) License

☒ Liquor Store (series 9)
☐ Beer and Wine Store (series 10)

The attached form for sampling must be processed within105 days from this date:

Date Application Received at DLLC: 11·28·14

Date of 60-days from receipt: 1·27·15 105-days from receipt: 3·13·15

If the local governing body has questions regarding the attached sampling form, please call:

DLLC Contact Name: Selena Gonzales

DLLC Contact Phone Number: 602 542-9040 DLLC Contact email: Selena.Gonzales@azliquor.gov

Upon local governing body approval, a new license with a sampling privilege ("S") designation will be issued to this licensee:

For DLLC Use Only

Current License #: 09100081 Date of issuance: 9 / 24 / 2012

S License #: 09100081 Date of issuance: ___/___/___

DLLC Contact: Selena Gonzales DLLC Phone #: 602 542-9040

For Local Governing Body Use Only

Date Receive: ___/___/___ Date Approved: ___/___/___

Recommendation: ☐ Approve ☐ Protest ☐ No Recommendation

I _____, hereby recommend that non-transferrable sampling
Government Official

privileges be added to this licensee on behalf of Oro Valley.
City, Town or County

(_____) _____ - _____ _____
Phone Number Email Address

February 2013

State of Arizona
Department of Liquor Licenses and Control

800 W. Washington 5th Floor
Phoenix, Arizona 85007
(602) 542-5141

Sampling Privileges Form

- [x] Liquor Store (series 9)
- [ ] Beer and Wine Store (series 10)

Applicant's Name: Clare Hollie Abel (check one) Owner ☐ Agent ☒

Mailing Address: Dept. 8916; 702 SW 8th Street, Bentonville, AR, Benton, 72716-0500
Street Address or P.O. Box | City | State | County | Zip Code

Business Phone Number: (520) 544-0016 Email: chabel@bcattorneys.com

Business Name: Wal-Mart Supercenter #3379 Current License #: 09100081

Physical Location of Business:
2150 East Tangerine Road, Oro Valley, AZ, Pima, 85755-
Street Address | City | State | County | Zip Code

I, Clare Hollie Abel, understand that, upon approval, sampling privileges for the liquor license identified above will require compliance with the following:

Initial Here

CHA 1. the premises shall contain at least five thousand square feet to be eligible for sampling privileges for Beer and Wine Store (series 10) applicants only (A.R.S. §4-206.01(J)).

CHA 2. Any open product shall be kept locked by the licensee when the sampling area is not staffed.

CHA 3. The licensee is otherwise subject to all other provisions of this title. The licensee is liable for any violation of this title committed in connection with the sampling.

CHA 4. The licensed retailer shall make sales of sampled products from the licensed retail premises.

CHA 5. The licensee shall not charge any customer for the sampling of any products.

CHA 6. The sampling shall be conducted under the supervision of an employee of a sponsoring distiller, vintner, brewer, wholesaler or retail licensee.

CHA 7. Accurate records of sampling products dispensed shall be retained by the licensee.

CHA 8. Sampling shall be limited to three ounces of beer or cooler-type products, one and one-half ounce of wine and one ounce of distilled spirits per person, per brand, per day.

CHA 9. The sampling shall be conducted only on the licensed premises.

CHA 10. Upon approval of this form, a license for a liquor store with sampling privileges (series 9S) or a beer and wine store with sampling privileges (series 10S) will be issued and mailed to the licensee's address of record. The license must be displayed in a conspicuous public area of the licensed premises that is readily accessible for inspection by any peace officer, distributor, wholesaler or member of the public. (A.R.S. §4-261.01)

'14 NOV 28 Liq. Lic. AM 2:05

10/23/13

CHA 11. Liquor store license sampling privileges are not transferable.

CHA 12. I have read, understand, and assume responsibility for compliance with A.R.S. §4-206.01.

A.R.S. §4-206.01(J) <u>Bar, beer and wine bar or liquor store licenses; number permitted; fee; sampling privileges</u>

1. Any open product shall be kept locked by the licensee when the sampling area is not staffed.
2. The licensee is otherwise subject to all other provisions of this title. The licensee is liable for any violation of this title committed in connection with the sampling.
3. The licensed retailer shall make sales of sampled products from the licensed retail premises.
4. The licensee shall not charge any customer for the sampling of any products.
5. The sampling shall be conducted under the supervision of an employee of a sponsoring distiller, vintner, brewer, wholesaler or retail licensee.
6. Accurate records of sampling products dispensed shall be retained by the licensee.
7. Sampling shall be limited to three ounces of beer or cooler-type products, one and one-half ounces of wine and one ounce of distilled spirits per person, per brand, per day.
8. The sampling shall be conducted only on the licensed premises.

I, Clare Hollie Abel, attest that I am the OWNER/AGENT filing this form, that I have read, and assume responsibility for compliance with, A.R.S. §4-206.01 at the licensed establishment named on page 1, and verify all statements I have made on this document to be true, correct and complete. I understand that I am responsible for the $100 issuance fee and the annual $60 renewal fee for these sampling privileges. Sampling privilege renewal fees are due at the same time as the renewal for the "current license #" identified on page 1 of this application.

Signature, _____ Title agent Date 11 26 14

Notarized Signature

The forgoing instrument was acknowledged before me this 26th (day) of NOVEMBER (month), 2014 (year).

Notary Public: BETH BRIGGS
Signature

My commission expires: _____ (day) _____ (month) _____ (year)

OFFICIAL SEAL
BETH BRIGGS
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
My Comm. Expires August 3, 2018

'14 NOV 28 PM 2:06

For DLLC Use Only

S License #: 09100081 Date of issuance: 9 / 24 / 2012

Issuance fee applicable? ☐ Yes ☒ No ☒ $100 issuance fee collected

Initials: FL

Liquor Store w/Sampling Privileges (Series 09)

The liquor store (series 9) license is a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, this liquor license is transferable from person to person and/or location to location within the same county and allows a spirituous liquor store retailer to sell all types of spirituous liquors, only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of delivery. Series 9 (liquor store) licensees and applicants may apply for unlimited sampling privileges by completing the Sampling Privileges form. Internet sale of liquor is not permitted in the state of Arizona. Liquor must be delivered to an Arizona liquor-licensed wholesaler, then an Arizona liquor-licensed retailer prior to delivery to the consumer.

Town Council Regular Session **Item # 2.**

Meeting Date: 01/21/2015
Requested by: Larry Stevens
Submitted By: Paul Keesler, Development Infrastructure Services
Department: Police Department

Information

SUBJECT:

RESOLUTION NO. (R)15-08, APPROVING AND AUTHORIZING THE TOWN TO ENTER INTO A DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND THE HIGHLANDS HOMEOWNERS ASSOCIATION (THE HIGHLANDS INC.) FOR POLICE DEPARTMENT TRAFFIC ENFORCEMENT ON PRIVATE STREETS

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Highlands Homeowners Association has requested that the Town enter into a development agreement to allow the Oro Valley Police Department to enforce traffic safety related statutes on their private streets.

BACKGROUND OR DETAILED INFORMATION:

In April 2014, leadership from the Highlands Homeowners Association contacted the Police Department to discuss traffic safety concerns regarding private streets in their community. The Police Department and Development & Infrastructure Services Department staff have since been meeting with representatives of Highlands Homeowners Association, and as a result, the Highlands Homeowners Association has requested that the Town enter into a development agreement to allow the Oro Valley Police Department to enforce traffic safety related statutes on their private streets.

This type of agreement is allowed under the law and has been done in the past with other homeowners associations in Oro Valley. The details related to each party's responsibilities and commitments are included in the proposed resolution (Attachment 1) and development agreement (Exhibit A).

FISCAL IMPACT:

This agreement will have a fiscal impact to the following departments:

- Development and Infrastructure Services - $1000 every four (4) years for sign replacement
- Police Department - no fiscal impact
- Legal department - no fiscal impact

SUGGESTED MOTION:

I MOVE to (approve or deny) Resolution No. (R)15-08, approving and authorizing the Town to enter into a development agreement between the Town of Oro Valley and the Highlands Homeowners Association (The Highlands Inc.) for Police Department traffic enforcement on private streets.

Attachments

(R)15-08 Highlands HOA Development Agreement

Development Agreement

RESOLUTION NO. (R)15-08

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING A DEVELOPMENT AGREEMENT FOR THE TOWN TO ENFORCE TRAFFIC AND FIRE LAWS AND PROVIDE TRAFFIC SIGNAGE WITHIN THE HIGHLANDS INC., SUBDIVISION AND PRIVATE STREETS

WHEREAS, the Town of Oro Valley and the Highlands Inc., are authorized to enter into this agreement pursuant to A.R.S. §9-500.05; and

WHEREAS, the Town of Oro Valley and the Highlands Inc., wish to enter into a development agreement for the Town to enforce traffic and fire laws and provide traffic signage within the subdivision and private streets of the Highlands Inc.; and

WHEREAS, the Town has the responsibility of providing for the public health, safety and welfare for its residents; and

WHEREAS, it is in the best interest of the Town to approve the development agreement for the Town to enforce traffic and fire laws and provide traffic signage within the subdivision and private streets of the Highlands Inc.

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

1. The Development Agreement, attached hereto as Exhibit "A" and incorporated herein by this reference is hereby authorized and approved.

2. The Chief of Police is authorized to execute the Development Agreement on behalf of the Town of Oro Valley.

PASSED AND ADOPTED by the Mayor and Town 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:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

Date: _____

EXHIBIT “A”

DEVELOPMENT AGREEMENT

This DEVELOPMENT AGREEMENT (the "agreement") dated this ____ day of _____ 2015, by and between the Town of Oro Valley, Arizona, an Arizona Municipal corporation, and The Highlands Inc. and all sub-associations of The Highlands Inc. or its successor in interest, located As described in Exhibit "A". This agreement shall cover those areas marked as outlined in the attached Exhibit "A".

RECITALS

WHEREAS, this agreement shall be adopted by the passage of a resolution at a public meeting of the Mayor and Town Council of the Town of Oro Valley, Arizona, authorizing its designated signatory below to acknowledgements agreed to be the Mayor and Town Council:

WHEREAS, The Highlands Inc. would like the Town to enforce traffic and fire laws within their subdivision and on their private streets within what is commonly called "The Highlands"; and,

WHEREAS, the Town has the responsibility of providing for the public health, safety and welfare; and,

WHEREAS, the Town acknowledges the need for increased vigilance on The Streets in The Highlands due to their uniqueness and serving the general public and thereby increasing the risk to Town residents; and,

WHEREAS, the Town and the Highlands Inc., are authorized to enter into this agreement pursuant to the provisions of A.R.S. §9-500.05.

NOW AND THEREFORE, in consideration of the promises, mutual covenants and agreements as set forth herein, the parties agree as follows:

1) **MUTUAL PROMISES**

The Town agrees that:

The Oro Valley Police Department, as part of their normal activities, will patrol all the streets within the Town and will provide traffic/emergency vehicle enforcement in accordance with

established policies. The Town will determine the appropriate speed limits and other traffic enforcement (parking) provisions for The Highlands in accordance with Town Code and all other applicable laws. The Town will not provide maintenance of the pavement.

The Highlands Inc. agrees that:

The Town has the authority to enforce all criminal, civil, traffic, town code, and other statutes for public safety reasons on all private streets and right of ways as allowed by law. The Town will enforce traffic statutes in emergency situations to facilitate the response of emergency vehicles and equipment. The Highlands Inc. agrees, on behalf of all the residents, to waive any claims, including claims of jurisdiction, and to abide by the laws, policies and procedures of the Federal Government, the State of Arizona, and the Town of Oro Valley for these areas. The Highlands Inc. agrees to pay, through sub-associations, the costs of purchasing and installing any signage, striping, and/or markings deemed necessary by the Town on all their streets. All requests for signage, striping/painting will come through The Highlands Inc., whether it is for The Highlands streets, or sub-association streets. When requested, the Town will provide an estimate for above costs prior to purchase. The Town agrees to purchase and install all signage.

In the event that any private roadway becomes public; the provisions of the Town Code must be followed. Should any private streets become public, the terms of this agreement are declared null and void as to those streets.

2) TERM

The parties agree that this agreement shall run in one-year terms, to be automatically continued and renewed every Town fiscal year upon adoption of the Town Budget unless cancelled at the behest of either party upon ninety (90) days notice. Upon termination, all un-reimbursed signage shall become the property of the Town.

3) EFFECTIVE DATE

The parties agree that the effective date of this agreement will begin upon the Oro Valley Town Engineer or his qualified designee certifying in writing that all traffic control devices on the streets within Exhibit “A” meet the requirements of the Manual on Uniform Traffic Control Devices.

4) NOTICE

Notice to the Town shall be given in writing, sent by regular mail within the ninety (90) day period to commence upon the date of the mailing.

Notice shall be sent to:

TOWN OF ORO VALLEY	**The Highlands Inc.**
Town Manager 11000 N. La Canada Dr Oro Valley, AZ 85737	DAVID A MCEVOY 332 W MATTERHORN Oro Valley, AZ 85737

Copy to:

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

5) IMPACT ON DENSITIES AND USES

The parties acknowledge that this agreement does not create densities and uses greater than those currently enjoyed.

6) FUTURE REZONING

Any future rezoning will have to be accomplished according to the existing policies of the Town of Oro Valley at the time the question is raised.

7) SEVERABILITY, INTERPRETATION OF TERMS, CHOICE OF LAW

This agreement shall be construed in all instances when possibly to do so in such a fashion as will allow the parties to comply with all applicable federal, stated, and local laws and regulation in accomplishing the purposes of this agreement. Should any portion of this agreement be found to be invalid for whatever reason by a court of competent jurisdiction, such portion shall be severable and have no effect on the remaining portions of the agreement. If any matter should end up in court, the winning party is entitled to reasonable attorney's fees. This agreement will be enforced under the laws of the State of Arizona.

SIGNED ON THIS _____ DAY OF _____ , 2015, by _____, acting on behalf of the _____ and all residents of the sub association which had signed the attached request listed as Exhibit "A" (attached hereto).

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

The Highlands Inc.

_____
Eleanor J. MacDonald, Board President

State of Arizona)
) ss.
County of)

Scribed and sworn before me this ____ day of _____, 20___, by _____.

(affix seal)

_____
Notary

_____
Carol Nadeau, Secretary

State of Arizona)
) ss.
County of)

Scribed and sworn before me this ____ day of _____, 20___, by _____.

(affix seal)

_____
Notary

_____
Jerry Ferrill, Maintenance Director

State of Arizona)
) ss.
County of)

Scribed and sworn before me this ____ day of _____, 20___, by _____.

(affix seal)

_____
Notary

Town Council Regular Session **Item # 3.**

Meeting Date: 01/21/2015
Requested by: Bayer Vella
Submitted By: Michael Spaeth, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: ORDINANCE NO. (O)15-02, REZONING OF AN APPROXIMATELY 149-ACRE PROPERTY (KNOWN AS KAI NORTH) FROM R1-144 (LARGE LOT RESIDENTIAL) TO C-1 (COMMERCIAL) AND R1-7 (MEDIUM DENSITY RESIDENTIAL) WITH LOT SIZES RANGING FROM 5,520 SQUARE FEET TO 7,200 SQUARE FEET, LOCATED AT THE SOUTHEAST CORNER OF TANGERINE ROAD AND FIRST AVENUE, OV914-002

RECOMMENDATION:

The Planning and Zoning Commission recommends approval of the proposed rezoning, subject to the conditions in Attachment 1, Exhibit "B."

EXECUTIVE SUMMARY:

The applicant's request is to rezone an approximate 149-acre property, located on the southeast corner of Tangerine Road and First Avenue, from R1-144 (large lot residential) to R1-7 (medium density residential) and C-1 (commercial). The Tentative Development Plan, included as Attachment 2, proposes:

- 211 detached single-family lots ranging in size from 5,520 sq. ft. to 7,200 sq. ft.
- A mix of neighborhood commercial scale retail buildings and professional offices on approximately 29 acres concentrated toward the intersection of Tangerine Road and First Avenue
- Preservation of a majority of the eastern and southern boundaries as open space buffers between the subject property and abutting residential development
- Pedestrian and equestrian trails traversing the site from north to south connecting the open space north of the subject property with the trails provided on the property south of Palisades Road that provides access to the Canyon del Oro Wash
- Multi-use path along the north side of Palisades Road
- Requested use of the following Flexible Design Options enabled by the Environmentally Sensitive Lands section of the Zoning Code:
    - Building setbacks
    - Landscape bufferyards
    - Minimum lot size
    - Off-street parking
    - Building Height
    - Recreation Area Credit
    - Native Vegetation Preservation

The history of the property is lengthy and the public participation process has been extensive. Over time, numerous public meetings have been held concerning other proposed projects for the subject property.

Three neighborhood meetings (2 formal and 1 open house/workshops) were held for this most recent application.

The applicant has held numerous informal meetings with neighborhood residents to address their specific comments and concerns. The subject property lies within an area known as Kai-Capri and has Special Area Policies (see Attachment 3) that were established in the General Plan to further define the type and character of development within the area. The applicant's proposal conforms to the Special Area Policies and the General Plan Vision, Goals and Policies.

The Planning and Zoning Commission considered the application on December 2, 2014, and recommended approval of the proposed rezoning and requested Flexible Design Options, subject to the conditions listed in Attachment 1, Exhibit "B".

BACKGROUND OR DETAILED INFORMATION:

The applicant proposes to rezone the property from R1-144 (large lot residential) to R1-7 (medium density residential) and C-1 (commercial). The purpose of the request is to construct a 211-lot single-family residential development and an approximate 29-acre commercial development consisting of a mix of neighborhood commercial and professional office type uses.

Current Site Conditions

- Zoning is R1-144 (large lot single-family residential)
- The property is vacant

Approvals-To-Date

- Subject property was annexed into the Town in 1994 and zoned R1-144.
- Special Area Policies were established for the subject property as part of the 2005 General Plan update, known as the "Kai-Capri" Special Area Policies.
- A General Plan Amendment was proposed in 2008 to amend the Neighborhood Commercial/Office designation to Master Planned Community (MPC). The amendment was ultimately withdrawn by the applicant.
- Several other applications have been submitted for the subject property over the years and have been withdrawn.

General Plan Conformance

The proposed rezoning conforms to the Master Planned Community and Neighborhood Commercial/Office land use designations on the General Plan (Attachment 4). The request proposes detached single-family homes in the Master Planned Community component and neighborhood commercial and professional office type uses in the Neighborhood Commercial/Office designated area.

The application was reviewed for consistency with the General Plan Vision, Goals, Policies and Kai-Capri Special Area Policies and a detailed analysis is provided in the Planning and Zoning staff report (Attachment 5). As part of this application, the applicant requested a building height increase from 18 feet to 20 feet for the areas restricted by Special Area Policy 2 (Attachment 3) under the Master Planned Community component. The applicant has provided the required viewshed analysis which is included as (Attachment 6).

Zoning Code Conformance

The applicant's request has been reviewed for conformance with the applicable standards of the R1-7 and C-1 zoning districts and has been deemed compliant. A detailed analysis of the project's conformance is provided in the Planning and Zoning Commission staff report included as Attachment 5 and a map of the existing zoning for the subject property has been included as Attachment 7.

Environmentally Sensitive Lands Conformance

As a rezoning, this application is subject to the standards and requirements of the Environmentally Sensitive Lands Ordinance (ESL). The applicant is requesting use of numerous Flexible Design Options (Attachment 8) enabled by the Environmentally Sensitive Lands section of the Zoning Code as follows:

- Building setbacks
- Landscape bufferyards
- Minimum lot size
- Off-street parking
- Building height
- Recreation area credit
- Native vegetation preservation

The requested Flexible Design Options are compliant with the ESL Flexible Development Review Criteria and will result in a greater percentage of Environmentally Sensitive Open Space. The additional open space will benefit habitat protection, trail preservation and neighborhood buffering. A detailed analysis of the requested Flexible Design Options is provided in the Planning and Zoning Commission staff report (Attachment 5)

The ESL section of the Zoning Code requires a cultural resources review and treatment plan for identified resources. Staff has worked with the applicant to add a condition to Attachment 1, Exhibit "B" requiring approval of the cultural resources treatment plan prior to the rezoning becoming effective. If the treatment plan identifies resources that need to be protected and will result in significant changes to the Tentative Development Plan, reconsideration by Town Council will be required.

In addition, traffic generated by the residential only portion of the development does meet minimum acceptable Level of Service (LOS) and safety considerations with respect to ingress/egress movements to/from 1st Avenue. However, as noted in the conditions in Attachment 1, Exhibit "B", these traffic movements become unacceptable in the future as the commercial portion is developed under the current site configuration ingress/egress points. From an engineering perspective, with or without the commercial portion of the development, a preferred traffic circulation and access configuration would include access to Palisades Road. This would produce increased LOS and safer traffic movements, particularly those vehicles turning south on to 1st Avenue.

Public Notification and Comment

Public notice has been provided to the following:

- Notification of all property owners within 600 feet
- Letter to all individuals who attended and signed-in at all three neighborhood meetings
- Homeowners association mailing
- Advertisement in the Daily Territorial newspaper
- Post on property
- Post at Town Hall and on website

Numerous neighborhood meetings have been held concerning the subject property over the years for a number of separate applications. Three neighborhood meetings (2 formal and 1 open house/workshops) were held for this most recent application. The neighborhood meeting summary notes from all three meetings have been provided as Attachment 9. The primary topics discussed during the neighborhood meetings included:

- Neighborhood buffers
- Trail access
- Neighborhood traffic
- Building height
- Scenic Corridor preservation

- Viewshed preservation
- Environmental impacts (Drainage, Water availability)
- School capacity
- Arrangement of lots
- Open space
- Building setbacks

The applicant has met informally numerous times with neighborhood residents via site visits and focused meetings to address and resolve outstanding concerns. The discussions between the applicant and neighbors has led to a number of accommodations including:

- Equestrian access and trail alignment
- Single-story homes along Palisades Road
- No vehicle access onto Palisades Road
- Additional buffering along First Avenue
- Reconfiguration of lots along Palisades Road to increase bufferyards

A neighborhood meeting timeline has been provided as Attachment 10.

Staff has received correspondence from numerous residents which has been provided as Attachment 11.

The Planning and Zoning Commission considered the application on December 2, 2014. At the meeting, numerous residents spoke, both for and against, the proposed project. The primary concerns included:

- Water availability
- Traffic onto Palisades Road
- Extension of the multi-use path to further improve pedestrian safety
- Impacts on neighboring developments
- Type and scale of proposed commercial. Whether any particular users had been identified.
- Protection of native plant and animal species

The majority of speakers commended the applicant and the Town on the level of outreach and public participation.

The Planning and Zoning Commission has recommended approval of the proposed rezoning, and the use of the requested Flexible Design Options, subject to the conditions listed in Attachment 1, Exhibit "B" with a revision to Condition 5e to add the words "pitched roof" before the word residential. Pitched roof homes generally have less visual impact on viewsheds than those with a flat roof. The revision was added to ensure flat roof designs were still limited to 18 feet thereby minimizing the potential impact to viewsheds. The December 2, 2014, Planning and Zoning Commission meeting minutes have been provided as Attachment 12.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to approve Ordinance No. (O)15-02, rezoning the property totaling approximately 149-acres on the southeast corner of Tangerine Road and First Avenue (known as Kai North) from R1-144 to C-1and R1-7, subject to the conditions in Attachment 1, Exhibit "B", finding that the request is consistent with the General Plan.

OR

I MOVE to deny Ordinance No. (O)15-02, finding that the proposed rezoning is not consistent with the General Plan due to _____.

Attachments

ATTACHMENT 1 - (O)15-02 Kai North Rezoning
ATTACHMENT 2 - SITE ANALYSIS + TENTATIVE DEVELOPMENT PLAN
ATTACHMENT 3 - KAI-CAPRI SPECIAL AREA POLICIES
ATTACHMENT 4 - GENERAL PLAN LAND USE MAP
ATTACHMENT 5 - PLANNING AND ZONING COMMISSION STAFF REPORT
ATTACHMENT 6 - VIEWSHED ANALYSIS
ATTACHMENT 7 - ZONING MAP
ATTACHMENT 8 - FLEXIBLE DESIGN OPTIONS DESCRIPTIONS
ATTACHMENT 9 - NEIGHBORHOOD MEETING SUMMARIES
ATTACHMENT 10 - NEIGHBORHOOD MEETING TIMELINE
ATTACHMENT 11 - RESIDENT COMMUNICATIONS
ATTACHMENT 12 - PLANNING AND ZONING COMMISSION MEETING MINUTES

ORDINANCE NO. (O)15-02

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING A REZONING REQUEST BY PAUL OLAND OF WLB GROUP, INC, FOR A 149 ACRE PROPERTY ON THE SOUTHEAST CORNER OF TANGERINE ROAD AND FIRST AVENUE, ALSO KNOWN AS KAI-NORTH, FROM R1-144 TO R1-7 AND C-1

WHEREAS, Paul Oland of the WLB Group, Inc., (the "Applicant"), applied for a rezoning from R1-144 to R1-7 and C-1 for approximately 149 acres located on the southeast corner of Tangerine Road and First Avenue, see map of property as depicted on Exhibit "A" attached hereto; and

WHEREAS, the subject property lies within the area known as Kai-Capri and has Special Area Policies that were established in the General Plan; 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 December 2, 2014, the Planning & Zoning Commission recommended approval for rezoning the property from R1-144 to R1-7 and C-1 for approximately 149 acres located on the southeast corner of Tangerine Road and First Avenue with conditions; and

WHEREAS, the Town Council has duly considered the Applicant's request for rezoning of 149 acres located on the southeast corner of Tangerine Road and First Avenue.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona that the rezoning requested by Paul Oland of the WLB Group, Inc., (the "Applicant"), applied for a rezoning from R1-144 to R1-7 and C-1 for approximately 149 acres located on the southeast corner of Tangerine Road and First Avenue is hereby approved with the conditions attached hereto as Exhibit "B".

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 21st day of January, 2015.

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"

MAP OF PROPERTY

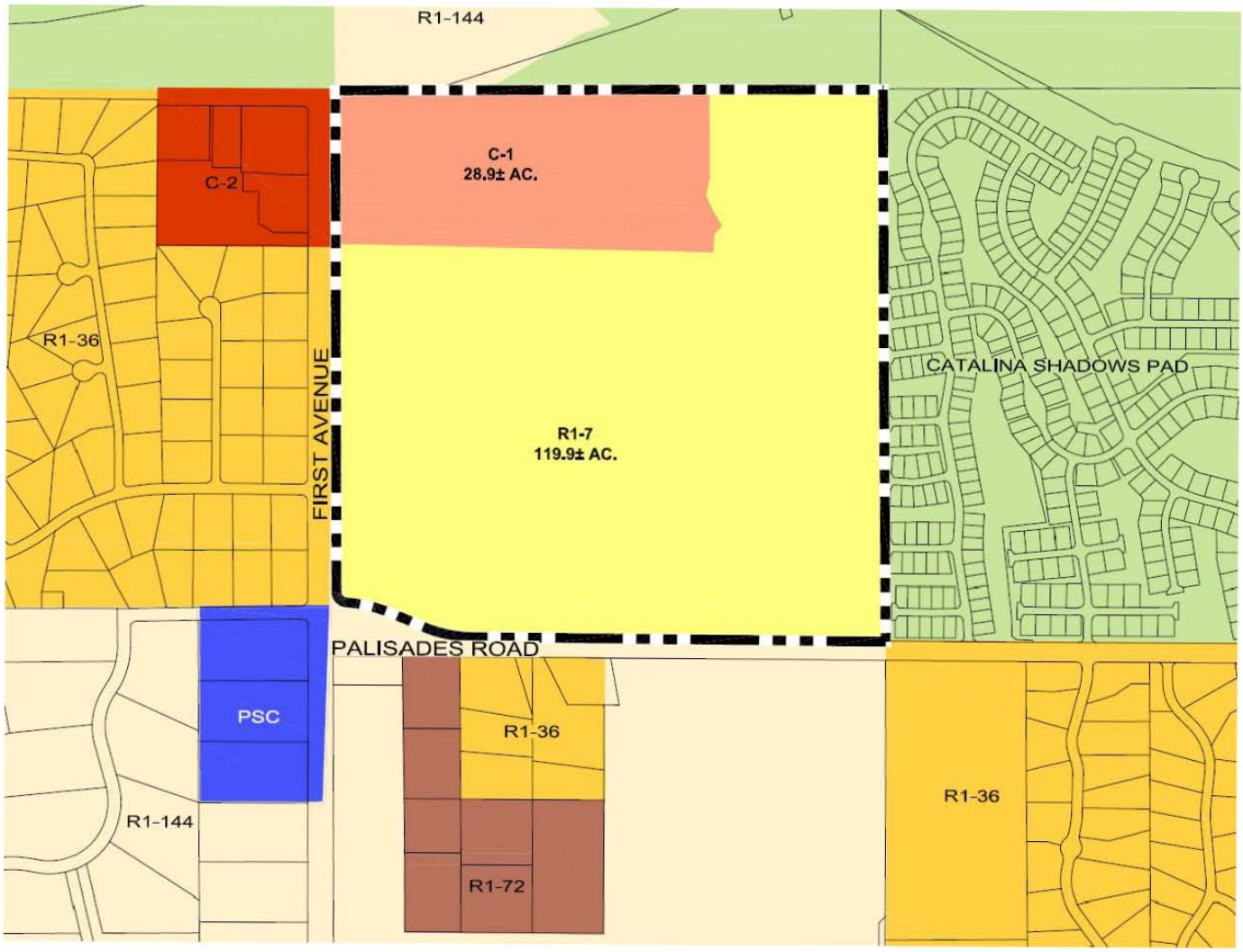

EXHIBIT "B"

CONDITIONS OF APPROVAL

Planning Conditions

1. All Kai-Capri Special Area Policies to be included as General Notes on Final Plat (Residential) and Final Site Plan (Commercial).

2. Indicate proposed setbacks for both residential and commercial. Commercial setbacks are as follows:

    a. Front: 20 feet
    b. Side: 50 feet or 3:1 (setback to building height ratio), whichever is greater
    c. Rear: 50 feet or 3:1 (setback to building height ratio), whichever is greater

3. A minimum 15' buffer yard Type "B" is required along the eastern edge of the proposed commercial, per Table 27-7.

4. Homes on lots 5 through 12 are limited to one-story.

5. The following Environmentally Sensitive Lands Flexible Design Options are applicable:

    a. Building Setback: Building setback reduction to no less than a five (5') foot side setback and no less than a ten (10') foot front setback so long as it doesn't result in an on-lot driveway of less than twenty (20') feet.

    b. Landscape Buffer Yard: a reduction of no less than ten (10') feet. Not allowed along street frontages and adjacent to any existing and proposed residential.

    c. Minimum lot size: A minimum lot size reduction to 5,500 square feet in accordance with the Conservation Subdivision Design lot reduction incentive.

    d. Off-street parking modification: A modification for future development in accordance with Section 27.7.C.2 (Alternative Parking Ratio) of the Zoning Code.

    e. Building Height: A building height increase from eighteen (18') feet to twenty (20') feet for *pitched roof* residential within 200 feet of North First Avenue, or within 150 feet of Palisades Road or existing development.

    f. Recreation Area Credit: Active and Passive recreation area count towards the overall ESOS requirement.

    g. Native Plant Preservation: the native plant salvage and mitigation requirements of Section 27.6 are waived for all development within development envelopes.

6. The rezoning shall not become effective until a Cultural Resources treatment plan is approved by the Planning and Zoning Administrator in accordance with Section 27.10.D.3.e. If the treatment plan requires a significant change to the Tentative Development Plan, reconsideration of the rezoning by Town Council will be required.

Engineering Comments

1. A multi-use path will be required to be constructed along the project's frontage with Palisades Road. The path is to be constructed during construction of the applicant's project to the south of Palisades Road or with this project, whichever is built first. This will fulfill the requirement for a sidewalk or multi-use path for both projects along the Palisades Road frontage.

2. When the commercial area is developed, appropriate traffic mitigation measures shall be implemented so the project drive located at the Oro Valley Retail Center intersection operates at an acceptable level of service with the addition of the commercial traffic.

Parks and Recreation Conditions

1. All trails to be dedicated as "non-vehicular permanent public recreation easements"

OV914-002

MERITAGE ON FIRST AVENUE - NORTH

REZONING SITE ANALYSIS

2014.11.6

Property Owner
Capri Co. LLC
Contact: James Kai
6088 West Arizona Pavilions Drive Building #2
Marana, Arizona 85743
520.744.1573

Prepared For
Meritage Homes
Contact: Briana Rader
3275 W. Ina Road, Suite 220
Tucson, Arizona 85741
520.225.6800

Prepared By
The WLB Group, Inc.
Contact: Paul Oland
4444 East Broadway Boulevard
Tucson, Arizona 85711
520.881.7480

WLB No. 182053-J-001

The WLB Group Inc. WLB

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PART I – INVENTORY AND ANALYSIS

INTRODUCTION

This site analysis and Tentative Development Plan have been prepared in support of a proposed rezoning of a 148-acre property located at the southeast corner of First Avenue and Tangerine Road. We propose to rezone the property from R1-144 to C-1 and R1-7. The Town's General Plan designates this property as a Master Planned Community (MPC) with special area policies describing commercial and clustered residential development, implying appropriateness of this rezoning request.

I-A. Existing Land Uses

1. Site Location

The subject property consists of approximately 148-acres located at the southeast corner of First Avenue and Tangerine Road, Township 12 South, Range 14 East, Section 6, Town of Oro Valley, Pima County, Arizona. It is bounded by First Avenue to the west, the Catalina Shadows Estates subdivision to the east, Tangerine Road and vacant land owned by Pima County to the north, and Palisades Road to the south. The Pima County Assessor designates the subject property as tax parcel 220-06-001F.

Refer to *Exhibit A* for a location map of the subject property and to *Exhibit B* for an aerial photograph of the subject property.

2. Existing Land Uses - Onsite

The subject property is currently undeveloped and vacant.

The subject property is currently zoned R1-144 (Single-Family Residential District). Please refer to *Exhibit D: Existing Zoning*. The Town of Oro Valley General Plan designates the subject property as Master Planned Community (MPC).

3. Existing Adjacent Zoning and Land Uses

a/b. Please refer to *Exhibit C: Existing Land Uses* and *Exhibit D: Existing Zoning*. The subject property is surrounded by the following existing zonings and land uses:

N:	Existing zoning:	R1-144 (Single-Family Residential) and Rancho Vistoso PAD.
	Existing land use:	Vacant land owned by Pima County, Tangerine Road, and further north the Safeway Vistoso Plaza.
NE:	Existing zoning:	Catalina Shadows PAD and Rancho Vistoso PAD.
	Existing land use:	Vacant land and Big Wash.

E:	Existing zoning:	Catalina Shadows PAD.
	Existing land use:	Catalina Shadows Estates residential subdivision.
SE:	Existing zoning:	R1-36 (Single-Family Residential).
	Existing land use:	Undeveloped City of Tucson Palisades Reservoir site and Palisades South residential subdivision.
S:	Existing zoning:	R1-144.
	Existing land use:	Palisades Splits residential development and Vacant Land.
SW:	Existing zoning:	PSC (Private Schools and Churches) and R1-144 (Single-Family Residential).
	Existing land use:	Resurrection Lutheran Church of Oro Valley and Tangerine Meadows residential subdivision.
W:	Existing zoning:	Commercial District (C-2) and R1-36.
	Existing land use:	First Avenue, Oro Valley Retail Center, and Tangerine Hills residential subdivision.
NW:	Existing zoning:	Rancho Vistoso PAD.
	Existing land use:	Vacant land.

The Town of Oro Valley General Plan 2020 designates property to the north as Open Space and Neighborhood Commercial (NCO), to the west as Neighborhood Commercial (NCO) and Low Density Residential 1 (LDR 1), to the east as Medium Density Residential (MDR) and to the south as Master Planned Community (MPC).

c. Surrounding Building Heights

There are both one and two-story structures within one-quarter mile of the subject property.

d/e. Surrounding Rezonings

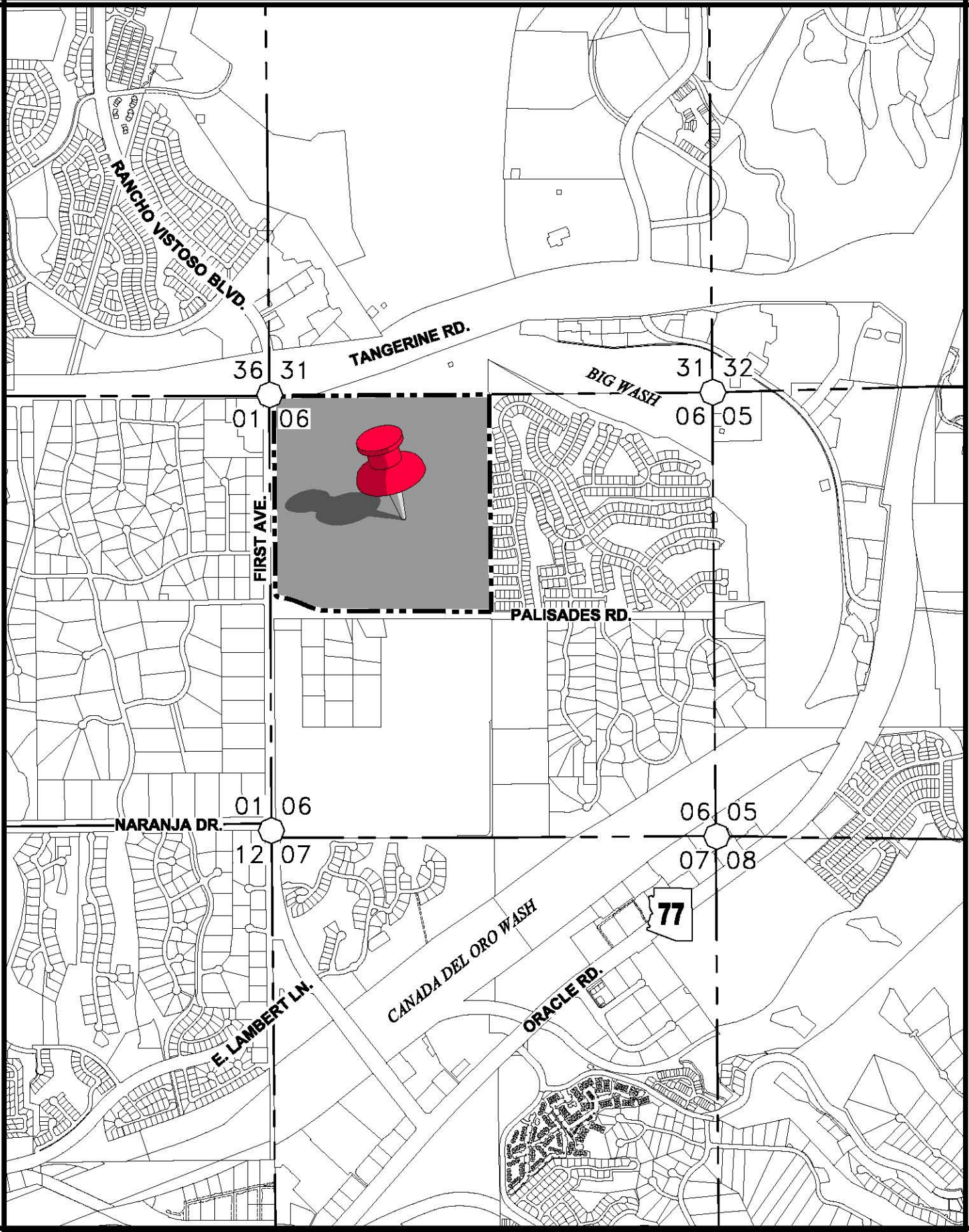
There are no pending or conditionally approved rezonings within one-quarter mile of the subject property.

f. The only pending subdivision and/or development plans within one-quarter mile of the subject property is the Conceptual Site Plan for the property immediately to the south.

g. Architectural styles of the homes to the east are contemporary and Mediterranean style. Homes towards the west and south display adobe/block characteristics. A variety of contemporary styles are found in the Safeway Vistoso Plaza, the Resurrection Lutheran Church, and the North Valley Baptist Church.

4. Location and ownership of wells/well sites within 100 feet of site.

According to the Arizona Department of Water Resources, there are no wells located on or within 100 feet of the project site.



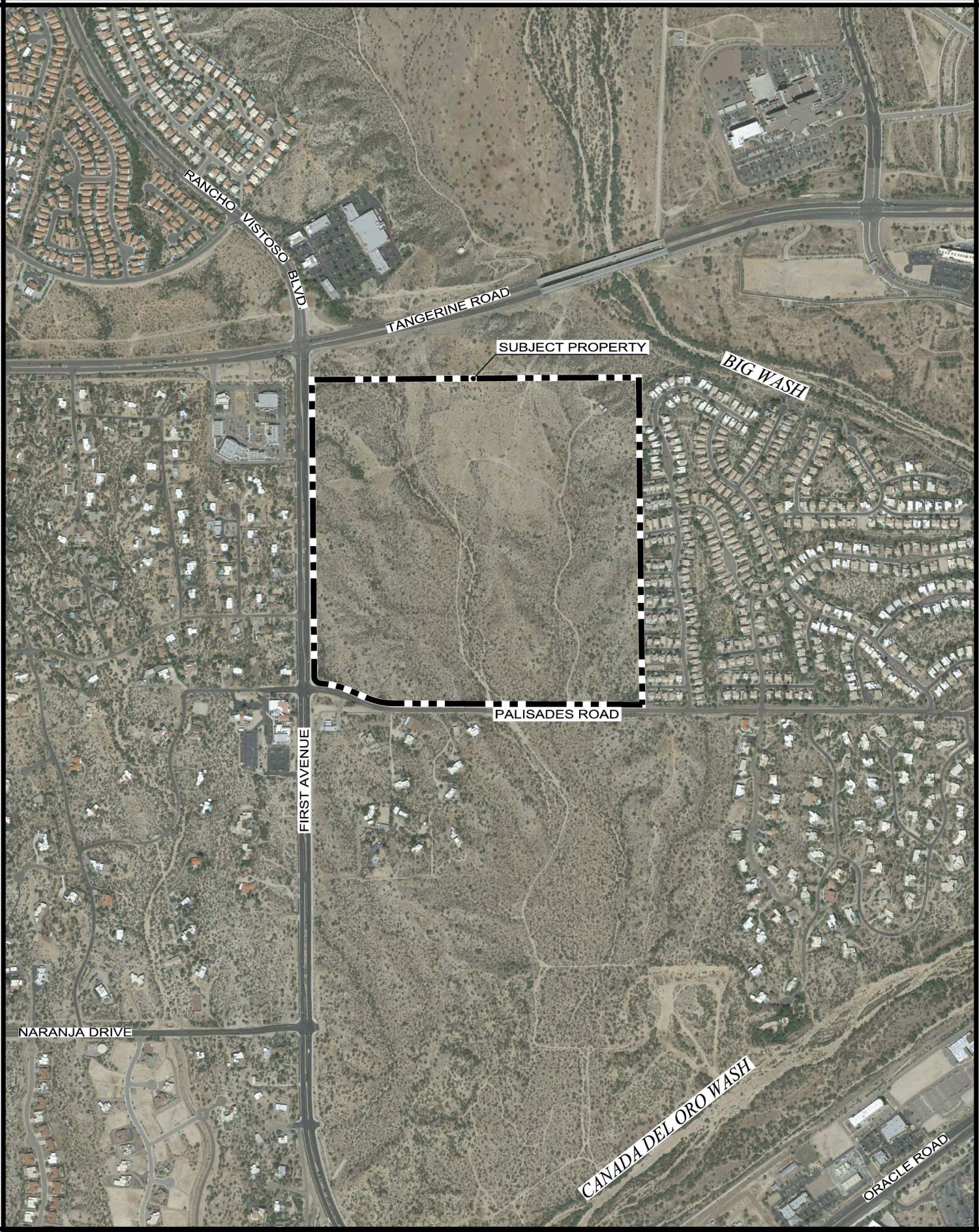
The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT A: LOCATION MAP

WLB No. 182053-J-001

0 1500'

L:\182053\North Half\Site Analysis\Exhibits\Exh A Location Map.dwg Plotted: Apr. 17, 2014



The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT B: AERIAL PHOTOGRAPH

WLB No. 182053-J-001

0' 1000'

L:\182053\North Half\Site Analysis\Exhibits\Exh B Aerial Photograph.dwg Plotted: Apr. 17, 2014

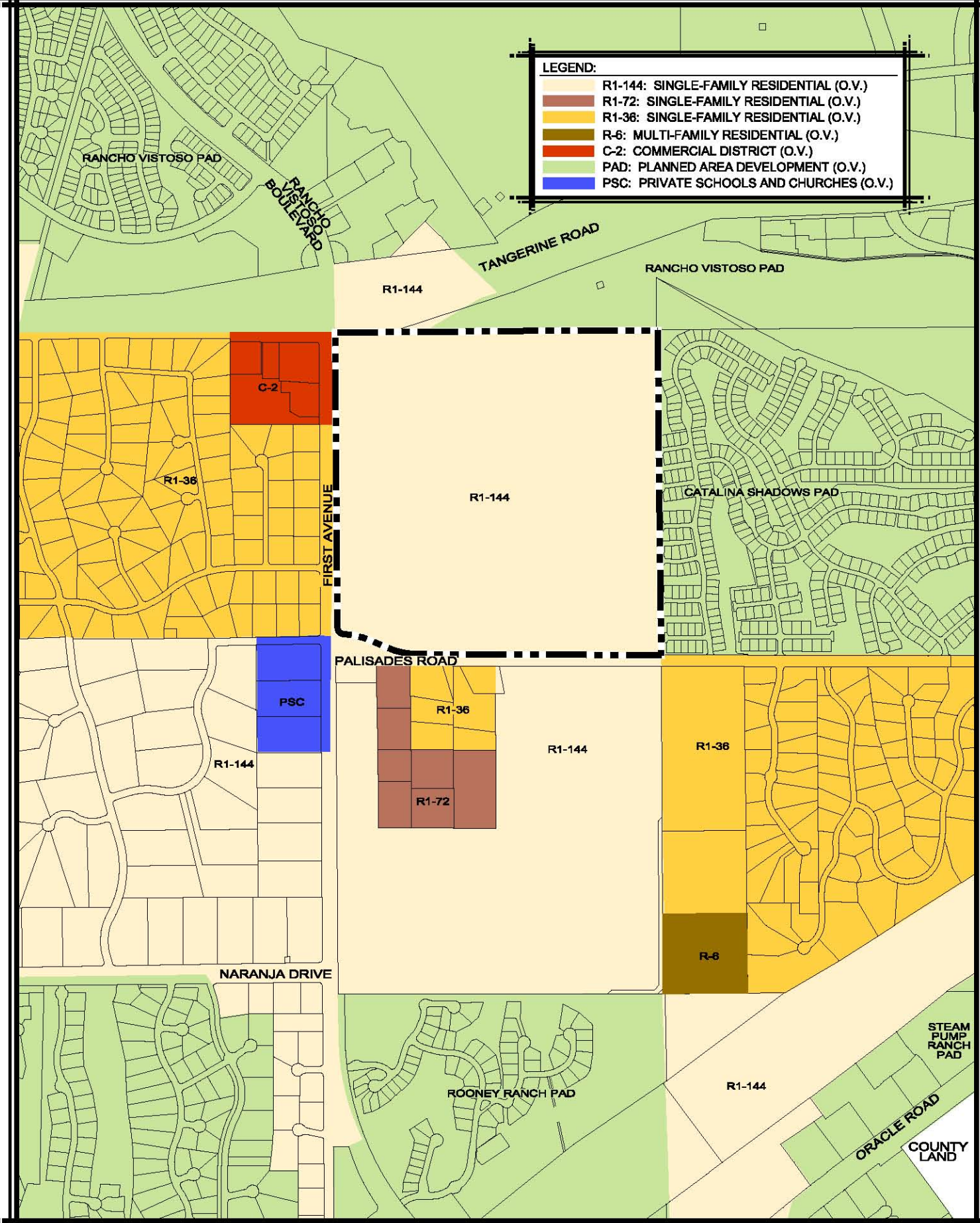
The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT C: EXISTING LAND USES

Aerial Photo Date: 2012
WLB No. 182053-J-001

0' 1000'

L:\182053\North Half\Site Analysis\Exhibits\Exh C Existing Land Uses.dwg Plotted: Aug. 20, 2014



The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT D: EXISTING ZONING

WLB No. 182053-J-001

0' 1000'

L:\182053\North Half\Site Analysis\Exhibits\Exh D Existing Zoning.dwg Plotted: Apr. 17, 2014

I-B. Topography

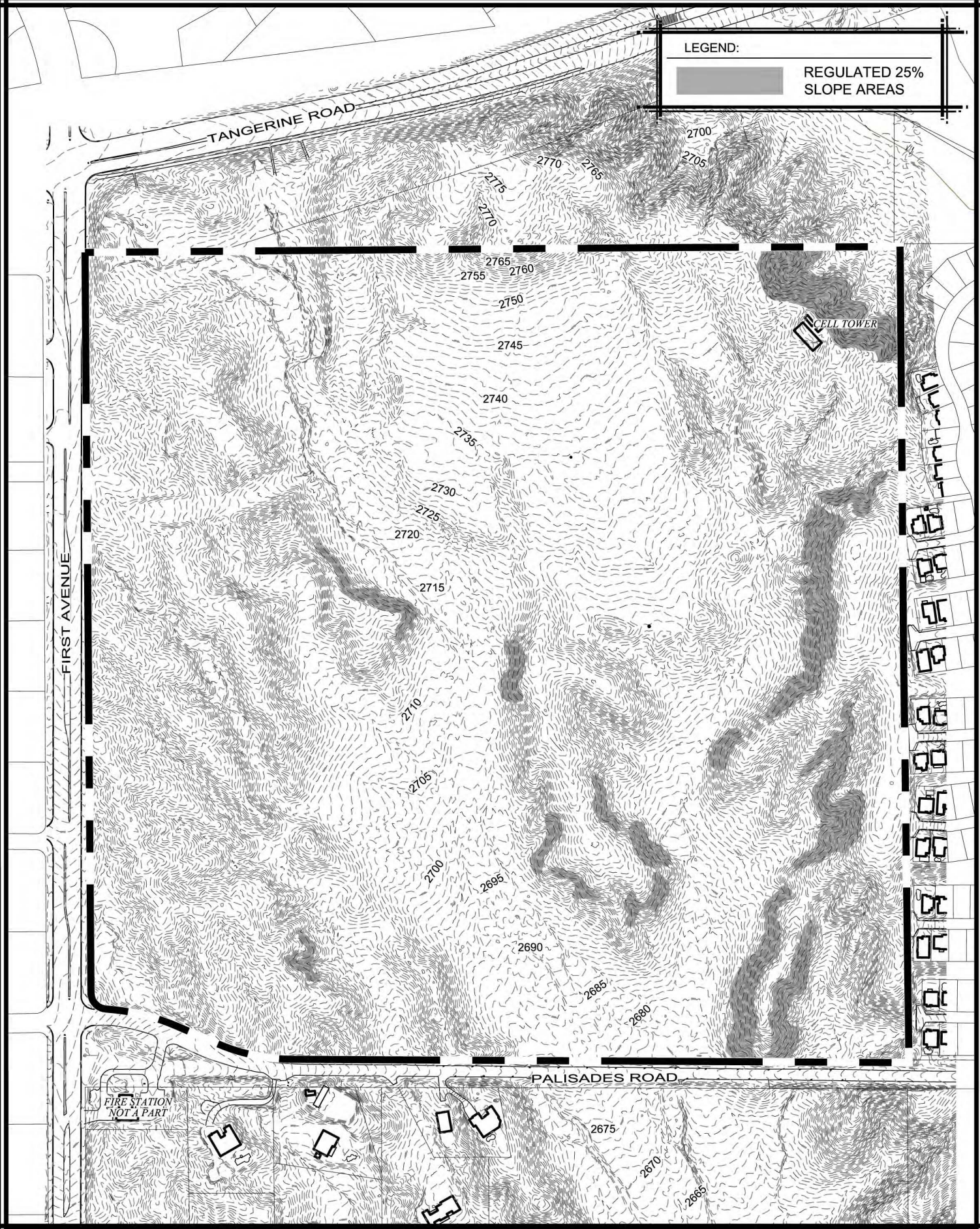
1. The topography of the subject property is characterized by rolling hills and braided washes. The subject property generally slopes downward from northwest to southeast towards the Cañada de Oro Wash, located approximately one-mile south of the subject property. Refer to *Exhibit E* for a map of site topography.

   Slopes less than 15% characterize the vast majority of the subject property with elevations ranging from approximately 2,770 feet at the highest point on the north side of the subject property to 2,680 feet at the lowest point on the south side of the subject property. An unnamed wash traverses the site, creating low ridgelines. The site contains limited areas of slopes greater than 15%, which primarily exist along the banks of the wash. The site does not contain any restricted peaks/ridges, or rock outcrops.

2. ESLO Slope Analysis Acreage Table.

ESLO Slope Analysis Acreage Table

Slope Category	Percent of Site	Area (Ac.)	% of Allowed Disturbance	Allowable Disturbance Area
0-15%	82%	121.5± Ac.	100%	121.5± Ac.
15-18%	4%	6.1± Ac.	40%	2.4± Ac.
18-20%	3%	4.3± Ac.	30%	1.3± Ac.
20-25%	4%	6.5± Ac.	20%	1.3± Ac.
25-33%	5%	6.7± Ac.	5%	0.3± Ac.
33+%	2%	3.3± Ac.	4%	0.1± Ac.
Total Site Area:	**100%**	**148.4± Ac.**	**85.5%**	**126.9± Ac.**



The WLB Group

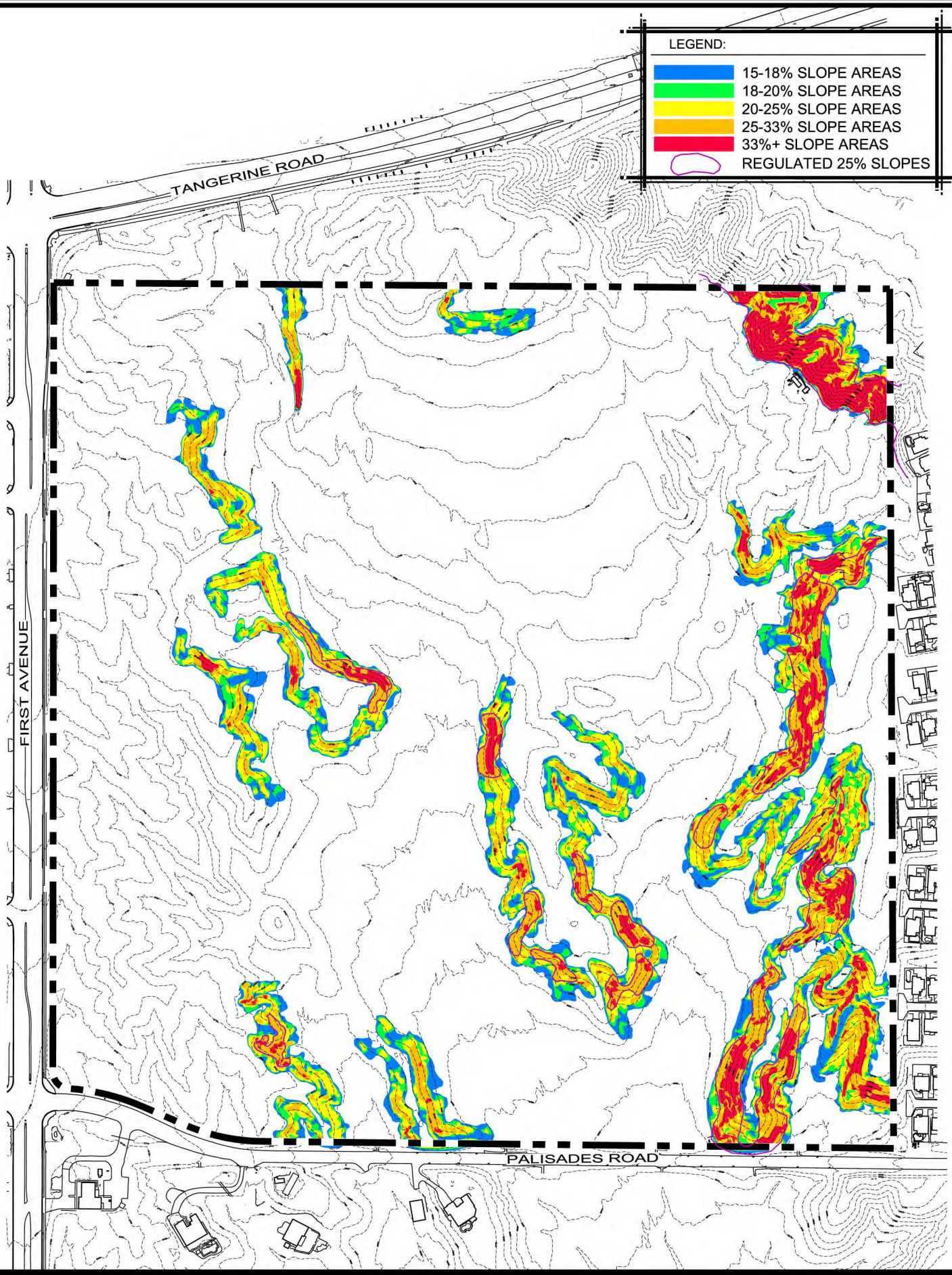
MERITAGE ON FIRST AVE. - NORTH

EXHIBIT E-1: TOPOGRAPHY & REGULATED 25% SLOPES

CONTOUR INTERVALS: 1 Ft.
WLB No. 182053-J-001

0' 400'

L:\182053\North Half\Site Analysis\Exhibits\Exh E Site Topograhy and Slopes.dwg Plotted: Aug. 20, 2014



The WLB Group WLB

MERITAGE ON FIRST - NORTH
EXHIBIT E-2: ESLO SLOPE ANALYSIS

Contour Interval = 5'
WLB No. 182053-J-001

0' 400'

L:\182053\North Half\Site Analysis\Exhibits\Exh E-2 slope analysis.dwg Plotted: Aug. 20, 2014

I-C. Hydrology

1. Description and map (aerial photograph) of perimeter of all off-site watersheds effecting, or affected by, the site, upstream and downstream. Please refer to *Exhibit F*.

   a. Notation of all balanced and critical basins.

      The subject property is located within a critical basin.

2. Description of significant off-site features, natural or man-made, with above watersheds effected by, or affecting, the site.

   Culverts entering the northwestern corner of the site and culverts exiting the southern edge of the site are the only immediate man-made drainage features affecting the site.

3. Acreage of upstream off-site watersheds

   Preliminary hydrologic analysis suggests that there are three upstream offsite watersheds, which deliver a 100-year discharge to the subject property that is greater than 100 cfs. The concentration points for these watersheds are shown on *Exhibit F* as Concentrations Points #1, #2 and #3.

4. Description of characteristics of onsite hydrology. Please refer to *Exhibit G*.

   a. Approximate 100-year floodplains with discharges greater than, or equal to 50 c.f.s.

      Please refer to *Exhibit G*: On-Site hydrology for an illustration of the estimated 100-year floodplain limits with a discharge greater than 50 cfs.

      Note: There are no building pads within the 100-year floodplain, but several places where encroachment into the erosion hazard setback is necessary and will require necessary erosion mitigation techniques as needed.

   b. Areas of sheet flooding and average depths.

      There is no sheet flooding onsite.

   c. Federally mapped floodways and floodplains.

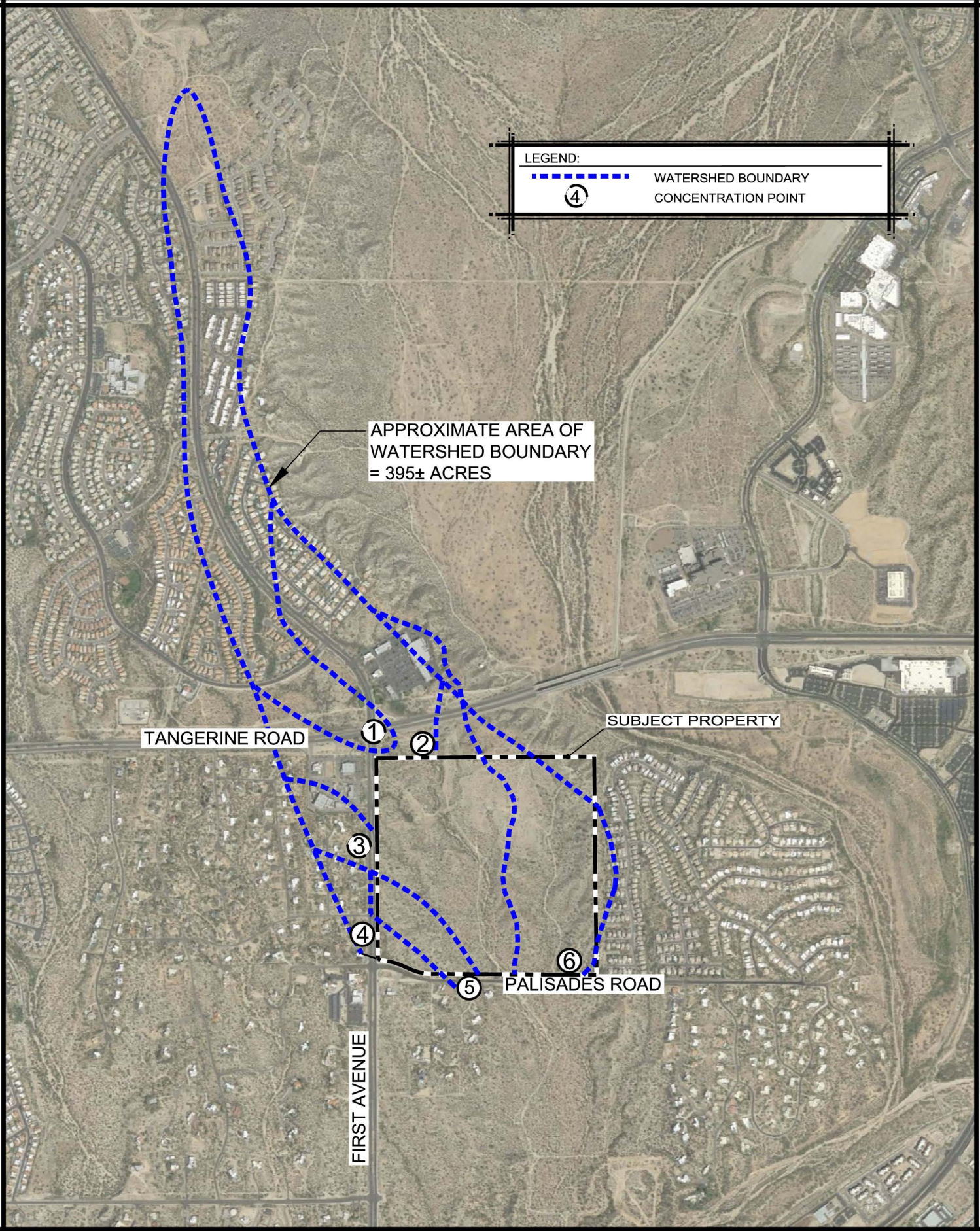
      The subject property is not located within a federally mapped floodway or floodplain.

   d. 100-year peak discharges exceeding 50 cfs.

      The estimated 100-year peak discharges exceeding 50 cfs. are shown on *Exhibit G.*

5. A qualitative description of existing drainage conditions along the downstream property boundary.

The central wash that courses through the subject property exists in a natural condition along the downstream property boundary as it concentrates into the culverts beneath Palisades Road. The wash then flows through other private properties before draining into to the Cañada del Oro Wash which is located approximately ¾-mile south of the subject property.



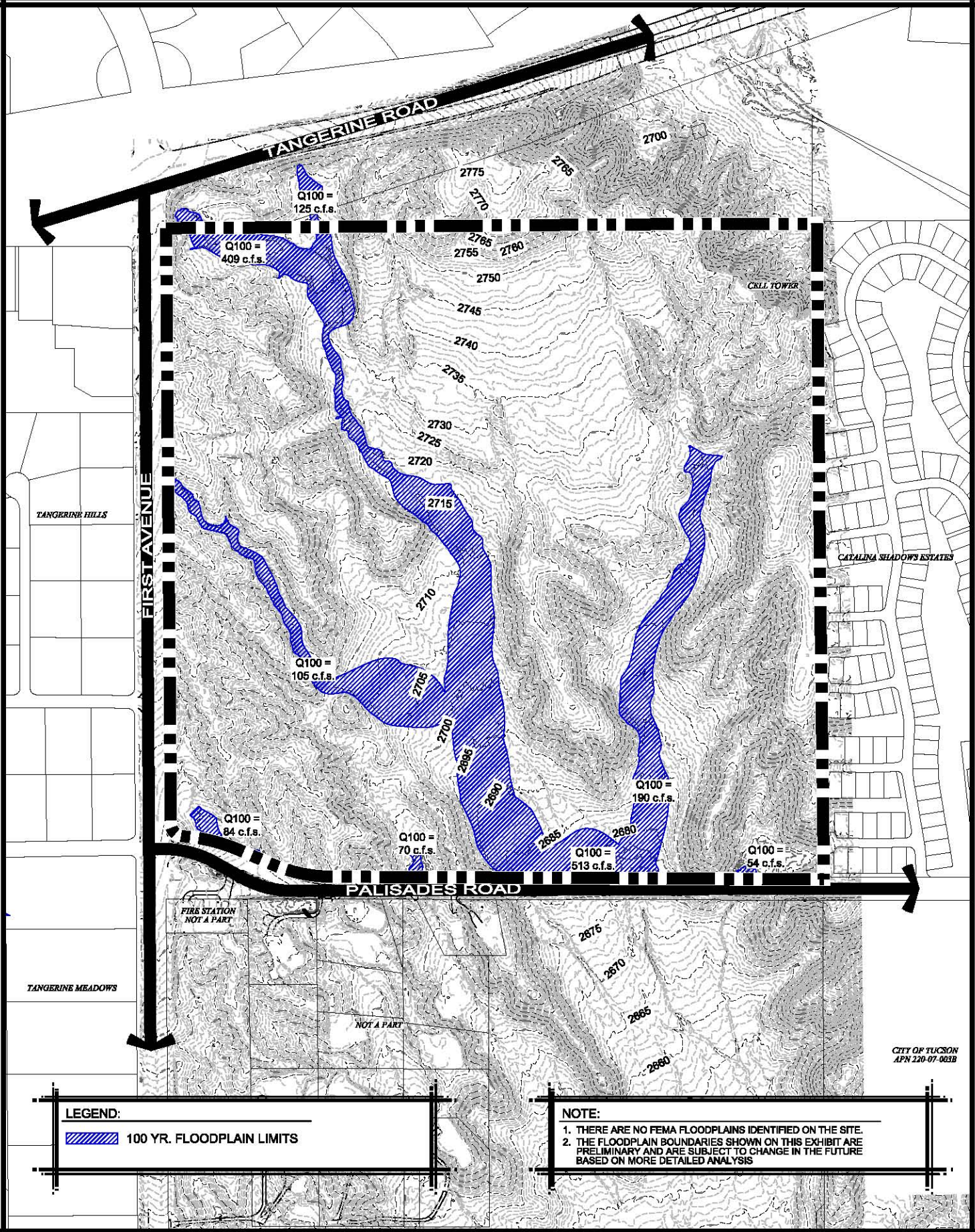
The WLB Group

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT F: OFFSITE WATERSHED

WLB No. 182053-J-001

0' 1500'

L:\182053\North Half\Site Analysis\Exhibits\Exh F Watersheds.dwg Plotted: Sep. 17, 2014



LEGEND:

100 YR. FLOODPLAIN LIMITS

NOTE:

1. THERE ARE NO FEMA FLOODPLAINS IDENTIFIED ON THE SITE.
2. THE FLOODPLAIN BOUNDARIES SHOWN ON THIS EXHIBIT ARE PRELIMINARY AND ARE SUBJECT TO CHANGE IN THE FUTURE BASED ON MORE DETAILED ANALYSIS

The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT G: ONSITE HYDROLOGY

CONTOUR INTERVALS: 1 Ft.
WLB No. 182053-J-001

0' 500'

L:\182053\North Half\Site Analysis\Exhibits\Exh G On-Site Hydrology.dwg Plotted: Nov. 05, 2014

I-D. Vegetation

1. Vegetative Communities and associations on the site.

   The vegetation community on the property is typical of the Sonoran Desert Scrub Region, Arizona Upland Subdivision, Paloverde-Cacti-Mixed Scrub Series (David E. Brown: Biotic Communities). Typical species found in this biome include Bursage (*Ambrosia deltoidea*) and Foothills Palo Verde (*Cercidium microphyllum*). Wash and drainage areas are characterized by Mesquite (*Prosopis velutina*), Desert Hackberry (*Celtis Pallida*), and mixed scrub vegetation association.

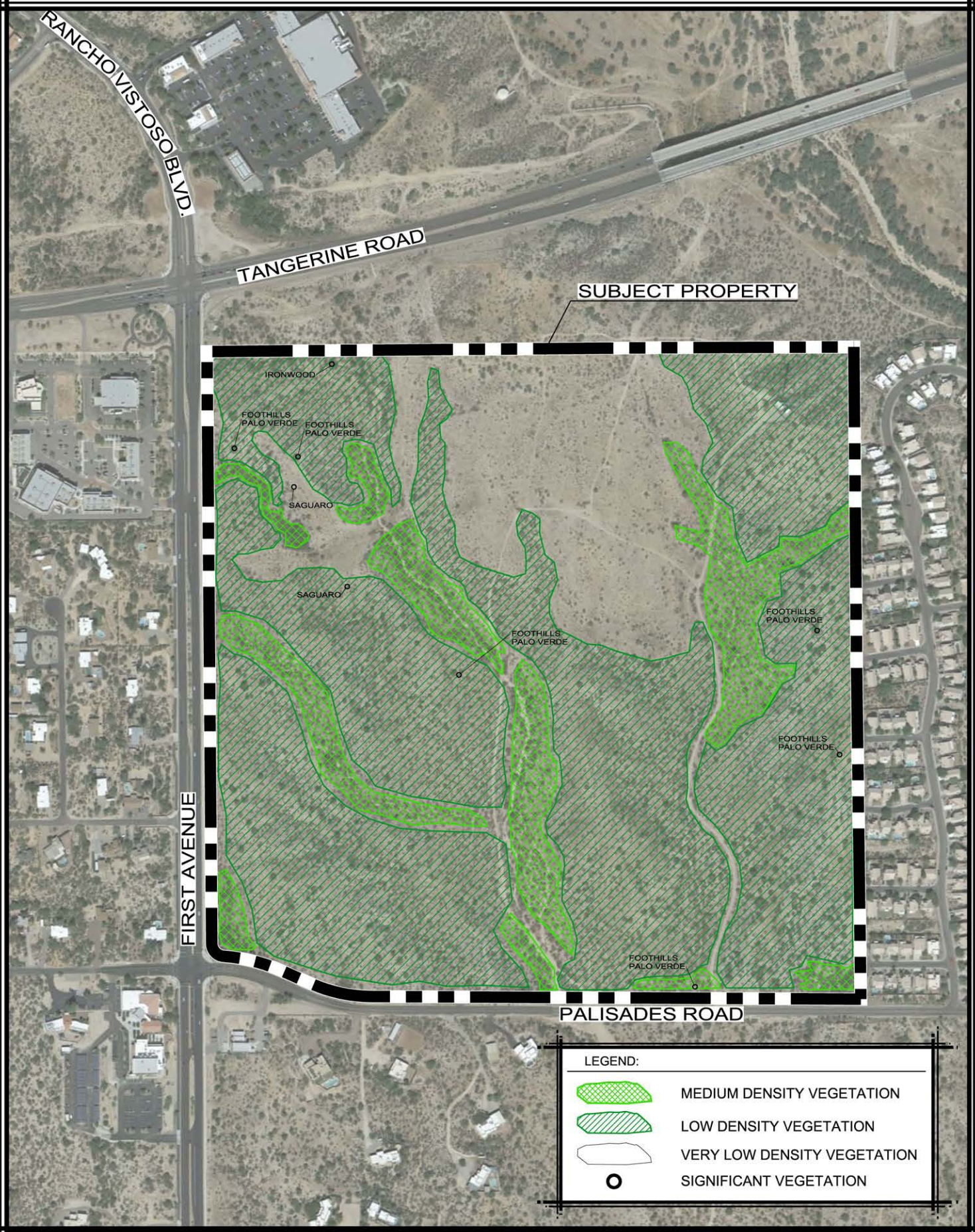
2. Significant cacti and groups of trees and Federally-listed threatened or endangered species. Please refer to *Exhibit I: Arizona Game and Fish Department Letter.*

   The following significant plant species were found on the project site: Fishhook Barrel Cactus (*Ferocactus wislizenii*), Ocotillo (*Fouquieria splendens*), Engelmann Prickly Pear (*O.p. var. discata*), Foothills Palo Verde (*Cercidium microphyllum*), Velvet Mesquite (*Prosopis velutina*), Creosote Bush (*Larrea tridentata*), Cat-claw Acacia (*Acacia greggii*), Desert Hackberry (*Celtis pallida*), Strawberry Hedgehog (*Echinocereus engelmannii*), Teddy Bear Cholla (*Opuntia bigelovii*), Jumping Cholla (*Opuntia fulgida*), Brittlebush (*Encelia farinose*), Desert Broom (*Baccharis sarathoides*), Fairy Duster (*Calliandra eriophylla*), Triangle Leaf Bursage (*Ambrosia deltoidea*), and Saguaro (*Carnegiea gigantea*). More dense and diverse vegetation occurs along the washes crossing the subject property.

   According to the Arizona Game and Fish Department, the following species are known to occur in the vicinity of the project site – Pima Indian Mallow (*Abutilon parishii*), designated as Sensitive and Salvage Restriced and Trelease Agave (*Agave schottii treleasei*), designated as Sensitive and Highly Safeguarded.

3. Vegetative densities by approximate percentage of plant cover.

   As determined by field reconnaissance and analysis of aerial photographs, the subject property is characterized by a moderate amount of vegetation. A wash traverses the site from north to south. In some areas, the wash contains dense stands of mature vegetation. The density of the vegetation gradually diminishes with distance from the washes. Please refer to *Exhibit H: Vegetation Densities.*



The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT H: VEGETATION

WLB No. 182053-J-001

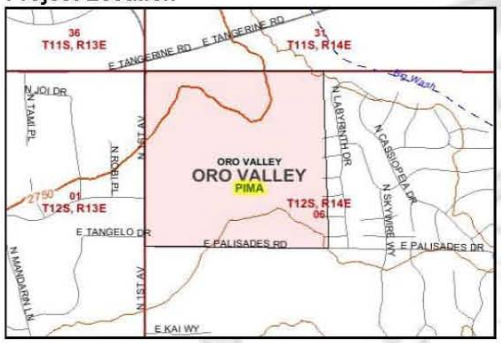
0' 1000'

L:\182053\North Half\Site Analysis\Exhibits\Exh H Vegetation.dwg Plotted: Sep. 15, 2014

Exhibit I: Arizona Game and Fish Department Letter:

Arizona's On-line Environmental Review Tool
Search ID: 20140311022730
Project Name: Tangerine & First
Date: 3/11/2014 10:42:35 AM

Project Location



Project Name: Tangerine & First
Submitted By: Robert Kirschmann
On behalf of: CONSULTING
Project Search ID: 20140311022730
Date: 3/11/2014 10:42:30 AM
Project Category: Development Within Municipalities (Urban Growth),Residential subdivision and associated infrastructure,New construction
Project Coordinates (UTM Zone 12-NAD 83): 504055.378, 3587021.680 meter
Project Area: 162.124 acres
Project Perimeter: 3241.375 meter
County: PIMA
USGS 7.5 Minute Quadrangle ID: 1684
Quadrangle Name: ORO VALLEY
Project locality is currently being scoped

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.

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
Abutilon parishii	Pima Indian Mallow	SC	S	S	SR
Antrostomus ridgwayi	Buff-collared Nightjar		S		
Bat Colony					
Gopherus morafkai	Sonoran Desert Tortoise	C*	S		WSC
Lithobates yavapaiensis	Lowland Leopard Frog	SC	S	S	WSC
Notholaena lemmonii	Lemmon Cloak Fern	SC			
Thelypteris puberula var. sonorensis	Aravaipa Woodfern		S	S	
Tucson - Tortolita - Santa Catalina Mountains Linkage Design	Wildlife Corridor				

Exhibit I: Arizona Game and Fish Department Letter (Continued):

Arizona's On-line Environmental Review Tool
Search ID: 20140311022730
Project Name: Tangerine & First
Date: 3/11/2014 10:42:35 AM

Please review the entire receipt for project type recommendations and/or species or location information and retain a copy for future reference. If any of the information you provided did not accurately reflect this project, or if project plans change, another review should be conducted, as this determination may not be valid.

Arizona's On-line Environmental Review Tool:

1. This On-line Environmental Review Tool inquiry has generated recommendations regarding the potential impacts of your project on Special Status Species (SSS) and other wildlife of Arizona. SSS include all U.S. Fish and Wildlife Service federally listed, U.S. Bureau of Land Management sensitive, U.S. Forest Service sensitive, and Arizona Game and Fish Department (Department) recognized species of concern.
2. These recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation). These recommendations are preliminary in scope, designed to provide early considerations for all species of wildlife, pertinent to the project type you entered.
3. This receipt, generated by the automated On-line Environmental Review Tool does not constitute an official project review by Department biologists and planners. Further coordination may be necessary as appropriate under the National Environmental Policy Act (NEPA) and/or the Endangered Species Act (ESA).

The U.S. Fish and Wildlife Service (USFWS) has regulatory authority over all federally listed species under the ESA. Contact USFWS Ecological Services Offices: http://arizonaes.fws.gov/.

Phoenix Main Office
2321 W. Royal Palm Road, Suite 103
Phoenix, AZ 85021
Phone 602-242-0210
Fax 602-242-2513

Tucson Sub-Office
201 North Bonita, Suite 141
Tucson, AZ 85745
Phone 520-670-6144
Fax 520-670-6154

Flagstaff Sub-Office
323 N. Leroux Street, Suite 101
Flagstaff, AZ 86001
Phone 928-226-0614
Fax 928-226-1099

Disclaimer:

1. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area.
2. The Department's Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there.
3. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HDMS data contains information about species occurrences that have actually been reported to the Department.

Arizona Game and Fish Department Mission

To conserve, enhance, and restore Arizona's diverse wildlife resources and habitats through aggressive protection and

Page 2 of 7 APPLICATION INITIALS: _____

Exhibit I: Arizona Game and Fish Department Letter (Continued):

Arizona's On-line Environmental Review Tool
Search ID: 20140311022730
Project Name: Tangerine & First
Date: 3/11/2014 10:42:35 AM

management programs, and to provide wildlife resources and safe watercraft and off-highway vehicle recreation for the enjoyment, appreciation, and use by present and future generations.

Project Category: Development Within Municipalities (Urban Growth),Residential subdivision and associated infrastructure,New construction

Project Type Recommendations:

All degraded and disturbed lands should be restored to their natural state. Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

Based on the project type entered; coordination with Arizona Department of Environmental Quality may be required (http://www.azdeq.gov/).

Based on the project type entered; coordination with Arizona Department of Water Resources may be required (http://www.water.az.gov/adwr/)

Based on the project type entered; coordination with County Flood Control districts may be required.

Based on the project type entered; coordination with State Historic Preservation Office may be required http://azstateparks.com/SHPO/index.html

Based on the project type entered; coordination with U.S. Army Corps of Engineers may be required (http://www.spl.usace.army.mil/regulatory/phonedir.html)

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found at http://www.azgfd.gov/hgis/guidelines.aspx.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife.

During planning and construction, minimize potential introduction or spread of exotic invasive species. Invasive species can be plants,

Page 3 of 7 APPLICATION INITIALS: _____

Exhibit I: Arizona Game and Fish Department Letter (Continued):

Arizona's On-line Environmental Review Tool
Search ID: 20140311022730
Project Name: Tangerine & First
Date: 3/11/2014 10:42:35 AM

animals (exotic snails), and other organisms (e.g. microbes), which may cause alteration to ecological functions or compete with or prey upon native species and can cause social impacts (e.g. livestock forage reduction, increase wildfire risk). The terms noxious weed or invasive plants are often used interchangeably. Precautions should be taken to wash all equipment utilized in the project activities before and after project activities to reduce the spread of invasive species. Arizona has noxious weed regulations (Arizona Revised Statutes, Rules R3-4-244 and R3-4-245). See Arizona Department of Agriculture website for restricted plants http://www.azda.gov/PSD/quarantine5.htm. Additionally, the U.S. Department of Agriculture has information regarding pest and invasive plant control methods including: pesticide, herbicide, biological control agents, and mechanical control: http://www.usda.gov/wps/portal/usdahome. The Department regulates the importation, purchasing, and transportation of wildlife and fish (Restricted Live Wildlife), please refer to the hunting regulations for further information http://www.azgfd.gov/h_f/hunting_rules.shtml.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife.

Hydrological considerations: design culverts to minimize impacts to channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Aquatic wildlife considerations: reduce/minimize barriers to migration of amphibians or fish (e.g. eliminate falls). Terrestrial wildlife: washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found at http://www.azgfd.gov/hgis/guidelines.aspx.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (including spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

Planning: consider impacts of lighting intensity on mammals and birds and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use.

Page 4 of 7 APPLICATION INITIALS: _____

Exhibit I: Arizona Game and Fish Department Letter (Continued):

Arizona's On-line Environmental Review Tool
Search ID: 20140311022730
Project Name: Tangerine & First
Date: 3/11/2014 10:42:35 AM

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly.

The construction or maintenance of water developments should include: incorporation of aspects of the natural environment and the visual resources, maintaining the water for a variety of species, water surface area (e.g. bats require a greater area due to in-flight drinking), accessibility, year-round availability, minimizing potential for water quality problems, frequency of flushing, shading of natural features, regular clean-up of debris, escape ramps, minimizing obstacles, and minimizing accumulation of silt and mud.

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herptefauna (snakes, lizards, tortoise) from entering ditches.

Project Location and/or Species recommendations:

Heritage Data Management System records indicate that one or more listed, proposed, or candidate species or Critical Habitat (Designated or Proposed) have been documented in the vicinity of your project (refer to page 1 of the receipt). Please contact:
Ecological Services Office
US Fish and Wildlife Service
2321 W. Royal Palm Rd.
Phoenix, AZ 85021-4951
Phone: 602-242-0210
Fax: 602-242-2513

Heritage Data Management System records indicate that one or more native plants listed on the Arizona Native Plant Law and Antiquities Act have been documented within the vicinity of your project area (refer to page 1 of the receipt). Please contact:
Arizona Department of Agriculture
1688 W Adams
Phoenix, AZ 85007
Phone: 602-542-4373

HDMS records indicate your project is in or near an identified wildlife habitat linkage corridor. Project planning and implementation efforts should focus on maintaining adequate opportunities for wildlife permeability. For information on the linkage assessment and wildlife species that may be affected refer to:
http://www.corridordesign.org/arizona. Contact your Arizona Game and Fish Department Regional Office for specific project recommendations:
http://www.azgfd.gov/inside_azgfd/agency_directory.shtml

Recommendations Disclaimer:

1. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project.
2. These recommendations are proposed actions or guidelines to be considered during **preliminary project development**.
3. Additional site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. The Department is interested in the conservation of all fish and

Page 5 of 7 APPLICATION INITIALS: _____

Exhibit I: Arizona Game and Fish Department Letter (Continued):

Arizona's On-line Environmental Review Tool
Search ID: 20140311022730
Project Name: Tangerine & First
Date: 3/11/2014 10:42:35 AM

wildlife resources, including those Special Status Species listed on this receipt, and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
6. **Further coordination requires the submittal of this initialed and signed Environmental Review Receipt with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map).**
7. Upon receiving information by AZGFD, please allow 30 days for completion of project reviews. Mail requests to:

Project Evaluation Program, Habitat Branch
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000
Phone Number: (623) 236-7600
Fax Number: (623) 236-7366

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2. Unauthorized attempts to upload information or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act .
3. The Department reserves the right at any time, without notice, to enhance, modify, alter, or suspend the website and to terminate or restrict your access to the website.
4. This Environmental Review is based on the project study area that was entered. The review must be redone if the project study area, location, or the type of project changes. If additional information becomes available, this review may need to be reconsidered.
5. A signed and initialed copy of the Environmental Review Receipt indicates that the entire receipt has been read by the signer of the Environmental Review Receipt.

Security:

The Environmental Review and project planning web application operates on a complex State computer system. This system is monitored to ensure proper operation, to verify the functioning of applicable security features, and for other like purposes. Anyone using this system expressly consents to such monitoring and is advised that if such monitoring reveals possible evidence of criminal activity, system personnel may provide the evidence of such monitoring to law enforcement officials. Unauthorized attempts to upload or change information; to defeat or circumvent security measures; or to utilize this system for other than its intended purposes are prohibited.

This website maintains a record of each environmental review search result as well as all contact information. This information is maintained for internal tracking purposes. Information collected in this application will not be shared outside of the purposes of the Department.

If the Environmental Review Receipt and supporting material are not mailed to the Department or other appropriate agencies within six (6) months of the Project Review Receipt date, the receipt is considered to be null and void, and a new review must be initiated.

Page 6 of 7 APPLICATION INITIALS: _____

Exhibit I: Arizona Game and Fish Department Letter (Continued):

Arizona's On-line Environmental Review Tool
Search ID: 20140311022730
Project Name: Tangerine & First
Date: 3/11/2014 10:42:35 AM

Print this Environmental Review Receipt using your Internet browser's print function and keep it for your records. Signature of this receipt indicates the signer has read and understands the information provided.

Signature: _____

Date: _____

Proposed Date of Implementation: _____

Please provide point of contact information regarding this Environmental Review.

Application or organization responsible for project implementation

Agency/organization: _____

Contact Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

E-mail: _____

Person Conducting Search (if not applicant)

Agency/organization: _____

Contact Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

E-mail: _____

Page 7 of 7 APPLICATION INITIALS: _____

I-F. Viewsheds

1. Views onto and across the site from adjacent properties that may be blocked by development of the site. Please refer to *Exhibit J: Viewsheds & Site Visibility.*

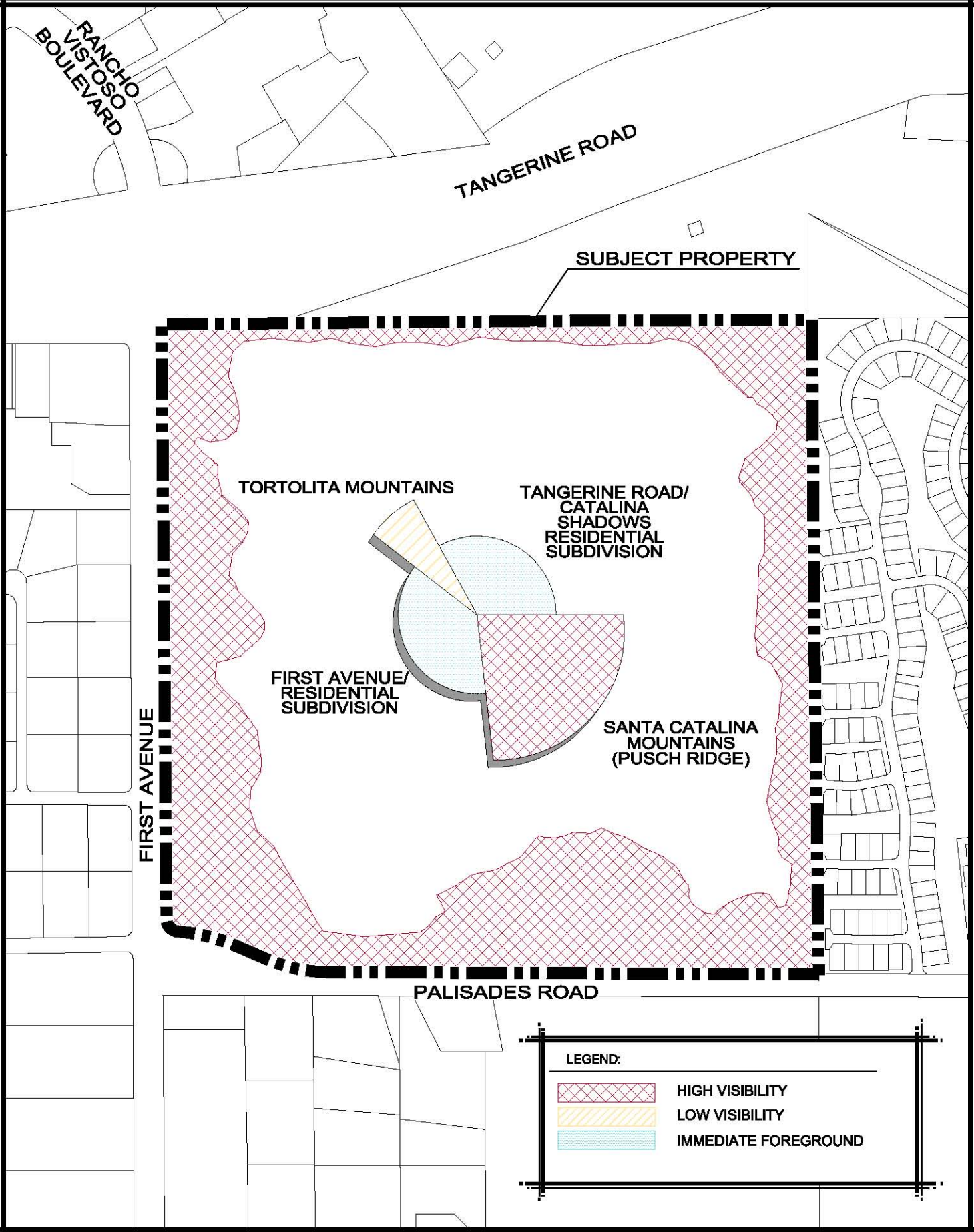
   The Tortolita Mountains to the northwest are slightly visible from the subject property. The Santa Catalina Mountains, including Pusch Ridge, to the east and southeast are highly visible from the subject property. Due to the undulating terrain and rolling hills of the site, views of the mountains will be minimally impacted by the proposed development. There are no views or vistas from areas beyond adjacent properties that may be noticeably affected by the development of the site. The views from existing residential subdivisions surrounding the subject property will not be adversely affected by the proposed development.

2. Areas of high visibility from adjacent off-site locations.

   Due to the undulating character of the site, portions of the property are visible from adjacent roadways and properties. On-site areas of high visibility include portions of the subject property immediately adjacent to First Avenue, Palisades Road, Tangerine Road, and the Catalina Shadows Estates residential subdivision. The proposed development on the northern portion and eastern portion of the project site will be visible from Tangerine Road (to the north) and First Avenue (to the west). The southern portion and the eastern portion of the property will be visible from Palisades Road and Catalina Shadows States residential subdivision. The areas of high, medium, and low visibility were determined by field observation, topography, and aerial photograph reconnaissance. Please refer to *Exhibit J*.

3. Provide photographs that depict proposed structures superimposed on existing landscape.

   The proposed development will consist of residential and non-residential components integrated in a well-designed manner to fit with the existing nature of the site. However, at this time, a developer for this property has not been selected and the specific nature of structures has not yet been determined.



The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT J: VIEWSHEDS & SITE VISIBILITY

WLB No. 182053-J-001

0' 500'

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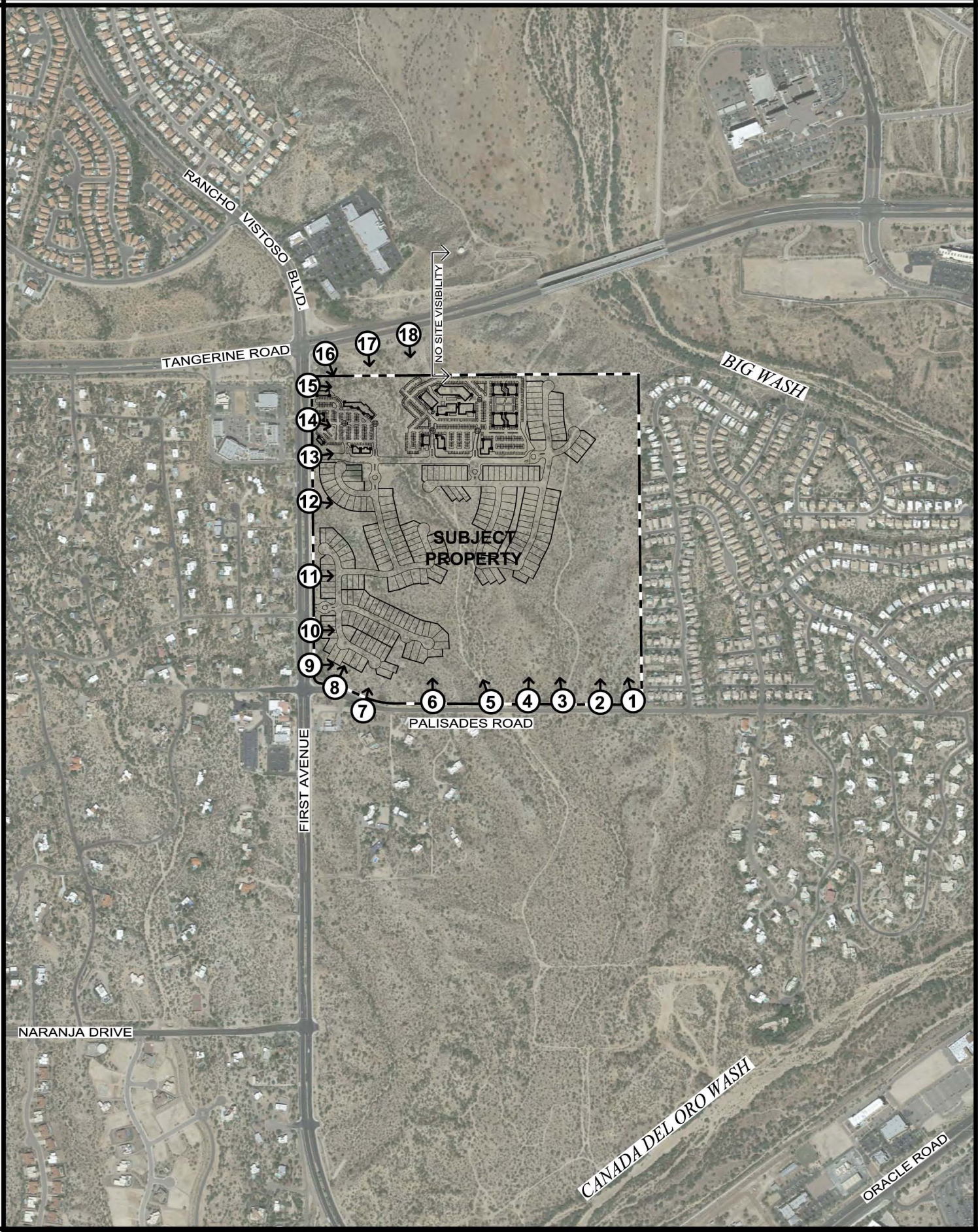

The WLB Group WLB

MERITAGE ON FIRST AVE - NORTH
EXHIBIT J-2: VIEWSHED KEY MAP

WLB No. 182053-J-001

0' 1000'

L:\182053\North Half\Site Analysis\Exhibits\archive\viewsheds\Exh J-2 Viewshed Key Map.dwg Plotted: Nov. 05, 2014

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The WLB Group WLB

EXHIBIT J-2
VIEWSHED PHOTOGRAPHS 1

Photo Date = 2014
WLB No. 182053-J-001

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The WLB Group WLB

EXHIBIT J-2
VIEWSHED PHOTOGRAPHS 2

Photo Date = 2014
WLB No. 182053-J-001

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The WLB Group WLB

EXHIBIT J-2
VIEWSHED PHOTOGRAPHS 3

Photo Date = 2014
WLB No. 182053-J-001

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The WLB Group WLB

EXHIBIT J-2
VIEWSHED PHOTOGRAPHS 4

Photo Date = 2014
WLB No. 182053-J-001

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The WLB Group WLB

EXHIBIT J-2
VIEWSHED PHOTOGRAPHS 5

Photo Date = 2014
WLB No. 182053-J-001

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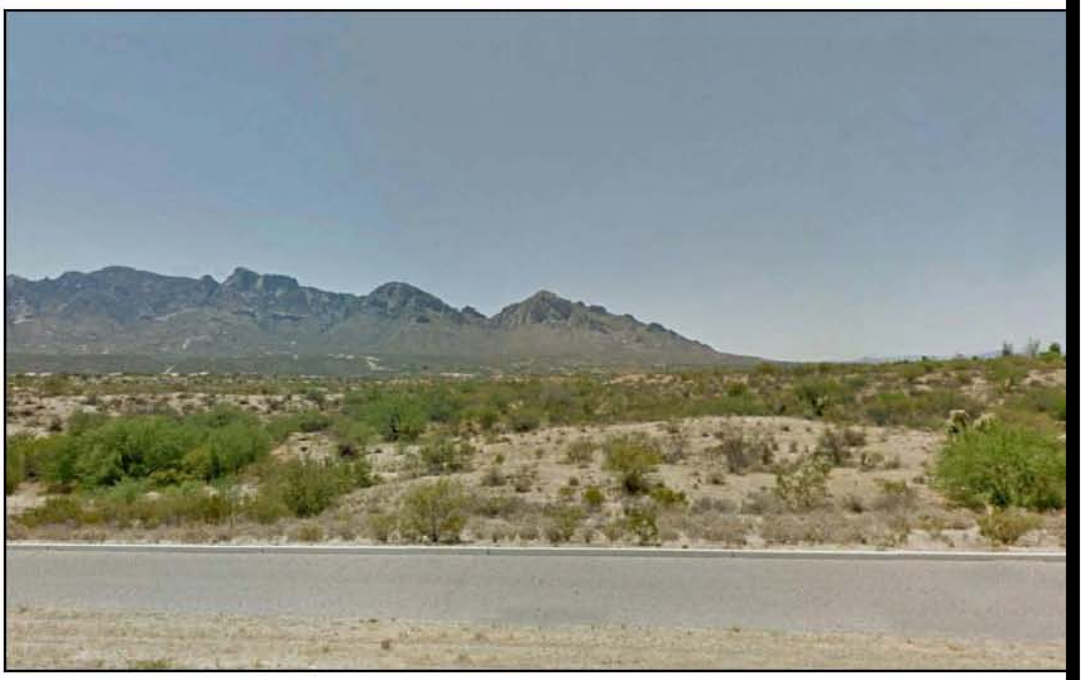

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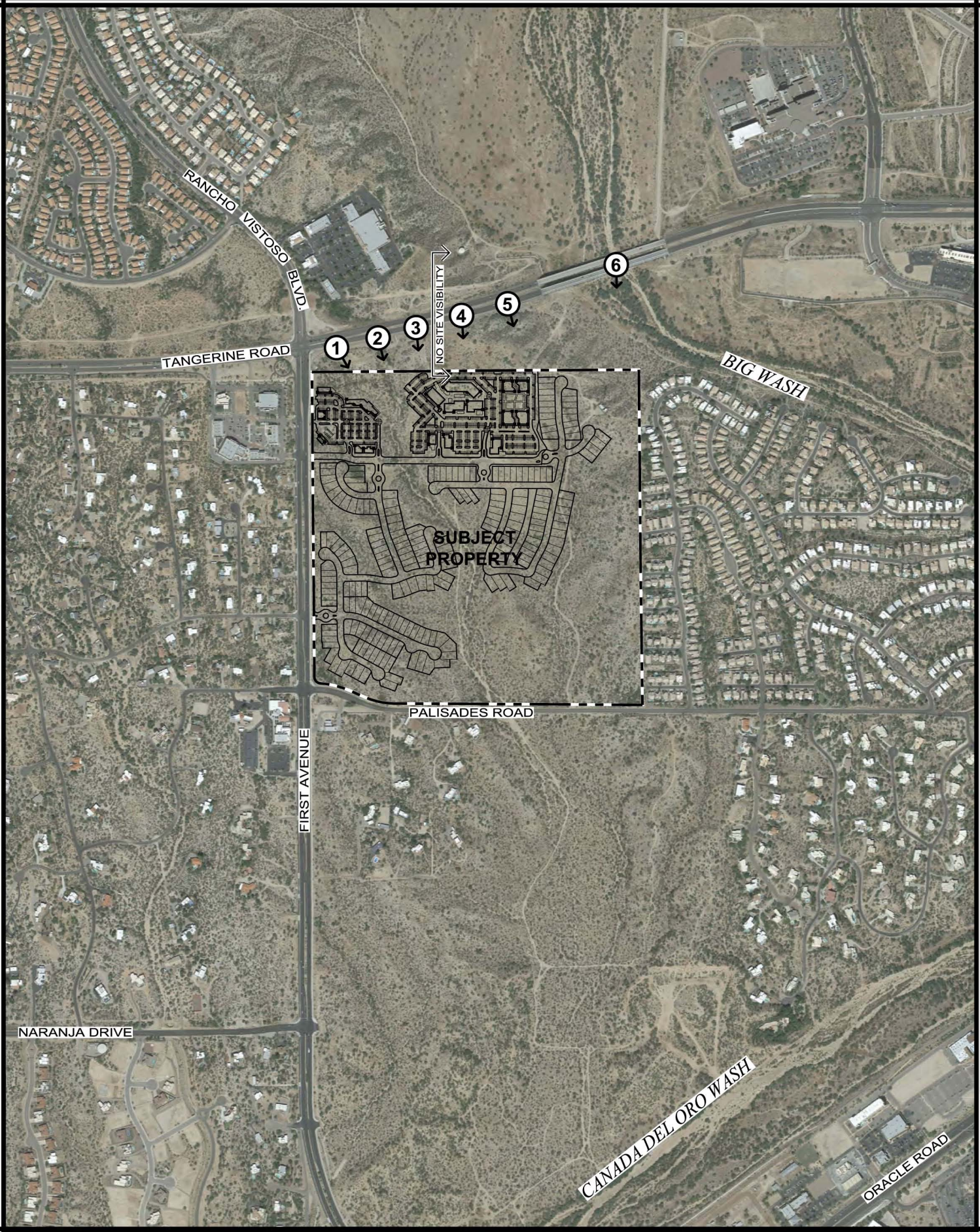
The WLB Group WLB

EXHIBIT J-2
VIEWSHED PHOTOGRAPHS 6

Photo Date = 2014
WLB No. 182063-J-001

LA182063\North Hall\Site Analysis\Exhibits\archive\viewshed\Exh J-2 - Viewshed Photos 6.dwg Plotted: Sep. 15, 2014



The WLB Group Inc. **WLB**

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT J-3: VIEWSHED KEY MAP

WLB No. 182053-J-001

0' 1000'

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The WLB Group WLB

EXHIBIT J-3
VIEW PRESERVATION PLAN

Photo Date = 2014
WLB No. 182063-J-001

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The WLB Group WLB

EXHIBIT J-3
VIEW PRESERVATION PLAN

Photo Date = 2014
WLB No. 162053-J-001

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I-G. Traffic

1. All existing and proposed off-site streets between the development and the nearest arterial streets. Please refer to *Exhibit K: Major Roads.*

   Primary access to the subject property will be from First Avenue. Other major streets within one-mile of the subject property are Rancho Vistoso Boulevard, Tangerine Road, Naranja Drive, Lambert Lane, and Oracle Road. Roads adjacent to and within one mile distance from the subject property are generally in excellent condition.

2. All arterial streets within one mile of the project site:

Road	Section	Existing ROW	Ultimate ROW	Travel Lanes	Capacity	Speed Limit	ADT (PAG)	Surface Conditions	Scheduled Improvements
First Ave.	Tangerine to Lambert	125'	150'	4	35,000	45	16,000	Paved w/ multi-use path	None
	Lambert to Oracle	125'	150'	4	35,000	45	24,500	Paved w/ bike lane	None
Tangerine Rd.	La Canada to First	300'	300'	4	35,000	45	17,600	Paved w/ multi-use path	None
	First to Oracle	300'	300'	4	35,000	45	10,500	Paved w/ multi-use path	None
Palisades Rd.	First to Terminus	90'	90'	2	8,500	35-45	Unknown	Paved	None
Naranja Dr.	La Canada to First	150'	150'	2	8,500	45	4,000	Paved w/ bike lanes	None
Rancho Vistoso	Tangerine to Moore	150'	150'	4	35,000	35	17,000	Paved w/ sidewalk & bike lane	None
Lambert Ln.	First to Pusch View	90'	90'	2	8,500	40	12,000	Paved w/ multi-use path	Completed 2013
	Pusch View to La Canada	150'	150'	4					
Oracle Rd.	First to Tangerine	200'	200'	6	60,000	50	25,000	Paved w/ bike lanes	None

3. Existing and proposed intersections on arterials within one mile of the site, most likely to be used by traffic from this site

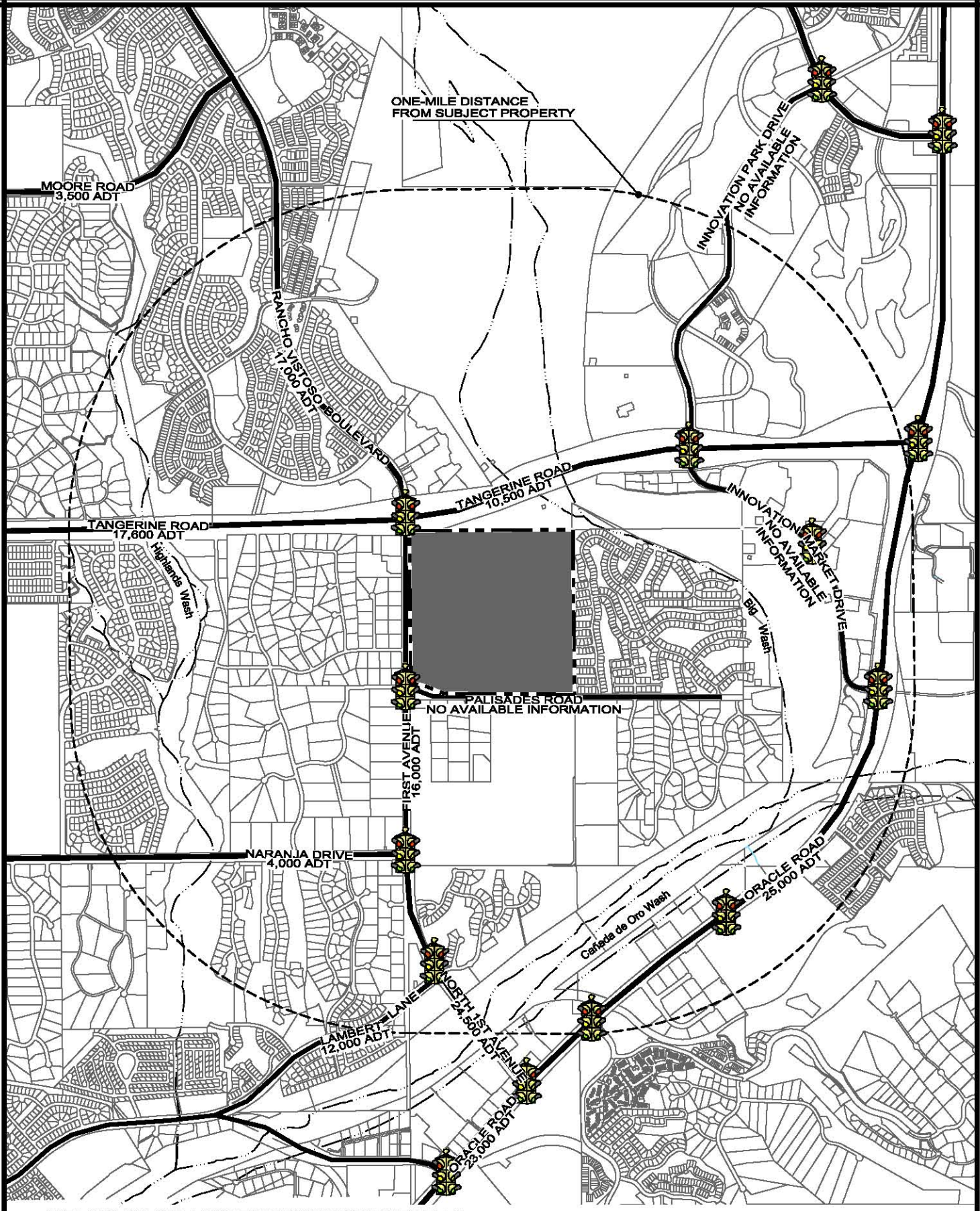
   Arterial intersections within one mile of the site that will likely carry traffic generated by this development include Tangerine Road and First Avenue, Tangerine Road and Oracle Road, and First Avenue and Naranja Drive. Please refer to *Exhibit K: Major Roads*.

4. Existing bicycle and pedestrian ways adjacent to the site and their connections with streets, parks, and schools. Please refer to *Exhibit L: Bike Routes*.

   According to the Oro Valley Bikeways Map Existing Routes and Surfaces 2006, there are paved shoulders along Tangerine Road and First Avenue, which are classified as follows:

   - East of First Avenue, along Tangerine Road (paved shoulder and shared use path).
   - West of First Avenue, along Tangerine Road (shared use path and signed bike route w/ on-street bike lane).
   - First Avenue (shared use path and signed bike route with on-street bike lane).
   - Naranja Drive (paved shoulder).
   - Lambert Lane (shared use path and signed bike route with on-street bike lane).
   - Oracle Road (paved shoulder).

There is a shared use path and signed bike route with on-street bike lane along the south side of Tangerine Road, which provides connection to a shared use path and a paved shoulder bike route along First Avenue. According to the Oro Valley Bikeways Map Existing Routes and Surfaces, the First Avenue paved shoulder also provides connectivity to the Naranja Drive paved shoulder bike route and the Lambert Lane shared used path. Ultimately, the First Avenue paved shoulder connects to the paved shoulder bike route along Oracle Road.



NOTE: 2008, 2010, 2012 & 2013 TRAFFIC COUNTS SHOWN, PER P.A.G.

The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT K: MAJOR ROAD NETWORK

WLB No. 182053-J-001

0' 2000'

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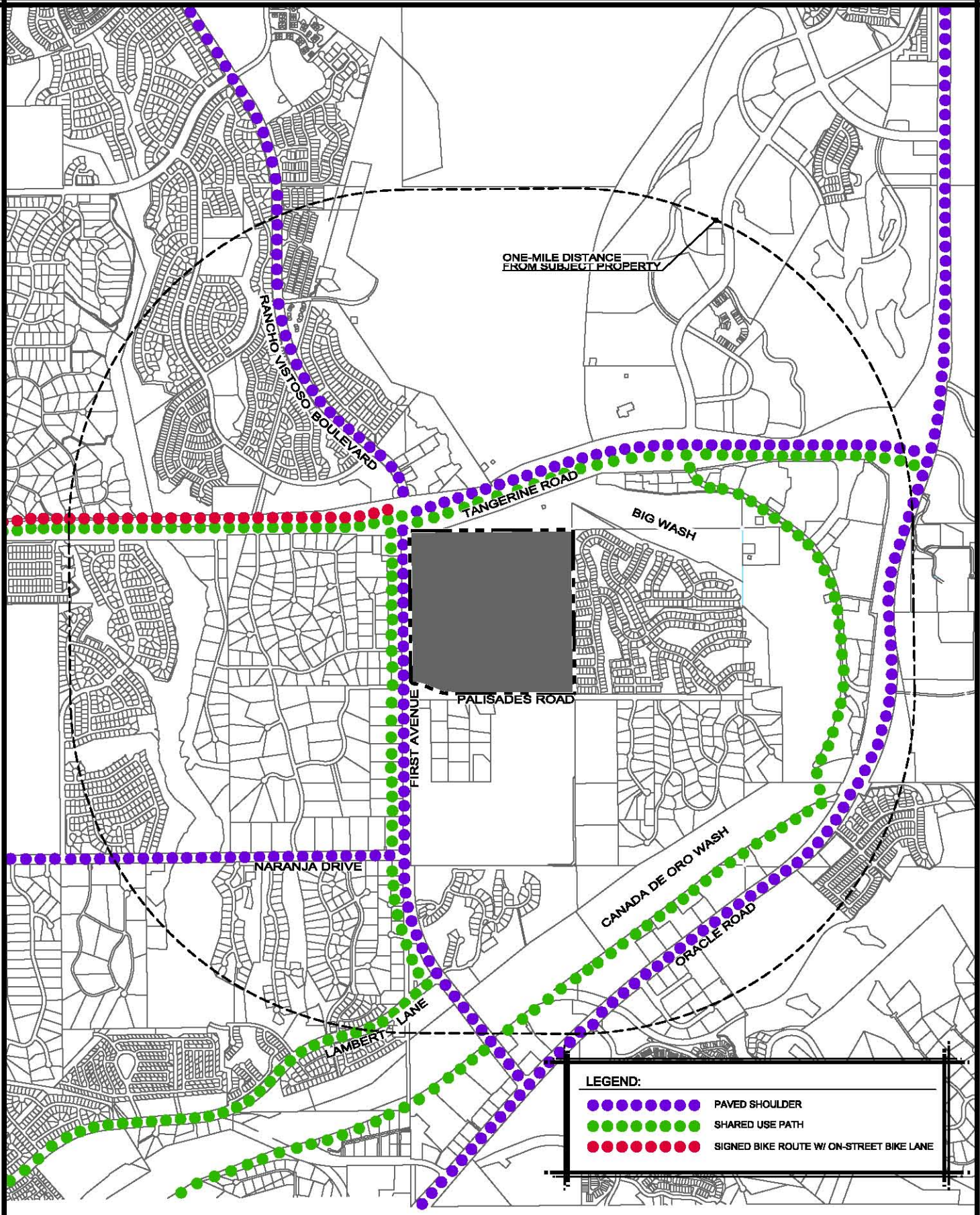

The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT L: BIKE ROUTES

WLB No. 182053-J-001

0' 2000'

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I-H. Recreation and Trails

1. Trails, parks and recreation areas within one mile of site

Trail #328 traverses the subject property from north to south, ultimately connecting to Trail #33 located approximately within one-half mile east of the subject property along the eastern side of Big Wash. Trail #328 also connects with Trail #2 located approximately three-quarters of a mile south of the subject property along the Cañada de Oro Wash.

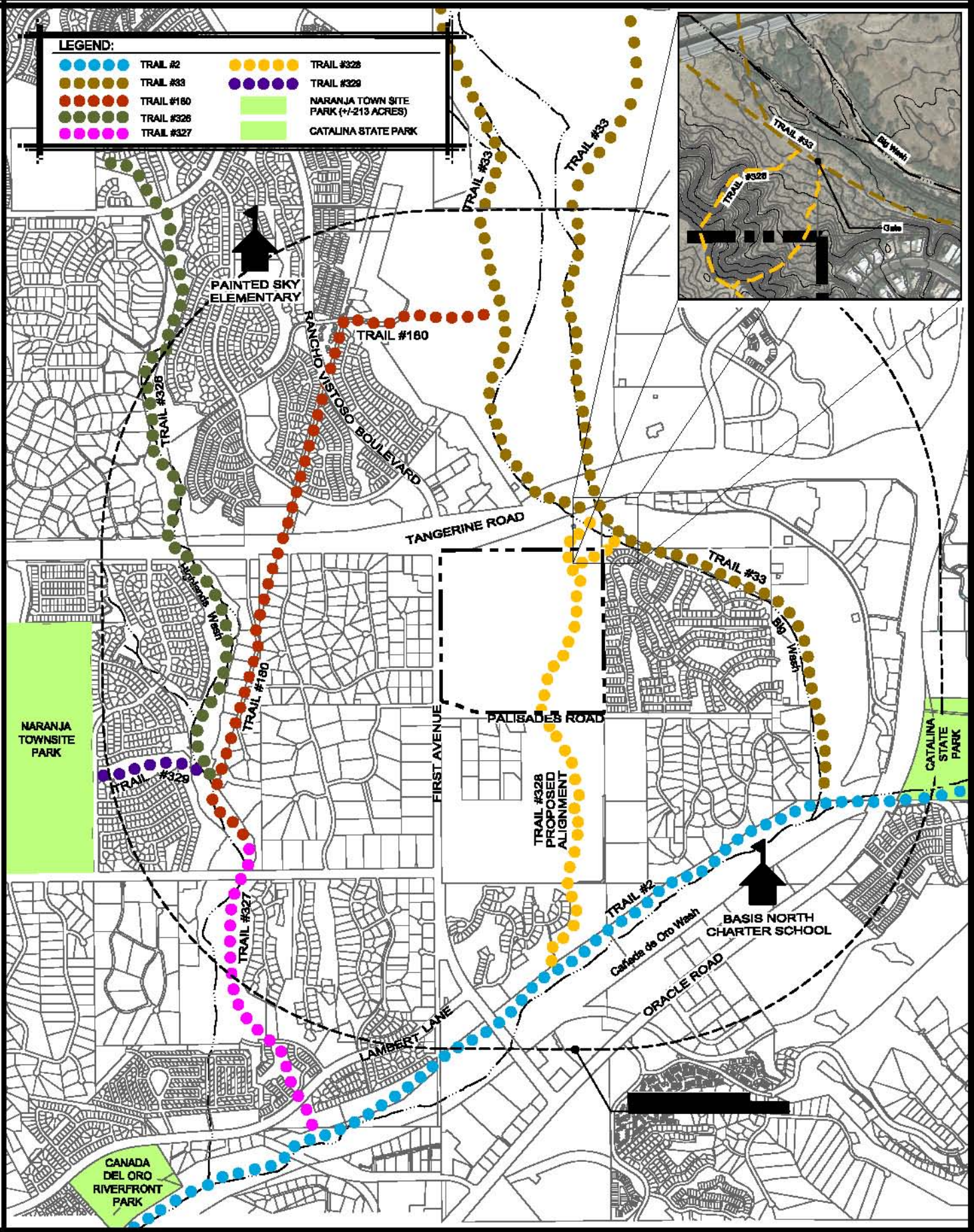
The Naranja Townsite Park is located approximately one-mile west of the subject property, located north of Naranja Drive and approximately one mile west of First Avenue. The Catalina State Park is located approximately one mile east of the subject property, just east of Oracle Road. The Canada Del Oro Riverfront Park is located just over one mile south of the subject property, south of Lambert Lane. Please refer to *Exhibit L: Bike Routes* and *Exhibit M: Schools, Recreation & Trails.*

2. Size and type of the parks and recreation areas identified

The Naranja Townsite Park consists of approximately 213 acres. This park features active and passive recreational areas, walking trails, and an archery range.

The Catalina State Park consists of approximately 5,500 acres. This park features active and passive recreational areas, a visitor center, an equestrian area, and several hiking trails.

The Canada Del Oro Riverfront Park consists of approximately 30 acres. This park features active and passive recreational areas, ball fields, walking paths and restrooms.



The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT M: SCHOOLS, RECREATION & TRAILS

WLB No. 182053-J-001

0' 2000'

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I-I. Cultural/Archaeological/Historic Resources

1. Please refer to *Exhibit N: Arizona State Museum Letter.*

   a. Determine whether the site has been field surveyed for cultural resources.

      The subject property was intensively field surveyed for cultural resources in 2001 and by the Pima Community College Archaeology Centre in September of 2014. Thirty-nine additional archaeological inspections were completed within a mile of the proposed project between 1979 and 2006. An archaeological records check was requested from the Arizona State Museum, and their response letter follows this section.

   b. Identify any previously recorded archaeological or historic resources known to exist on the property.

      According to the Arizona State Museum, six archaeological properties were identified; four, maybe five, of those historic properties may be located in the current project area. Based on the survey conducted in September 2014, three archaeological properties were not able to be identified and three archaeological properties were updated based on previous surveys. Of the three archaeological properties that were updated, one of the sites contains archaeological materials that could yield information important to prehistory so it should be eligibility tested to determine if it is eligible to be in the National Register of Historic Places. The other two sites that were updated have no important information that can be obtained through further studies and archaeological clearance is recommended.

   c. State the probability that buried archaeological resources not visible from the surface would be discovered on the site

      According to the Arizona State Museum, there is a high degree of potential recovery of prehistoric and historic resources within the subject property. Any resources identified or discovered on the property will be treated according to State and local antiquities laws. Please refer to *Exhibit N: ASM Letter.*

I-I. Cultural/Archaeological/Historic Resources (Continued)

Exhibit N: Arizona State Museum Records Check Letter:

THE UNIVERSITY OF ARIZONA.

Arizona State Museum

P.O. Box 210026
Tucson, AZ 85721-0026
Tel: (520) 621-6302
Fax: (520) 621-2976

ARCHAEOLOGICAL RECORDS SEARCH RESULTS

E-mail **Request Received:** 7/30/2013 **Records Search Completed:** 8/22/2013

Requester Name and Title: Clay Goodwin, Land Planner
Company: The WLB Group, Inc.
Address: 4444 East Broadway
City, State, Zip Code: Tucson, AZ 85711-3508
Phone/Fax/or E-mail: (520) 881-7480

Project Name and/or Number
182053-E-003 / a portion of Parcel 220-06-001F

Project Description
195-lot master-plan community on 117 ac

Project Area Location: SEC First Av & Tangerine Rd, Town of Oro Valley, Pima County, Arizona.

Legal Description: a portion of the NW, S6, T12S, R14E, G&SR B&M, Oro Valley, Pima County, AZ.

Search Results: A records search of the archaeological site files retained at the Arizona State Museum (ASM) found that all of parcel (APN 220-06-001F) was intensively surveyed by professional archeologists in 2001. Six archaeological properties were identified; four, maybe 5, of those historic properties are located in the current project area. Thirty-nine additional archaeological inspections were completed within a mile of the proposed project between 1979 and 2006. Eighteen additional archaeological properties are recorded within a mile, including historic Steam Pump Ranch. A 2012 color orthophotograph of the project area, enclosed, depicts native ground covered with native vegetation. A couple of dry washes cross the parcel south to north. A couple of dirt two-track roads also cross north to south and recreational dirt trails are also noted. The property is bounded by paved roads and residential developments.

Sites in Project Area: minimum–4; three of these are considered eligible for listing in the National Register of Historic Places (NRHP). An additional NRHP-eligible property might lie within the project area, but a determination of the site's exact location is beyond the scope of this records search. NRHP-eligible sites / properties require avoidance, or archaeological mitigation, before construction can proceed.

Recommendations: The entirety of the subject parcel was intensively inspected for cultural resources in 2000; four properties are identified in the subject (2013) project area; one more property may lie in the project area, but this cannot be verified at this time. The archaeological contractor initially recording the six properties within parcel 220-06-001F recommended that all but one property be subjected to data recovery if they could not be avoided during construction. The ASM recommends that The WLB Group (WLB) consult with one of the qualified archaeological contractors whose contact information is posted on the ASM website at the following address, before beginning development: http://www.statemuseum.arizona.edu/crservices/index.shtml.

The professional contractor will help WLB relocate all the historic properties that would be affected by development and will help WLB develop an archaeological plan of action that will mitigate the adverse effects to the historic properties caused by the proposed development, if WLB proceeds with construction The contractor would help WLB comply with the historic preservation process.

Pursuant to *ARS* §41-865, if any human remains or funerary objects are uncovered at any time during the project work, all effort will stop within the area of the discovered remains and Dr. Todd Pitezel, ASM assistant curator of archaeology, will be contacted immediately at (520) 621-4795.

If you have any questions concerning the results of this records search, please contact me at the letterhead address or at the e-mail address or phone number as follows.

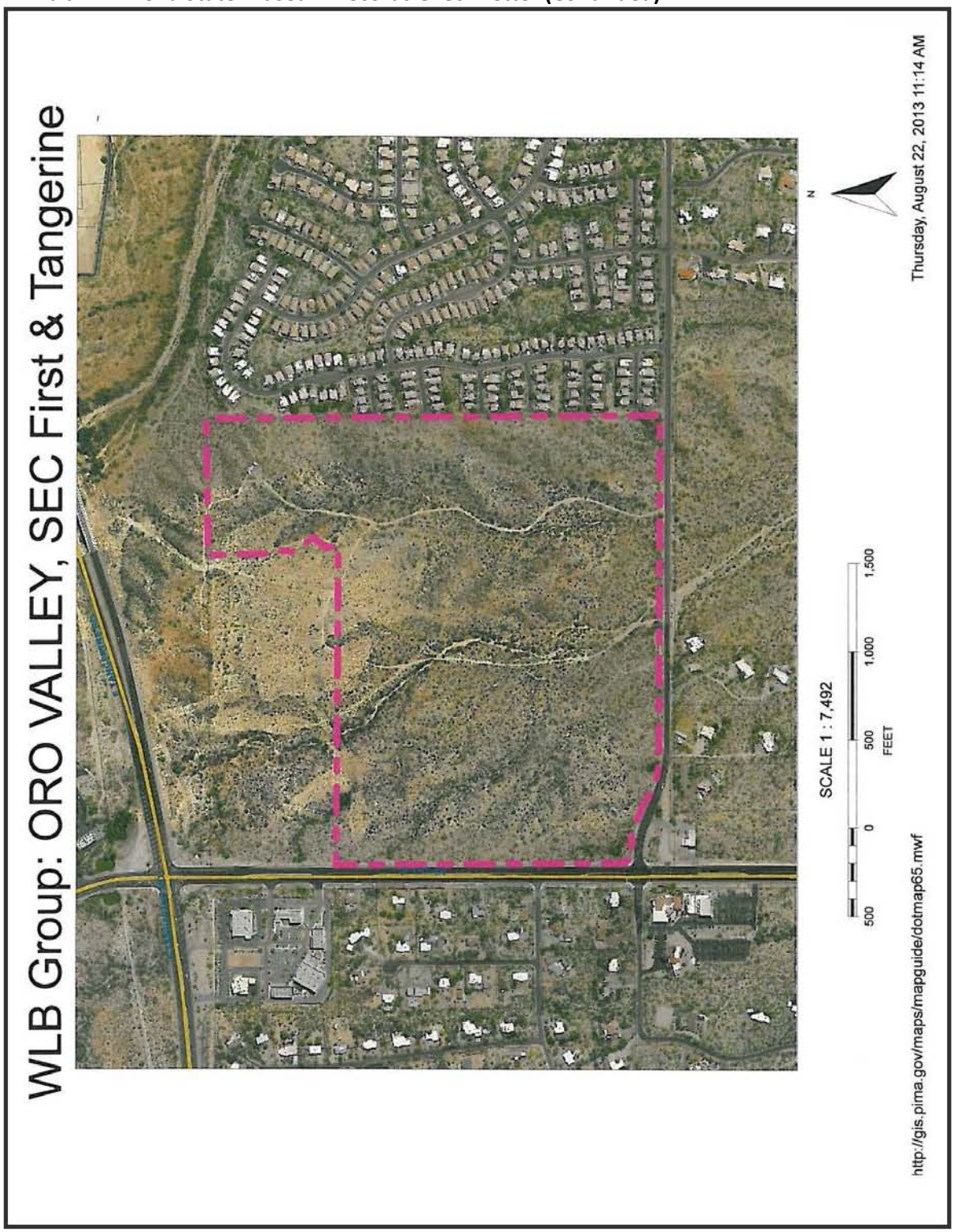
Sincerely,

Nancy E. Pearson

Nancy E. Pearson
Assistant Permits Administrator
(520) 621-2096
nepearso@email.arizona.edu

I-I. <u>Cultural/Archaeological/Historic Resources</u> (Continued)

Exhibit N: Arizona State Museum Records Check Letter (Continued):



I-J. Schools

Students within this development will be served by schools in the Amphitheater Unified School District or by one of the charter or private schools within the area. There are two schools within one mile of the proposed development. Painted Sky Elementary is approximately one mile to the north of the project site, and Basis North is approximately one mile to the southeast of the project site. Please refer to *Exhibit M: Schools, Recreation & Trails.*

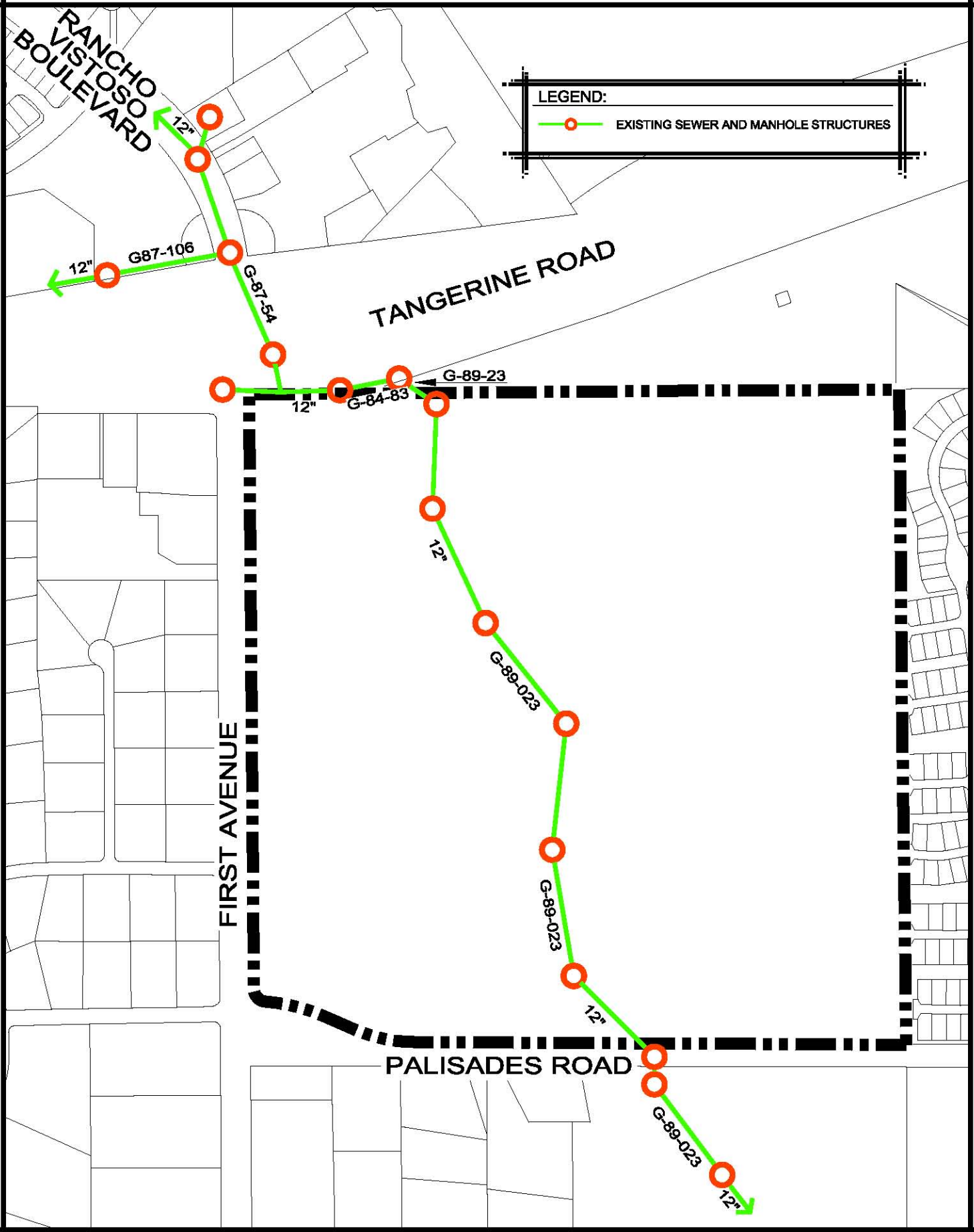
I-K. Water

1. Contact information: Mark Moore, Oro Valley Water Utility located at 11000 N. La Cañada Drive, Oro Valley, AZ 85737.

2. The subject property will be served by the Oro Valley Water Utility. The nature of offsite improvements will be determined during the platting process.

I-L. Sewers

A 12" sewer line runs through the property. Refer to *Exhibit O* for a map of existing sewer alignments.



The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT O: EXISTING SEWER

WLB No. 182053-J-001

0' 500'

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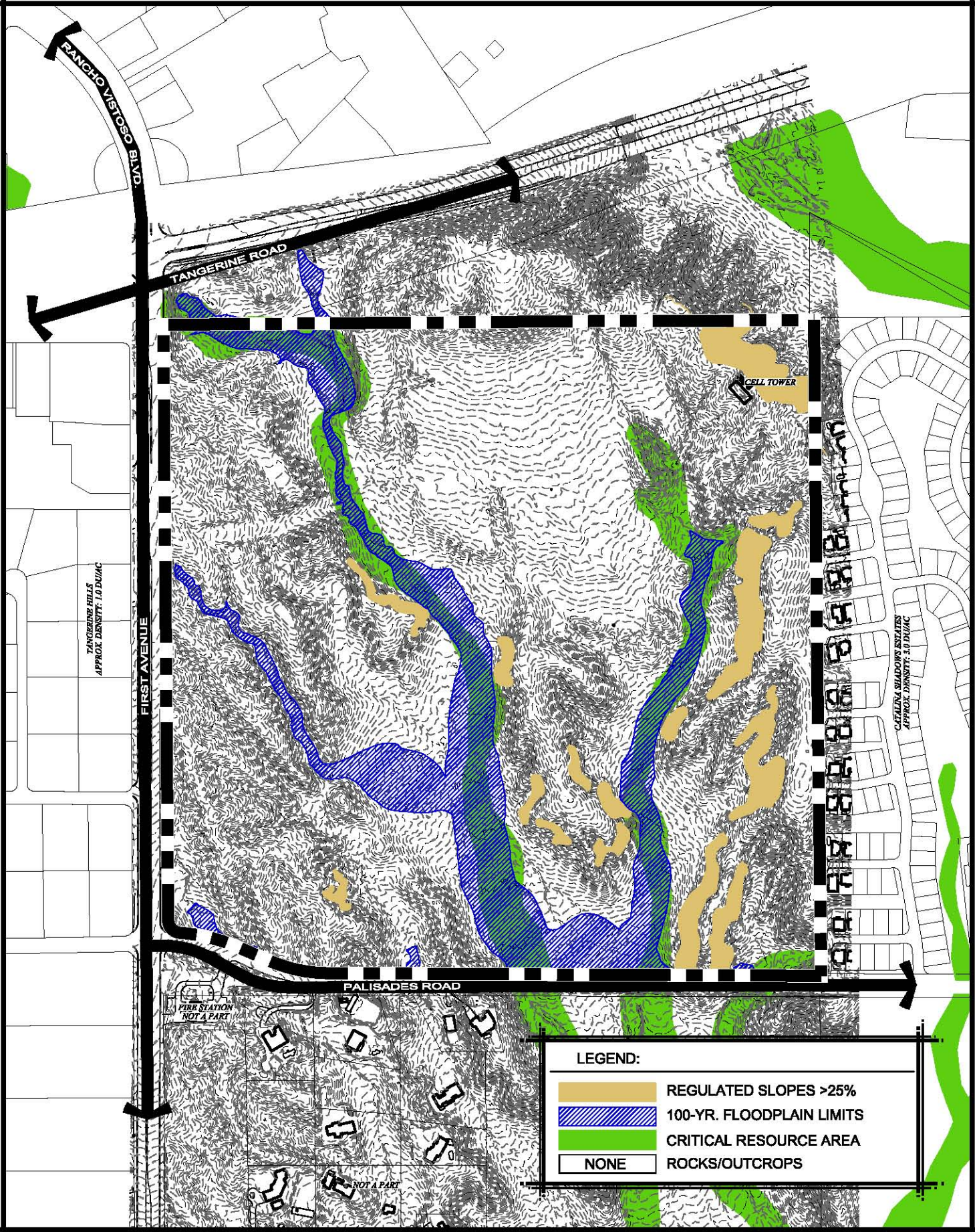

The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT P: COMPOSITE MAP

CONTOUR INTERVALS: 1 FT.
WLB No. 182053-J-001

0' 500'

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PART II – LAND USE PROPOSAL

PROJECT OVERVIEW

The property owner proposes to develop a high-quality gated community of approximately 211 single family homes on 119.9± acres of property southeast of Tangerine Road and First Avenue. Homes within the neighborhood are anticipated to vary from approximately 2,250 to 4,000 square feet, and will feature the latest architectural and energy efficiency features. The proposed private streets will follow the existing landform, providing most home sites with rear private recreation yards backing onto open space common areas. Wash corridors will be preserved, along with significant open space buffers along the eastern portion of the site near the existing Catalina Shadows community, and along the southern border of the site near the existing equestrian properties – Palisades Splits. A multi-use path will be constructed within the northern right-of-way of Palisades Road along the projects southern boundary, either during construction of the property owner's parcel to the south or with this project, whichever occurs first. A smaller 28.9± acre parcel of land directly on the corner of Tangerine and First is proposed to be developed as a neighborhood commercial / office complex in accordance with the Oro Valley General Plan. No access is proposed onto Palisades Road. Since the last neighborhood meeting, the applicant has met on several occasions with neighborhood leaders adjacent to and around the subject property, and has made significant modifications to the conceptual site plan in response to comments and suggestions received at those meetings.

As part of 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, we propose the use of the following incentives be applied to the subject property as part of the balanced approach to reduce impacts to property owners/developers, while conserving significant open space. (Requested incentives are checked '✓').

ZONING INCENTIVES (SECTION 27.10(F)(2)(C)(III)

✓	(a) Building Setbacks
✓	(b) Landscape Buffer Yards
✓	(c) Minimum Lot Size
✓	(d) Off-street Parking
--	(e) Building Height
--	(f) Open Space
--	(g) Mixed Use
--	(h) Modified Review Process
✓	(i) Recreation Area Credit
✓	(j) Native Vegetation Preservation

*Minimum Conservation Subdivision Lot Size for an R1-7 zoning district is 5,500 square feet (Section 27.10(F)(2)(d)(iii)(b))

NOTES:

1. Subject Property Area = 148.8± Ac.
2. Proposed Land Uses:
   Commercial Area (C-1) = 28.9± Ac.
   Residential Area (R1-7) = 119.9± Ac.
3. Proposed Minimum Lot Size = 5,500 Sq. Ft.
4. Proposed Lots:
   - 46'x120' = 151 Lots (71%)
   - 60'x120' = 60 Lots (29%)
   Total = 211 Lots
5. Proposed Setbacks:
   Front: 20'
   Side: 5' (per ESLO Conservation Subdivision Design)
   Rear: 20'
6. Recreation Area Required = 2.5± Ac.
   Recreation Area Provided = 2.6± Ac, including Tot-Lots and Pedestrian/Equestrian Trails.
7. Fire hydrants connected to an approved water supply of 1000 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.
8. Approved fire apparatus access roads shall be installed and in service prior to combustible material delivery to the site.
9. 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.
10. Future homeowners shall be made aware of the existence of historic equestrian properties in the area. The CC&Rs shall include protections for those existing equestrian properties against possible complaints from future residents.
11. A multi-use path will be constructed along the projects frontage with Palisades Road. The path will be constructed during constuction of the applicant's project to the south of Palisades Road or with this project, whichever is built first. This will fulfill the requirement for a sidewalk or multi-use path for both projects along the Palisades Road frontage.

LEGEND:

- Schematic Drainage Basin Location
- Regulated 25% Slope Areas
- ESL Critical Resource Areas
- Approx. 100-Year Floodplain
- Estimated 404 Jurisdictional Limits

The WLB Group Inc. WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT Q: TENTATIVE DEVELOPMENT PLAN

2014.10.30
Contour Interval = 5 Ft.
WLB No. 182053-J-001

0' 350'

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E.S.O.S. CATEGORY	TOTAL AREA EXISTING (SF)	REQUIRED ESOS (SF)	PROVIDED ESOS (SF)
CRITICAL RESOURCE AREA	532,091	505,486 (95%)	521,519 (98%)
RESOURCE MGMT. AREA 2*	5,931,146	1,482,787 (25%)	2,825,496 (48%)
TOTALS (ESOS)	6,463,237	1,988,273 (30.8%)	3,347,015 (51.8%)
15' RMA BUFFER WITHIN COMMON AREA			461,595 (7.1%)
TOTAL ESOS AND OTHER OPEN SPACE		=	3,808,610 (58.9%)

* RECREATION AREA INCLUDED IN RESOURCE MGMT. AREA 2 PER TOWN ZONING CODE SECTION 27.10.E.3.c.

The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT R: ESOS MAP

WLB No. 182053-J-001

0' 400'

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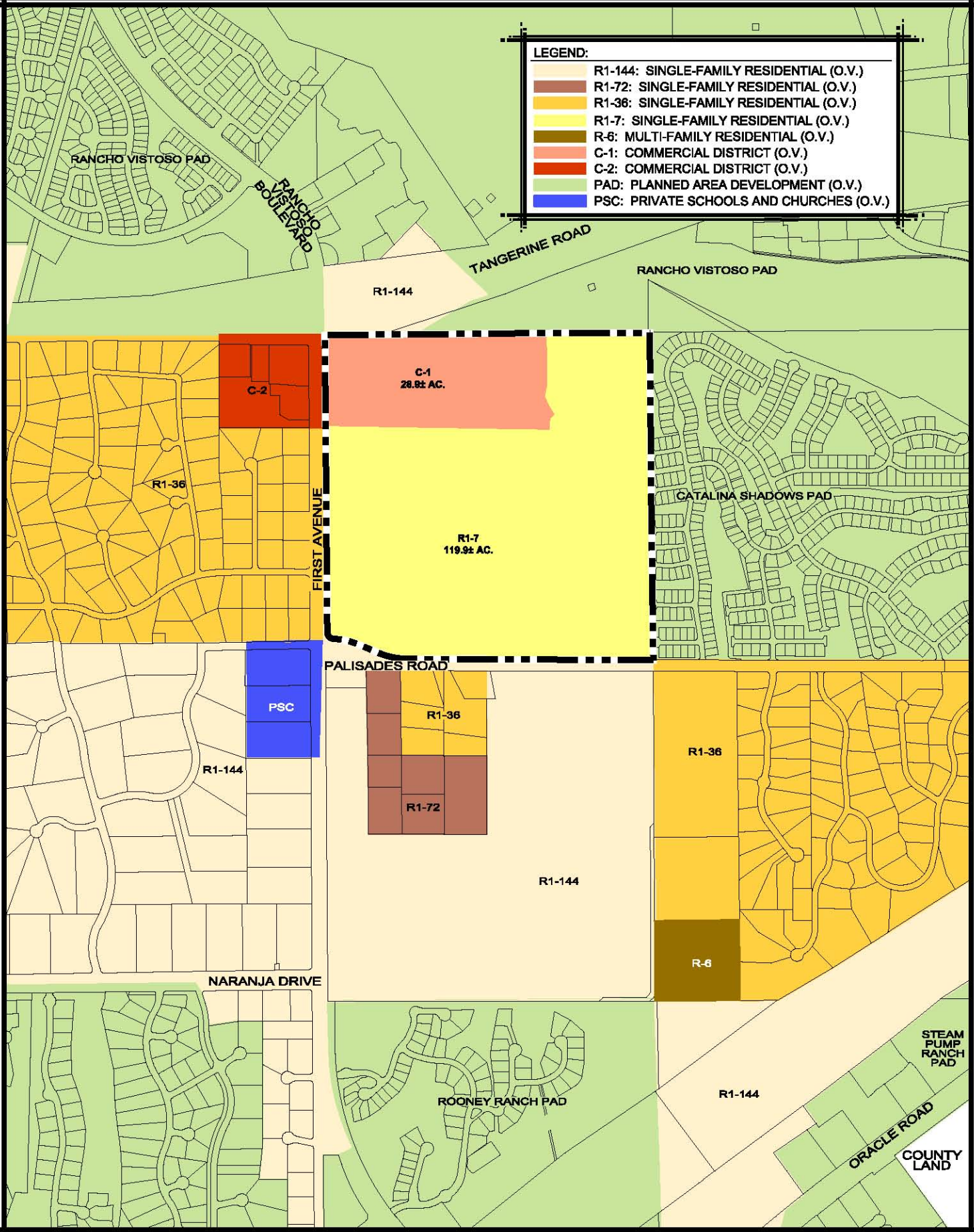
II-A. Land Uses

1. Refer to *Exhibit S: Proposed Zoning*.

2. The proposed development has no effect on existing onsite land uses since the land is currently vacant.



The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT S: PROPOSED ZONING

WLB No. 182053-J-001

0' 1000'

L:\182053\North Half\Site Analysis\Exhibits\Exh S Proposed Zoning.dwg Plotted: Sep. 17, 2014

II-B. Topography

The Tentative Development Plan avoids extensive disturbance of washes and minor slopes found along their banks. Minor disturbance is proposed for roadway and utility crossings. Approximately 50% of the site is proposed to be disturbed, graded and / or revegetated. Areas planned to remain as open space are located primarily along the two riparian areas that run through the middle of the site, and also along the ridgelines of the eastern portions of the property.

II-C. Hydrology

The site layout will impact hydrologic characteristics such as impervious cover. As a result of the increased impervious cover, detention basins will be constructed to detain the increased flows, and will feature outlet structures (weirs, culverts or catch basins) to discharge the basins at a metered flow rate no greater than the existing conditions peak storm water runoff rate. Detention basins will be spread throughout the development so as to minimize their visual impact. Some of the more significant potential basin locations have been depicted on the Conceptual Site Plan. The Conceptual Site Plan responds to the hydrologic characteristics of the site by locating all development out of the identified wash corridors and 100-year floodplain effective flow areas. Where roadway crossings are proposed, culverts will be employed to convey storm water past the crossings. This project must address not only onsite flows that will be produced by the increase in impervious surfaces, but also the flows entering the site from the north. The project will be designed to avoid impacting up- and downstream properties.

II-D. Vegetation

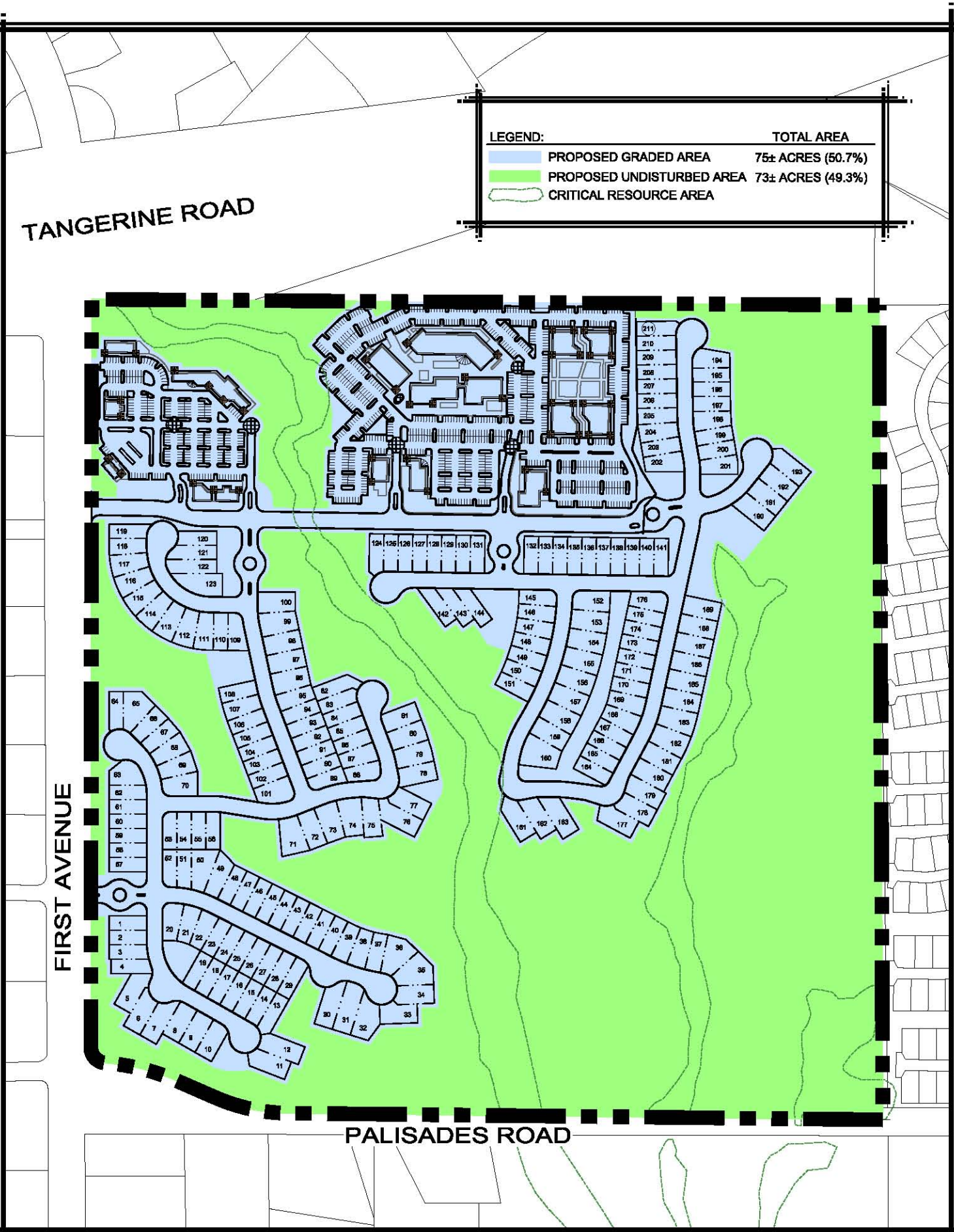
Vegetation within the two primary wash corridors onsite, as well as much of the vegetation in the eastern portion of the site will be preserved. Where development is proposed, native plants will be inventoried, and viable specimens will be transplanted per the Town's native plant preservation ordinance.

II-E. Wildlife

Wildlife movement is currently restricted upstream of the property by Tangerine Road. However, by preserving the two main onsite washes as open space this project seeks not to increase restriction of wildlife movement.

II-F. Buffers

A 25-foot wide open space buffer is proposed along the western edge of the property where the project is adjacent to First Avenue. A 200-foot wide natural open space buffer is proposed along the eastern edge of the property and a 100-foot wide natural open space buffer is proposed along the southern edge of the property, where the project is adjacent to neighboring properties. Although most of the actual setbacks along the eastern and southern portions of the site will be much greater than the proposed buffer yards. The purpose of these buffers is to provide a reasonable level of visual screening and setback between the development and adjacent neighbors. Supplemental desert landscaping, a combination of earth berms, and structural screen walls will be installed beyond the natural open space buffers as needed to ensure a proper buffer between land uses.



The WLB Group WLB

MERITAGE ON FIRST AVE. - NORTH
EXHIBIT T: PROPOSED GRADING

WLB No. 182053-J-001

0' 400'

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II-G. Viewsheds

The Tortolita Mountains to the northwest are slightly visible from the subject property. The Santa Catalina Mountains, including Pusch Ridge, to the east and southeast are highly visible from the subject property. Due to the undulating terrain, rolling hills, and generally lower elevation of this site relative to neighboring properties, views of the mountains will be minimally impacted by the proposed development. There are no views or vistas from areas beyond adjacent properties that may be noticeably affected by the development of the site. The views from existing residential subdivisions surrounding the subject property will not be adversely affected by the proposed development.

II-H. Traffic

Access to the subject property will be from First Avenue. Improvements will be made as determined by a traffic report which will be prepared during the conceptual site plan review and approval process. The proposed private streets will follow the existing landform and will be constructed to the Town of Oro Valleys street standards. A preliminary traffic impact analysis, dated August 2014, has been performed by Southwest Traffic Engineering and submitted with this site analysis. In general it found that surrounding intersections will continue to operate at an adequate level of service after the project is constructed. The TIA recommends that a northbound right turn lane should be provided on First Avenue for vehicles entering the project site at the Oro Valley Retail Center Driveway; and that new stop signs are installed for westbound vehicles exiting the project site at both access intersections.

II-I. Recreation & Trails

Active recreational areas will be placed throughout the project site and are envisioned to provide the neighborhood with ramadas, playground equipment, and open green space. Pedestrian connections will be placed throughout the open spaces within the site and will connect to the riparian areas running through the property and eventually to trail #328 located in the middle of the site.

II-J. Cultural/Archaeological/Historic Resources

1. Determine whether the site has been field surveyed for cultural resources.

   Per the Arizona State Museum, the site has been completely inspected for cultural resources. It was intensively surveyed by professional archeologists in 2000, 2001 and in September of 2014.

2. Identify any previously recorded archaeological or historic resources known to exist on the property.

   Per the Arizona State Museum, six prehistoric resources are recorded onsite. Per the most recent archaeological survey dated September 2014, three of the six sites were unable to be located and the remaining three sites have been updated to more accurately depict the cultural impact of the sites.

3. State the probability that buried archaeological resources not visible from the surface would be discovered on the site.

   Because significant cultural resources do exist in the region, there is a high degree of potential recovery of prehistoric and historic sites within the subject property. Any archaeological sites uncovered during construction will be recorded and mitigated with an archaeological plan of action created by a qualified archaeological contractor.

II-K. Schools

The Amphitheater Unified School District uses a student generation factor of 0.25 per home for elementary students and 0.1 per home for secondary students. This project's anticipated 211 homes would have an impact of 53 elementary students and 21 secondary students. There are two schools within one mile of the proposed development. Painted Sky Elementary is approximately one mile to the north of the project site, and Basis North (which is not a part of the Amphitheater Unified School District) is approximately one mile to the southeast of the project site. According to Amphitheater School District, capacity exists to serve this development.

II-L. Water

The subject property will be served by the Oro Valley Water Utility. The nature of offsite improvements will be determined during the platting process.

II-M. Sewers

Pima County Regional Wastewater Reclamation Department has indicated that there is capacity for this proposed project. The project will need to connect to the 12" sanitary sewer line that runs through the proposed development.

II-M. Sewers (Continued)

Exhibit U: Pima County Regional Wastewater Reclamation Dept. Capacity Response Letter:

Pima County
Regional Wastewater Reclamation Department

Jackson Jenkins
Director

201 N. Stone Ave., 8th Floor
Tucson, Arizona 85701
(520) 724-6500

Website:
http://www.pima.gov/wwm

September 18, 2013

Linda Thompson
The WLB Group
4444 E. Broadway
Tucson, AZ 85711

Sewerage Capacity Investigation No. 13-187 Type I

RE: **Tangerine & First 291 North, 211 Lots on Parcel # 22006001F.**
Projected Flow 45,576 gpd.

Greetings:

The above referenced project is tributary to the Ina Road/Tres Rios Wastewater Reclamation Facility via the Cañada del Oro Interceptor.

Capacity is currently available for this project in the 12-inch public sewer G-89-23, downstream from manhole 5310-B17.

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 response.

If further information is needed, please feel free to contact us at (520) 724-6642.

Respectfully,

Ben Fyock, P.E.
PCRWRD Planning Section

BF:ks

c: T12, R14, Sec. 06

Attachment 3
Special Area Policies
Town Council
January 21, 2015

General

1. *Transfers of residential densities are permitted and encouraged in the area. Primary receiving areas are: (1) the graded area in the north central portion of the site; and (2) areas adjacent to Rooney Ranch no more than 660 feet north of the south boundary and no farther east than the east edge of Palisades splits. Units should be transferred off the following areas: (1) SRAs, (2) areas along North First Avenue (especially the area between the road and the Palisades Splits parcels), and (3) the area southeast and visible from Palisades Splits parcels.*

2. *Transfers of densities from SRAs that are not riparian areas (including 50-foot buffers), floodplains, or 25 percent slopes may be calculated at up to 1.0 units per acre. Transfers of densities off the other SRA, or building within any SRA, should be at no more than 0.4 units per acre.*

3. *Primitive trails, with public access easements, shall be provided unless otherwise prohibited by law. These will be within the existing wash areas, will connect to the open space area adjacent to the north boundary of the site, and will provide a connection from the Palisades Split Area southeasterly to the wash.*

4. *Any change to the General Plan that would allow more than 1.0 units per acre, over all, on the residential area on the property shall be treated as a major amendment. As currently mapped, the maximum number of residential units on the Kai-Capri Property is 255; and up to 10 are allowed on the Steam Pump Ranch Estates property. Any change of the commercial area to residential uses shall be treated as a major amendment.*

5. *The Oro Valley Zoning Code Revised will apply.*

Neighborhood Commercial/Office (NCO)

1. *Must be developed for commercial and office uses as part of an overall master plan that includes planning for the MPC property to the south.*

2. *Any building within 200 feet of North First Avenue shall not be higher than 25 feet as measured from the finished grade of North First Avenue, unless the applicant demonstrates by a view shed analysis that a greater building height will not interfere with views of the Catalinas.*

3. *A minimum of 40% of the North First Avenue frontage to a depth of 300 feet must be maintained as a view corridor and not used for building purposes.*

4. *The commercial areas shall not extend, on North First Avenue, to the south of the Evergreen (Walgreen's) development.*

<u>Master Planned Community</u>

1. *Must be developed for residential uses as part of an overall master plan that includes planning for the NC/O property to the north.*

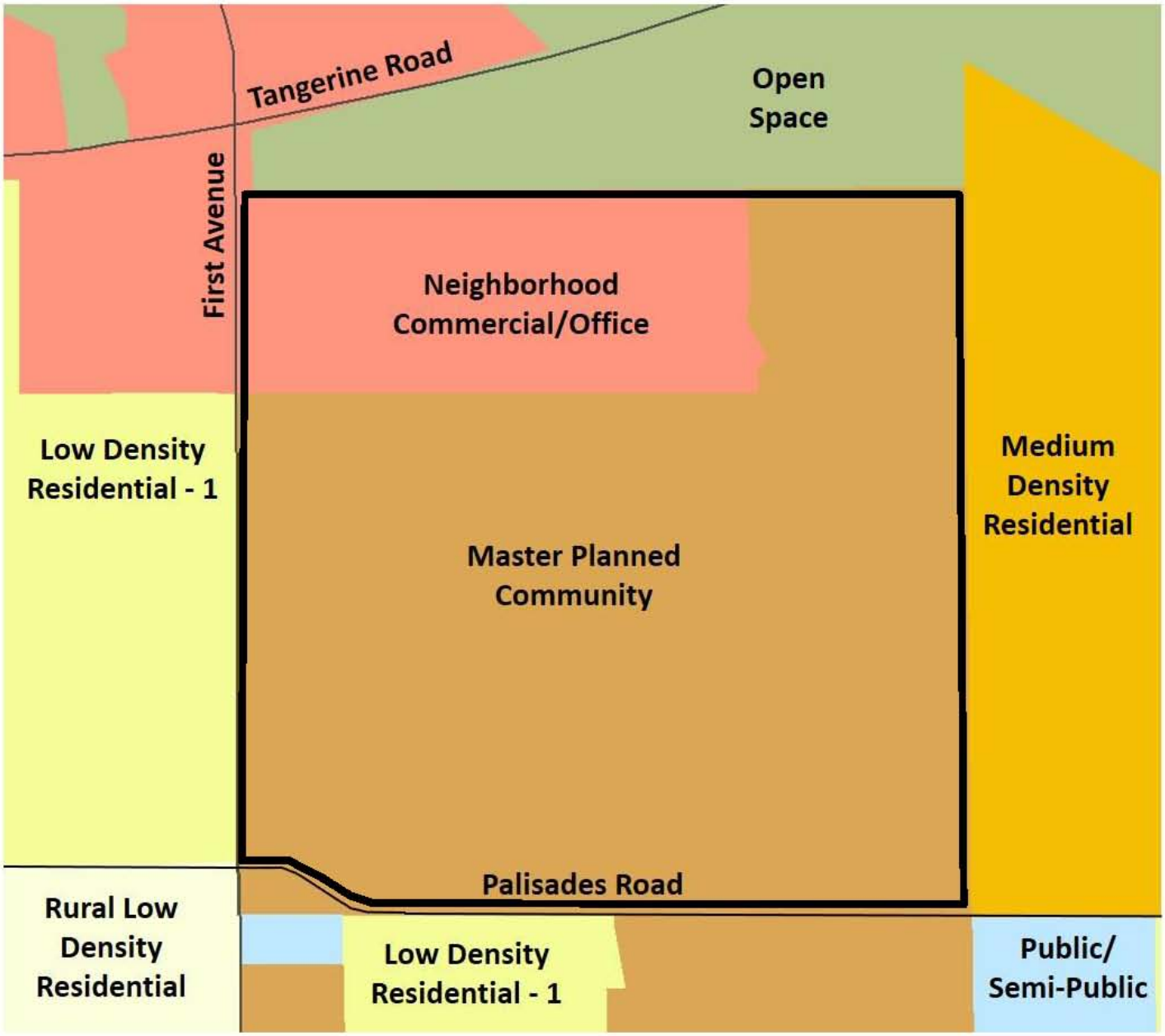
2. *No building within 200 feet of North First Avenue, or within 150 feet of Palisades Road or existing development shall be higher than 18 feet, unless the applicant demonstrates by a view shed analysis that a greater building height will not interfere with views of the Catalinas.*

3. *There shall be no development in the 100-year floodplain, riparian areas or on any slopes of 25% or more, excluding roadway and utilities.*

4. *The only housing type permitted is single-family detached residence.*

5. *Mass grading for residential uses is allowed only in disturbed areas. Any mass grading shall require the approval of the Planning and Zoning Administrator.*

6. *No buildings shall be constructed within 100 feet of the east property line adjacent to existing residential areas.*



GENERAL PLAN MAP

KAI - NORTH (OV914-002)

Attachment 4

Rezoning Planning and Zoning Commission Staff Report

CASE NUMBER: OV914-002 Kai North

MEETING DATE: December 2, 2014

AGENDA ITEM: 1

STAFF CONTACT: Michael Spaeth, Senior Planner
mspaeth@orovalleyaz.gov (520) 229-4812

Applicant: The WLB Group Inc., Paul Oland

Request: Rezoning from R1-144 to R1-7 and C-1 for approximately 149 acres.

Location: Southeast corner of Tangerine Road and First Avenue

Recommendation: Approve with the conditions in Attachment 1.

SUMMARY:

The applicant proposes a rezoning from R1-144 to R1-7 and C-1 for an approximately 149-acre property located on the southeast corner of Tangerine Road and First Avenue, known as Kai-North. The Tentative Development Plan, included in Attachment 2, proposes

- 211 residential homes ranging in size from 5,520 sq.ft. to 7,200 sq.ft.
- A mix of neighborhood commercial scale retail buildings and professional offices on approximately 29 acres concentrated toward the major intersection of Tangerine Road and First Avenue.
- Preserves much of the eastern and southern boundaries as open space buffers between the subject property and abutting residential development to the east (Catalina Shadows subdivision).
- Pedestrian and equestrian trails are proposed traversing the site from north to south connecting the open space north of the subject property with the trails provided on the property south of Palisades Road providing access to the Canyon del Oro wash.
- A multi-use path will be constructed on the north side of Palisades Road improving pedestrian facilities within the area.

The history of the property is lengthy and the public participation process for the subject has been extensive. Over time, numerous public meetings have been held concerning other proposed projects for the subject property. Three neighborhood meetings (1 formal and 2 open

house/workshops) were held for this most recent application. The applicant has held numerous informal meetings with neighborhood residents to specifically address their comments and concerns. The primary topics discussed during the neighborhood meetings included:

- Neighborhood buffers
- Trail access
- Neighborhood traffic
- Building height
- Scenic Corridor preservation
- View Shed preservation
- Environmental Impacts (Drainage, Water Availability)
- School capacity
- Arrangement of lots
- Open Space
- Building setbacks

The subject property lies within an area known as Kai-Capri and has Special Area Policies (see Attachment 3) that were established in the General Plan to further define the type and character of development in the area. The applicant's proposal has been reviewed for conformance with these Special Area Policies and the General Plan Vision, Goals and Policies and has been deemed consistent.

BACKGROUND:

Approvals to Date

- The subject property was annexed into the Town in 1994 with a translational zoning of R1-144.
- Special Area Policies were established for the subject property as part of the 2005 General Plan update, known as the Kai-Capri Special Area Policies
- A General Plan Amendment was proposed in 2008 to amend the Neighborhood Commercial/Office designation to Master Planned Community (MPC). The Amendment was ultimately withdrawn by the applicant.
- Several other applications have been submitted for the subject property over the years and have been withdrawn.

Land Use Context

The Existing Land Use, General Plan and Zoning for the property and the surrounding area is summarized below and depicted in Attachments 4 and 5.

	EXISTING LAND USE	GENERAL PLAN	ZONING
SUBJECT PROPERTY	Vacant	Master Planned Community; Neighborhood Commercial/Office	Single-Family Residential (R1-144)
NORTH	Open Space; Tangerine Road	Open Space; Neighborhood Commercial/Office (across Tangerine Road)	Single-Family Residential (R1-144); Rancho Vistoso PAD
SOUTH	Palisades Splits Single-family development; North Valley Baptist Church of Oro Valley; vacant land	Master Planned Community; Public/Semi-public; Low Density Residential 1 (0.4 – 1.2 du/ac)	Single-family Residential (R1-36); Single-family Residential (R1-72); Single-family Residential (R1-144)
EAST	Catalina Shadows Estates Single-family Subdivision	Medium Density (2.1 – 5.0 du/ac)	Catalina Shadows PAD Single-family Residential (Avg. Lot Size: 6000 sq.ft.)
WEST	Oro Valley Retail Center; Tangerine Hills Subdivision	Neighborhood Commercial/Office; Low Density Residential 1 (0.4 – 1.2 du/ac)	Regional Commercial (C-2); Single-family Residential (R1-36)

DISCUSSION / ANALYSIS:

Rezoning Analysis

Rezoning applications are reviewed for conformance with General Plan, including the Land Use Map, applicable Special Area Policies, and the Vision, Goals and Policies, and the Town of Oro Valley Zoning Code.

General Plan Conformance Analysis

The subject properties are designated as Master Planned Community and Neighborhood Commercial/Office on the General Plan Future Land Use Map.

The Master Planned Community General Plan land use designation is defined as:

> *"Areas where large multi-use developments should be planned and developed in a comprehensive manner."*

The applicant's proposal represents a "multi-use" development incorporating both residential and commercial components. Both aspects of the proposed development are being planned simultaneously and in a comprehensive manner. The proposed development incorporates

ample separation and buffering to ensure the two uses are developed with minimal impacts, both internally and externally.

The Neighborhood Commercial/Office General Plan land use designation is defined as:

> *"Commercial and office areas located with good arterial access (i.e. at the intersections of arterial roadways…) that are close to residential areas…"*

The proposal incorporates an area approximately 29 acres in size as commercial and is located nearest the arterial intersection of First Avenue and Tangerine Road. The applicant's proposal anticipates both retail and professional offices.

Special Area Policies

General Plan Special Area Policies were adopted to further define the type and character of future development for area. A condition of approval has been included in Attachment 1 requiring all Kai-Capri Special Area Policies to be listed as General Notes on the subsequent Final Plat (Residential) and Final Site Plan (Commercial). The Special Area Policies (included as Attachment 3) are listed below in italics and followed by staff comment.

General

1. *Transfers of residential densities are permitted and encouraged in the area. Primary receiving areas are: (1) the graded area in the north central portion of the site; and (2) areas adjacent to Rooney Ranch no more than 660 feet north of the south boundary and no farther east than the east edge of Palisades splits. Units should be transferred off the following areas: (1) SRAs, (2) areas along North First Avenue (especially the area between the road and the Palisades Splits parcels), and (3) the area southeast and visible from Palisades Splits parcels.*

2. *Transfers of densities from SRAs that are not riparian areas (including 50-foot buffers), floodplains, or 25 percent slopes may be calculated at up to 1.0 units per acre. Transfers of densities off the other SRA, or building within any SRA, should be at no more than 0.4 units per acre.*

Staff Comment: The applicant's proposal does not include any requests for transfer of residential densities and is therefore consistent with this Special Area Policy. Furthermore, the proposal meets all Environmentally Sensitive Lands provisions of the Zoning Code.

3. *Primitive trails, with public access easements, shall be provided unless otherwise prohibited by law. These will be within the existing wash areas, will connect to the open space area adjacent to the north boundary of the site, and will provide a connection from the Palisades Split Area southeasterly to the wash.*

Staff Comment: The applicant's proposal includes pedestrian/equestrian trails traversing the site from north to south connecting to the open space north of the property to the property south of Palisades Road providing a connection to the Canyon del Oro was. The applicant has

worked extensively with adjoining properties to position the trails appropriately. A condition has been added to Attachment 1 stipulating these trails will be required to be dedicated as "non-vehicular public recreation easements".

4. *Any change to the General Plan that would allow more than 1.0 units per acre, over all, on the residential area on the property shall be treated as a major amendment. As currently mapped, the maximum number of residential units on the Kai-Capri Property is 255; and up to 10 are allowed on the Steam Pump Ranch Estates property. Any change of the commercial area to residential uses shall be treated as a major amendment.*

Staff Comment: The applicant's proposal is for 211 detached single-family homes. The property south of Palisades Road has tentatively proposed 44 detached single-family homes. The overall number of proposed residential units is 255. The overall density for the Kai-Capri area is 1.0 unit per acre and is therefore consistent with this Special Area Policy.

5. *The Oro Valley Zoning Code Revised will apply.*

Staff Comment: The applicant's proposal is consistent with the zoning code requirements for rezoning applications. All subsequent submittals, including site plan and architecture, must similarly be consistent with not only all Zoning Code requirements, but also the development standards establish by the Special Area Policies.

Neighborhood Commercial/Office (NCO)

1. *Must be developed for commercial and office uses as part of an overall master plan that includes planning for the MPC property to the south.*

Staff Comment: The applicant's proposal is consistent with this Special Area Policy as follows:

- Variety of neighborhood commercial scale retail buildings and professional offices.
- Both the Neighborhood Commercial/Office and the Master Planned Community are being planned simultaneously to ensure a comprehensive approach.
- A common access has been provided to serve both the commercial and residential component, ample separation has been provided between the commercial and neighboring residential and buffering has been incorporated to minimize the potential for any adverse impacts.

2. *Any building within 200 feet of North First Avenue shall not be higher than 25 feet as measured from the finished grade of North First Avenue, unless the applicant demonstrates by a view shed analysis that a greater building height will not interfere with views of the Catalinas.*

Staff Comment: The applicant has stated a developer has not been identified for the proposed development and does not yet have information on proposed building heights. A condition has been added in Attachment 1 requiring the Special Area Policies to be listed as General Notes

on the subsequent Final Plat(s) (Residential) and Final Site Plan(s) (Commercial), requiring development within those areas to be in conformance with this Special Area Policy.

3. *A minimum of 40% of the North First Avenue frontage to a depth of 300 feet must be maintained as a view corridor and not used for building purposes.*

Staff Comment: The Tentative Development Plan proposes three retail buildings within 300 feet of the North First Avenue frontage. The three retail buildings represent approximately thirty-eight (38%) percent of the North First Avenue frontage. The preservation of approximately sixty-two (62%) percent of the North First Avenue frontage as view corridor meets this Special Area Policy.

4. *The commercial areas shall not extend, on North First Avenue, to the south of the Evergreen (Walgreen's) development.*

Staff Comment: The proposed commercial area is oriented north of the internal drive aligned directly across First Avenue from the southern drive of the Evergreen (Walgreen's) development. The commercial is concentrated near the intersection of two major thoroughfares and meets this Special Area Policy.

Master Planned Community

1. *Must be developed for residential uses as part of an overall master plan that includes planning for the NC/O property to the north.*

Staff Comment: The application proposes 211 detached single-family residential units for the Master Planned Community designated area within the subject property. The Master Planned Community is being planned concurrently with the Neighborhood Commercial/Office designated area and is therefore consistent with this Special Area Policy.

2. *No building within 200 feet of North First Avenue, or within 150 feet of Palisades Road or existing development shall be higher than 18 feet, unless the applicant demonstrates by a view shed analysis that a greater building height will not interfere with views of the Catalinas.*

Staff Comment: The applicant has requested a building height increase (up to twenty (20') feet) as a flexible design option enabled by the Environmentally Sensitive Lands section of the Zoning Code. The required view shed analysis as required by this Special Area Policy has been provided in Attachment 6. It depicts proposed buildings that will not interfere with views of the Catalinas and do not obstruct view corridors. The applicant's request meets this Special Area Policy.

3. *There shall be no development in the 100-year floodplain, riparian areas or on any slopes of 25% or more, excluding roadway and utilities.*

Staff Comment: The proposal is consistent with this Special Area Policy as follows:

- Proposed a development footprint that avoids all area within the 100-year floodplain, all riparian areas and all areas with slopes 25% or greater.
- Only development proposed for any of these areas is roadway and utility placement which is permitted by this Special Area Policy.
- Towns Environmentally Sensitive Lands requirements further restrict the amount of disturbance in areas designated as Critical Resource Areas to only development necessary for roadway and utility placement.

4. *The only housing type permitted is single-family detached residence.*

Staff Comment: The applicant's proposal is for 211 detached single-family homes. The applicant has not proposed alternative housing types and is therefore consistent with this Special Area Policy.

5. *Mass grading for residential uses is allowed only in disturbed areas. Any mass grading shall require the approval of the Planning and Zoning Administrator.*

Staff Comment: All proposed grading will be required to preserve the non-disturbed areas within the subject property. The ESL requirements require building envelopes to be delineated on conceptual site plans on all lots adjacent to Environmentally Sensitive Open Space (ESOS), further limiting disturbance to the demarcated development envelopes. The applicant's proposal meets this Special Area Policy.

6. *No buildings shall be constructed within 100 feet of the east property line adjacent to existing residential areas.*

Staff comment: The proposed Tentative Development Plan has provided a substantial buffer along the eastern portion of the property with a minimum setback from existing residential of approximately 225 feet. The applicant's proposal meets this Special Area Policy.

General Plan Analysis

Rezoning applications are also evaluated for consistency with the Vision, Goals and Policies of the General Plan. The following section provides 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 applicant's proposal is consistent with the environmental requirements of the Special Area Policies and the Environmentally Sensitive Lands requirements of the Zoning Code. The applicant has held numerous meetings with neighborhood residents and instituted changes to respond to concerns from the neighborhood, demonstrating the applicant's responsiveness to residents. The proposed rezoning is consistent with the General Plan Vision.

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.*

The applicant's Tentative Development Plan proposes to preserve approximately fifty-nine (59%) percent of the property's natural open space. The Special Area Policies further restricts proposed development away from environmentally sensitive areas, including 100-year floodplain and slopes greater than twenty-five (25%) percent. The applicant's proposal meets this General Plan Policy.

Policy 1.1.4 *The Town shall commit to preserve, protect, and enhance the visual qualities of Oro Valley and surrounding visually significant areas, such as ridgelines.*

The applicant's request meets the Special Area Policies specific to building height and the preservation of street frontage setbacks. The natural topography of the site, in addition to the Special Area Policies, ensures the proposed Tentative Development Plan will have reduced impact on offsite view sheds and view corridors throughout the area. The applicant's proposal is consistent with this General Plan Policy.

Policy 8.2.1 *The Town shall provide appropriate pedestrian, equestrian, and bicycle linkages between various elements of the open space system and between these elements and other community facilities.*

The applicant has worked extensively with neighboring residents on several pedestrian and equestrian opportunities. The proposed Tentative Development Plan is consistent with this Policy as follows:

- The applicant has agreed to construct a multi-use path along the northern portion of Palisades Road, improving pedestrian connectivity within the region.
- The Tentative Development Plan has preserved the extensive network of equestrian trails traversing the subject property.
- The applicant has coordinated the preservation of the equestrian trails on this project and the property immediately south to ensure unobstructed access to the Canada del Oro Wash to the south.

Policy 11.1.8 *The Town shall use natural open space preservation as one criterion in considering land use rezoning proposals. Developments shall utilize natural open space to comply with requirements for landscaped areas and buffer areas.*

The applicant's proposal meets this policy as follows:

- The applicant's proposal conserves approximately fifty-seven (57%) percent of the site as Environmentally Sensitive Open Space.
- The Tentative Development Plan incorporates a significant neighborhood buffer along the eastern and southern portions of the site.
- The Special Area Policies require significant vegetation preservation as landscape buffers along First Avenue.

Zoning Analysis

Rezoning applications are also reviewed for conformance with the Town of Oro Valley Zoning Code and the specific development standards of the proposed zoning districts. The applicant is proposing to rezone the subject property to R1-7 and C-1. A discussion of the applications conformance with the two proposed zoning districts is provided below.

The Commercial (C-1) zoning district is intended to allow for large scale office complexes and medium sized retail centers, located on major arterial roads. Through buffering and other mitigation measures, C-1 centers must be compatible with adjoining residential neighborhoods.

The Residential (R1-7) zoning district is intended to allow for medium high-density detached single-family residential development.

The proposed Tentative Development Plan conforms to the development standards of the R1-7 and C-1 Zoning Districts. Subsequent submittals, including all conceptual site plans and conceptual architecture, will be required to be consistent with the requirements of the Zoning Code. The following development standards are notable for this proposal:

Building Heights: Building heights are limited to twenty-five (25') feet or two stories. The Special Area Policies (see Attachment 3) further restrict building heights along First Avenue, Palisades Road and within 150' of existing development. The applicant has agreed to limit homes on lots 5 through 12 along Palisades Road to one-story. A condition has been added in Attachment 1 to limit the homes on these lots. All additional proposed buildings will be required to meet this development standard to be in conformance with the Special Area Policies specific to building height.

Neighborhood Compatibility: The applicant's proposal has addressed neighborhood compatibility as follows:

- The proposed R1-7 and C-1 zoning districts are in compliance with the Master Planned Community and Neighborhood Commercial/Office designation on the General Plan Map, respectively.
- The commercial development is proposed nearest the major intersection of Tangerine Road and First Avenue and situated away from the lower intensity residential to the south and east.

- The proposed residential is located between the proposed commercial and existing residential areas and would serve as an appropriate land use buffer between the higher intensity commercial and the lower intensity residential.
- The Special Area policies (see Attachment 3) require the residential and commercial be planned concurrently to ensure a comprehensive and harmonious design.

Access/Circulation: The residential component has one primary access point from First Avenue and a secondary access from an internal street. The commercial component has one access point from First Avenue and several secondary access points from the internal street. The proposed driveways meet driveway spacing requirements and have been approved by Engineering. Vehicular access onto Palisades Road was a primary focal point of neighborhood residents during the public participation process and the applicant's proposal does not include access onto Palisades Road as a result.

<u>Environmentally Sensitive Lands (ESL)</u>

Conservation Categories (Biologically Based)

The riparian areas traversing the site are designated Critical Resource Area (CRA) on the Town's Environmentally Sensitive Lands Planning Map. This area requires ninety-five (95%) percent Environmentally Sensitive Open Space (ESOS) conservation. The project conserves approximately ninety-eight (98%) percent of the Critical Resource Area as ESOS, consistent with the minimum requirement. The remainder of the site is designated Resource Management Area Tier 2 and requires twenty-five (25%) percent ESOS conservation. The project conserves forty-five (45%) percent of this conservation category as ESOS, in excess of the minimum requirement.

Conservation Categories (Non-biologically Based)

Cultural Resources

The applicant submitted a letter from the Arizona State Museum (ASM) indicating that the subject property has been surveyed for cultural resources and there are historic properties recorded on the property. A historical records search identified four archaeological sites on the subject property, with a fifth potential site that could not be verified by a records check. A field survey in September 2014, identified three archaeological sites on the subject property. Of three sites identified in the field, two were determined to have no important information while one may yield important information. The applicant is in the process of eligibility testing this site and will be required to develop a treatment plan in accordance with the Zoning Code if the site is determined to be eligible for listing in the National Register of Historic Places (NRHP).

Scenic Resources

The subject property lies within the Tangerine Road Scenic Corridor Overlay District (TRCOD). The entire subject property is subject to the "Overlay District Guidelines" which are applicable to all property within the one-mile "corridor" of Tangerine Road. Additionally, a portion of the subject property lies within the TRCOD "¼ mile Target Area"

which requires conformance with additional District regulations. The subject property is consistent with the both the corridor and target area requirements.

The applicant has submitted site elevations of the proposed development on primary view sheds from adjacent areas. This information was used to determine the proposed use will have a minimal impact on existing view sheds. The site is characterized by a moderate slope from east to west with an elevation change of approximately sixteen (16') feet.

Hillside Areas

The Special Area Policies (see Attachment 3) require no development on slopes twenty-five (25%) percent or greater. The applicant's proposal meets this policy. For additional information see Section I-B and Exhibit E-2 for slope area analysis.

Flexible Design Options

The Environmentally Sensitive Lands requirements enable the use of incentives, or flexible design options, for conservation subdivision design, subject to Town Council approval. The intent of the incentives is to encourage the preservation of additional natural open space while ensuring the applicant is able to develop the same number of lots as permitted under the base zoning district. The flexible design options are available to property when ESOS is applied to twenty-five (25%) or more of the property. The applicant's proposal provides approximately fifty-nine (59%) percent ESOS. A discussion of the flexible design options requested by the applicant is included in Attachment 7 and provided below:

Building Setbacks

The Tentative Development Plan depicts a Conservation Subdivision Design utilizing the lot reduction incentive. As a result of the reduced lot sizes, the applicant is requesting the following building setback reductions:

- Front: 10 feet
- Side: 5 feet

The reduced setbacks shall not result in on-lot driveway lengths that are less than twenty (20') feet, per Section 27.10.F.2.c.iii.a.2.

Landscape Buffer Yards

The applicant is requesting a landscape buffer yard reduction to a minimum of ten (10) feet, where necessary. The proposed commercial (C-1) requires the following landscape buffers:

- North (15' minimum Type "B")
- East (15' minimum Type "B")
- South (30' minimum Type "B")

- West (30' minimum Type "B")

Section 27.10.F.2.c.iii.b does not permit the reduction of any landscape buffer adjacent to an existing residential subdivision or public street. Staff feels the landscape buffer reduction should not be permitted adjacent to proposed residential as well.

Minimum Lot Size

The applicant has proposed a Conservation Subdivision Design utilizing the lot reduction incentive. The applicant's request is to reduce the minimum lot size to 5,500 in accordance with Table 27.10-6. The applicant is concurrently proposing reduced lot widths below the minimum lot width of the R1-7 zoning district of seventy (70') feet. A reduction in lot dimensions, including lot width, is permitted concurrent with the applicant's request to reduce the minimum lot size.

Off-street Parking

The applicant is requesting the use of the off-street parking modification for future development within the commercial component of the subject property. Any approved off-street parking modification will be subject to Section 27.7.C.2 prior to approval of any shared parking analysis. The provision of fewer parking spaces and reduced amounts of circulation are encouraged.

Building Height

The applicant is requesting a building height increase from eighteen (18') feet to twenty (20') feet in these areas. The applicant has provided the required view shed analysis which is included as Attachment 7. The applicant's request does not interfere with view sheds of the Catalina Mountains and will not have a significant impact on view corridors.

Recreation Area Credit

The Tentative Development Plan provides 2.6 acres of active and passive recreation areas. The applicant is requesting 2.4 acres of the recreation areas be credited toward the sites overall ESOS requirement. The subject recreation areas do maintain connectivity with the site's ESOS and do satisfy the location requirements of Section 26.5, Provision of Recreational Area.

Native Vegetation Preservation

The applicant is requesting Town Council waive the Native Plant Salvage and Mitigation requirements of Section 27.6B within development envelopes. The criteria establishes that developments providing fifty (50%) or more ESOS may waive the salvage and mitigation requirements within development envelopes. The Tentative Development Plan provides approximately fifty-nine (59%) ESOS, in excess of the fifty (50%) percent minimum for this flexible design option.

Engineering Comments

The Site Analysis addresses issues related to drainage and traffic. 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.

A traffic impact analysis was provided with the Site Analysis to evaluate the effect of additional traffic on surrounding roadways. The issues related to the Traffic Impact Analysis include:

- Three points of ingress/egress are proposed onto 1st Avenue. One that connects at the existing intersection of Strada Patania and one that connects at the existing intersection with Oro Valley Retail Center. The northernmost access which is right-in/right-out only connects between the Oro Valley Retail Center and Tangerine Road as part of the commercial development.
- The anticipated volume of traffic generated by a residential use of the proposed size is moderate, however, considering direct access onto 1st Avenue and the capacities of the surrounding streets, the residential development would not have a large impact on the surrounding roadway system.
- The commercial use will generate a higher volume of traffic, but again, considering the capacities of the surrounding streets would not have a large impact on the surrounding roadway system.
- The access out of the project drive located opposite of the Oro Valley Retail Center median opening is a concern with the addition of the commercial development and must be mitigated as part of the development of the commercial area.

If the rezoning request is successful, the final analysis of drainage and traffic impacts will be evaluated during the site plan review process.

PUBLIC PARTICIPATION:

Summary of Public Notice

Public notice has been provided:

- Letter to all property owners within 600 feet
- Letter to all individuals who attended and signed-in at all three neighborhood meetings
- Homeowners Association mailing
- Advertisement in The Daily Territorial newspaper
- Post on property
- Post at Town Hall and on website

Neighborhood Meetings

The history of the project is lengthy and the neighborhood outreach effort has been extensive. The property has been the subject of numerous applications each of which included a number of public participation opportunities.

For this particular rezoning application, numerous neighborhood meetings were held including:

- Three formal neighborhood meetings
  - August 15, 2013 standard format
  - November 19, 2013 open house/workshop
  - June 16, 2014 open house/workshop
- Applicant has met numerous times with neighborhood residents and constituents. The discussions between the applicant and neighbors has led to a number of accommodations including:
  - Equestrian trail alignment
  - Single story homes along Palisades Road
  - No vehicle access onto Palisades Road
  - Reconfiguration of lots along Palisades Road

A neighborhood meeting timeline has been provided as Attachment 8 and the neighborhood meeting summaries are provided as Attachment 9. The formal neighborhood meetings had between seventy-five (75) to one hundred (100) residents in attendance, including Council Members, Planning and Zoning Commissioners and Conceptual Design Review Board members.

Staff has received correspondence from numerous residents which has been included as Attachment 10.

RECOMMENDATION:

Based on the following findings:

- The request is consistent with the Master Planned Community Designation and Neighborhood Commercial/Office on the General Plan Future Land Use Map;
- The request is consistent with the Kai-Capri Special Area Policies;
- The request is consistent with the General Plan Vision, Goals and Policies;
- The proposed Tentative Development Plan proposes a comprehensive layout sensitive to impacts on neighboring properties, taking advantage of the commercial's proximity to the arterial intersection of First Avenue and Tangerine Road.

- The proposed uses on the Tentative Development Plan will serve as appropriate land use buffers between the more intensive uses (commercial, Tangerine Road) to the north and west, and the less intensive uses to the south and east.

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

Recommend approval to the Town Council of the requested Rezoning OV914-002 subject to the conditions on Attachment 1

SUGGESTED MOTIONS:

I move to recommend approval of the Kai (North) Rezoning from R1-144 to R1-7 and C-1 based on the findings in the staff report and subject to the conditions in Attachment 1.

OR

I move to recommend denial of the Kai (North) Rezoning from R1-144 to R1-7 and C-1, based on the findings in the staff report, specifically _____.

ATTACHMENTS:

1. Conditions of Approval
2. Site Analysis and Tentative Development Plan
3. Kai-Capri Special Area Policies
4. General Plan Land Use Map
5. Zoning Map
6. Building Height Increase View Shed Analysis
7. Flexible Design Options Descriptions
8. Neighborhood Meeting Timeline
9. Neighborhood Meeting Summaries
10. Resident Communications

_____
Bayer Vella, Interim Planning Manager

Attachment 1
Conditions of Approval
Planning and Zoning Commission
December 2, 2014

Planning Conditions

1. All Kai-Capri Special Area Policies to be included as General Notes on Final Plat (Residential) and Final Site Plan (Commercial).

2. Indicate proposed setbacks for both residential and commercial. Commercial setbacks are as follows:

    a. Front: 20 feet
    b. Side: 50 feet or 3:1 (setback to building height ratio), whichever is greater
    c. Rear: 50 feet or 3:1 (setback to building height ratio), whichever is greater

3. A minimum 15' buffer yard Type "B" is required along the eastern edge of the proposed commercial, per Table 27-7.

4. Homes on lots 5 through 12 are limited to one-story.

5. The following Environmentally Sensitive Lands Flexible Design Options are applicable:

    a. Building Setback: Building setback reduction to no less than a five (5') foot side setback and no less than a ten (10') foot front setback so long as it doesn't result in an on-lot driveway of less than twenty (20') feet.

    b. Landscape Buffer Yard: a reduction of no less than ten (10') feet. Not allowed along street frontages and adjacent to any existing and proposed residential.

    c. Minimum lot size: A minimum lot size reduction to 5,500 square feet in accordance with the Conservation Subdivision Design lot reduction incentive.

    d. Off-street parking modification: A modification for future development in accordance with Section 27.7.C.2 (Alternative Parking Ratio) of the Zoning Code.

    e. Building Height: A building height increase from eighteen (18') feet to twenty (20') feet for residential within 200 feet of North First Avenue, or within 150 feet of Palisades Road or existing development.

    f. Recreation Area Credit: Active and Passive recreation area count towards the overall ESOS requirement.

    g. Native Plant Preservation: the native plant salvage and mitigation requirements of Section 27.6 are waived for all development within development envelopes.

Engineering Comments

1. A multi-use path will be required to be constructed along the project's frontage with

Palisades Road. The path is to be constructed during construction of the applicant's project to the south of Palisades Road or with this project, whichever is built first. This will fulfill the requirement for a sidewalk or multi-use path for both projects along the Palisades Road frontage.

2. When the commercial area is developed, appropriate traffic mitigation measures shall be implemented so the project drive located at the Oro Valley Retail Center intersection operates at an acceptable level of service with the addition of the commercial traffic.

Parks and Recreation Conditions

1. All trails to be dedicated "non-vehicular permanent public recreation easements"

The WLB Group WLB

MERITAGE ON FIRST AVE - NORTH
EXHIBIT J-2: VIEWSHED KEY MAP

WLB No. 182053-J-001

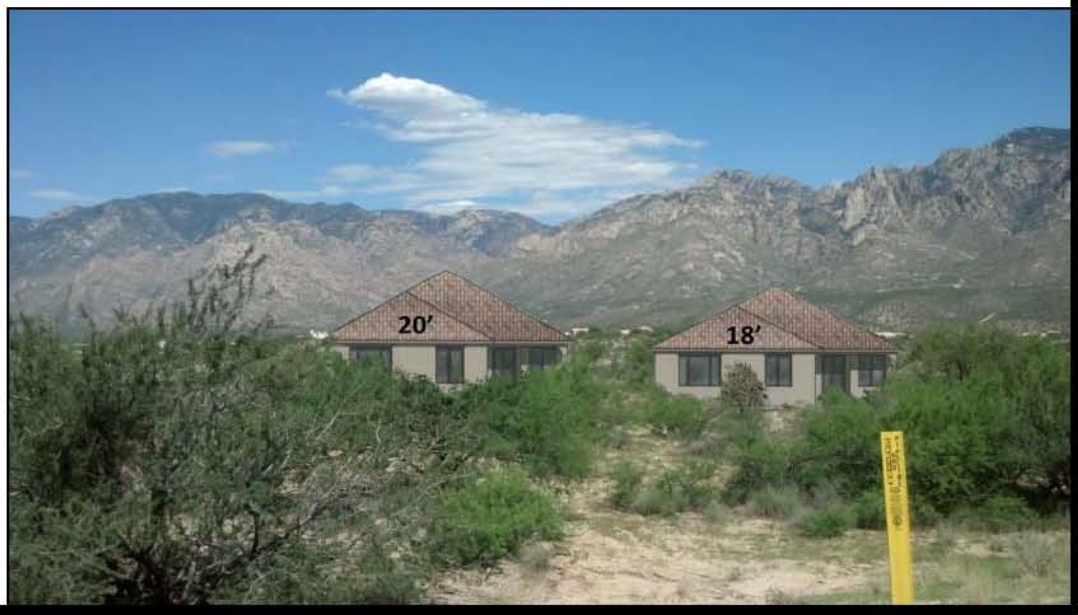
0' 1000'

L:\182053\North Half\Site Analysis\Exhibits\archive\viewsheds\Exh J-2 Viewshed Key Map #2.dwg Plotted: Nov. 21, 2014

10

11

12



The WLB Group WLB

EXHIBIT J-2
VIEWSHED PHOTOGRAPHS

Photo Date = 2014
WLB No. 182053-J-001

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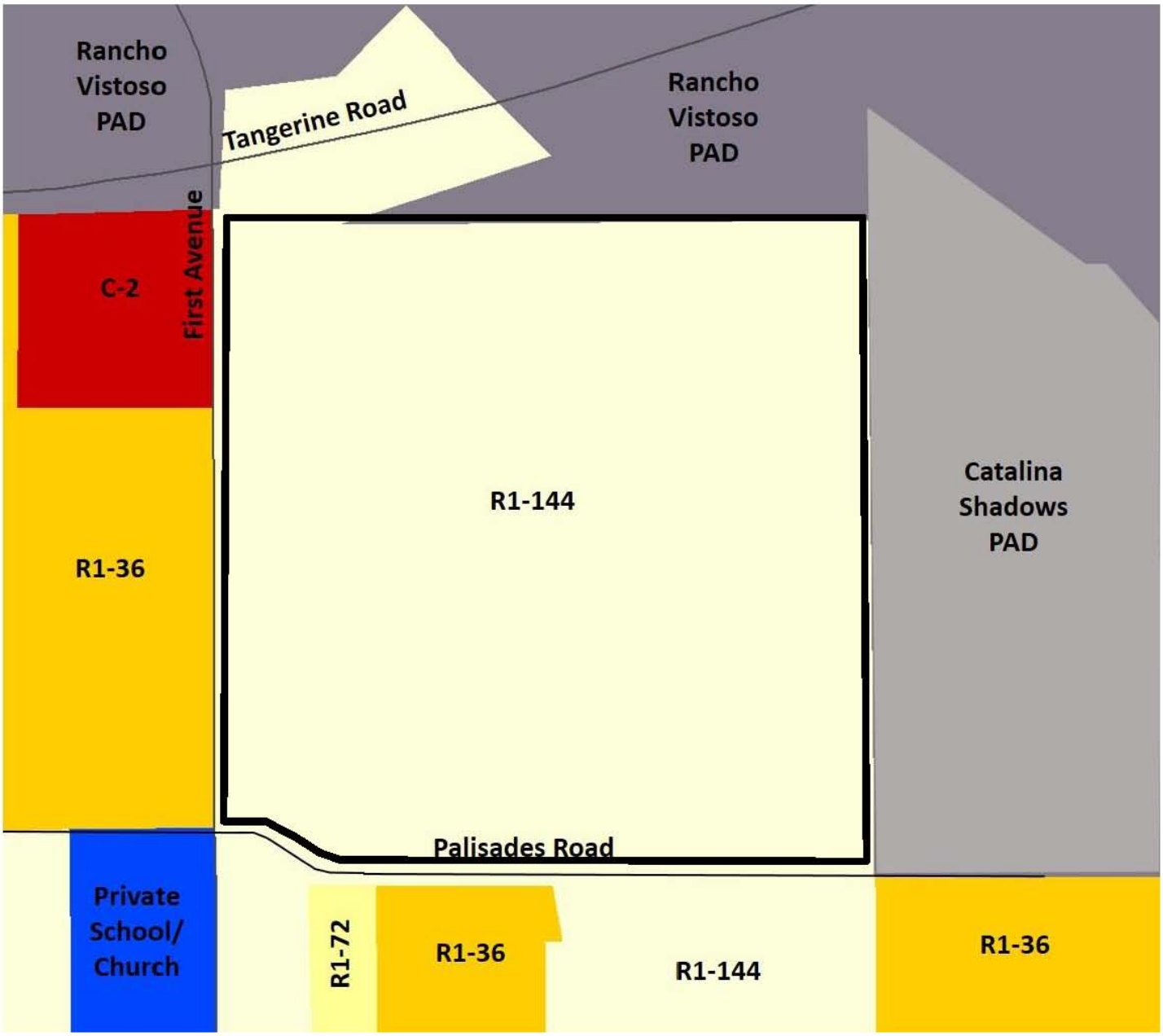

ZONING MAP

KAI- NORTH (OV914-002)

Attachment 7

Attachment 8
Flexible Design Options Descriptions
Town Council
January 21, 2015

Meritage on First Avenue – North
OV914-002

ESL Incentives Request:

ZONING INCENTIVES (SECTION 27.10(F)(2)(C)(III)	
✓	(a) Building Setbacks
✓	(b) Landscape Buffer Yards
✓	(c) Minimum Lot Size
✓	(d) Off-street Parking
✓	(e) Building Height
--	(f) Open Space
--	(g) Mixed Use
--	(h) Modified Review Process
✓	(i) Recreation Area Credit
✓	(j) Native Vegetation Preservation

Section 27.10(F)(2)(b) – Applicability:

i. The following design options may be applied to property or potions of property when ESOS is applied to twenty-five (25%) or more of a project site, except as provided herein.

ESOS Total for site = ~58%

(a) Building Setbacks: Per Section Section 27.10(F)(2)(b) – Applicability, and the use of a Conservation Subdivision Design for a reduced minimum lot size of 5,500 square feet, we request that the side setbacks be reduced to no less than five (5) feet, and front setbacks be reduced to no less than ten (10) feet for the use of side entry garages. This request will not result in an on-lot driveway length of less than twenty (20) feet. This request will allow for the residential subdivision to incorporate more diverse details and massing conditions, which will lead to a more attractive, and unique, street scene. The reduced setbacks will allow for the maximization of continuous protected open space, as well as reduce the amount and improve the efficiency of necessary, critical infrastructure systems.

(b) Landscape Buffer Yards: Per Section Section 27.10(F)(2)(b) – Applicability, we request the ability to reduce the Landscape Buffer Yards within the Commercial Zone to a minimum of ten (10) feet where necessary. The reduction in Landscape Buffer Yards will promote a clustering of development, an instrumental element of the Conservation Subdivision Design. Clustering of development will allow for the maximization of continuous protected open space, as well as reduce the amount and improve the efficiency of necessary, critical infrastructure systems.

(c) Minimum Lot Size: Per Section Section 27.10(F)(2)(b) – Applicability, and the use of Conservation Subdivision Design, we request the ability to reduce the minimum lot size to 5,500 square feet as noted in Table 27.10-6. The reduction in lot size allows for the clustering of development, an instrumental element of the Conservation Subdivision Design. Lot Size Reduction allows for the maximization of continuous protected open space, as well as reduce the amount and improve the efficiency of necessary, critical infrastructure systems.

(d) Off-street Parking: Per Section Section 27.10(F)(2)(b) – Applicability, we request the use of the Off-street Parking Modification. It is anticipated that the Commercial area of the property will offer an array of uses, from General Office, General Retail, Restaurant, etc. As a result of the varying uses, parking demand for each use will occur at different hours throughout the day based on hours of peak operation. For example, peak parking requirements for Restaurant typically occur in the late afternoon/evening, therefore avoiding overlap with the peak operation of Office. The modification will also allow for the promotion of development clustering, reducing the amount of impervious surfaces, and reducing heat island effect throughout the site. It will also allow for the maximization of continuous protected open space by maximizing the remaining developable area, as well as reduce the amount and improve the efficiency of necessary, critical infrastructure systems.

(e) Building Height: Per Section Section 27.10(F)(2)(b) – Applicability, and the Kai-Capri Master Planned Community Special Area Policy, we request an increased building height within 200 feet of N. First Avenue and within 150 feet of Palisades Road from 18 feet to 20 feet to accommodate adequate roof pitch and proper drainage for future single story single-family residences. The Kai-Capri Master Planned Community Special Area Policy specifies the applicant must demonstrate, with a viewshed analysis, “that a greater building height will not interfere with views of the Catalinas.” We reserve the right to exercise the condition with the Special Area Policy, and it is our intent to demonstrate, at the time of the rezoning hearing, that the requested increase in building height will not interfere with views of the Catalinas.

(i) Recreation Area Credit: Per Section Section 27.10(F)(2)(b) – Applicability, we request that the passive and/or active recreation amenities located within the ESOS resource management area be credited toward the residential recreation area requirements. The proposed recreation areas satisfy the locational requirements of Section 26.5, Provision Recreational Area, and connectivity between the recreation areas and open space has been maintained.

(j) Native Vegetation Preservation: Per Section Section 27.10(F)(2)(b) – Applicability, we request the right to waive the requirements for native plant salvage and mitigation within the development envelope. The site contains ~58% ESOS, exceeding the 50% minimum requirement. The use of the modification will not be applied to areas of distinct vegetation or native plants that are considered threatened or endangered.

Attachment 9
Neighborhood Meeting Summaries
Town Council
January 21, 2015

August 15, 2013
6:00 – 7:30 PM
Oro Valley Library Large Meeting Room

1. Introductions and Welcome

Meeting Facilitator Chad Daines introduced the Oro Valley staff Paul Keesler, DIS Director, David Williams, Planning Manager, Matt Michels, Project Manager and Hillary Turby, Senior Planner. Approximately 100 residents and interested parties attended the meeting, including Council Members Hornat, Zinkin, and Water. Also in attendance were several Planning and Zoning Commissioners as well as Board of Adjustment Chair Bill Adler.

2. Staff Presentation

Matt Michels, Project Manager, provided a presentation that included:

- Rezoning Review Process
- Review Tools
- Public Participation Opportunities
- Next Steps

3. Applicant Presentation

Paul Oland, Project Manager from the WLB Group, provided a presentation that included:

- Proposed Tentative Site Plan
- Review of Kai-Capri property General Plan Special Area Policies

4. Public Questions & Comments

<u>Process & Project Timeline</u>

- How many votes by the Town Council are needed for approval of a rezoning?
- Is a General Plan amendment proposed?
- Does a General Plan amendment require a super majority for passage?
- Why is a rezoning being proposed? Why not develop the property as R1-144 (3.3 acre minimum)?
- How do we block/protest this rezone?
- Several residents stated that another neighborhood meeting should be held
- What is the project schedule?
- Will a natural area be provided around each home (like Catalina Shadows)?

<u>Development Standards/General Plan Special Area Plan Policies</u>

- What is the minimum lot size proposed?
- What is the lot size in Catalina Shadows?

- Are larger lots being proposed on Palisades Rd?
- When was the property zoned R1-144?
- Will the applicant show a master plan for the entire property?
- How is the one (1) dwelling unit per acre maximum overall density calculated?
- What is the size of the homes?
- What is the price of the homes?
- Will a park/recreation area be required?
- Is a nursing home proposed?
- Is the developer willing to compromise and increase lot size?
- What is the building height limit?
- Will they be one or two story homes?

Traffic & Circulation

- Where are the ingress and egress points from Palisades?
- Will there be access from First Avenue?
- Residents stated concerns with safety, additional cars, lighting, etc. on Palisades Rd.
- Will improvements be made to Palisades Rd (walking paths, amenities)?
- Will a light be provided at First Ave. and Palisades Rd?
- Will there be connections from the commercial on the corner of Tangerine and First with the residential development?
- Can Palisades Rd. accommodate increased traffic? Is it safe?
- What will happen with the northern portion closest to Tangerine Rd?
- Does the Town have restrictions on access off First Ave?
- Will there be a construction entrance off Tangerine Rd?
- Will utility development impact Palisades Rd?

Environmentally Sensitive Lands

- How does the Town define riparian areas?
- A resident stated that there is bird habitat on the site and suggested that the entire site should be designated as riparian
- When was the riparian study and mapping done?
- Will the hillsides be “clear cut”?

Schools

- How will the schools be impacted?
- Who pays for school impacts?

Miscellaneous Questions & Comments

- A resident stated that they wish to bring back the old plan
- Will the Kai’s donate the property?
- A resident requested that the Town research historical documents related to the Kai Property
- A resident stated the more specific information is needed
- A resident stated that they feel larger lots would be more profitable for the developer
- How much R1-144 property is left in Oro Valley?

5. Next Steps

- The next steps include:

- Formal application
- Staff review
- Additional neighborhood meeting
- Planning and Zoning Commission Public Hearing
- Town Council Public Hearing

Meeting dates will be posted on the Town website (www.orovalleyaz.gov) and notices will be mailed to residents within the notification area

For more information, please contact Matt Michels, AICP, Senior Planner, at (520) 229-4822 or mmichels@orovalleyaz.gov

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November 19, 2013
6:00 – 8:00 PM
Hilton El Conquistador White Dove Room

Following is a summary of comments received at the open house, both from comment cards and verbal comments:

Process & Project Timeline

- What is the project schedule?
- When will the application be received? When will the Planning & Zoning Commission and Town Council hearings be held?

Development Standards/General Plan Special Area Plan Policies

- Overall density of 1 home per acre allowed by General Plan Special Area Policies should be interpreted to mean lot sizes of 1 acre or greater, not an overall density based on larger and smaller lots.
- Does the proposal conform to the General Plan Special Area Policies?
- What is the size of the homes?
- What is the price of the homes?
- Increase buffer distance from Kai Way to new homes.
- Concern about view and privacy impacts of proposed homes on ridge east of Palisades splits. "Why not build on other side of wash?"
- What is the building height limit?
- Will the homes be one or two story homes?
- Density should be lower, especially on the north side of Palisades Rd.
- A transition in density should be provided around the Palisades Splits parcels, which are lower density
- Provide additional buffer on the north side of Palisades Rd.
- Provide "reasonable development distribution with the open space"
- Eliminate gated entrances
- Must have underground utilities
- "Neighboring community deserves quality homes; not cheap or cut rate; 10,000 square feet minimum lot size; priced high enough to fit with existing similar homes; keep the large homes/lot desert natural"
- Is there enough water to support residential use?
- Will density increase property taxes?

Traffic, Connectivity, Trails and Paths

- Pedestrian trails are needed through the property to connect to existing trail system. These trails need to be built concurrent with other infrastructure
- Pedestrian paths (sidewalks or multi-use paths) are needed along Palisades Rd.
- Equestrian trails need to be provided to connect to existing trails
- Does the Town have restrictions on access off First Ave?
- Will the developer be required to add turn lanes on First Ave?
- Provide cross connection between neighborhoods
- Don't eliminate access from Palisades Rd.
- If access is provided from Palisades Rd., it should be widened to 4 lanes
- Provide a short cut from First Ave. through to Oro Valley Marketplace
- Concern that residents in existing developments will not be able to use new roadway from Naranja Dr. to Palisades Rd.

Environmentally Sensitive Lands

- Will riparian areas (washes) be preserved?
- Will significant vegetation be preserved?
- Will hillside areas be graded?
- Open space needs to be conserved via easements

Parks and Recreation Areas

- Will a park/recreation area be required?
- Include a park that serves surrounding developments, including ball fields, basketball, volleyball, covered play structure, restroom, covered picnic tables, barbeque, etc.

Commercial Area

- A walkable "neighborhood gathering place, similar to Casas Adobes Plaza" or Fairfax Square, VA, with "upscale", "boutique" stores (pubs, bookstore, etc.) and amenities (i.e. Play areas for children) is desired
- Will pedestrian connectivity be provided from the residential area to the commercial area?
- It would be nice to be able to walk to retail/services

Schools

- Do the schools have capacity for additional students?
- Will taxes increase due to increased school enrollment?

Miscellaneous Questions & Comments

- "I like it. The path on Palisades will be very welcome"
- "Don't build, please"
- "This proposal is much improved over the late summer meeting"
- "We like clustering [of homes]"

For more information, please contact Matt Michels, AICP, Project Manager, at (520) 229-4822 or mmichels@orovalleyaz.gov

June 16, 2014
6:00 – 8:00 PM
Resurrection Lutheran Church

A neighborhood meeting was held at the Resurrection Lutheran Church on Monday June 16, 2014. Approximately 75 residents and interested parties were in attendance. Following is a summary of comments received at the open house, both from comment cards and verbal comments:

Process & Project Timeline

- What is the project schedule?
- When will the Planning & Zoning Commission and Town Council hearings be held?

Development Standards/General Plan Special Area Plan Policies

- Does the proposal conform to the General Plan Special Area Policies?
- What is the size of the homes?
- What is the price of the homes?
- Concern about view and privacy impacts of proposed homes on ridge east of Palisades splits.
- What is the building height limit?
- Will the homes be one or two story homes?
- Density should be lower, especially on the north side of Palisades Road
- Provide additional buffer on the north side of Palisades Rd (Southwest corner of property).
- "Neighboring community deserves quality homes; not cheap or cut rate; 10,000 square feet minimum lot size; priced high enough to fit with existing similar homes; keep the large homes/lot desert natural"
- Is there enough water to support residential use?
- Will density increase property taxes?

Traffic, Connectivity, Trails and Paths

- Pedestrian trails are needed through the property to connect to existing trail system. These trails need to be built concurrent with other infrastructure
- Equestrian trails need to be provided to connect to existing trails
- Congestion in the area is already a concern.
- Don't eliminate access from Palisades Road
- Excited about the prospects of a multi-use path along Palisades Road
- If access is provided from Palisades Road, it should be widened to 4 lanes

Environmentally Sensitive Lands

- Will hillside areas be graded?
- Open space needs to be conserved via easements
- The eastern setback/buffer seems appropriate

Parks and Recreation Areas

- Will a park/recreation area be required?

- Include a park that serves surrounding developments, including ball fields, basketball, volleyball, covered play structure, restroom, covered picnic tables, barbeque, etc.
- Will there be some type of Community Center.

Commercial Area

- What “type” of commercial development will be permitted?
- It would be nice to be able to walk to retail/services

Schools

- Do the schools have capacity for additional students?
- Will taxes increase due to increased school enrollment?

Miscellaneous Questions & Comments

- Resident indicated a desire to see multi-use path on Palisades.
- Resident spoke about a desire to see no development.
- Resident voiced approval of this plan over earlier versions
- Resident voiced approval of efforts to cluster homes.
- Resident discussed a need to limit urban sprawl.

For more information, please contact Michael Spaeth, AICP, Project Manager, at (520) 229-4812 or mspaeth@orovalleyaz.gov

Attachment 10
Neighborhood Meeting Timeline
Town Council
January 21, 2015

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1. August 15, 2013 – Formal neighborhood meeting
2. September 25, 2013 – Applicant meeting with neighbors at Town facilities.
3. November 19, 2013 – Neighborhood meeting open house
4. December 11, 2013 – Applicant meeting with neighbors in the field.
5. April 1, 2014 – Applicant meeting with neighbors at Town facilities.
6. April 9, 2014 – Applicant meeting with neighbors in the field.
7. April 11, 2014 – Applicant meeting with neighbors in the field.
8. June 13, 2014 – Applicant meeting with neighbors in the field.
9. June 16, 2014 – Neighborhood meeting open house
10. June 30, 2014 – Applicant and Staff meeting with neighborhood HOA president's.
11. July 24, 2014 – Applicant meeting with neighbors in the field.
12. September 30, 2014 – Applicant meeting with neighbors in the field.
13. October 15, 2014 – Applicant meeting with neighbors in the field.
14. October 16, 2014 – Applicant meeting with neighbors at Town facilities.

Attachment 11
Resident Communications
Town Council
January 21, 2015

Mr. Michels,

My husband, Freeman, and I live in the Catalina Shadows subdivision off of Palisades Road. We recently met with James Kai to discuss plans for development for his family's property north and south of Palisades Road. He described a lower density development on the southern portion with only a handful (4-5) of estates exiting onto Palisades and the majority of the homes exiting onto First Avenue. On the northern side of the road, he stated there would be a higher density residential development of single family homes with no vehicle access from Palisades. They hope for commercial development of a small parcel adjacent to Tangerine Road. He also said that there were plans on both sides of Palisades for open space with trails that will be available to the public.

Since we will probably not be able to attend the neighborhood meeting December 2nd, I just wanted to share our impressions with you. Based on what Mr. Kai presented,we look forward to seeing this project come to fruition and believe it will be an asset to the community.

Sincerely,

Freeman and Rebecca Taber

From: Doug McKee [mailto:dmckeeaz@gmail.com]
Sent: Tuesday, November 18, 2014 1:37 PM
To: 'Estes, Patricia S - (estes)'; 'Cheryl Smith'; 'Patti Lane'; 'Rita S. Pollak'; 'Helen Dankwerth'; 'Linda Chalfant'; 'Fox'; 'Barbara Merwald'; 'King'
Cc: Charles Goding; Jean Lovstrom; Lance Good; Maurice McCarty
Subject: RE: Kai (North) Rezoning Information for P & Z meeting

Patty
Thanks for the link.
The setback along 1st ave on their exhibits scales out to about 50 ft. So it is not clear whether the 25 ft "Buffer Open Space" detailed in Section II-F, Page 54 and on the "Tentative Development Plan means that the lot setback is 25 ft or is it 50 ft with 25 ft of that being open space?. With a 20 ft rear setback on the lot and a 25 ft lot setback from 1st Ave, the back of the houses could be as close as 45 ft to the Eastern 1st Ave ROW. I thought the lot setback from 1st Ave had been agreed to be something bigger at one of the meetings.

Also wasn't there an agreement to limit the houses along 1st Ave and Palisades to be only single story? This needs to be added to their application.

From: Estes, Patricia S - (estes) [mailto:estes@email.arizona.edu]
Sent: Thursday, June 19, 2014 2:26 PM
To: Vella, Bayer
Subject: FW: Comments on N. Kai Plan

Bayer,

I did not fill out a comment card at the neighborhood meeting because I wanted to check on the size of the buffer on First Ave. Below is a copy of what I sent to Paul Oland. I would like to submit this as my comment on the proposed development.

Thanks,
Patty
--
Patty Estes
Molecular and Cellular Biology Dept.
University of Arizona
1007 E. Lowell St., LSS Rm 514
Tucson, AZ 85721
(520) 626-1297

From: Patricia Estes <estes@email.arizona.edu>
Date: Thu, 19 Jun 2014 14:20:40 -0700
To: Gustav Paul Oland <gpoland@wlbgroup.com>
Subject: Comments on N. Kai Plan

Hi Paul,

I have been thinking about issues brought up at the neighborhood meeting on Monday evening. I am feeling better about the traffic issue at Strada Patania, but worse about the northern egress from the boulevard near Tangerine. That intersection is already problematic and thinking about left turns across from Walgreens or U-turns at the light in the afternoon gives me shivers.

I measured off the planned buffer to the proposed houses on First Ave across from Strada Patania. When you explained it to me, you said that there would be a 20 ft right-of-way, then a 75 ft open space buffer, then a 15 ft backyard. That only adds up to 110 ft to the houses. From the edge of First Ave there is a dip and then a low ridge. From there the property drops off steadily. The best place for the houses would be on the other side of the ridge, both from a visibility standpoint and a privacy standpoint. Siting the houses or backyards on this slope wouldn't really make any sense unless you were planning that this area would be leveled. I would not prefer that option at all. Leaving the ridge intact would mean that you would not need as many mature trees to screen the development. My measurement to place the houses just over the ridge was approx 170 ft.

I realize that the extra 60 ft would be hard to do given the plan you have and the number of units you want to have. I feel pretty firm about this however, given the density of the 13 houses is this strip. I am going to send this in as my comment to the Town. I wanted to do the measurement on the buffer first, before I submitted my comment.

Thanks,
Patty

From: stfatha@aol.com [mailto:stfatha@aol.com]
Sent: Tuesday, June 10, 2014 10:53 AM
To: Vella, Bayer
Cc: Spaeth, Michael
Subject: Kai

Bayer:

There is a neighborhood meeting next week on this property. Following a riotous Meeting at the Library last winter, WLB has met with the HOA, and my understanding is that the HOA on Palisades is largely in agreement with what has been proposed. The broader community - those that live in the Mandarin Lane area and to the south on First Avenue have not participated, nor have the residents who travel regularly along 1st been included.

I have objected to the limited HOA on Palisades having such exclusive access and input on this property with community impact. But that was another David Williams determination. Understandably, neighbors in that area have been preoccupied with traffic impacts on Palisades. Also, the visual impacts of development to the east on the existing homes there. The interests of the broader community were not included in subsequent meetings with WLB.

I have also felt strongly that a General Plan Amendment is required since the change in designation in MPC applies. Staff has dismissed that without explanation. It's been my expressed opinion that changing the zoning on a property inconsistent with the General Plan is unwise, and contrary to the committees being formed for that purpose. Finally, I have felt strongly that this Kai property is a good candidate for Mixed Use. The P&Z and Council approved the DIS Work Plan that included establishing mixed use as a high priority both in the Plan and in our Code. The Town is notorious for ignoring policy by approving developments prior to adopting Plan or Zoning requirements. The recent La Reserve issue is the most recent example.

It is important that you access what has been shown to the Palisades people and what judgment has been apparently accepted prior to the "neighborhood meeting" which is a misguided term, in this case.

Bill

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

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Cox called the December 2, 2014 session of the Oro Valley Planning and Zoning Commission Special Session to order at 6:00 PM.

ROLL CALL

PRESENT:

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

ALSO PRESENT:

Joe Hornat, Council Member
Council Liaison Lou Waters, Vice - Mayor
Bayer Vella, Interim Planning Manager
Joe Andrews, Chief Civil Deputy Attorney
David Laws, Permit Division Manager
Chuck King, Inspection Division Manager

PLEDGE OF ALLEGIANCE

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

CALL TO AUDIENCE

There were no speaker requests.

COUNCIL LIAISON COMMENTS

Council Member Hornat expressed a thanks to Chairman Cox and Vice-Chair Buette's for time served on the Planning and Zoning Commission.

REGULAR AGENDA

1. PUBLIC HEARING: PROPOSED REZONING OF AN APPROXIMATELY 149-ACRE PROPERTY (KNOWN AS KAI-NORTH) FROM R1-144 (LARGE LOT RESIDENTIAL) TO C-1 (COMMERCIAL) AND R1-7 (MEDIUM DENSITY RESIDENTIAL) WITH LOTS RANGING FROM 5,520 SQUARE FOOT LOTS TO 7,200 SQUARE FOOT LOTS, LOCATED AT THE SOUTHEAST CORNER OF TANGERINE ROAD AND FIRST AVENUE, OV914-002

Michael Speath, Senior Planner, presented the following:

- Request
- Location Map
- Tentative Development Plan
- Review Criteria
- General Plan Goals & Policies
- Special Area Policies
- Zoning Map
- Environmentally Sensitive Lands
- Conservation Subdivision Design
- ESL Flexible Design Options
- Public Participation
- Neighborhood Meetings Concerns
- Summary/Recommendation

6:15 PM Commissioner Drazowski arrived

Paul Oland, WLB Group, representing the applicant, presented the following:

- Proposed Neighborhood
- Future Commercial per General Plan
- Tentative Development Plan
- Viewshed Key Map
- Preservation Plan
- Flat Roof vs. Pitched Roof
- First Avenue Cross Section
- General Plan Special Area Policy Items
- Master Plan
- Neighborhood Density Study

Chairman Cox opened the public hearing.

Tom Kruse, Oro Valley resident, questioned whether the commercial rezoning would create an increased need for sewer and/or water capacity.

Robert Cain, Oro Valley resident, questioned the following on attachment 7; what does the acronym ESLO stands for, and requested the definition of distinct vegetation and native plants. Mr. Cain went on to question the lack of access onto Palisades and if this was a done deal; and why use Meritage as the developer?

Alan Dankwerth, Oro Valley resident, expressed thanks to the applicant for all the meetings and went on to express his concern with the safety issue on Palisadas Road. Mr. Dankwerth went on to voice the issues of speeders and the narrowness of the lip on Palisades as a safety issue. Mr. Danwerth proposed that the Town continue the pedestrian path all the way down the entire length of Palisades.

Doug Mckee, Oro Valley resident, complimented staff and the applicant on how this proposal has been handled. Mr. McKee went on to express his concern with the safety on Palisades with no sidewalks and requested neighborhood involvement in the design of the multi-use path. In summary, he supports the applicant's request for the rezoning conditioned upon neighborhood participation in the design of the multi-use path and Town funding to extend the multi-use path the entire length of Palisades.

Helen Dankworth, Oro Valley resident, complimented the applicant on the work that has been done with the neighbors. Ms. Dankwork went on to state that she is in support of the development and urges Town Council to widen Palisades for safety issues.

Patty Estes, Oro Valley resident, complemented WLB and the developer on the project. Ms. Estes went onto state that her neighborhood is bearing the brunt of the impact of this development and does not see First Avenue as a buffer zone. Ms. Estes agrees with a lot of the conditions placed on this project, but does not agree with the building heights being proposed. WLB had a very nice drawing of the setbacks, but what she didn't see was where the sound walls and backyard walls would go.

Sanford Seltzer, Oro Valley resident, requested a more concise description of the difference between medium level density and low level density. Mr. Seltzer went on to ask if there were any specific regulations regarding what constitutes an allowable commercial.

John Amato, Oro Valley resident, asked what the height limitations on commercial properties are and what type of commercial buildings would be built on this property. Mr. Amato agreed with the previous speakers regarding the safety issues on Palisades.

Amy Eiscenbery, Oro Valley resident, expressed her concern with illegal garbage dumping on the opposite side of Palisades Road and went on to ask what the plans for this property were. Ms. Eisenbery continued asking if there will be planting of native trees and plants and asked for more details about the business going in this site.

Chairman Cox closed the public hearing.

Bayer Vella, Interim Planning Manager, answered Planning related questions.

David Laws, Permitting Manager, responded to the questions in regard to dedication of property for right of ways.

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Rodman to recommend approval of the Kai (North) Rezoning from R1-144 to R1-7 and C-1 based on the findings in the staff report and subject to the conditions in Attachment 1 with a modification of the addition pitched roof before the word residential in condition 5e.

MOTION carried, 7-0.

Attachment 1
Conditions of Approval Planning and Zoning Commission
December 2, 2014

Planning Conditions

1. All Kai-Capri Special Area Policies to be included as General Notes on Final Plat (Residential) and Final Site Plan (Commercial).

2. Indicate proposed setbacks for both residential and commercial. Commercial setbacks are as follows:

    a. Front: 20 feet
    b. Side: 50 feet or 3:1 (setback to building height ratio), whichever is greater
    c. Rear: 50 feet or 3:1 (setback to building height ratio), whichever is greater

3. A minimum 15' buffer yard Type "B" is required along the eastern edge of the proposed commercial, per Table 27-7.

4. Homes on lots 5 through 12 are limited to one-story.

5. The following Environmentally Sensitive Lands Flexible Design Options are applicable:

    a. <u>Building Setback</u>: Building setback reduction to no less than a five (5') foot side setback and no less than a ten (10') foot front setback so long as it doesn't result in an on-lot driveway of less than twenty (20') feet.

    b. <u>Landscape Buffer Yard</u>: a reduction of no less than ten (10') feet. Not allowed along street frontages and adjacent to any existing and proposed residential.

c. Minimum lot size: A minimum lot size reduction to 5,500 square feet in accordance with the Conservation Subdivision Design lot reduction incentive.

d. Off-street parking modification: A modification for future development in accordance with Section 27.7.C.2 (Alternative Parking Ratio) of the Zoning Code.

e. Building Height: A building height increase from eighteen (18') feet to twenty (20') feet for *pitched roof* residential within 200 feet of North First Avenue, or within 150 feet of Palisades Road or existing development.

f. Recreation Area Credit: Active and Passive recreation area count towards the overall ESOS requirement.

g. Native Plant Preservation: the native plant salvage and mitigation requirements of Section 27.6 are waived for all development within development envelopes.

Engineering Comments

1. A multi-use path will be required to be constructed along the project's frontage with Palisades Road. The path is to be constructed during construction of the applicant's project to the south of Palisades Road or with this project, whichever is built first. This will fulfill the requirement for a sidewalk or multi-use path for both projects along the Palisades Road frontage.

2. When the commercial area is developed, appropriate traffic mitigation measures shall be implemented so the project drive located at the Oro Valley Retail Center intersection operates at an acceptable level of service with the addition of the commercial traffic.

Parks and Recreation Conditions

1. All trails to be dedicated "non-vehicular permanent public recreation easements"

Chairman Cox recessed the Planning and Zoning Commission meeting at 7:19 PM.

Chairman Cox resumed the Planning and Zoning Commission meeting at 7:22 PM.

2. PUBLIC HEARING: A ZONING CODE TEXT AMENDMENT RELATED TO SENIOR CARE USES. THE PROPOSED AMENDMENT INVOLVES MODIFICATIONS TO CHAPTER 31 (DEFINITIONS), TABLE 23-1 (PERMITTED USES) AND SECTION 25.1 (DEVELOPMENT STANDARDS) OF THE ORO VALLEY ZONING CODE REVISED (OVZCR). THE PROPOSAL ALSO INCLUDES AMENDMENT TO REFERENCES THROUGHOUT THE ZONING CODE RELATED TO SENIOR CARE USES, OV714-009

Chad Daines, Principal Planner, presented the following:

- Reason for Request
- Proposed Solution
- Common senior care elements
- Similarities with multi-family
- Permitted Zoning Districts
- Recreational Area
- Stakeholder Review
- General Plan Policies
- Recommendation

Chairman Cox opened the public hearing.

Don Bristow, Oro Valley resident, expressed his concern with the different in levels of care within the categories. Mr. Bristow went onto comment that with the different of levels, they are still being treated all as one and where these categories are placed is going to be very critical. The presentation showed nothing but pictures of apartments and town houses. Senior care facilities are not necessarily apartments and town houses. The definition of senior care is not well thought out and does not fit the real world of senior care. The impact on the neighborhood and residential area has not been taken into consideration.

Lisa Isreal, Non-Oro Valley resident, commented that she agrees with the previous speaker and expressed concern with the ever changing definitions of healthcare. To lock in the definitions may pose a problems later. The definition of senior care facility and hospital takes away the flexibility of hospitals to provide in-patient hospice and skilled nursing as the market changes. The definitions restrict flexibility for the future.

Chairman Cox closed the public hearing.

MOTION: A motion was made by Commissioner Rodman and seconded by Vice-Chairman Buette to recommend approval of the Zoning Code Amendment in Attachment 1 and 2 related to senior care uses, based on the findings in the staff report with a modification of changing the word “institution” for the word “facility” where ever it may appear.

MOTION carried, 7-0.

3. PUBLIC HEARING: A ZONING CODE TEXT AMENDMENT TO THE MODIFIED REVIEW PROCESS ENABLED BY THE ENVIRONMENTALLY SENSITIVE LANDS SECTION OF THE ZONING CODE. THE PROPOSED AMENDMENT TO SECTION 27.10.D.3.F.2.ii.h WOULD ALLOW LIMITED CHANGES TO A TENTATIVE DEVELOPMENT PLAN TO BE ADMINISTERED AS PROVIDED IN SECTION 22.3.D.2.b.i THROUGH SECTION 22.3.D.2.b.iii., OV714-011

Michael Spaeth, Senior Planner, presented the following:

- Modified Review Process
- Conservation Subdivision Design
- Existing Criteria for revised Tentative Development Plan
- Proposed Code Amendment

Chairman Cox opened the public hearing.

Jeff Grobstein, Oro Valley resident, stated he is in favor of this zoning code text amendment.

Paul Oland, Non-Oro Valley resident, commented that the language is of a higher quality standards to be placed into the code that helps clarify issues that have come up in the past. Setbacks are something the Planning Director should have the ability to adjust according to the clustered lot size. Mr. Oland suggested adding the word "perimeter" before the word "setback".

Chairman Cox closed the public hearing.

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Drazazgowski to recommend approval of the Zoning Code Amendment in Attachment 1, related to the modified review process, based on the findings in the staff report with a modification of adding the word "perimeter" before the word "setbacks".

Attachment 1
Proposed Code Language
Planning and Zoning Commission
December 2, 2014

Section 27.10.F.2.c.iii.h

"Modified Review Process. Site Plans and preliminary plats submitted in SUBSTANTIAL conformance with the approved Tentative Development Plan, as determined by the Planning and Zoning Administrator, may be administratively approved. ANY PROPOSED CHANGES TO A TENTATIVE DEVELOPMENT PLAN MUST BE ADMINISTERED AS SPECIFIED IN SECTION 22.3.D.2.b.i, ii and iii."

i. Any change to the permitted use or uses. Permitted uses shall mean the primary and alternative uses as set forth in the Tentative Development Plan and conditions attached to the approved rezoning.

ii. Any change to the development standards or zoning conditions relating to building heights, PERIMETER setbacks, open space requirements, any reduction in open space, parking, floor area ratios and density.

iii. Any change to the Tentative Development Plan associated with this rezoning which would vary any material terms or conditions of the rezoning, which would modify any proposed density standards, any kinds of street or land improvements proposed affecting the standards and layout for vehicular circulation, signs and nuisance controls intended for the development.

MOTION carried, 7-0.

4. REQUEST FOR PLANNING AND ZONING COMMISSION INITIATION OF A ZONING CODE AMENDMENT RELATED TO THE REVIEW AND APPROVAL PROCESSES ENABLED BY THE ECONOMIC EXPANSION ZONE OVERLAY DISTRICT

Bayer Vella, Interim Planning Manager, presented a brief summary and background of the Economic Expansion Zone (EEZ) Overlay District Code Amendment.

MOTION: A motion was made by Commissioner Rodman and seconded by Vice-Chairman Buette, move to imitate a Zoning Code Amendment to Section 24.9 (Economic Expansion Zone Corridor Overlay District) to improve the EEZ review process and zoning provisions.

MOTION carried, 7-0.

ADJOURNMENT

MOTION: A motion was made by Commissioner Drazazgowski and seconded by Commissioner Leedy to adjourn the Regular Session Planning and Zoning Commission meeting at 8:01 PM.

MOTION carried, 7-0.

STUDY SESSION AT OR AFTER 6:30 PM

CALL TO ORDER

Chairman Cox called the December 2, 2014 Study Session of the Oro Valley Planning and Zoning Commission meeting to order at 8:07 PM.

ROLL CALL

PRESENT:	Don Cox, Chairman John Buette, Vice-Chairman Greg Hitt, Commissioner Bill Rodman, Commissioner Bill Leedy, Commissioner

Frank Pitts, Commissioner
Tom Drazazgowski, Commissioner

STUDY SESSION AGENDA

1. DISCUSSION ITEM: PROPOSED REZONING OF A 79.5 ACRE PROPERTY FROM ROONEY RANCH AREA "Z" PLANNED AREA DEVELOPMENT TO NAKOMA SKY (FORMERLY KNOWN AS LA POSADA) PLANNED AREA DEVELOPMENT AND AMEND THE ENVIRONMENTALLY SENSITIVE LANDS MAP AND A MINOR AMENDMENT TO THE GENERAL PLAN SPECIAL AREA POLICY RESTRICTING RESIDENTIAL SUBDIVISION DEVELOPMENT DENSITY. PROPERTY IS LOCATED SOUTHEAST OF THE 1ST AVENUE AND NARANJA DRIVE INTERSECTION, OV914-007 AND OV914-008

Matt Michels, Senior Planner,

- Required Approvals
- Location
- History
- General Plan Land Use
- I. Minor General Plan Amendment
- II. Proposed Rezoning
- III. Environmentally Sensitive Lands Existing Designations
- IV. Grading Exception
- Public Outreach
- Primary Issues
- Next Steps

Lisa Isreal, President and CEO of La Posada, presented a brief summary and background of the proposed project.

Veron Swaback, Swaback Partners, pllc, representing the applicant, presented the following:

- Brief History as an Architect
- It takes a Village
- Magic in buildings
- Residential
- Communities
- Celebrating Communities
- Opportunities & Constraints
- Village Retail
- Residential Cottages
- Assisted Living and Memory Care
- Residential Village
- Mountain Village

- Community Park
- Main Building
- Intimate Spaces vs Grand
- Vistas Focal Points

Rob Longacre, WLB Group, representing the applicant, responded to the questions and comments from Planning and Zonings Commission.

James Kai, owner of adjacent property, responded to a question from the Commission regarding the Nakoma Sky north entrance.

Judy Schumann, Oro Valley resident, commented that she is favor of the proposed and impressed by the applicant.

Joan Condit, Chief Operating Officer, responded to a question from the Commission regarding the time frame of breaking ground.

PLANNING UPDATE (INFORMTIONAL ONLY)

Bayer Vella, Interim Planning Manager, presented the following:

- Announcement of final meeting for Chairman Cox and Vice-Chair Buette
- Upcoming Town Council December 3rd meeting
- Upcoming Special Town Council December 10th meeting
- Upcoming Planning and Zoning Commission January 6th meeting
- Upcoming Neighborhood meetings

FUTURE AGENDA ITEMS

ADJOURNMENT

MOTION: A motion was made by Commissioner Rodman and seconded by Commissioner Leedy to adjourn the Planning and Zoning Study Session at 9:11 PM.

MOTION carried, 7-0.

Prepared by:

_____
Roseanne Flores
Recording Secretary

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Session of the Planning and Zoning Commission of Oro Valley, Arizona held on the 2nd day of December 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Town Council Regular Session **Item # 4. a.**

Meeting Date: 01/21/2015
Requested by: Bayer Vella
Submitted By: Michael Spaeth, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

RESOLUTION NO. (R)15-09, DECLARING A CERTAIN DOCUMENT KNOWN AS THE NAKOMA SKY PLANNED AREA DEVELOPMENT, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD AND RESOLUTION NO. (R)15-10, DECLARING A CERTAIN DOCUMENT KNOWN AS THE ENVIRONMENTALLY SENSITIVE LANDS PLANNING MAP, 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 Nakoma Sky Planned Area Development and Environmentally Sensitive Lands Planning Map a matter of public record. The draft Nakoma Sky Planned Area Development and Environmentally Sensitive Lands Planning Map have been posted online and made available in the Town Clerk's Office. If the final versions are adopted, as approved by Town Council, they 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 Nakoma Sky Planned Area Development and Environmentally Sensitive Lands Planning Map in print form. The current draft version of the draft Nakoma Sky Planned Area Development and Environmentally Sensitive Lands Planning Map have been posted on the Town's website and printed copies are available for public review in the Town Clerk's Office. Once adopted, the final versions 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 drafts.

SUGGESTED MOTION:

I MOVE to (adopt or deny) Resolution No. (R)15-09, declaring a certain document known as the Nakoma Sky Planned Area Development, provided as Exhibit “A” in the attached resolution and filed with the Town Clerk, a public record.

I MOVE to (adopt or deny) Resolution No. (R)15-10, declaring a certain document known as the Environmentally Sensitive Lands Planning Map, provided as Exhibit "A" in the attached Resolution and filed with the Town Clerk, a public record.

Attachments

(R)15-09 Nakoma Sky PAD

Exhibit A to Resolution Declaring PAD Public Record

(R)15-10 ESL Planning Map

RESOLUTION NO. (R)15-09

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT KNOWN AS THE NAKOMA SKY PLANNED AREA DEVELOPMENT, ATTACHED HERETO AS EXHIBIT "A" AND FILED WITH THE TOWN CLERK; AND DECLARING AN EMERGENCY TO EXIST

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, that certain document entitled the Nakoma Sky Planned Area Development, 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 and declaring an emergency to exist, and this resolution shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 21st day of January, 2015.

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: _____

NAKOMA SKY
PLANNED AREA DEVELOPMENT

NAKOMA SKY
PLANNED AREA DEVELOPMENT

Property Owner:

La Posada
350 East Morningside Road
Green Valley, Arizona 85614

Document Prepared By:

The WLB Group, Inc.
4444 East Broadway Boulevard
Tucson, Arizona 85711
(520) 881-7480
Robert G. Longaker III
Greg McDowell

Swaback Partners
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Vern Swaback
Jeff Denzak
Mike Wetzel
Pao Cagnina

August 22, 2014
Revised November 3, 2014
Revised November 18, 2014
Revised December 18, 2014

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APPENDICES

Appendix A: Representative Site Perspectives and Elevations.

Appendix B: Representative Building and Roof Materials.

Appendix C: Representative Site Imagery (including Architectural and Architectural Finishes Imagery, Monuments and Signage Imagery, Park Design Imagery and Water Feature Imagery).

Appendix D: Building Height Exhibit.

Appendix E: Pre and Post Development Viewsheds.

Appendix F: Tentative Development Plan (24” x 36”).

Appendix G: ESL Flexible Development Standards.

INTRODUCTION

This document has been prepared in support of a proposed amendment to the Rooney Ranch Area Z Planned Area Development (PAD) and Area A of the Rooney Ranch Oro Valley Center PAD to result in a new PAD named the Nakoma Sky PAD. This PAD will allow for the development of a continuing care retirement community on the property.

Area Z consists of 76.5+/- acres and Area A consists of 3+/- acres, for a total project site of 79.5+/- acres.

PART I – INVENTORY AND ANALYSIS

I-A. Existing Land Uses

1. Site Location

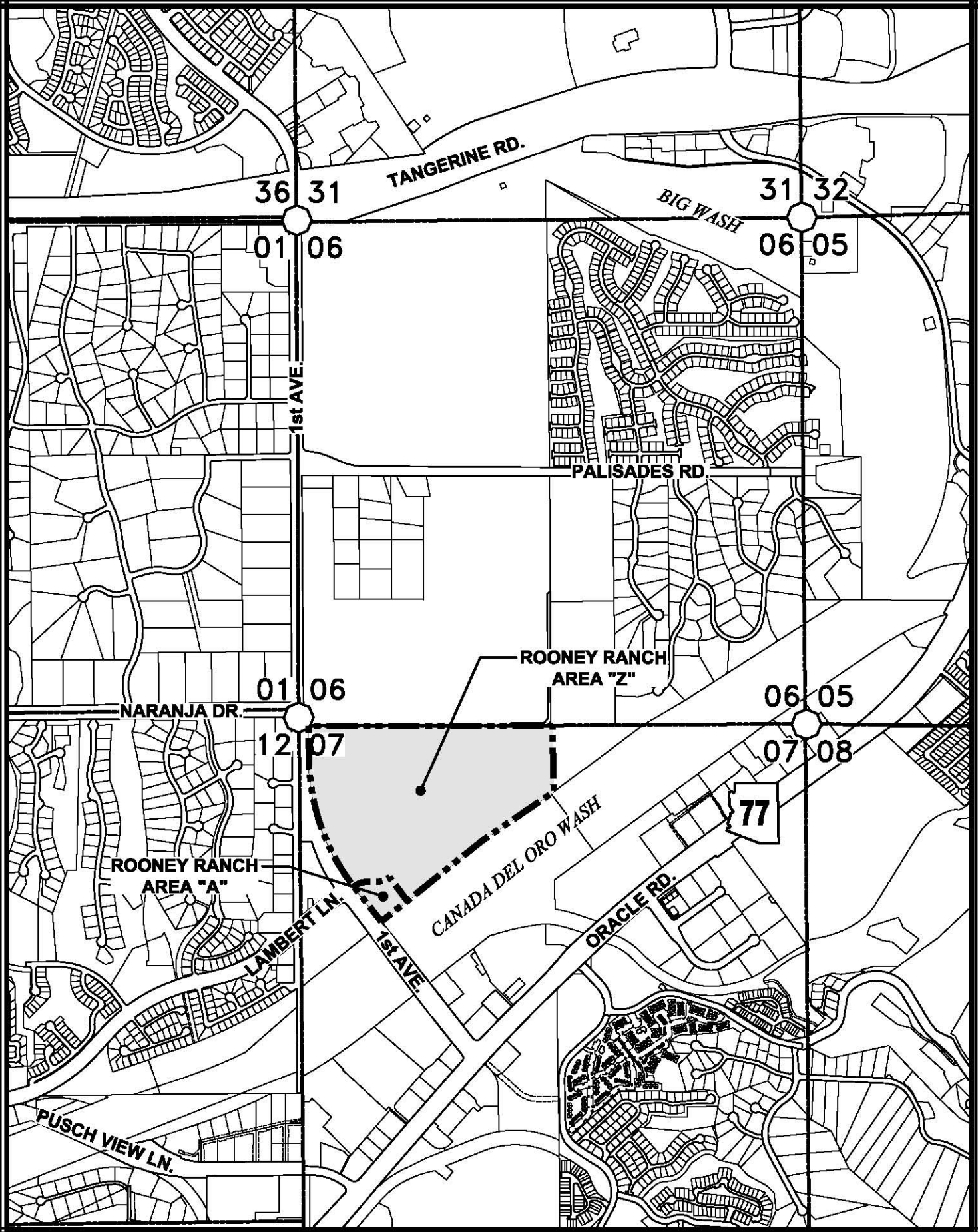
The subject property consists of 79.5+/- acres located within the Town of Oro Valley in Section 7, Township 12 South, Range 14 East, Pima County, Arizona. The site is bounded by 1st Avenue to the west, property owned by Pima County Flood Control District to the east, the Canada del Oro Wash to the south and property owned by Capri Company, LLC (the Kai family) to the north.

Refer to *Exhibit A: Site Location Map*.

2. Existing Land Uses - Onsite

The subject property is currently undeveloped and vacant. However, it is evident that the site is being used illegally as evidenced by dirt roads, dirt bike paths and trash that is dumped on the site.

Refer to *Exhibit B: Aerial Photograph* and *Exhibit C: Existing Land Uses*.



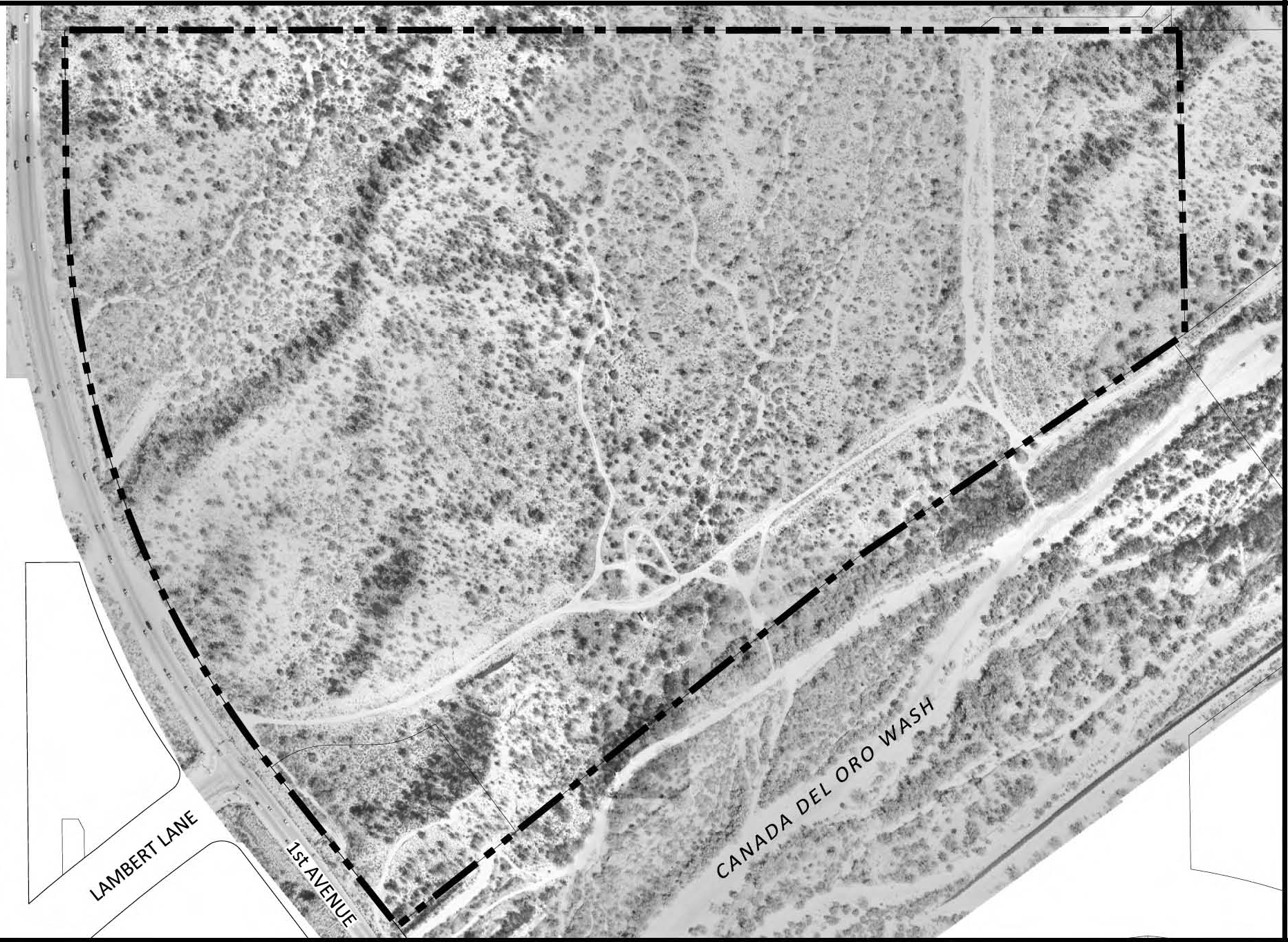
The WLB Group WLB

EXHIBIT A
SITE LOCATION MAP

10.29.2014
WLB No. 181057-Y-002

0 Miles 1/4

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\A - Site Location Map.dwg



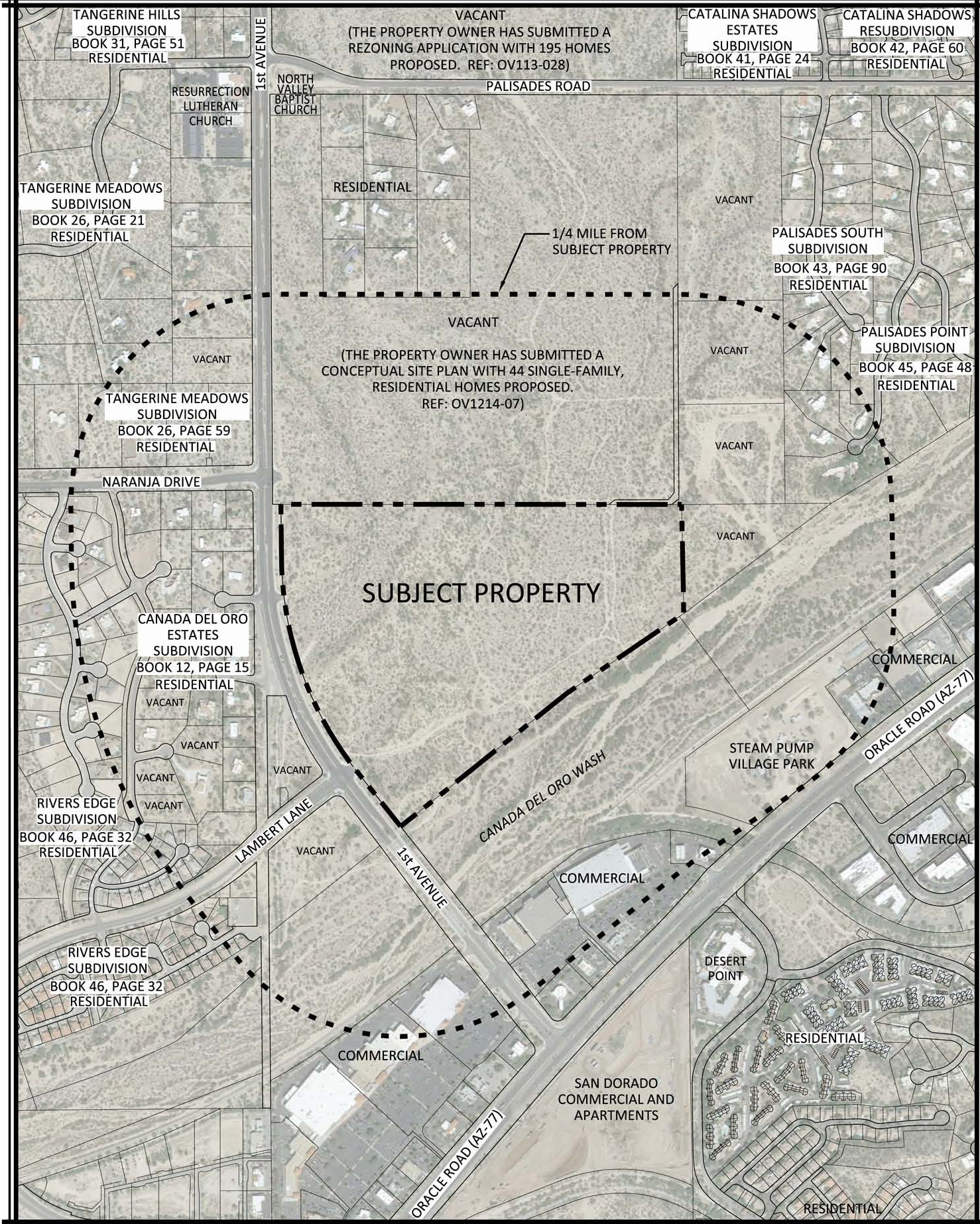
The WLB Group Inc. **WLB**

EXHIBIT B
AERIAL PHOTOGRAPH

10.29.2014
Aerial Photo Date = 2003
WLB No. 181057-Y-002

0' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\B - Aerial Photo.dwg Plotted: Oct. 29, 2014



The WLB Group WLB

EXHIBIT C
EXISTING LAND USES

10.29.2014
Aerial Photo Date = 2013
WLB No. 181057-Y-002

0' 800'

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3. Existing Adjacent Land Uses

The subject property is surrounded by the following existing zonings and land uses:

a. Existing Zoning

North: R1-144 and R-6.
East: R1-144.
South: Rooney Ranch Oro Valley Center PAD.
West: R1-144 and Rooney Ranch Oro Valley Center PAD (Areas E and F, zoned for commercial and professional office uses).

b. Existing Land Uses

North: Vacant, but residential subdivision is currently being processed.
East: Vacant land.
South: Canada del Oro Wash.
West: Single-family detached residential and vacant land.

See *Exhibit C: Existing Land Uses.*

c. There are both one story and two story structures within one-quarter mile of the subject property.

d/e. There are no pending or conditionally approved rezonings within one-quarter mile of the subject property.

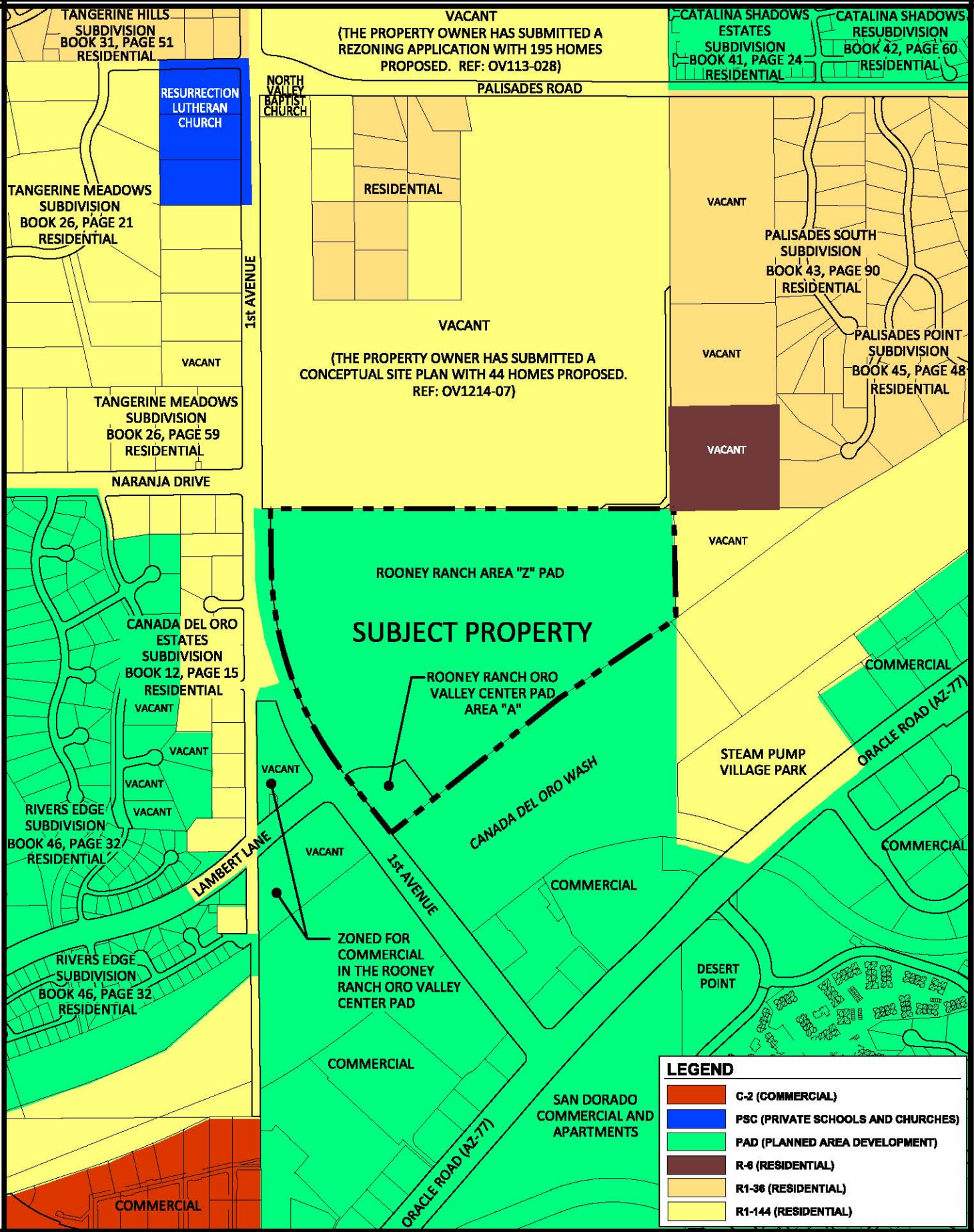
f. The approximately 121-acre property located directly north of the subject property (owned by Capri Company, LLC) is currently processing a Conceptual Site Plan (ref: OV1214-07) with single family residential homes proposed.

g. Architectural styles of the homes to the northeast are contemporary and Mediterranean style. Homes towards the west display adobe/block characteristics.

Refer to *Exhibit D: Existing Zoning*.

4. Well Sites

There is one well site located within 100 feet of the subject property. It is a Town of Oro Valley test well and is located in the Canada del Oro Wash, approximately 80 feet southeast of the subject property.



The WLB Group WLB

EXHIBIT D
EXISTING ZONING

10.30.2014
WLB No. 181057-Y-002

0' 800'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\D - Existing Zoning.dwg Plotted: Nov. 01, 2014

I-B. Topography

1. Topographic Characteristics

The topography of the subject property is characterized by hills and ridges that generally run in a north/south manner through the site. Overall, the subject property slopes from north to south towards the Canada del Oro Wash. The southwestern corner is the low point of the site at an approximate elevation of 2,568 feet, while the northwestern portion of the site contains the high point lying at an approximate elevation of 2,662 feet.

Refer to *Exhibit E: Topography.*

The property was analyzed using the Hillside Area Category requirements in Section G of the Town's Environmentally Sensitive Lands Ordinance (ESLO). The slope categories used for this analysis coincide with the values provided in the Slope Density and Disturbance Limits table (Table 27.10-4 in the ESLO). The results of the slope analysis are below:

Slope Categories (per ESLO)	% of Site	Area (Ac.)	% of Allowed Disturbance Per ESLO Table 27.10-4	Allowable Disturbance Area (Ac.)
0% to 15%	64.1%	51.0±	100%	51.0±
15% to 18%	3.3%	2.6±	40%	1.1±
18% to 20%	2.4%	1.9±	30%	0.6±
20% to 25%	6.2%	4.9±	20%	1.0±
25% to 33%	10.6%	8.4±	5%	0.4±
33%+	13.4%	10.7±	4%	0.4±
		79.5±	**Total Allowable Disturbance***	**54.4±**

*To determine the total allowable disturbance area of the subject property based only on slopes, the area of each slope category was multiplied by the respective percentage of allowable disturbance using the values listed in Slope Density and Disturbance Limits Table of the ESLO (Table 27.10-4). The sum of each of the slope categories' allowable disturbance areas results in the total allowable site disturbance area of approximately 54.4 acres (based only on regulated slopes and not additional development constraints on-site).

Approximately 28.5 acres or approximately 36 percent of the subject property is characterized by slopes of 15 percent and greater.

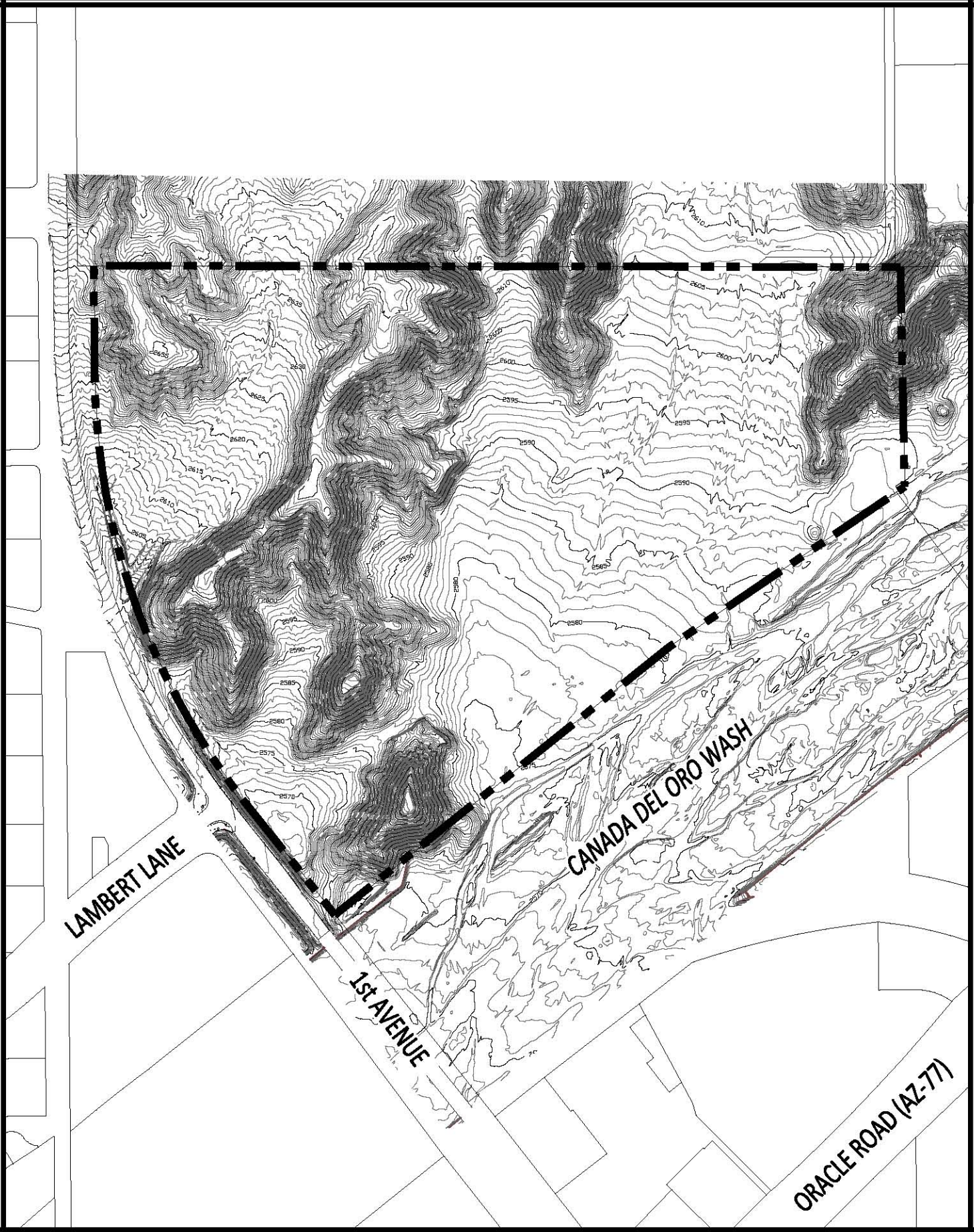
There are no rock outcrops on the property.

Refer to *Exhibit F: ESLO Slope Analysis*.

2. Average Cross Slope

The pre-development average cross-slope for the entirety of the subject property is 13.42 percent. This figure was derived using the formula as forth by the Hillside Development Zone, Section 10-110 of the Oro Valley Zoning Code Revised. Average cross slope was calculated as follows:

$$\frac{(I)(L)(0.0023)}{A} = \frac{(1')(463{,}989')(0.0023)}{79.5\text{ ac.}} = 13.42\%$$



The WLB Group WLB

EXHIBIT E
TOPOGRAPHY

10.30.2014
CONTOUR INTERVAL = 1 FT.
WLB No. 161057-Y-002

0' 400'

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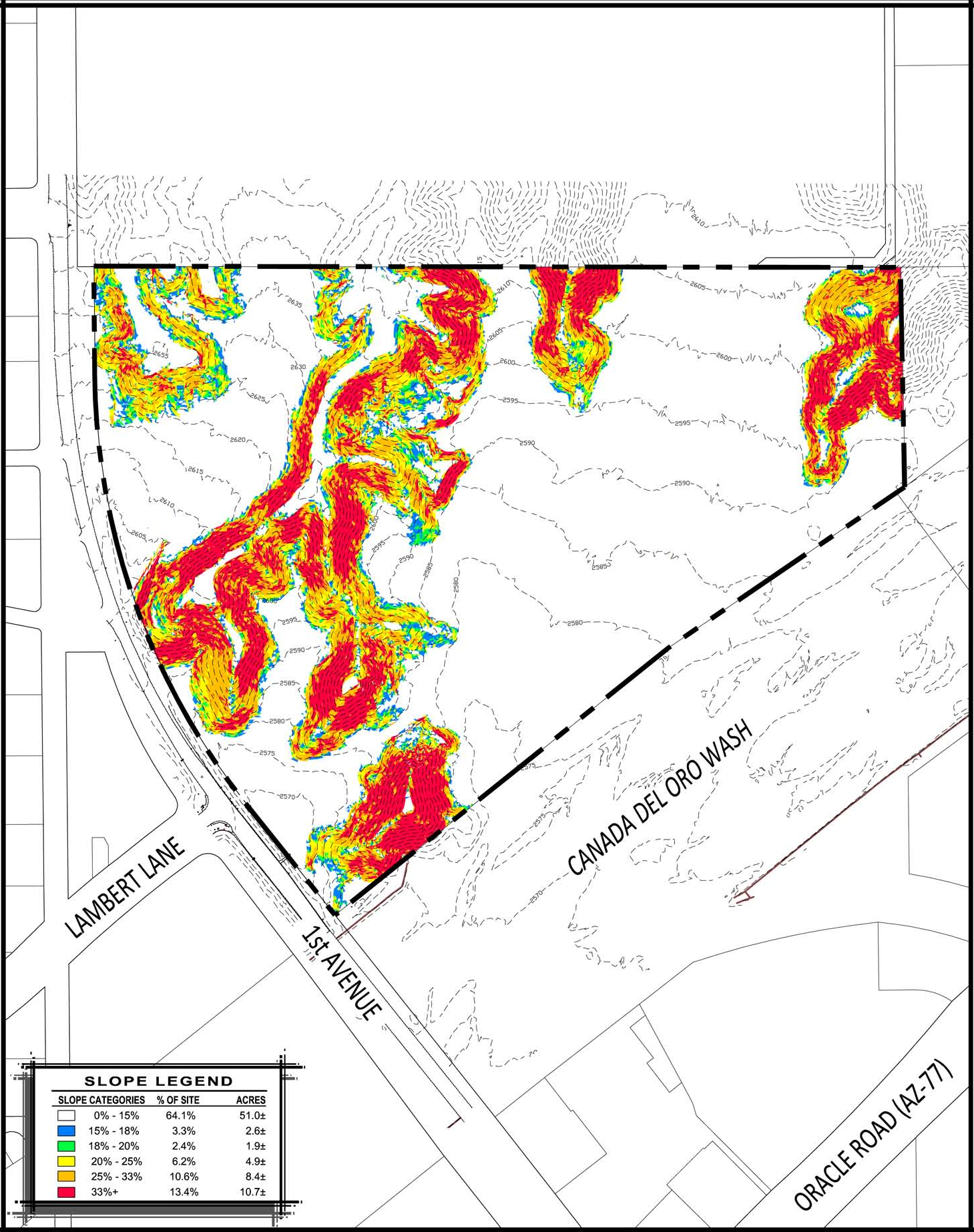


SLOPE LEGEND

SLOPE CATEGORIES	% OF SITE	ACRES
0% - 15%	64.1%	51.0±
15% - 18%	3.3%	2.6±
18% - 20%	2.4%	1.9±
20% - 25%	6.2%	4.9±
25% - 33%	10.6%	8.4±
33%+	13.4%	10.7±

The WLB Group INC. WLB

EXHIBIT F
ESLO SLOPE ANALYSIS

10.30.2014
CONTOUR INTERVAL = 5 Ft.
WLB No. 181057-Y-002

0' 400'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\F - ESLO Slope Analysis.dwg Plotted: Oct. 31, 2014

I-C. Hydrology

1. Offsite Watersheds

Exhibit G: Offsite Watersheds shows the offsite, upstream watersheds impacting the subject property.

There are several offsite watersheds that flow from the north to the south through the project site. The offsite watersheds extend as far as north of Tangerine Road and have watershed areas from 0.6 acres to 470.2 acres. The site is located within a small valley adjacent the west bank of the Canada Del Oro Wash. The offsite flows are discharging across the northern property boundary via natural drainage swales and braided sheet flood fashion.

2. Offsite Natural or Man-Made Features

The flows, from both on-site and off-site, exit the subject property either via an RCP under 1st Avenue or directly into the Canada del Oro Wash over the banks. Each pipe under 1st Avenue has a headwall with mitered inlets. Approximately 380 linear feet of soil cement bank protection extends from the bridge on 1st Avenue to the hill to the immediate north of the bridge, located in the southwestern portion of the site.

3. 100-Year Discharges Greater Than 50 cfs

The areas with 100-year discharges greater than 50 cfs are shown on *Exhibit H: Onsite Hydrology*.

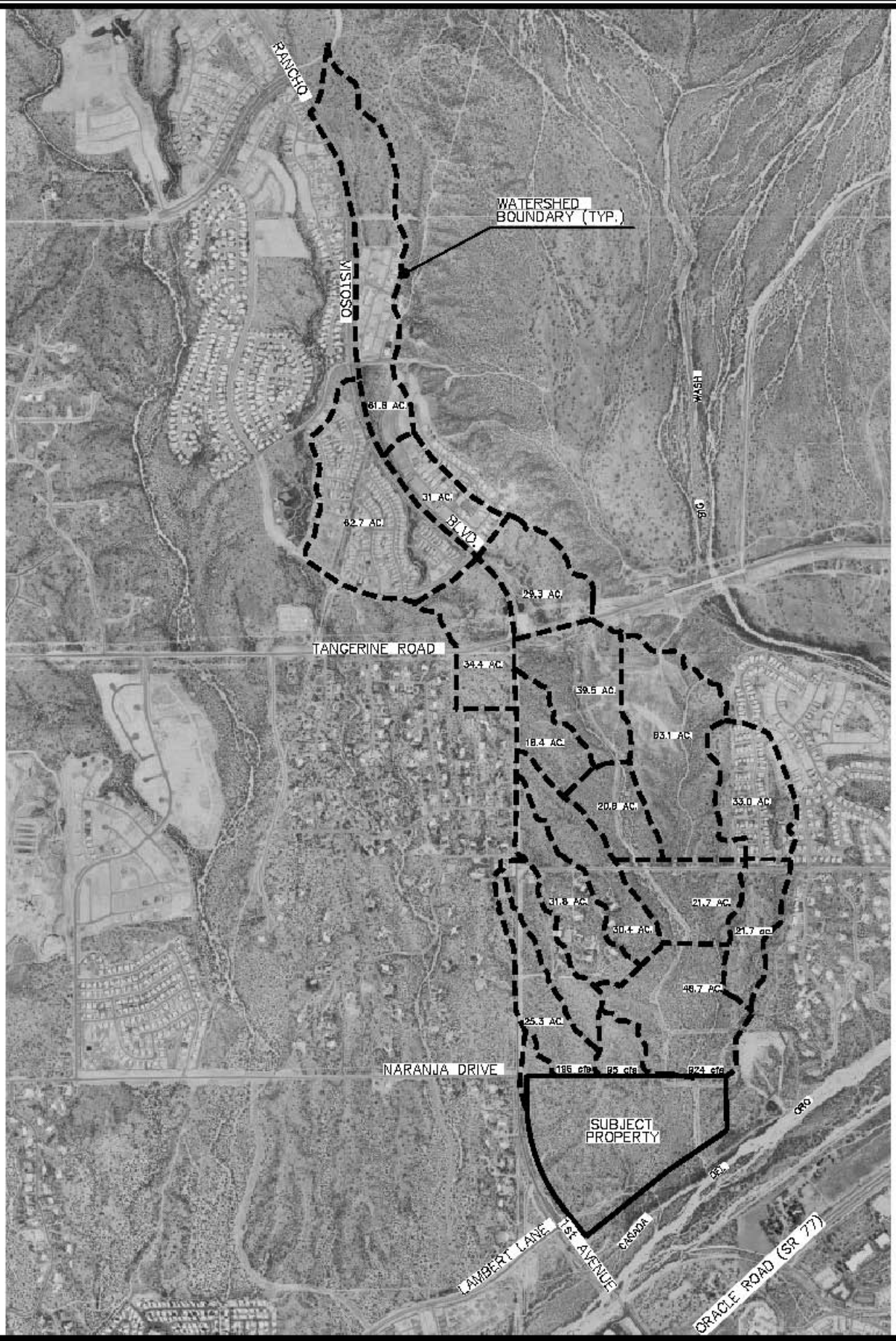
4. Onsite Hydrology

The onsite drainage generally is conveyed in a southerly direction as shallow sheet flow to the receiving waters of the Canada del Oro Wash and drains at a slope of 1.0 to 5.0 percent. The contours of the land are generally parallel with the Canada del Oro Wash with minimal channelization of the flow. The onsite flow is characterized by braids that are discontinuous and alternate between defined braids and sheet flow. There are no onsite drainage facilities.

Portions of the subject property are located within Special Flood Hazard Areas (SFHA) as identified by the Federal Emergency Management Agency (FEMA). The floodplain limits for the Canada del Oro Wash extend into the site near the southern property line (please refer to *Exhibit H: Onsite Hydrology* for the location of flood limits). Base flood elevations have been established by FEMA along the Canada del Oro Wash.

5. Downstream Drainage Conditions

The Canada del Oro Wash downstream of the subject property has been channelized with soil cement bank protection to allow for development to occur along its banks. Also downstream of the subject property is the bridge that carries 1st Avenue over the Canada del Oro Wash.



The WLB Group WLB

EXHIBIT G
OFFSITE WATERSHEDS

10.28.2014
Aerial Photo Date = 1998
WLB No. 181057-Y-002

1/3 MILE

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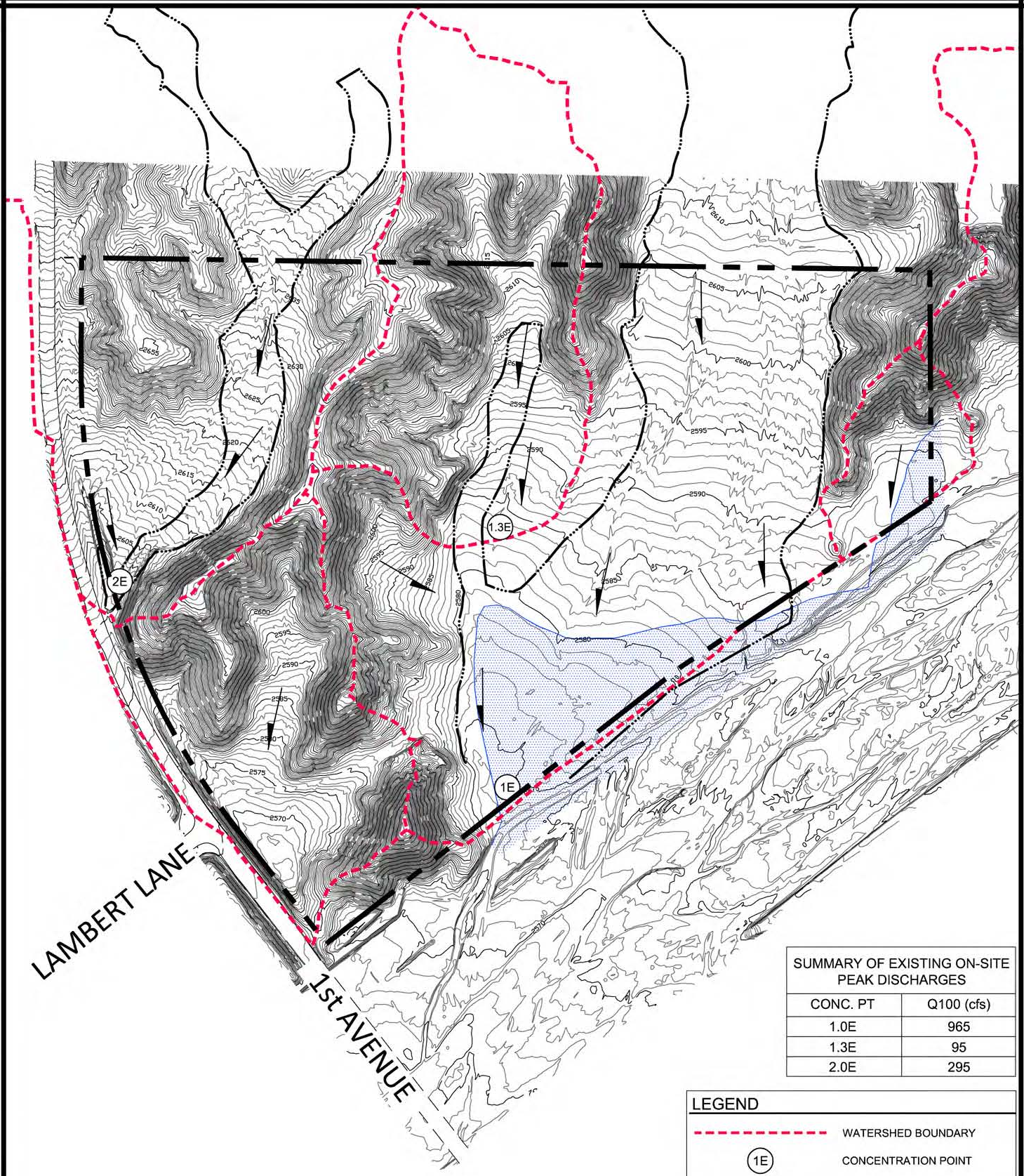

SUMMARY OF EXISTING ON-SITE PEAK DISCHARGES	
CONC. PT	Q100 (cfs)
1.0E	965
1.3E	95
2.0E	295

LEGEND

- WATERSHED BOUNDARY
- (1E) CONCENTRATION POINT
- FLOW DIRECTION
- PROPERTY BOUNDARY
- 100-YR FLOODPLAIN
- FEMA 100-YR FLOODPLAIN

The WLB Group WLB

EXHIBIT H
ON-SITE HYDROLOGY

10.27.2014
Contour Interval = 1 Ft.
WLB No. 181057-Y-002

0' 400'

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I-D. Vegetation

1. Vegetative communities and associations on the site.

According to the SWReGAP Provisional Digital Land Cover data in Pima County Mapguide, the majority of site (approximately 95%) consists of Sonora Palo Verde-Mixed Cacti Desert Scrub, and the remainder of the site consists of Sonora-Mojave Creosote bush-White Bursage Desert Scrub.

2. Significant cacti and groups of trees and Federally listed threatened and endangered species.

There are no Federally listed threatened and endangered species on site. There are pockets of areas on the site, such as on north facing ridges and areas adjacent to washes, that contain groupings of mesquite and palo verde trees. There are no ironwood trees on the site, nor are there any saguaro cacti.

3. Vegetative densities by approximate percentage of plant cover.

As determined by field reconnaissance and analysis of aerial photographs, the subject property is characterized by a moderate amount of vegetation. Three washes traverse the site from north to south, and drain into the Canada Del Oro Wash. The density of the vegetation on site gradually diminishes with distance from the washes.

I-E. Wildlife

1. Arizona Game and Fish Department (AZGFD) Online Environmental Review

a. In lieu of a letter from AZGFD, we utilized the Arizona Game and Fish Department (AZGFD) Online Environmental Tool Print-out. There is one Federal and State listed endangered species potentially having habitat within three miles of the subject property. The species is the Lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*). The United States Fish and Wildlife Service (USFWS) completed a 5-year review of the Lesser long-nosed bat in 2007, and found higher population numbers than expected and a generally stable-to-increasing trend. The USFWS recommended down listing the species from endangered to threatened in the study.

   Currently, the United States Fish and Wildlife Service is considering reclassifying the Lesser long-nosed bat from endangered to threatened due to substantial scientific and commercial information readily available to the agency. The agency's determination is expected to be published in August, 2014.

b. According to Arizona Game and Fish Department data, there are no high densities of a given species' population or an unusually high diversity of species on the subject property.

c. Aquatic or riparian ecosystems. There are no aquatic or riparian ecosystems on the site.

I-F. Viewsheds

1. Viewsheds onto and across the site from adjacent properties that may be blocked by development of the site.

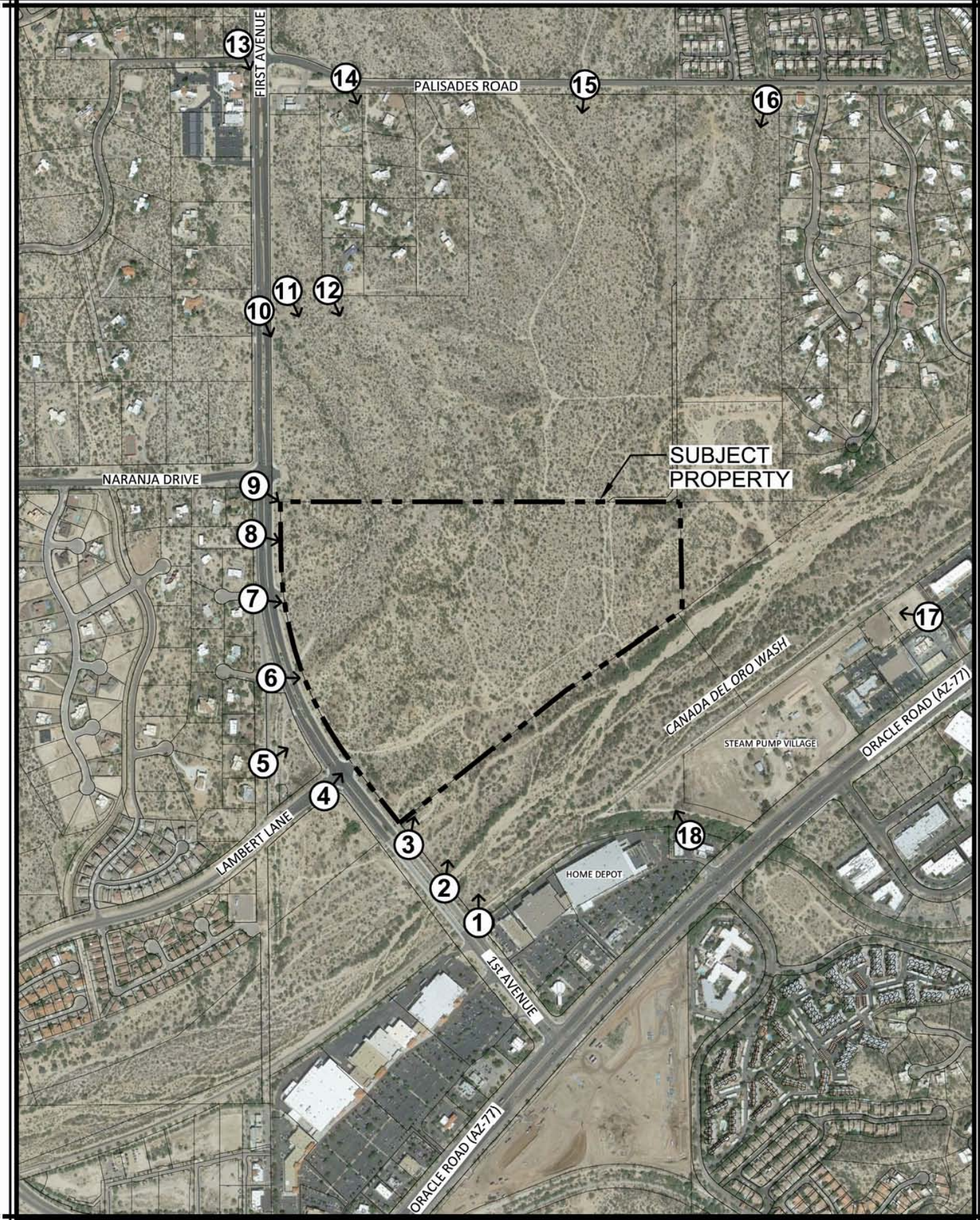
Long distance views of the Catalina Mountains will not be obscured by this development. Near distance views of ridges on this site will largely remain intact since the majority of the ridges will not be developed Photographs of the site were taken from several locations surrounding the site. See *Exhibit I: Viewsheds* for viewsheds onto and across the site from adjacent properties.

2. Areas of high visibility from adjacent off-site locations.

From 1st Avenue:	The western portion of the site is visible. The eastern portion of site is not visible due to intervening ridge.
From North:	Portions of the site are visible, and other portions are not visible due to the existing ridges.
From 1st Ave Bridge:	The eastern portion of the site is visible to those in cars traveling across the bridge and pedestrians.
From South:	From Oracle Road, there are vantage points where one can see the site, but with limited views.

The areas of high visibility were determined by field observation, topography, and aerial photograph reconnaissance.

See *Exhibit J: High Visibility Areas.*



The WLB Group **WLB**

EXHIBIT I
VIEWSHED KEY MAP

10.29.2014
Aerial Photo Date = 2013
WLB No. 181057-Y-002

0' 800'

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The WLB Group WLB

EXHIBIT I
VIEWSHED PHOTOGRAPHS 1

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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The WLB Group WLB

EXHIBIT I
VIEWSHED PHOTOGRAPHS 2

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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The WLB Group WLB

EXHIBIT I
VIEWSHED PHOTOGRAPHS 3

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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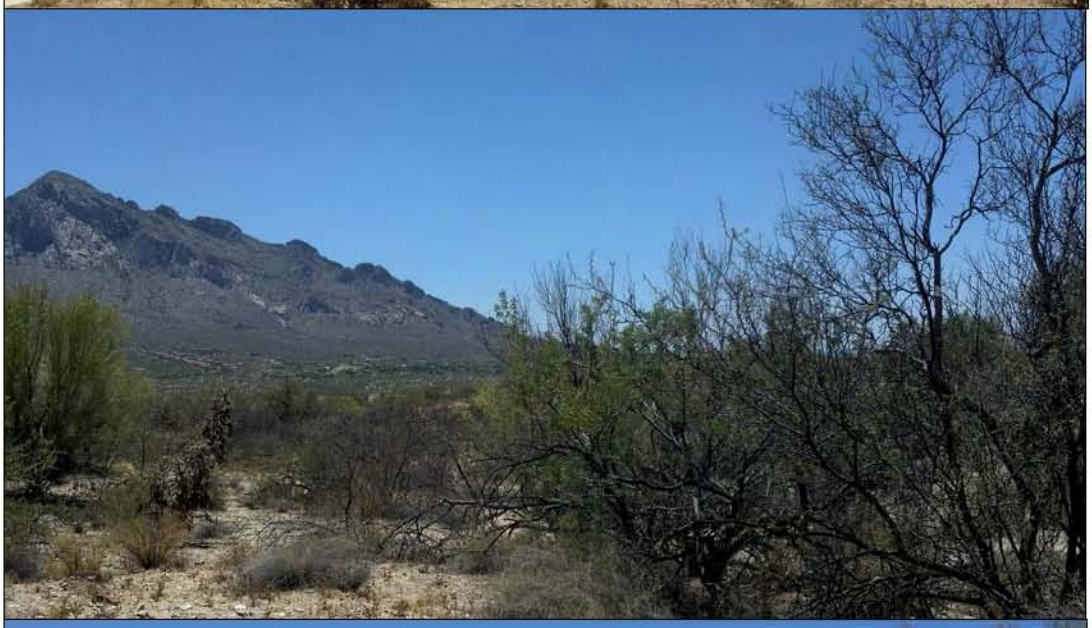

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The WLB Group WLB

EXHIBIT I
VIEWSHED PHOTOGRAPHS 4

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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EXHIBIT I
VIEWSHED PHOTOGRAPHS 5

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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The WLB Group WLB

EXHIBIT I
VIEWSHED PHOTOGRAPHS 6

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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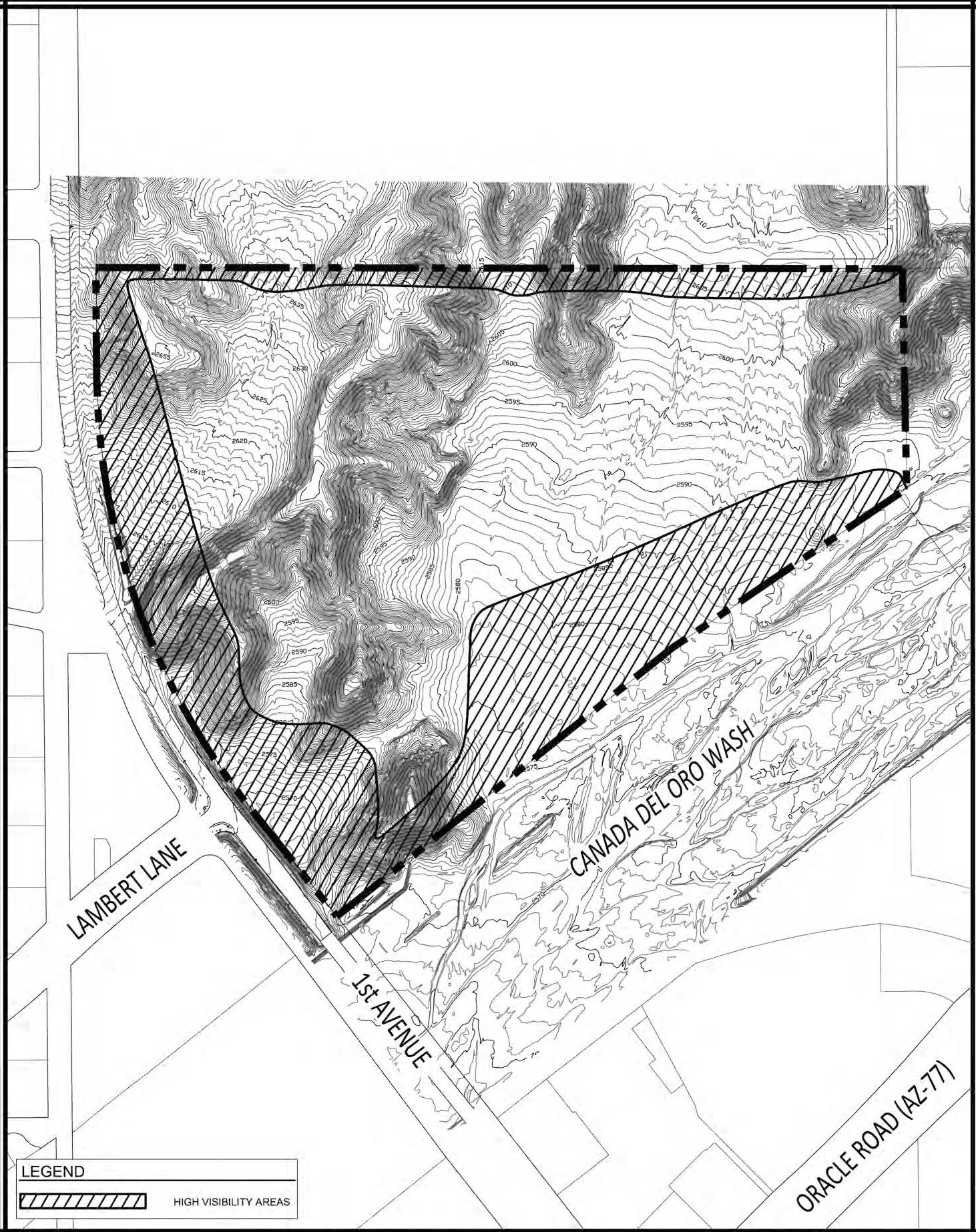

The WLB Group WLB

EXHIBIT J
HIGH VISIBILITY AREAS

10.30.2014
CONTOUR INTERVAL = 1 FT.
WLB No. 181057-Y-002

0' 400'

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I-G. Traffic

1. All existing and proposed off-site streets between the development and the nearest arterial streets.

Primary access to the subject property will be from the intersection of 1st Avenue and Lambert Lane. A secondary access point will be from 1st Avenue, approximately a quarter-mile north of the primary access point. Other arterial streets within one-mile of the subject property include Naranja Drive, Pusch View Lane, Tangerine Road, and Oracle Road. Roads adjacent to and within one-mile distance from the subject property are generally in excellent condition.

Please refer to *Exhibit K: Traffic.*

2. All arterial streets within one mile of the project site.

Road	Existing ROW	Ultimate ROW	Travel Lanes	Capacity	Speed Limit	ADT	Surface Conditions	Scheduled Improvements
1st Avenue	125' - 200'	150'	4	35,820	45 MPH	15,931 – 24,466	Generally Excellent	None Scheduled
Oracle Road	225' – 375'	200'	6	59,900	50 MPH	25,541	Generally Excellent	None Scheduled
Lambert Lane	150'	150'	2	15,930	45 MPH	12,162	Generally Excellent	None Scheduled
Naranja Drive	150'	150'	2	15,930	45 MPH	4,010	Generally Excellent	Funding Identified for 2018
Tangerine Road	200' – 650'	300'	4	35,820	45 MPH	10,543	Generally Excellent	None Scheduled
Pusch View Lane	135' – 330'	150'	4	35,820	35 – 45 MPH	5,926	Generally Excellent	None Scheduled

The following is the ADT for two additional road segments:

- Oracle Road south of 1st Avenue: 46,000 ADT (2008 PAG Data).
- Tangerine Road between La Canada Drive and 1st Avenue: 17,641 ADT (2013 PAG Data).

3. Existing and proposed intersections on arterials within one mile of the site, most likely to be used by traffic from this site.

Arterial intersections within one mile of the site that will likely carry traffic generated by this development include 1st Avenue and Lambert Lane, 1st Avenue and Naranja Drive, 1st Avenue and Oracle Road, and 1st Avenue and Tangerine Road. Please refer to *Exhibit K: Traffic*.

4. Existing bicycle and pedestrian ways adjacent to the site and their connections with streets, parks, and schools.

According to a review of the conditions of the area, there are paved bicycle lanes with striped shoulders along 1st Avenue and Naranja Drive, both which are adjacent to the site.

There are multiple bicycle facilities within one mile of the site, which are classified as follows:

- East of 1st Avenue, along Tangerine Road (striped shoulder and paved shared use path).
- West of 1st Avenue, along Tangerine Road (striped shoulder and paved shared use path).
- 1st Avenue (signed bike route with on-street bike lane and paved shared use path).
- Naranja Drive (striped shoulder).
- Palisades (striped shoulder).
- Lambert Lane (striped shoulder and paved shared use path).
- Pusch View Lane (signed bike route with on-street bike lane).
- Oracle Road (striped shoulder).
- Canada del Oro Wash (paved shared use path).

The bicycle lanes and paved shared use paths described above are interconnected and provide multi-modal transportation accessibility around the subject property.

I-H. Recreation and Trails

1. Trails, parks, and recreation areas within one mile of the site.

Paved shared-use paths exist along 1st Avenue, Lambert Lane, and the south side of the Canada del Oro Wash. Bicycle lanes with striped shoulders within one mile of the site also exist along 1st Avenue, Pusch View Lane, Lambert Lane, Naranja Drive, Palisades Road, Rancho Vistoso Boulevard, Naranja Drive, and Oracle Road.

A mountain bike trail is located immediately adjacent to the Steam Pump Ranch recreational facility, located southeast of the site and across the Canada del Oro Wash.

Catalina State Park, the Coronado National Forest, and Steam Pump Ranch are located within one mile of the site.

Oro Valley Trail #328 (as shown in the Oro Valley Trails Task Force Report), is located in the eastern portion of the site and connects to the Canada del Oro Wash.

Refer to *Exhibit L: Recreation and Trails*.

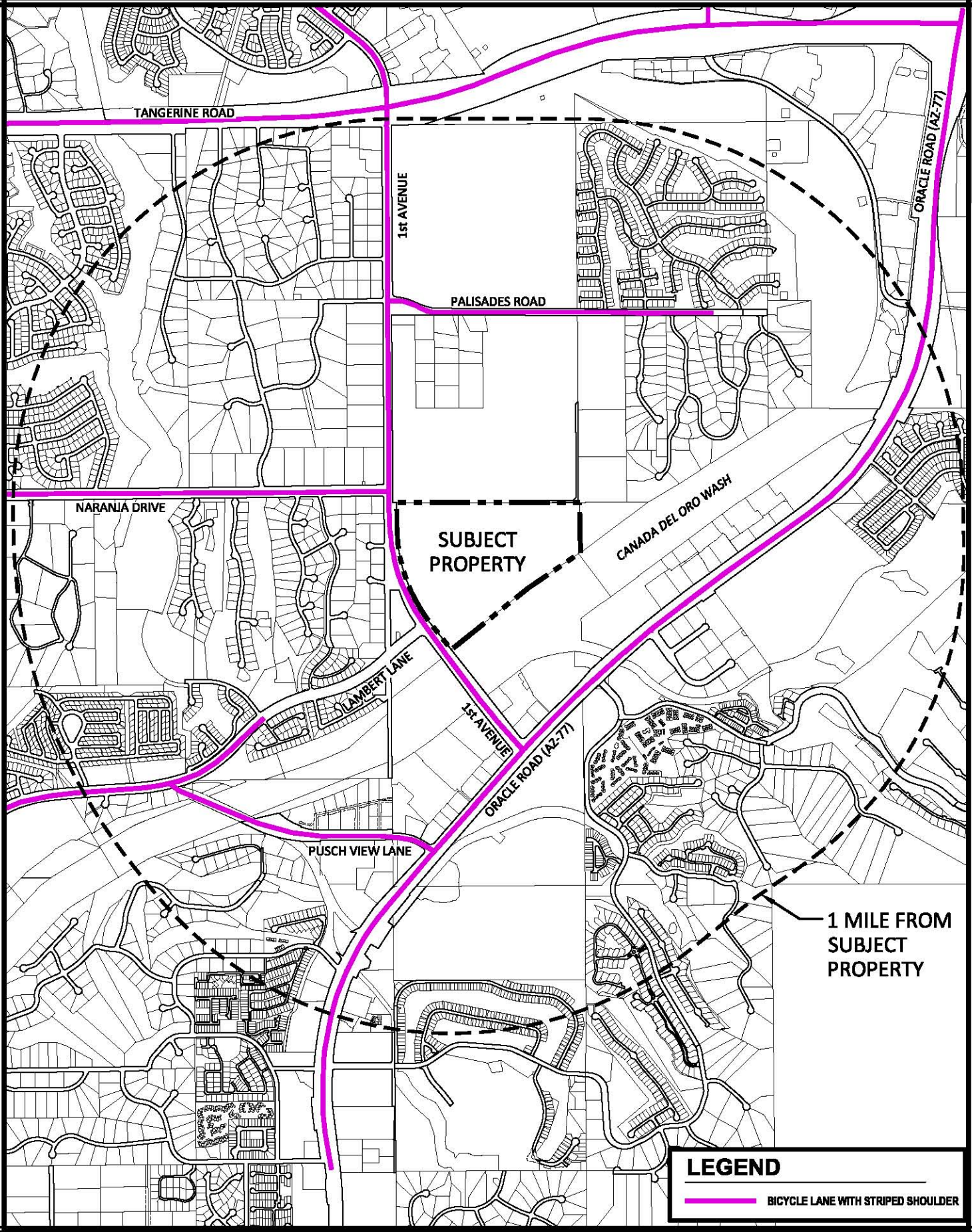
2. State the size and type of the parks and recreation area identified.

Catalina State Park consists of approximately 5,500 acres. The park features active and passive recreational areas, camping, equestrian facilities, hiking trails and restrooms.

The Santa Catalina District of the Coronado National Forest consists of approximately 155,000 acres (including the approximately 57,000 acre Pusch Ridge Wilderness Area). This recreational area features active and passive recreational areas, including trails, camping, fishing and equestrian activities.

The Canada Del Oro Riverfront Park consists of approximately 30 acres and is located just over one mile from the site. This park features active and passive recreational areas, ball fields, walking paths and restrooms.

Steam Pump Ranch recreational facility consists of approximately 15 acres and represents the history of Oro Valley's settlement. Steam Pump Ranch features trails, ramadas, and restrooms, and is a hub for community activities such as the weekly Oro Valley Heirloom Farmers Market. This recreational facility is typically open only for special uses and events (such as the farmers market) and reservations.



The WLB Group WLB

EXHIBIT K
TRAFFIC

10.29.2014
WLB No. 181057-Y-002

1/3 MILE

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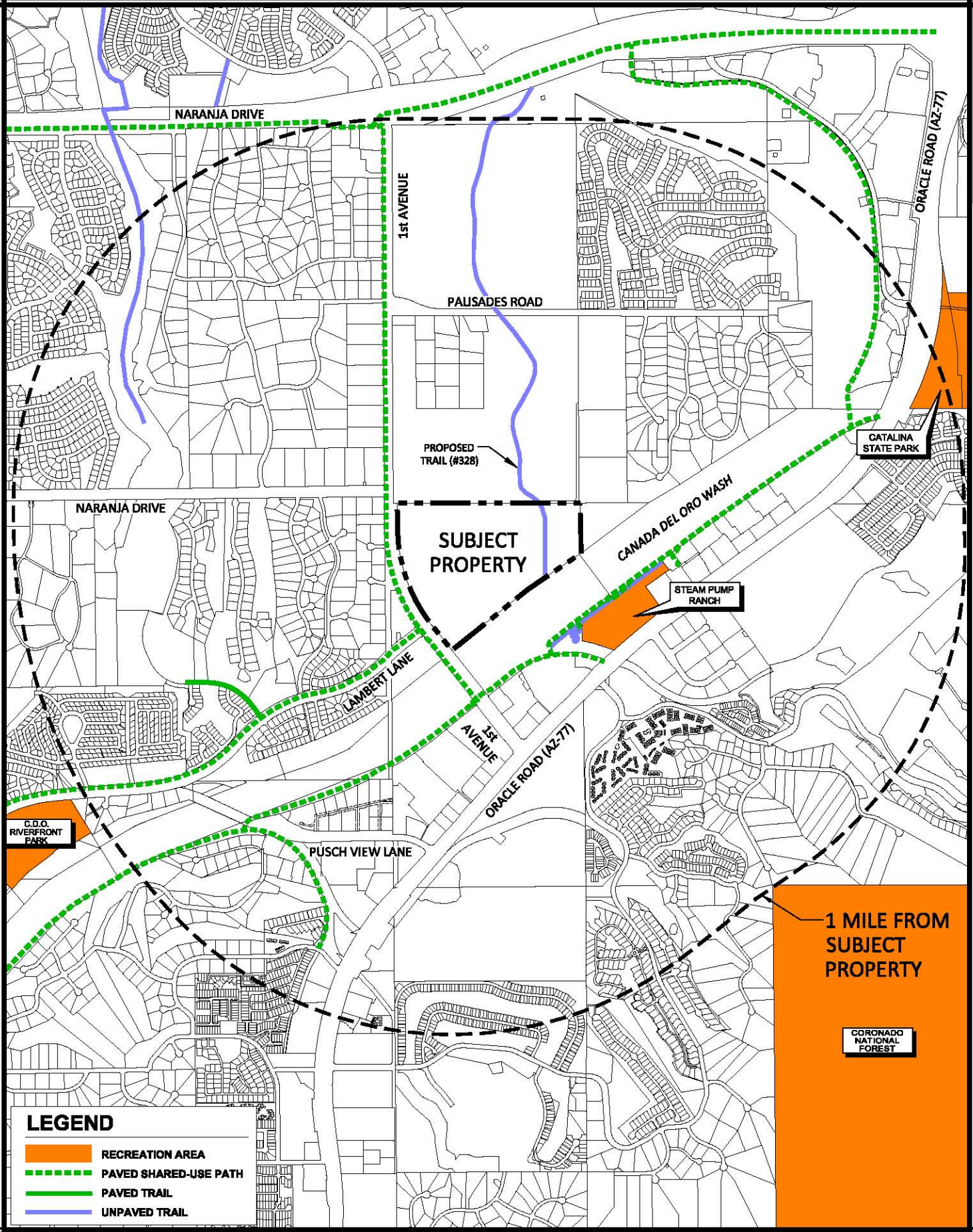

The WLB Group WLB

EXHIBIT L
RECREATION AND TRAILS

10.29.2014
WLB No. 181057-Y-002

1/3 MILE

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I-I. Cultural/Archaeological/Historic Resources

The previously completed archaeological survey for this site was updated in October of 2014 to determine if there are any significant cultural resources present on the site that might be adversely impacted by construction. The only cultural resources on the site consist of four areas with artifact scatters. Two of these sites have been assigned numbers with the Arizona State Museum (ASM) and the two new sites will be assigned site numbers. However, since these sites do not have the potential to yield meaningful information beyond their recording with ASM, no further studies are recommended. Of course, as required by State law, if human skeletal remains or funerary objects are discovered, the ASM should be contacted immediately.

I-J. Schools

1. Map all existing and proposed public schools within one mile of the site.

The site is located in the Amphitheater School District Number 10. There are no existing or proposed public schools within one mile of the site.

2. Describe or map the location of all existing and proposed public schools serving the site, if not within a one-mile radius of the site.

No schools will be serving this development due to the senior demographics (minimum age of 62 years old).

I-K. Water

1. **Name, address, and contact person for water service provider.**

   Contact Information: Mark Moore, Oro Valley Water Utility located at 11000 N. La Canada Drive, Oro Valley, AZ 85737

2. **If not within a defined water service area, explain how domestic water supply will be provided and address adequacy for future uses on the site.**

   The subject property is located within the defined water service area for Oro Valley Water Utility, and will be served by Oro Valley Water Utility. See *Exhibit M: Existing Wet Utility Locations* for the location of water utility infrastructure.

I-L. Sewers

The subject property contains an 18-inch, a 12-inch, and an 8-inch sewer line. All sewer lines are numbered as G-89-23. These are public sewer lines owned and maintained by Pima County Regional Wastewater Reclamation Department. See *Exhibit M: Existing Wet Utility Locations* for the location of sewer utility infrastructure.

Refer to *Exhibit M: Existing Wet Utility Locations.*

I-M. Environmentally Sensitive Lands Ordinance (ESLO)

According to the Town's Environmentally Sensitive Lands map, the subject property contains two environmentally sensitive land categories. Approximately 15.0 acres of the site is designated as a Critical Resource Area (CRA) (95% open space requirement), with the remaining approximately 64.5 acres of the site designated as a Resource Management Area Tier 2 (25% open space requirement).

Refer to *Exhibit N: Environmentally Sensitive Lands Map*.

Note: It should be noted that the property owner has submitted an application concurrent with this PAD application to request an amendment to the configuration of the CRA on this site. Please refer to the separate application and to *Exhibit T: Proposed ESL Map Amendment.*

I-N. McHarg Composite Map

Refer to *Exhibit O: Composite Map #1.*

I-M. Environmentally Sensitive Lands Ordinance (ESLO)

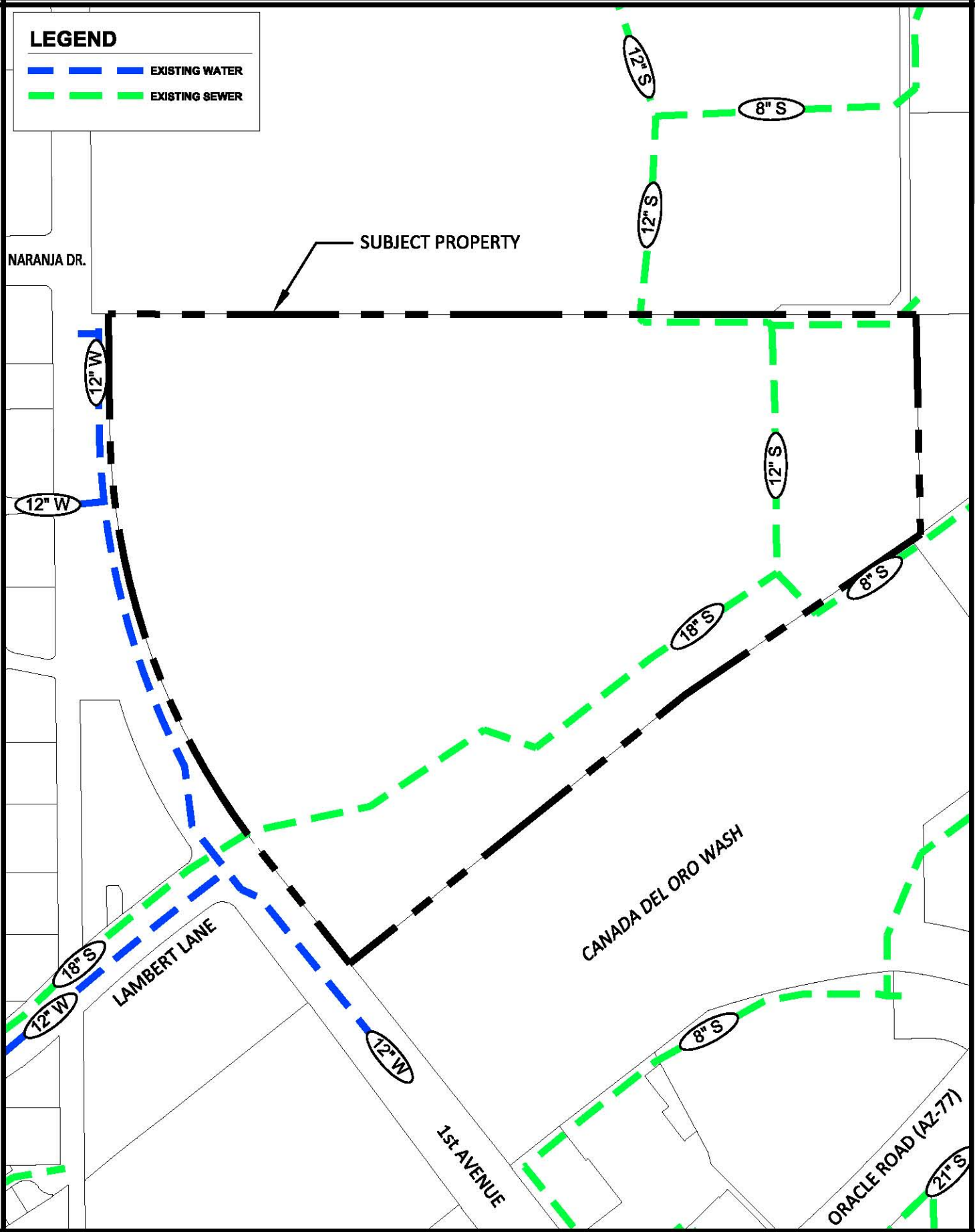
According to the Town's Environmentally Sensitive Lands map, the subject property contains two environmentally sensitive land categories. Approximately 15.0 acres of the site is designated as a Critical Resource Area (CRA) (95% open space requirement), with the remaining approximately 64.5 acres of the site designated as a Resource Management Area Tier 2 (25% open space requirement).

Refer to *Exhibit N: Environmentally Sensitive Lands Map*.

Note: It should be noted that the property owner has submitted an application concurrent with this PAD application to request an amendment to the configuration of the CRA on this site. Please refer to the separate application and to *Exhibit T: Proposed ESL Map Amendment.*

I-N. McHarg Composite Map

Refer to *Exhibit O: Composite Map #1.*



The WLB Group WLB

EXHIBIT M
EXISTING WET UTILITY LOCATIONS

10.30.2014
WLB No. 181057-Y-002

0' 400'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\M - Existing Wet Utilities.dwg Plotted: Oct. 31, 2014

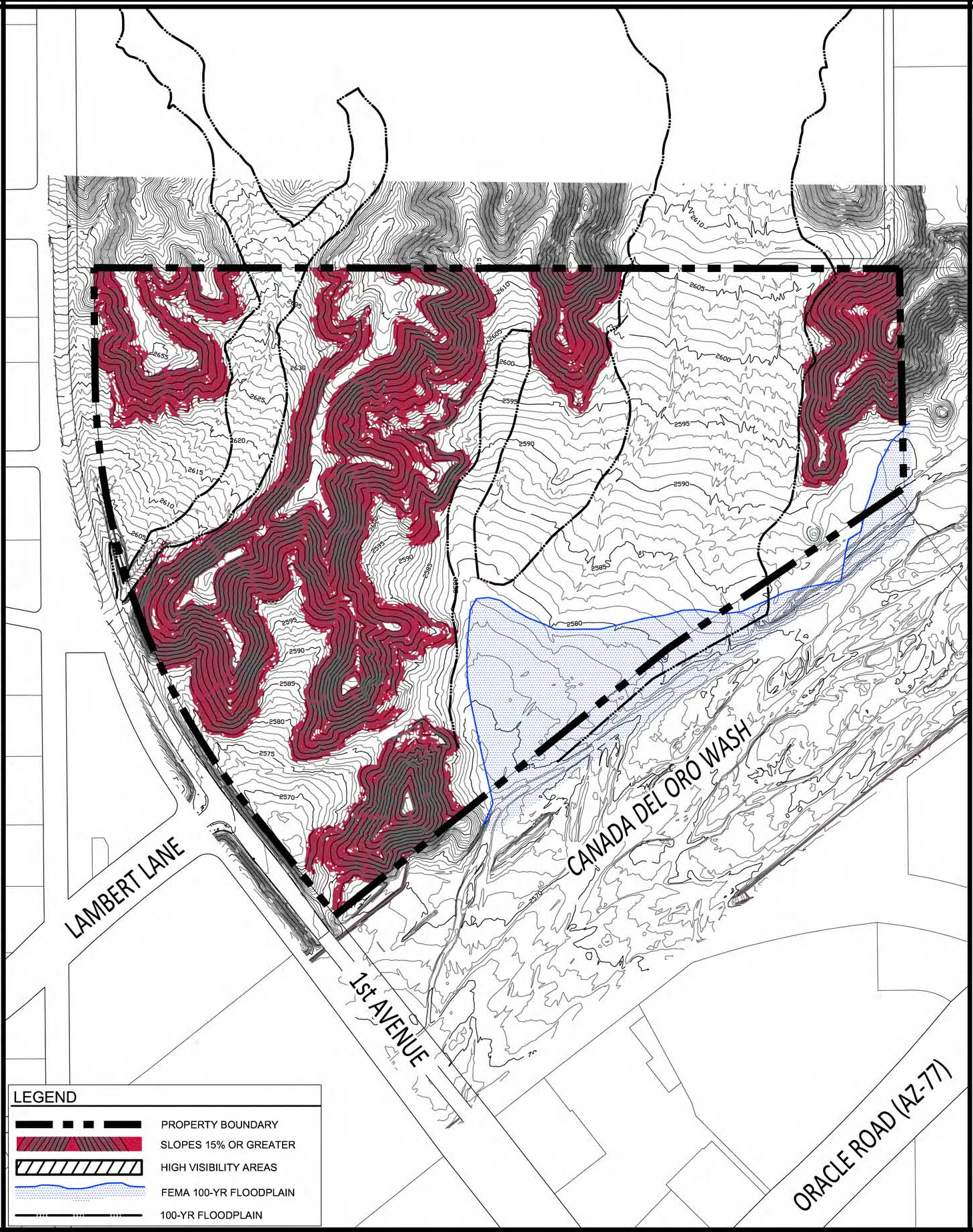
The WLB Group WLB

EXHIBIT N
ENVIRONMENTALLY SENSITIVE LANDS MAP

10.29.2014
Aerial Photo Date = 1998
WLB No. 181057-Y-002

0' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\N - ESLO.dwg Plotted: Oct. 31, 2014



The WLB Group WLB

EXHIBIT O
COMPOSITE MAP #1

10.27.2014
CONTOUR INTERVAL = 1 FT.
WLB No. 181057-Y-002

0' 400'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\O - Composite Map 1.dwg Plotted: Oct. 31, 2014

PART II - LAND USE PROPOSAL

II-A. Project Overview

1. Project Narrative

The Project

Nakoma Sky is a proposed continuing care retirement community (CCRC). It is proposed by the owners of the existing La Posada continuing care retirement community in Green Valley, Arizona. A CCRC is defined as follows:

> *A CCRC is a residential alternative for older adults (usually age 65 and older) that provides flexible housing options, a coordinated system of services and amenities, and a continuum of care that addresses the varying health and wellness needs of residents as they grow older. The emphasis of the CCRC model is to enable residents to avoid having to move - except, perhaps, to another level of care within the community - if their needs change and they require health care and supervision. Remaining within the community allows the residents to continue their existing relationships with a spouse and friends, avoid the stress of a move, and receive health care, should it be needed, in an environment they know and trust.*

La Posada is an award winning not-for-profit 501(c)(3) organization that has been providing homes and services for seniors 62 years and older on a beautiful 100-acre campus in Green Valley since 1987. La Posada plans to build a new innovative senior living campus in Oro Valley to help residents live well according to each person's definition and interests while additionally providing amenities that will connect to the broader Oro Valley community including parks, gardens, a cultural arts building, a coffee shop, resale shop, and an intergenerational adult day care and pre-school.

The campus, when built out, will have the potential for up to 400 units and will be constructed in phases over an extended period of time. La Posada expects to employ approximately 225 individuals with jobs ranging from professional management, fitness and wellness staff, sous chef/ restaurant skills, landscapers, caregivers, servers, etc. Swaback Partners (project architect) and The WLB Group, in association with La Posada, are working to create a land use and design to maximize the beautiful views of the mountains and to preserve much of the natural land forms of the site. Underground parking for apartment residents will help to preserve much of the natural environment, in addition to strategic locations for parking areas on the property.

The residents and the La Posada organization plans to be a significant partner in the Oro Valley community. A recent Eller School of University of Arizona study showed that La Posada in Green Valley provides an economic impact to our region of nearly $53 M annually. It is expected that a similar impact would be created by a campus in Oro Valley. A recent marketing study by a national consultant also demonstrated that there is a significant amount of growing need for La Posada's services in Oro Valley and nearby communities.

This PAD will allow the project to be designed in a cohesive and coordinated manner. Master planning provides for a superior product for the following reasons:

- Land uses can be arranged in manner that locates compatible uses in proximity to one another.
- Utilities can be brought to site in a coordinated and phased manner.
- Parks and recreational facilities can be planned and integrated into the project.
- It provides the opportunity to establish a unified architectural and landscape theme.
- This PAD allows for simple administration and regulation of the project by the Town of Oro Valley. All of the development regulations and standards are clearly identified within this document, and where the Oro Valley Code presides, this PAD clearly indicates the applicable Oro Valley Code section.

2. General Plan Compliance

a. General Plan Compliance

This project is in conformance with the Town of Oro Valley General Plan. The land use designation on the property is Master Planned Community (MPC) and this PAD request conforms to this land use designation.

The following is a list of development strategies employed by this project that make it compatible with the various policies and criteria found in the elements of the Oro Valley General Plan:

<u>Land Use Element:</u>

- The project contains varied types and intensities of development.
- The site analysis information contained in Part I of this PAD supports the land use proposals contained in the PAD.
- This project provides a mix of senior housing types, ranging from apartments to detached housing units.
- The PAD clusters development such that it protects the environmentally sensitive area of the site in conformance with the Oro Valley Zoning Code.
- A wide range of activities are provided in activity center areas – the core area, or Multiple Use District for the project, provides such activities as follows: recreation complex, spa and wellness center, arts and crafts area, outdoor pool terrace, multi-purpose room, modest performing arts center, daycare, outdoor dining and community park.

- The project provides a wide range of recreational facilities and links to open space, as well as a connection to a future linear park along the Canada del Oro Wash.

Transportation Element:

- Streets are curvilinear in nature.
- Safe pedestrian access is provided within the PAD to the community park.
- Sidewalks and other pedestrian paths are incorporated into the site.
- All streets meet public design standards.

Economic Development Element:

- The project will have a favorable fiscal impact on the community and the economy.

Open Space/Recreation Element:

- Pedestrian paths and bicycle lanes on streets are provided, and a non-motorized trail easement will be provided on the property to allow pedestrian and equestrian users to continue to access the Canada del Oro Wash.
- Open space facilities provide the opportunity to connect to a future trail along the proposed Canada del Oro Wash bank protection.
- The project provides handicapped accessibility.

Natural Resources Conservation Element:

- Regulated washes and their associated vegetation will be preserved to the greatest degree possible in their natural condition.
- Only plant materials as approved by this PAD will be used on the project.
- Environmentally sensitive materials will be used where feasible in areas where erosion protection is required.
- The Critical Resource Area (as amended) will be preserved in accordance with the Oro Valley Zoning Code.

Cultural/Historic Element:

- The site has been surveyed for archaeological resources and there are none that inhibit development of this site.

b. Special Area Policy

There is a Special Area Policy in the General Plan that was written for the previously contemplated traditional single family residential project on this property. The Special Area Policy reads as follows:

"The area designated as Master Planned Community may be developed at up to three units per acre."

A clarification of this General Plan Special Area Policy is being requested concurrent with this PAD, indicating that this Special Area Policy does not apply to this project for the following reason:

This Special Area Policy was written to limit the density of the traditional residential project previously proposed by Pepper Viner Homes for the property. The proposed continuing care retirement community is not a traditional residential project. Rather, the proposed project will contain a variety of uses, only one of which is residential. As such, it is our interpretation that this Special Area Policy does not apply to the Nakoma Sky continuing care retirement community, and would only apply if the property were to be developed as a traditional residential community.

3. Proposed Land Uses and PAD Districts

This PAD establishes its own zoning districts based on underlying zoning districts from the Oro Valley Zoning Code. One of the reasons for this PAD is that the Oro Valley Zoning Code does not contain a zoning district that allows for the intended use of the property as a continuing care retirement community. As such, this PAD establishes the following zoning districts:

- **Multiple Use District – Core** (underlying OVZC zoning district is R-6 Multi-Family Residential District).

- **Commercial, Medical and Service District – Northwest and Southwest** (underlying OVZC zoning district is C-N Neighborhood Commercial District).

- **Independent Living District** (underlying OVZC zoning district is R-4 Townhouse Residential District).

- **Open Space District** (underlying OVZC zoning district is Parks and Open Space District).

The table on the following page compares the requested PAD development standards with the underlying zoning districts.

Zoning District Comparison Table

ZONING DISTRICT	MINIMUM LOT AREA	MINIMUM LOT WIDTH	SETBACKS			MAXIMUM BUILDING HEIGHT	MINIMUM DISTANCE BETWEEN BUILDINGS	MINIMUM OPEN SPACE	MAXIMUM FLOOR AREA RATIO
Underlying: R-4	(1)	None	(2)			25' or 2 stories	10'	10%	N/A
PAD: Independent Living District	(1)	None	Per Section II-A.5 of this PAD			25' or 2 stories	10'	30% (over entire PAD)**	N/A
Underlying: C-N	N/A	N/A	F	R	S	25' or 2 stories	N/A	25%	0.25
			20'	0 - 50'	0 - 50'				
PAD: Commercial, Medical and Service	N/A	N/A	F	R	S	36'* (2 stories)	10'	30% (over entire PAD)**	0.35
			20'	0 - 50'	0 - 50'				
Underlying: R-6	N/A	N/A	F	R	S	25' or 2 stories	N/A	25%	0.25
			20'	0 - 50'	0 - 50'				
PAD: Multiple Use District	N/A	N/A	None			36' (2 stories) and 75'*	N/A	30% (over entire PAD)**	None

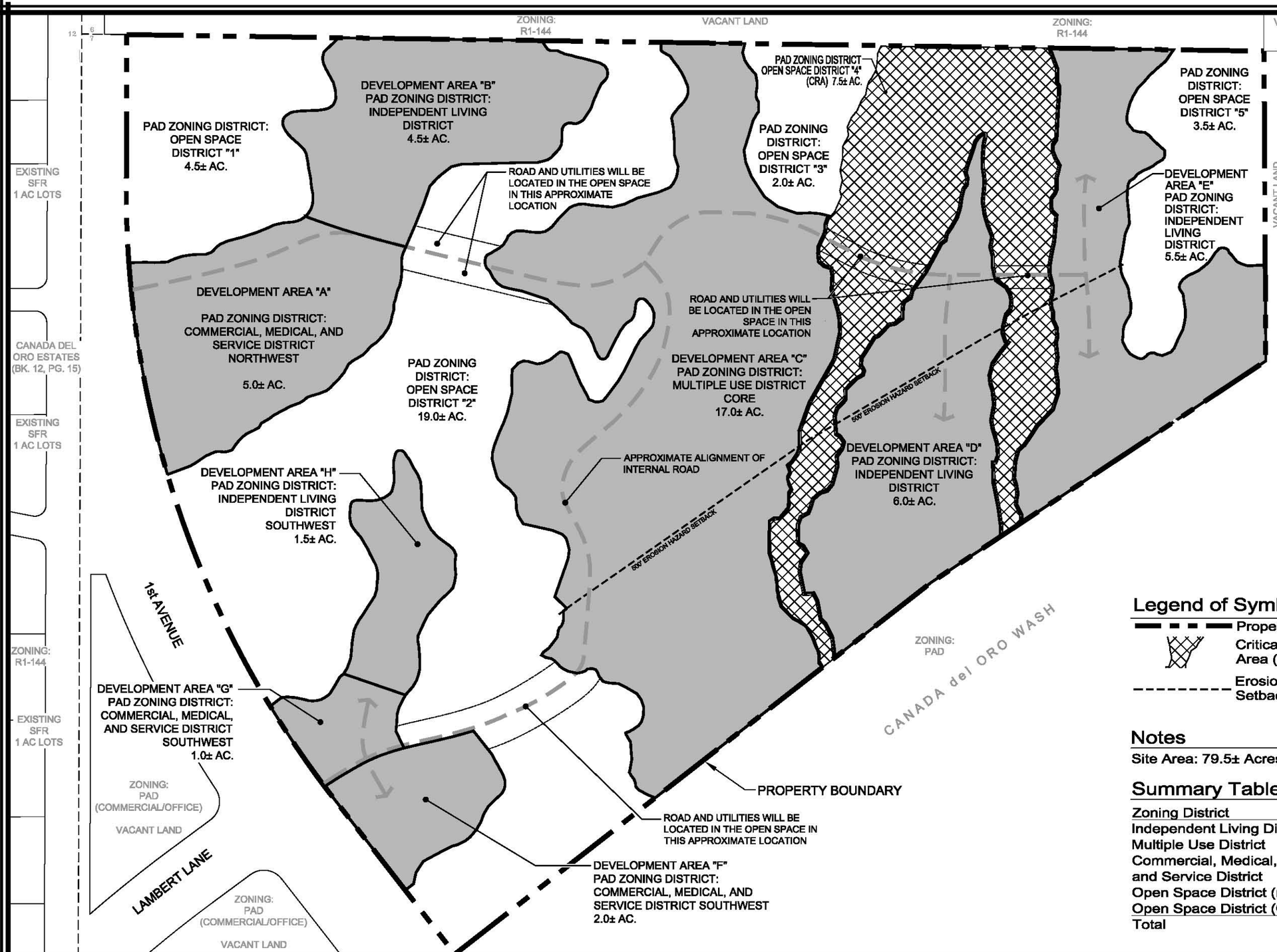
(1) The minimum gross land area per dwelling unit shall be five thousand four hundred fifty (5,450) square feet.

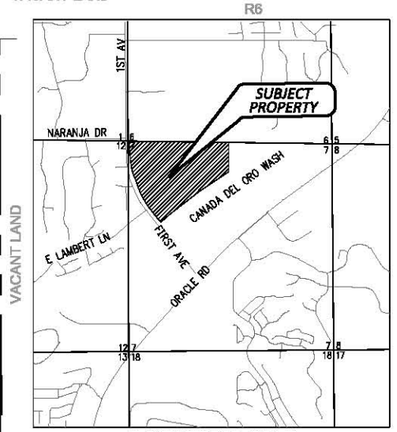
(2) Wherever an R-4 development abuts an R-1 District or an alley abutting R-1 Districts, the following shall apply:

- A setback of not less than 30 feet shall be maintained for single-story structures.
- An additional depth of 10 feet shall be provided for each additional story.
- Wherever an R-4 development abuts any district other than R-1, or abuts an alley adjacent to such other district, a setback not less than 10 feet in depth shall be maintained.
- No building or part thereof shall be erected or altered in this district that is nearer a dedicated street or private street than 20 feet, except that the average setback from any dedicated street shall be at least 25 feet.

*Refer to the development standards in Section II-A.5 for the specific locations on the site where each building height is permitted. 75' is permitted only in Development Area "C" as shown on *Exhibit P.*

**The 30% open space is over the entirety of the property, and not per the individual zoning districts.





LOCATION MAP

A PORTION OF SECTION 7,
TOWNSHIP 12 SOUTH, RANGE 14 EAST,
GILA & SALT RIVER MERIDIAN
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SCALE: 3" = 1 MILE

Legend of Symbols

- Property Boundary
- Critical Resource Area (Proposed)
- Erosion Hazard Setback (500')

Notes

Site Area: 79.5± Acres

Summary Table

Zoning District	Acreage	% of Site
Independent Living District	16.0±	20.1±%
Multiple Use District	17.0±	21.4±%
Commercial, Medical, and Service District	9.5±	12.0±%
Open Space District (non-CRA)	29.5±	37.1±%
Open Space District (CRA)	7.5±	9.4±%
Total	79.5±	100.0±%

The WLB Group Inc. WLB
TUCSON - PHOENIX - LAS VEGAS - FLAGSTAFF

Exhibit P: PAD Zoning Districts

12.19.2014
WLB No. 181057-Y-002

0' 100' 200' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\P - PAD Zoning Districts.dwg Plotted: Dec. 19, 2014

4. Permitted Uses

a. This section of the PAD outlines the permitted uses for the property. Please refer to *Exhibit P: PAD Zoning Districts* for the location of the PAD Zoning Districts and the Development Areas to which are referred in the table below. In the table below, "P" means the use is permitted in that zoning district. All other uses permitted under the base zoning districts (R-4, R-6 and C-N) are permitted by right.

Table of Permitted Uses

Use	Independent Living District (Development Areas B, D, E & H)	Commercial, Medical and Service (Development Area A)	Commercial, Medical and Service (Development Areas F & G)	Multiple Use District (Development Areas C)	Open Space District
Antique Store			P		
Apartment for Senior Living (62 years and older)				P	
Art Gallery			P	P	
Assisted Living	P	P		P	
Bakery			P		
Bicycle Shop			P		
Book Store			P		
Camera Store			P		
Candy Shop			P		
Children's Museum		P	P	P	
Coffee Shop			P	P	
Condominium	P	P	P	P	
Craft Shop			P		
Day Care			P	P	
Day Nursery			P	P	
Dining Facilities (1)	P	P	P	P	
Duplex/Multiple Dwelling for Senior Living (62 years and older)	P	P	P	P	
Florist			P		
General Merchandising			P		
Gift/Hobby Shop			P		
Health Spa/Fitness Center			P	P	
Ice Cream Shop			P		
Improved Open Space	P	P	P	P	P
Mail Service		P	P	P	
Memory Care	P	P		P	

Use	Independent Living District (Development Areas B, D, E & H)	Commercial, Medical and Service (Development Area A)	Commercial, Medical and Service (Development Areas F & G)	Multiple Use District - Core (Development Area C)	Open Space District
Multiple Dwelling Unit for Senior Living (62 years and older)	P	P	P	P	
Natural Undisturbed Open Space	P	P	P	P	P
Office and Administration	P	P	P	P	
Optician			P		
Parking (at, below and above grade) in conjunction with and only to serve other permitted uses)	P	P	P	P	P
Parks, Trails & Recreational Facilities	P	P	P	P	P
Physician / Nurse Practitioner	P	P	P	P	
Recreational Facilities, Active and Passive	P	P	P	P	P
Residential Dwelling (Attached or Detached) for Senior Living (62 years and older)	P	P	P	P	
Restaurant (1)		P	P	P	
Roads/Streets	P	P	P	P	P (2)
Sales/Welcome Center			P	P	
Shoe Repair			P		
Theater			P	P	
Townhouse for Senior Living (62 years and older)	P	P	P	P	
Trails & Walking Paths	P	P	P	P	P
Utilities and Associated Facilities Necessary to Serve the Project	P	P	P	P	P
Video Store			P		
Wellness Center/Spa/Fitness Pavilion		P	P	P	

(1) A dining facility is a place within a building where food is served and a restaurant is an establishment where the primary business is serving food to the public. The specific location of restaurants on the site will be determined during the site plan process.
(2) Roads/streets are permitted in open space where necessary to provide connection to the Development Areas or to utility facilities.

5. Development Standards

- The following are the development standards for each of the PAD Zoning Districts.

Multiple Use District (Core)

a. Minimum Site Building Setbacks:

- Adjacent to Northern Boundary of Site: 20 feet.
- Adjacent to Canada del Oro Wash: 50 feet.

b. Minimum Distance Between Buildings: 10 feet.

c. Building Height Limitations:

- 75 feet (five stories) with an additional 10 feet for architectural features permitted on a maximum of 25% of the building area.
- 36 feet (two stories) for all other buildings in this district.
- 15 feet above the 36-foot maximum building height described above for an uninhabitable architectural feature.
- Building height shall mean the vertical distance measured from finished grade found along the outside walls of a building to the highest point of the building, excluding architectural features.

d. Minimum Interior Setback Requirements: None.

e. Floor Area Limits: None.

Independent Living District

a. Minimum Site Building Setbacks:

- Adjacent to 1st Avenue: 50 feet.
- Adjacent to Northern Boundary of Site: 20 feet.*
- Adjacent to Eastern Boundary of Site: 20 feet.
- Adjacent to Canada del Oro Wash: 50 feet.

*Development Area B as shown on *Exhibit P: PAD Zoning Districts* will provide a 32-foot building setback along its northern boundary to match the building setback of the residential lot located on the property to the north of this site.

b. Minimum Distance Between buildings: 10 feet.

c. Minimum Distance Between Residential Structure and Commercial Structure: 50 feet.

d. Building Height Limitations: 25 feet (two stories). Building height shall mean the vertical distance measured from finished grade found along the outside walls of a building to the highest point of the building, excluding architectural features.

e. Minimum Interior Setback Requirements: None.

f. Minimum Lot Area: None.

Commercial, Medical and Service District (Northwest and Southwest)

a. Minimum Site Building Setbacks:

- Adjacent to 1st Avenue: 50 feet.
- Adjacent to Canada del Oro Wash: 50 feet.

b. Minimum Distance Between Buildings: 10 feet.

c. Building Height Limitations:

- 30 feet (two stories) for residential buildings.
- 25 feet (one story) for any building in Development Area A (as shown on *Exhibit P: PAD Zoning Districts*) that is located within 150 feet of the western boundary of this PAD.
- 36 feet (two stories) for non-residential buildings.
- Building height shall mean the vertical distance measured from finished grade found along the outside walls of a building to the highest point of the building, excluding architectural features.

d. Minimum Interior Setback Requirements: None.

e. Floor Area Limits: 0.35.

Open Space District

- A minimum of 30% of the gross site area shall be reserved as open space.

6. Units

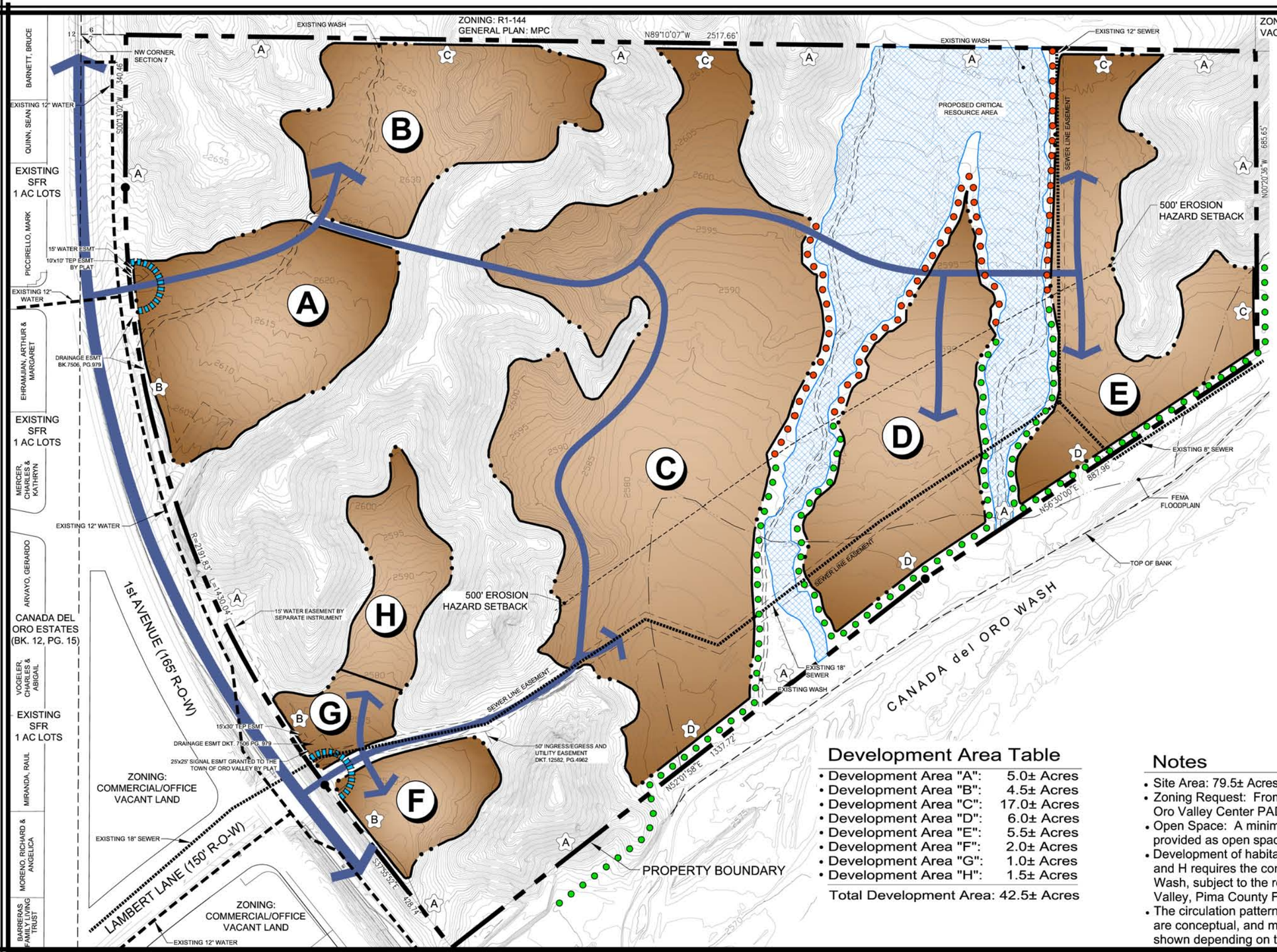
- Maximum number of units: 400 units. A unit is defined as a building, or a portion of a building, designed or used a living quarters, including bathroom facilities and that may or may not include kitchen facilities, sleeping and living areas.

7. Tentative Development Plan

The Tentative Development Plan (TDP) for this project is being presented in a two-pronged manner, described as follows:

The first part involves *Exhibit Q: Development Areas* which is presented in "bubble" diagram format. The "bubbles" represent the proposed development areas on the site. Each development area has been assigned a letter and an approximate acreage has been provided for each area as well. These development areas were identified based on the site analysis performed for this property. This exhibit shows surveyed property boundaries and dimensions, internal circulation, natural open space areas, adjacent public right-of-way and adjoining vacant and developed properties. It should be noted that the following modifications to this plan are permitted without an amendment to the PAD: modifications to the internal circulation system and the boundaries of the Development Area boundaries.

The Tentative Development Plan (TDP) for the project is shown on *Exhibit R*. It should be noted that as planning of the property continues, the final site plan (or plans) to be shown on future Conceptual Site Plans (CSP) may differ from that which is shown on these plans. However, provided that the development is consistent with the development areas shown on the Tentative Development Plan (bubble format) and provided that future plans conform with the intent, development standards and regulations established herein, no amendment to this PAD will be required to allow such plans.



LOCATION MAP

A PORTION OF SECTION 7,
TOWNSHIP 12 SOUTH, RANGE 14 EAST,
GILA & SALT RIVER MERIDIAN
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SCALE: 3" = 1 MILE

Legend of Symbols

- Property Boundary
- Development Area Boundary
- Proposed Tributary Wash Bank Protection
- Proposed Canada del Oro Wash Bank Protection
- Point of Ingress / Egress
- A — 40' Natural Buffer Yard
- B — 15' Enhanced Buffer Yard
- C — 15' Natural Buffer Yard
- D — 50' Open Space Area with 10' Enhanced Buffer Yard
- Proposed Critical Resource Area (7.5± Ac.)
- Existing Water Line
- Existing Sewer Line
- Internal Vehicular Circulation

Development Area Table

• Development Area "A":	5.0± Acres
• Development Area "B":	4.5± Acres
• Development Area "C":	17.0± Acres
• Development Area "D":	6.0± Acres
• Development Area "E":	5.5± Acres
• Development Area "F":	2.0± Acres
• Development Area "G":	1.0± Acres
• Development Area "H":	1.5± Acres
Total Development Area:	42.5± Acres

Notes

- Site Area: 79.5± Acres.
- Zoning Request: From Rooney Area Z PAD and Rooney Ranch Oro Valley Center PAD to La Posada at Rooney Ranch PAD.
- Open Space: A minimum of 30% of the gross site area will be provided as open space.
- Development of habitable structures in Development Areas F, G, and H requires the construction of bank protection along the CDO Wash, subject to the review and approval of the Town of Oro Valley, Pima County Flood Control District, and FEMA.
- The circulation patterns and development area boundaries shown are conceptual, and may ultimately be different from that which is shown depending on the final configuration of the site.

The WLB Group WLB
TUCSON - PHOENIX - LAS VEGAS - FLAGSTAFF

Exhibit Q: Development Areas

12.19.2014
CONTOUR INTERVAL = 1 FOOT
WLB No. 181057-Y-002

0' 100' 200' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\Q - Dev Areas.dwg Plotted: Dec. 19, 2014

Site Area: 80 Acres +/_ . Oro Valley, Arizona

EXHIBIT R: TENTATIVE DEVELOPMENT PLAN

October 2014

LEGEND

1. Primary Access to the Community . Signage Wall
2. Village Retail . Cafe . Store . Bar
   10,000 sf. - 40 parking spaces + 15 on-street parking
3. Marketing Welcome Center . 2,500 sf. - 12 parking spaces
4. Entertainment Village - Theater, Classrooms, Day-care, Playground, Outdoor Amphitheater.
5. Residential - 17 South Cottages + 10 North Cottages
   Average Square Footage 1,400 with attached garages.
   On-street parking for visitors
6. Trail Head Access with Trellis, Water, Public Bathroom, Golf-Carts Parking, Bike racks
7. Resting Area . Mountain Views and Look Out Cabana with Telescope.
8. Access to Community Park
9. Arrival Plaza
10. Access to Underground Parking for Residents and Employees
11. Service Access Road to Underground Delivery Area . Kitchen . Garbage Pick-up Areas (Secondary PickUp areas will be located on each of the buildings) . Storage . Mechanical
12. Arrival Court . Main Access to Apartment Buildings and Core
13. Restaurants . Bar & Bistro Cafe . Chef Kitchen . Demo and Community Kitchen
14. Residential Apartments .
    Average Square Footage 1,300 with underground private garages.
    Total 220 Units +/_
15. Community Village Main Courtyard
16. Offices . Arts . Flex Rooms . Beauty . Card Room . Tech Room Compound
17. Meeting Rooms . Post Office
18. Residents Pools . Cabanas . Restrooms . Bar
19. Outdoor Patios . Fire Pits . Lounge Rooms .
20. Residential Estates Mountain View . Average Lots Square Footage 4,500
    36 Lots Total . Average Homes Square Footage 2,000
21. Wellness & Spa Village . Exercise Rooms . Yoga .
    Meditation . Indoor Pool . Roof Top Pool . Gardens
22. Facilities Management . Central Plan . Services . Overflow Parking + Community Trams Parking . Solar Array and related Facilities.
23. Golf Carts Parking / Charging Station
24. Northern Arrival Plaza
25. Assisted Living & Memory Care . Approximately 42 Units for Assisted Living and 30 Units for Memory Care . Plus additional Service, Recreational and Common Areas . 55 +/- Parking Spaces
26. Residential Villas . 22 Units (11 1st level + 11 2nd Level) .
    Average Square Footage 1,600
27. Residential Hill Villas . 5 Units with attached parking (one level) .
    Average Square Footage 1,600
28. Community Park . Public Bathrooms . Ramadas . Gardens .
    Dog Park . BBQ Areas . Water Splash Park
29. Gate / Signage Entrance to Residential Apartments Core
30. Visitors Parking (35 +/-)
31. Guest House

Notes:

1) This Tentative Development Plan (TDP) designates a parking garage beneath the apartment building. If surface parking is to be used on this site instead of, or in addition to, the parking garage, then those surface parking areas will be as shown on Exhibit DD. The use of surface parking rather than or in addition to the parking garage will not require an amendment to this PAD.
2) Modifications to this Tentative Development Plan (TDP) shall be in accordance with Section II-W: General PAD Administation of this PAD.

8. Architectural Design Criteria

The architectural design criteria for the project is as shown in the representative imagery contained in the appendices to this document.

The architectural design criteria will also be in accordance with the Design Standards for the Town of Oro Valley (Addendum A, Adopted by Ordinance #11-20 on July 6, 2011).

9. Landscape Design Criteria

Landscape design shall be per section 27.6 of the Oro Valley Zoning Code (including native plant salvage, landscaping, water harvesting and irrigation standards) with the exception that all plants from the Arizona Department of Water Resources Low Water Use Drought Tolerant Plant List for the Tucson Active Management Area be permitted for use in this PAD, except that no palms are permitted. Plants from the Oro Valley Zoning Code Addendum C: Approved Native Plant List are also permitted in this PAD, and may be used anywhere within the PAD.

In addition to this, landscape design shall be in accordance with the Design Standards for the Town of Oro Valley (Addendum A, Adopted by Ordinance #11-20 on July 6, 2011).

The following area some of the landscape design criteria that are listed in the Design Standards and that will apply to this PAD:

- Existing natural landscaping and habitat shall be preserved to the greatest extent possible by the following: (1) encouraging clustering of buildings to preserve sensitive areas and maximize open space, and (2) identification of specimen plants and incorporating into landscape plans.

- Landscaping shall be considered an integral element of the project when site planning.

- Landscaping shall be provided to highlight the built environment.

- Landscaping shall be used to help define pedestrian circulation.

- Landscaping shall be used to accentuate building and project entrances.

- Landscaping and hardscaping shall be provided at intersections to create focal points in the development.

- Trees and plant materials shall be used to maximize shade for pedestrians.

- Landscaping shall be designed to provide shade for pedestrians, automobiles and western facing structural elements.

- Undesirable views shall be screened with plant materials.

- Landscaping shall be used in plazas and courtyards to create a sense of enclosure in seating and gathering areas, where appropriate.

10. General Design Criteria

The Design Standards for the Town of Oro Valley (Addendum A, Adopted by Ordinance #11-20 on July 6, 2011) contain standards specific to continuing care retirement communities and this project will adhere to them. They are as follows:

- Paved, lighted, Americans with Disability Act of 2010 (ADA)-accessible walkways shall be provided between all common facilities and residential buildings.

- Shaded seating areas shall be provided along walkways with a minimum of two adequately separated seating areas provided along any walkway over 400 feet in length.

- ADA accessibility shall be provided to all buildings and facilities.

- An accessible route meeting the 2010 ADA Standards for Accessible Design shall be provided through the project and connecting with the 1st Avenue right-of-way.

- A transit stop on 1st Avenue will be provided in accordance with the Oro Valley Zoning Code.

- This PAD shall comply with the Town of Oro Valley Design Standards, Addendum A (Adopted by Ordinance #11-20 on July 6, 2011).

Also, the Site Planning standards contained within the Design Standards for the Town of Oro Valley shall apply to this site.

II-B. Existing land Uses

1. Zoning boundaries and existing land uses.

Refer to *Exhibit P: PAD Zoning Districts.*

2. Effect of the proposed development on existing land uses on and off-site.

The proposed development essentially has no effect on existing onsite land uses since the land is currently vacant. However, the development of the site will curtail the previously-mentioned illegal use of the property. This project, through the proposed development standards herein, has mitigated any negative impacts on existing off-site uses.

II-C. Environmentally Sensitive Lands

1. Map and identify all ESL Conservation Categories and Environmentally Sensitive Open Space (ESOS).

Refer to *Exhibit S: ESOS.*

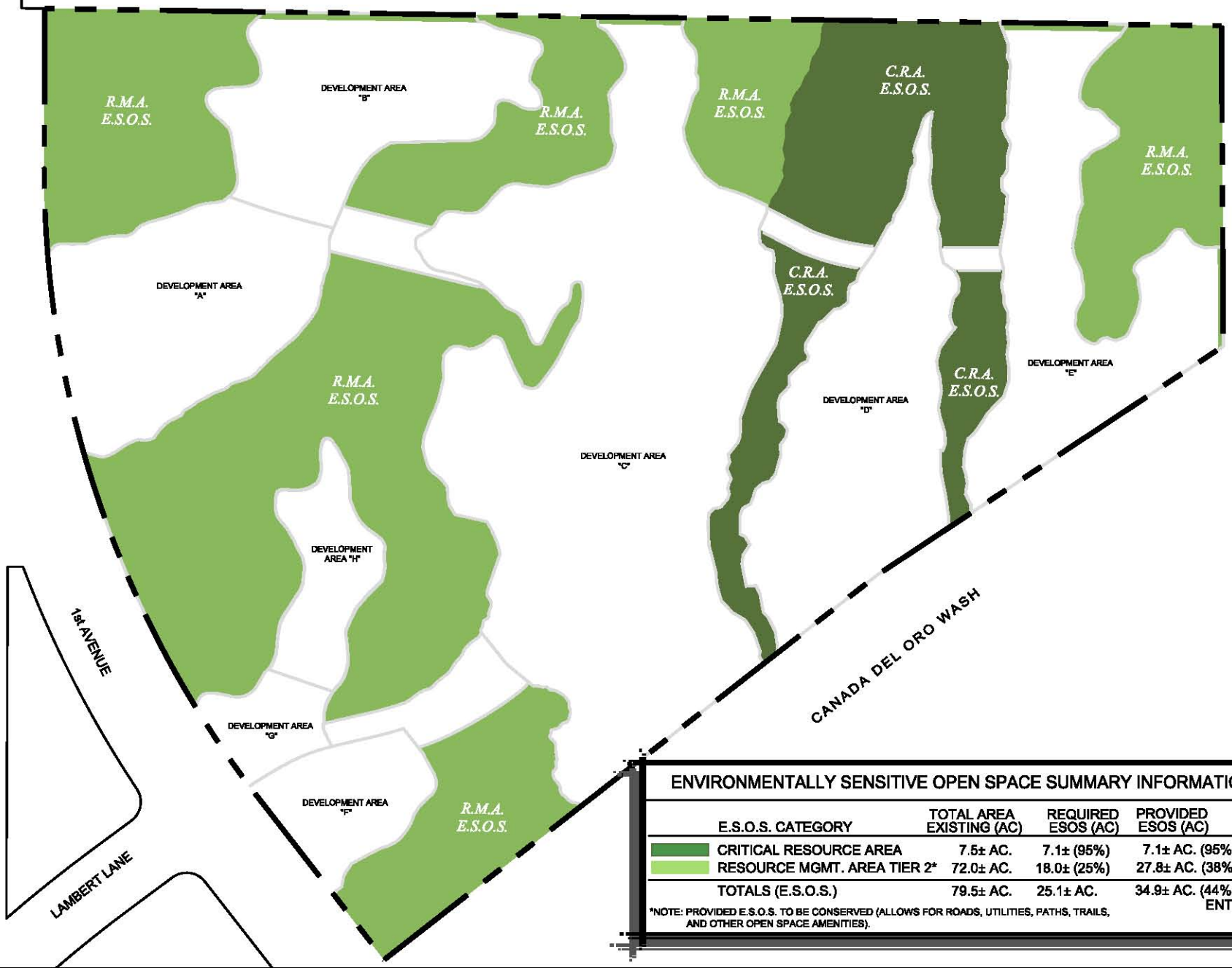
2. ESOS Table

Environmentally Sensitive Open Space (ESOS) Table			
ESOS Category	**Total Area Existing on Site**	**Required ESOS on Site**	**Provided ESOS on Site**
Critical Resource Area (CRA)*	7.5+/- ac.	7.1+/- ac.	7.1+/- ac (95% of CRA)
Resource Management Area (RMA) Tier 2**	72.0+/- ac.	18.0+/- ac.	27.8+/- ac (38% of RMA)
Totals	**79.5+/- ac.**	**25.1+/- ac.**	**34.9+/- ac. (44% of entire site)**

*CRA requires 95% conserved open space.
**RMA Tier 2 requires 25% conserved open space.

As previously mentioned, an application has been submitted concurrent with this PAD application to amend the configuration of the CRA on the property. The portion of the property currently designated as CRA has been analyzed by RECON Environmental, Inc. to determine if the CRA area should be modified based on a ground level biological assessment of the site. The results of their analysis indicate that the CRA should be reconfigured as shown on *Exhibit T: Proposed ESL Map Amendment* to more accurately reflect the biological resources of the site.

Please refer to the separately submitted Recon Environmental., Inc. report for additional information.



ENVIRONMENTALLY SENSITIVE OPEN SPACE SUMMARY INFORMATION

E.S.O.S. CATEGORY	TOTAL AREA EXISTING (AC)	REQUIRED ESOS (AC)	PROVIDED ESOS (AC)
CRITICAL RESOURCE AREA	7.5± AC.	7.1± (95%)	7.1± AC. (95% OF C.R.A.)
RESOURCE MGMT. AREA TIER 2*	72.0± AC.	18.0± (25%)	27.8± AC. (38% OF R.M.A.)
TOTALS (E.S.O.S.)	79.5± AC.	25.1± AC.	34.9± AC. (44% OF ENTIRE SITE)

*NOTE: PROVIDED E.S.O.S. TO BE CONSERVED (ALLOWS FOR ROADS, UTILITIES, PATHS, TRAILS, AND OTHER OPEN SPACE AMENITIES).

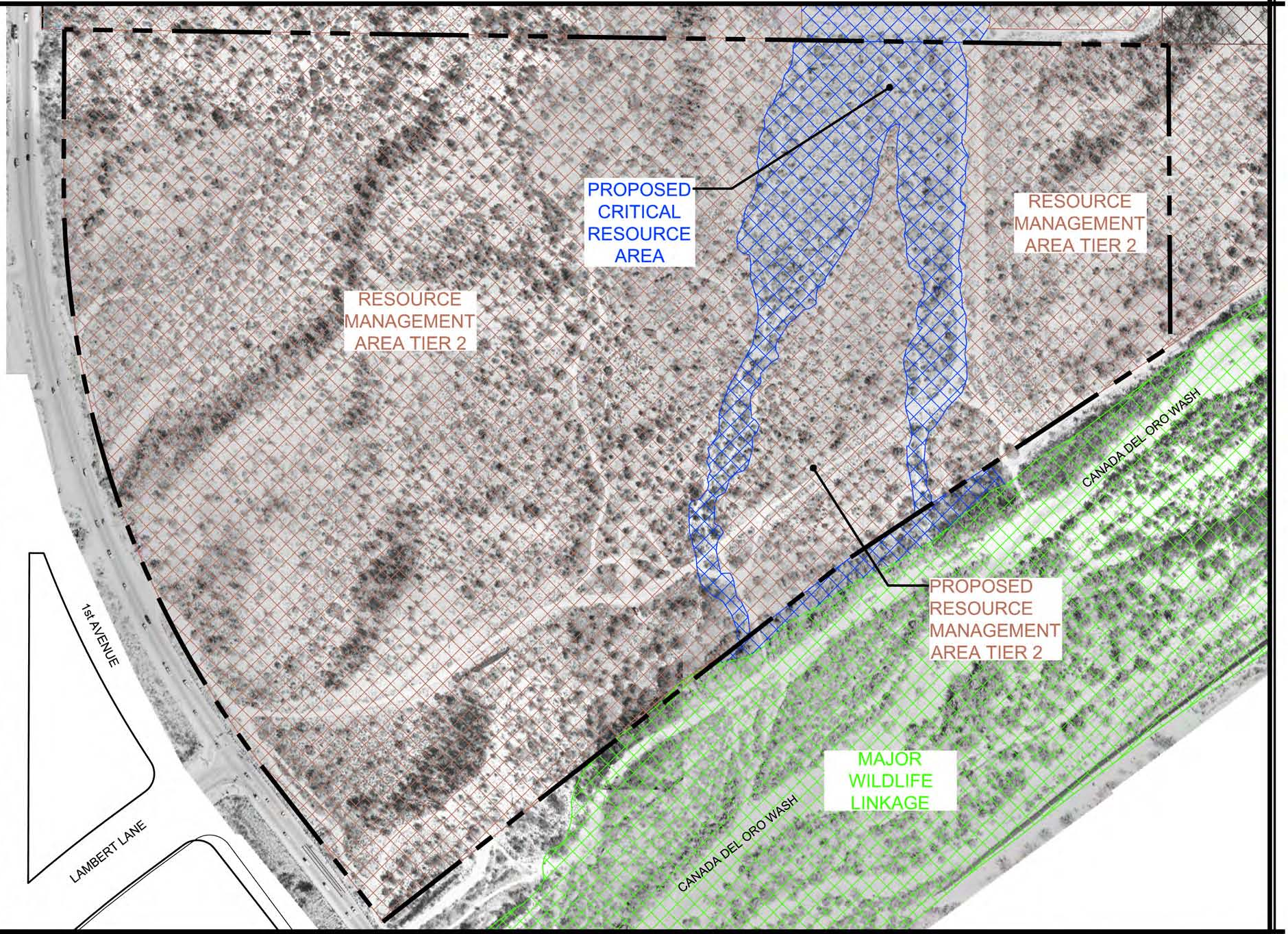
The WLB Group WLB

EXHIBIT S
ESOS

12.17.2014
WLB No. 181057-Y-002

0' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\S - ESOS.dwg Plotted: Dec. 17, 2014



The WLB Group WLB

EXHIBIT T
PROPOSED ESL MAP AMENDMENT

12.18.2014
Aerial Photo Date = 1998
WLB No. 181057-Y-002

0' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\T - Proposed ESLO Amendment.dwg Plotted: Dec. 18, 2014

II-D. Topography

1. **How the TDP responds to topographic characteristics described in Part I.**

This project respects the existing topography of the site and conforms with the Hillside Area Category of ESLO. Refer to below table for the total areas of slope and the corresponding disturbance percentages per slope category.

Slope Categories (per ESLO)	% of Site	Area (Ac.)	% of Allowed Disturbance Per ESLO Table 27.10-4	Allowable Disturbance Area (Ac.)
0% to 15%	64.1%	51.0±	100%	51.0±
15% to 18%	3.3%	2.6±	40%	1.1±
18% to 20%	2.4%	1.9±	30%	0.6±
20% to 25%	6.2%	4.9±	20%	1.0±
25% to 33%	10.6%	8.4±	5%	0.4±
33%+	13.4%	10.7±	4%	0.4±
		79.5±	**Total Allowable Disturbance***	**54.4±**

*To determine the total allowable disturbance area of the subject property based only on slopes, the area of each slope category was multiplied by the respective percentage of allowable disturbance using the values listed in Slope Density and Disturbance Limits Table of the ESLO (Table 27.10-4). The sum of each of the slope categories' allowable disturbance areas results in the total allowable site disturbance area of approximately 54.4 acres (based only on regulated slopes and not additional development constraints on-site).

This project will grade approximately 44.6 acres of the site. Since this is less than the 54.4 acres that are allowed to be graded based on slope analysis, this site will be disturbed in accordance with the Hillside Area Category of ESLO. Refer to *Exhibit U: Hillside Conservation Areas*.

2. **Any areas of encroachment of building, lots, driveways, etc. onto slopes of 15% or greater. An explanation as to why this is necessary.**

This project will encroach on slopes in accordance with the allowances of the Hillside Area Category of ESLO. This encroachment is necessary to allow for the following development components of the project:

- A street connection between Development Areas A/B and C as shown on *Exhibit Q: Development Areas* and *Exhibit R: Tentative Development Plan.*

- A potential street connection to the north through the Kai property to allow for another vehicular access point to connect with a signalized intersection (1st Avenue and Naranja Drive). It should be noted that this connection is not shown on the plans in this document because an agreement to construct this street connection could not be reached with the property owner to the north of the subject property.

If an agreement can be reached in the future, then this street connection is permitted, provided it meets the standards of this PAD and the Town of Oro Valley.

- The main entry road into the project from the intersection of 1st Avenue and Lambert Lane.

- Development Areas F and G will be filled, or partially filled, in order to bring their elevation to at or near the adjacent grade of 1st Avenue.

- The potential installation of a sewer line along the western boundary of the property (this will be done with consideration of the equestrian use in this area and will be coordinated with Nancy Ellis or other individual at the Town of Oro Valley).

- The edges of Development Areas A, B, C, E, F, G and H will encroach into slopes as allowable under the Hillside Area Category of ESLO. This encroachment shall be in accordance with the Hillside Area Category of ESLO. This encroachment allows for increased development area on this site that contains slopes, surface drainage and other site constraints that limit the area that may be developed.

- The installation of other utilities may encroach on slopes, with the exact location to be determined during the site plan process.

3. **New average cross-slope, calculations, and values if allowances are to be made under Hillside District Regulations.**

   The area of the subject property proposed to be graded is approximately 44.6 acres. The cross-slope of this proposed grading area is approximately 6.8%. The average cross-slope was calculated as follows:

$$\frac{(I)(L)(0.0023)}{A} = \frac{(1')(134{,}226')(0.0023)}{44.6\text{ ac.}} = 6.9\%$$

4. **Map perimeter of the area used in the new cross slope calculations (if done in item 3 above) and label areas to be left natural.**

   Refer to *Exhibit V: Areas to be Disturbed/Graded.*

5. **Describe and state percentage of total site and map all areas to be disturbed, graded, and/or revegetated.**

   Approximately 44.6 acres of this site will be graded or disturbed. The final limits of grading with be determined during the CSP, FSP and site improvement plan preparation. Refer to *Exhibit V: Areas to be Disturbed/Graded*.

6. **Map the extent of grading on the site.**

   Refer to *Exhibit V: Areas to be Disturbed/Graded.*

7. **Grading Standards**

This PAD proposes the following grading standards:

a. OVZC Section 27.9 shall apply as will the Flexible Disturbance provisions in the Environmentally Sensitive Lands Ordinance (Section 27.10.D.3.g.v.g of the Oro Valley Zoning Code).

b. The Design Standards for the Town of Oro Valley (Addendum A, Adopted by Ordinance #11-20 on July 6, 2011) contain standards specific to grading and this project will adhere to them. The standards below, as well as those in the Design Standards, shall apply to this property:

- The general idea of the grading concept is to utilize contour grading and landscaping techniques in the creation of cut slopes to achieve appearances that emulate natural, undisturbed slopes.

- All exposed disturbed areas will be re-vegetated with plant material and treated to create a natural appearance.

- Tops and toes of slopes shall be rounded to smoothly transition with the natural grades.

- In situations where cut or fill slopes are greater that 5 feet in height and exceed 100 feet in length, the contours of the slope will be manipulated and curved in an undulating fashion in order to reflect the natural terrain.

- Vegetation in the bottom of the fill areas will be salvaged and reused on re-sculptured cut embankments and along rights of way.

- Cut slopes will be sculpted and re-vegetated to emulate naturally existing slopes.

- Seeding and erosion control techniques shall be employed, such as wood fiber hydromulch, drilled seed with straw mulch and jute matting.

- Where possible, shielded cuts will be utilized.

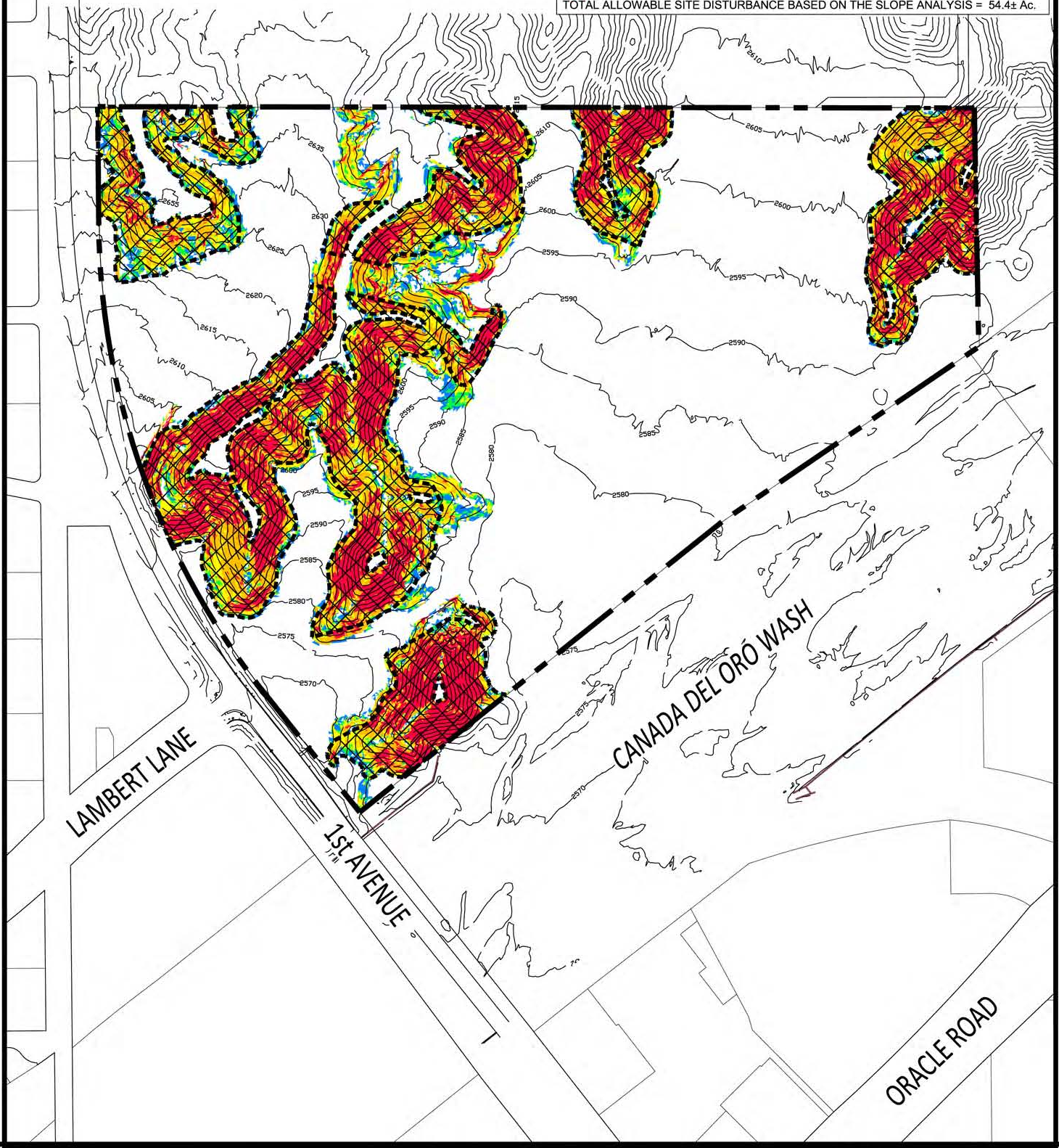
LEGEND

APPROXIMATE AREAS OF SLOPES ≥ 15% TO REMAIN UNDISTURBED (23.5± AC.)

NOTE: ROADS, UTILITIES, PATHS, TRAILS, AND OTHER OPEN SPACE AMENITIES ARE PERMITTED IN THE HILLSIDE CONSERVATION AREAS.

SLOPE LEGEND

SLOPE CATEGORIES	% OF SITE	AREA OF SITE (AC.)	% OF ALLOWED DISTURBANCE PER ESLO TABLE 27.10-4 OF THE TOWN OF ORO VALLEY ZONING CODE	ALLOWABLE DISTURBANCE AREA (AC.)
0% - 15%	64.1%	51.0± Ac.	100%	51.0± Ac.
15% - 18%	3.3%	2.6± Ac.	40%	1.1± Ac.
18% - 20%	2.4%	1.9± Ac.	30%	0.6± Ac.
20% - 25%	6.2%	4.9± Ac.	20%	1.0± Ac.
25% - 33%	10.6%	8.4± Ac.	5%	0.4± Ac.
33%+	13.4%	10.7± Ac.	4%	0.4± Ac.
TOTAL ALLOWABLE SITE DISTURBANCE BASED ON THE SLOPE ANALYSIS =				54.4± Ac.



The WLB Group INC. WLB

EXHIBIT U
HILLSIDE CONSERVATION AREAS

12.17.2014
CONTOUR INTERVAL = 5 Ft.
WLB No. 181057-Y-002

0' 400'

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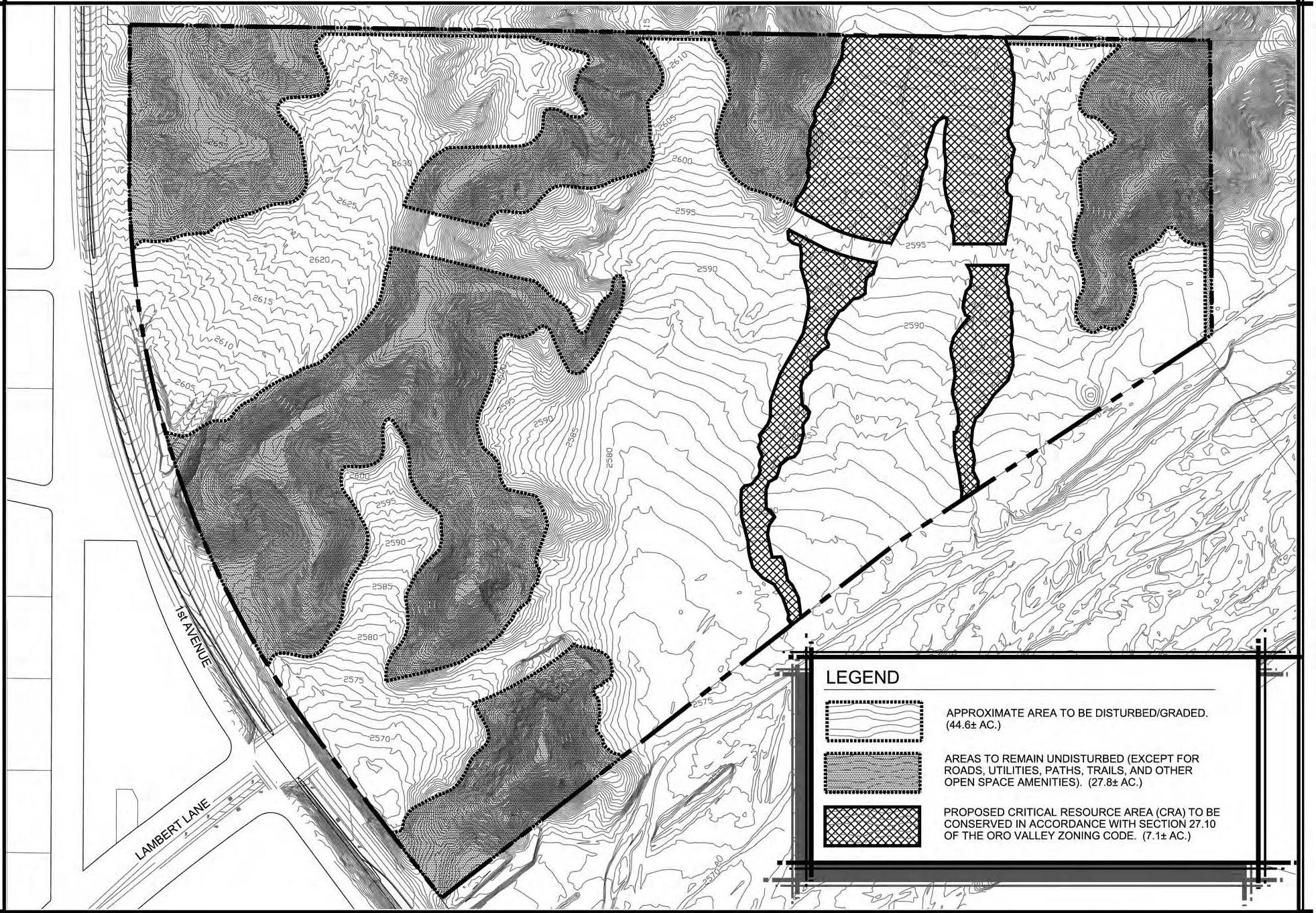

The WLB Group INC. **WLB**

EXHIBIT V
AREAS TO BE DISTURBED/GRADED

12.17.2014
Contour Interval = 1 Ft.
WLB No. 181057-Y-002

0' 300'

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II-E. Cultural Resources

1. **What measures will be used for protection of all cultural and historic resources on the site.**

   The previously completed archaeological survey for this site was updated in October of 2014 to determine if there are any significant cultural resources present on the site that might be adversely impacted by construction. The only cultural resources on the site consist of four areas with artifact scatters. Two of these sites have been assigned numbers with the Arizona State Museum (ASM) and the two new sites will be assigned site numbers. However, since these sites do not have the potential to yield meaningful information beyond their recording with ASM, no further studies are recommended. Of course, as required by State law, if human skeletal remains or funerary objects are discovered, the ASM should be contacted immediately.

II-F. Hydrology

1. **A description of how the TDP responds to hydrological characteristics described in Part I.**

   The primary design components for the project drainage structures will be the requirement of the facilities to convey offsite drainage through the project site, constructed channels or stormdrain pipes and onsite detention basins will convey onsite stormwater runoff to the downstream project boundaries.

   Habitable structures will have the finished floor elevations set to be one foot above the established base flood elevations of adjacent floodplains. The remaining land use will be set at grade so as not to impede or restrict the existing drainage patterns. All structures will be placed such that the flow will not be blocked or obstructed.

   This project will comply with the drainage requirements set forth by the Town of Oro Valley. This project is located within a critical basin. Although the project site has been designated in a critical basin, the Town of Oro Valley may waive any detention requirements associated with the critical basin upon the approval of a detention waiver request. The approval of detention waiver is at the discretion of the Town Engineer at the time of the waiver request and proper documentation must be submitted. This PAD does not provide approval of a detention waiver for this project. The detention waiver request would be based on the location of the project and its adjacency to the Canada Del Oro Wash. As such, the site does not impact any other downstream developments, so the stormwater runoff can be directed directly into the Canada Del Oro Wash without harmful impact to downstream properties. Therefore, site development will mimic the existing conditions by discharging all the storm water flows into their natural watercourses through hydraulic structures. The project will also comply with all water-harvesting requirements per Section 27.6 of the Oro Valley Zoning Code.

2. **Information and substantiation for encroachment/modification of drainage patterns.**

- Modification of Federal Emergency Management Agency (FEMA) Floodplain: The owner of this property will prepare and process (in conjunction with the Town of Oro Valley) a CLOMR and then a LOMR to remove those portions of Development Areas C, D and E from the 100-year floodplain of the Canada del Oro Wash and the associated Special Flood Hazard Area (SFHA). Bank protection would be constructed to protect these development areas. Development of habitable structures in areas associated with the Special Flood Hazard Area (SFHA) will not be permitted unless bank protection is constructed in accordance with federal and local requirements. Development of non-habitable structures is permitted in areas associated with the Special Flood Hazard Area (SFHA) in the event that bank protection is not constructed.

- While the goal of the project is to retain the existing washes in their natural condition to the greatest extent possible, the project will encroach on the 100-year floodplains in accordance with Town floodplain and drainage regulations. Per the Town of Oro Valley Floodplain Management Ordinance, 100-year water surface elevations cannot be raised more than one foot, assuming that both sides of the floodplain are within the property boundary. If both sides of the floodplain are not within the property, then the allowable increase in the water surface elevation is 0.1 foot.

- In accordance with Town floodplain and drainage regulations, the project will reconfigure flows entering the central portion of the site from the north as well as flows entering the northwestern portion of the site from the north. This will increase the development areas of the site without negatively impacting surface flows across the property.

The following requirements of the Town of Oro Valley Stormwater Utility shall apply to this PAD:

- A Town of Oro Valley Floodplain Use Permit (FPUP) will be required for the proposed improvements.

- A single CLOMR shall be required for the full subject reach containing Special Flood Hazard Area (SFHA) encroachments. If desired, the property owner may complete the LOMR process with separate LOMR submittals for separate encroachments along the subject reach.

- Due to an intergovernmental agreement between the Pima County Regional Flood Control District (PCRFCD) and the Town of Oro Valley, the bank protection plans are to be reviewed and approved by the PCRFCD.

- The proposed bank protection along the Canada Del Oro Wash is subject to the standards of the PCRFCD.

- The proposed bank protection improvements along the Canada Del Oro Wash require a fifty (50) foot top width to be reserved along the bank for the purpose of a future linear park. A multi-use path will be constructed within this 50 feet per the review and approval of the Town of Oro Valley and the PCRFCD, which includes the specific paved width of the path.

- Maintenance access shall be provided to and along the entire length of the proposed bank protection along the Canada Del Oro Wash. Bank protection improvements along the tributaries adjacent to Development Areas C, D and E are not to be dedicated to or maintained by the PCRFCD. The Town of Oro Valley will identify requirements for bank protection along these tributaries (and others) in subsequent reviews during the site plan process.

- Hydraulic analysis shall be conducted to ensure that there is zero rise in water surface elevations resulting from the proposed improvements and to ensure that the flood control levee on the opposite embankment continues to meet minimum FEMA certification requirements.

- The builder/owner shall obtain special written permission to conduct work on Pima County property.

- Soil cement bank protection along the Canada del Oro Wash will be constructed per the requirements of the Town of Oro Valley and the PCRFCD.

3. **A map of potential drainage impacts to off-site land uses upstream and downstream.**

   There will be no impacts to off-site land uses upstream and downstream of the site. The modification of flows on the site will not result in water backing onto the adjacent property to the north, and flows entering the Canada del Oro Wash will conform to Town of Oro Valley floodplain and drainage regulations.

4. **A description and map of engineering and design features to be used to mitigate drainage and erosion problems.**

   Site development will occur in a manner that will allow the runoff to generally maintain their existing general drainage patterns. The buildings will be situated in such a way as to allow for positive flow between structures. The maximum increase in the existing water surface elevations due to encroachment is limited to one (1) foot where the owner of the land performing the development owns both sides of the floodplain and no more than 0.1 foot where only one side is owned. The conveyance of runoff through the proposed development will be accomplished by a system of natural washes, pipes, concrete box culverts, channels, catch basins, sidewalk scuppers, and water harvesting basins. All hydraulic structures, constructed drainage channels, and water harvesting basins will be calculated in conjunction with the FSP and improvement plans. Rip rap aprons may be used to control erosion at culvert, channel, or basin outlets. Vegetation may also be used to enhance drainage channels.

A complete hydraulic and hydrologic drainage report, prepared by a professional engineer, will be submitted with the FSP for this project.

Erosion protection will be provided as per the requirements of Town Code.

The property owner is responsible for coordination with the Army Corps of Engineers (ACOE) with regard to any 404 wash issues.

5. **A description of how the TDP conforms to area plans, basin management plans, and Town policies.**

   The design and management of all hydraulic structures and facilities will be in compliance with the Town of Oro Valley drainage standards and policies. The development will not adversely impact the parcels up and downstream of the site.

II-G. <u>Vegetation</u>

1. **Provide an explanation of how the TDP responds to vegetative characteristics described in Part I, including a discussion of the vegetation to be transplanted.**

   This project will conform with the Native Plant Preservation, Salvage and Mitigation requirements of Section 27.6 of the Town of Oro Valley Zoning Code. The most significant vegetation on this site is located on the ridges and in the washes that are located in areas of the site that have been designated as open space. This vegetation will be preserved in place. The owner will take every opportunity possible to salvage significant, healthy trees and use them in the landscaped areas, project entries and other areas on the site where appropriate.

II-H. <u>Wildlife</u>

1. By retaining significant amounts of open space within this site, the native animal populations will be able to traverse the property and continue their foraging and migration patterns. By maintaining, to the maximum extent possible, washes in their natural condition, wildlife will be able to travel within these wash corridors and reach the Canada del Oro Wash and other points beyond. The planting of new and different varieties of vegetation will provide habitat for a wide range of bird species.

II-I. <u>Viewsheds</u>

1. **Describe and map how TDP mitigates impacts to views and vistas from off-site.**

   The area in which the proposed community is located offers outstanding views of the north side of the Santa Catalina Mountains and Pusch Ridge. The development of this proposed community will not block or disturb in a significant manner the existing views of the mountains as seen from adjacent properties. Refer to *Appendix E: Pre and Post Development Viewsheds.*

2. **Describe and map how TDP mitigates impacts to areas of high visibility.**

   The images shown in *Appendix E* illustrate the visual impact of the proposed community, graphically measuring the current setting against the proposed development condition.

   The subject property is visible in limited areas from Oracle Road, and in particular from the area in the vicinity of Home Depot located at Oracle Road and La Reserve Drive. Due to limited visibility and due to its distance from Oracle Road, the subject property in its developed condition will not detract from the visual experience as motorists travel on Oracle Road. This is illustrated in *Appendix E: Pre and Post Development Viewsheds.*

   The subject property, particularly the portion on the west side of the ridges, is also visible from 1st Avenue, as evidenced in *Appendix E: Pre and Post Development Viewsheds*. The post-developed condition of the subject property does not impede any views as seen from 1st Avenue.

3. **Provide drawings and narrative explaining methods for roadway construction in a manner compatible with the natural terrain and document scarring to be mitigated at the completion of construction.**

   The interior roads will be constructed as shown in *Exhibits W.1, W.2 and W.3: Street Sections.* These road sections were all developed based on standard Oro Valley street sections. Roads will follow as much as possible the natural contours of the site, and road grades will be as per the Oro Valley Code and Subdivision Street Standards. One of the street sections proposes a sidewalk only on one side. This section would be used in the following areas: where cuts and fills are required and disturbance should be limited to protect the natural resources of the site; where the street passes through the CRA area in order to limit CRA disturbance; and where lots are only on one side of a street.

4. **Oracle Road Scenic Corridor Overlay District (ORSCOD).**

   Although the subject property is located approximately one-quarter mile from the nearest portion of the Oracle Road right-of-way, the subject property is still subject to the Oracle Road Scenic Corridor Overlay District (ORSCOD). This overlay district was established to regulate development primarily within 100 feet of Oracle Road, and the primary intention of the district was to protect views from the roadway as well as control access. The architecture of the buildings on this site will be very attractive and will complement the surrounding terrain. Oracle Road was located in the center of the former Rooney Ranch PAD, and the entire Rooney Ranch PAD fell under the ORSCOD regulations at the time of the PAD conception. Since that time, the subject property (Nakoma Sky) has been effectively separated from the rest of the Rooney Ranch PAD through a PAD amendment in 2005.

   However, the property still remains on the existing ORSCOD map. Therefore, the subject property is still subject to the ORSCOD regulations while the intention was to only regulate lands in close proximity to Oracle Road.

The original ORSCOD ordinance has been replaced with the ORSCOD requirements in the Scenic Resources Category of the Environmentally Sensitive Lands Ordinance (ESLO), but remains substantially the same as before.

In response to the requirements of the Scenic Resources Category, refer to the following sections of the PAD for more information. Section II-A.1 through Section II-A.7 describes the proposed uses and accessory uses for the site. The Tentative Development Plan (TDP) shows the approximate locations of proposed uses. To review the proposed architectural theme and designs, refer to Section II-A.8 through Section II-A.10. These sections provide the design criteria that will guide the appearance and materials of the structures. Refer to *Appendices A, B and C* to review conceptual designs, as well as *Appendix E: Pre and Post Development Viewsheds* to visualize how the development will impact views from the surrounding area.

In summary, this development will be in compliance with the Oracle Road Scenic Corridor Overlay District provisions for the following reasons. The proposed development will not negatively affect the surrounding views, especially of the prominent Catalina Mountains east of the subject property (refer to *Appendix B* to see visualizations*)*. Additionally, this development does not directly access Oracle Road, and will not disturb access management controls for Oracle Road.

II-J. <u>Traffic</u>

1. **Traffic analysis report.**

A Traffic Impact Analysis has been prepared for this project. Please refer to the separately submitted document entitled "Rooney Ranch Parcel Z" Traffic Impact Analysis. The conclusions of the report are as follows:

- The level of service (LOS) of 1st Avenue will be at acceptable levels with the project.
- The two access points will need to be analyzed as the project develops.
- With the initial phase of development, right turn lanes will not be warranted for the north bound right turns in the project access drives off 1st Avenue. However, as the project develops, there will reach a point when right turn lanes may be warranted. Traffic impact analysis reports will be prepared and submitted with each CSP that is submitted for this project. Once it is determined by these future traffic impact analysis reports that the right turn lanes are warranted, they will be installed by the owner.
- The driveway spacing and corner clearances for the driveways and nearby intersections meet Pima County and Oro Valley standards.
- Storage lengths on all approaches will need to be analyzed as the project develops and lengthened if required.
- Roadway design should conform to meet the standards of Oro Valley. This includes ensuring that sigh distance requirements are met.
- All new traffic markings and signs, on site and off site, shall comply with the *Manual on Uniform Traffic Control Devices* and Oro Valley requirements.

The developer will be financially responsible for providing any additional project-related improvements as necessary at the intersection of East Lambert Lane and North 1st Avenue and at the northern entry point to the project from 1st Avenue.

2. **A description of on-site street rights-of-way, including typical roadway section, and indicate proposed ownership.**

   The streets for this project will be consistent with the street sections contained in *Exhibit W.1 and Exhibit W.2 Street Sections*. The location of the different street sections proposed for this project are shown on *Exhibit W.3*. Other roadway sections may be used on this project subject to the review and approval of the Town Engineer. Interior vehicular access will be via private streets/access lanes to be owned and maintained by La Posada. No public ownership or maintenance of streets is proposed for this project.

3. **A description of any proposed bicycle and pedestrian pathways within the development and indicate whether they are connected to external pathways, arterial streets, parks and schools.**

   A network of pedestrian and bicycle paths is proposed for this project, and will consist of the following:

   - Pedestrian paths that will connect with sidewalks on 1st Avenue.
   - Pedestrian paths and sidewalks on-site that provide the ability to walk within and between all the development parcels as shown on the TDP.
   - Natural paths to be constructed in the proposed park area to be constructed in the southern portion of the site.
   - Natural paths that will allow for access into the Canada del Oro Wash.
   - Bicycle lanes located within on-site streets/access lanes.
   - Shared use paths will be provided on one side of the internal streets.

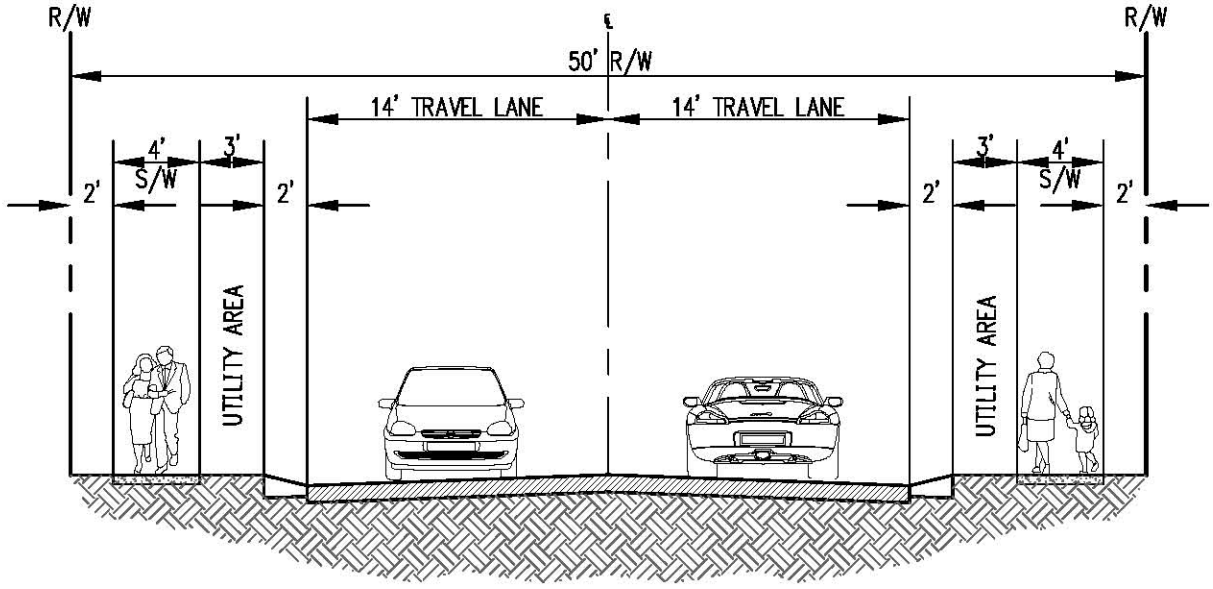
4. **Other.**

   This project will use golf carts for the transportation of residents on the property. The golf carts will use on the on-site streets. Parking areas will be provided for golf carts.

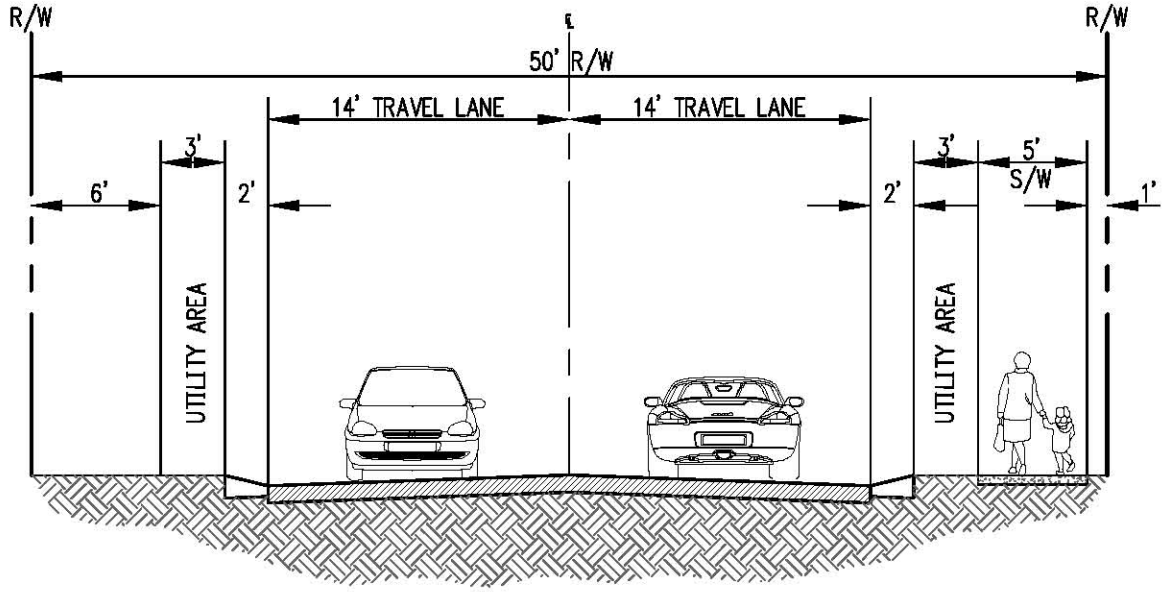
   At a minimum, AASHTO SU-30 design maneuverability shall be provided in all areas of the project.

   Vertical curb shall be required for all street sections with an adjacent sidewalk. However, ribbon curb may be used in lieu of vertical curb provided that a minimum of six feet is provided between the travel lane and sidewalk, subject to the review and approval of the Town Engineer.

The use of sidewalk on one side of the street is permitted in areas where appropriate (such as, but not limited to, areas of environmental sensitivity or on streets where lots are only located on one side of the street), subject to review and final approval by the Town Engineer during the site plan process.



SECTION A: STANDARD STREET SECTION



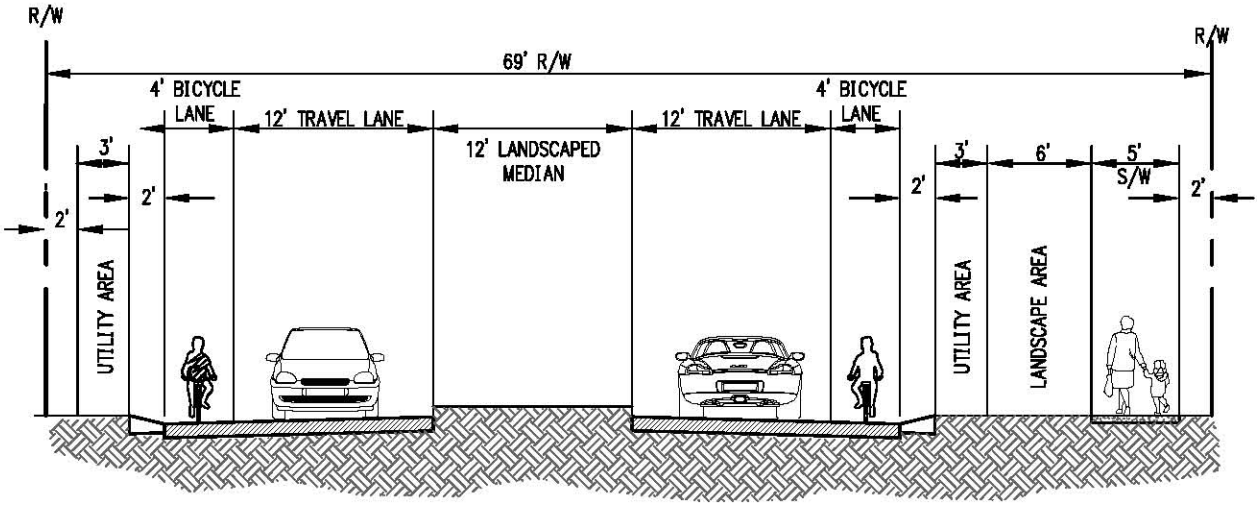
SECTION B: STREET SECTION IN ENVIRONMENTALLY SENSITIVE AREA

The WLB Group WLB

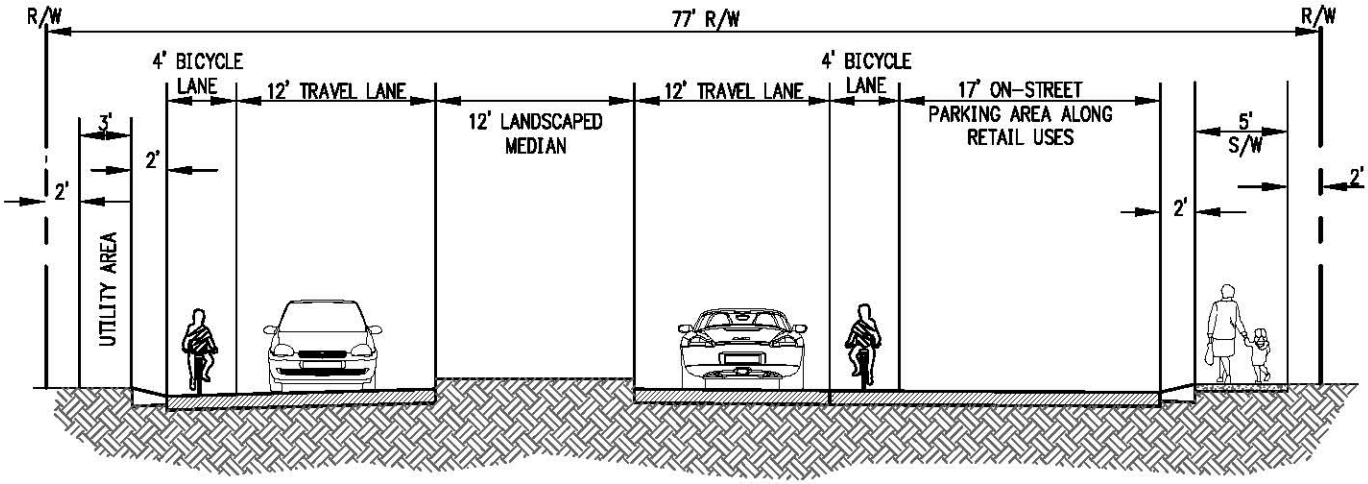
EXHIBIT W.1
STREET SECTIONS

12.17.2014
N.T.S.
WLB No. 181057-Y-002

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\W.1 - Street Sections.dwg Plotted: Dec. 17, 2014



SECTION C: STREET SECTION WITH LANDSCAPED MEDIAN



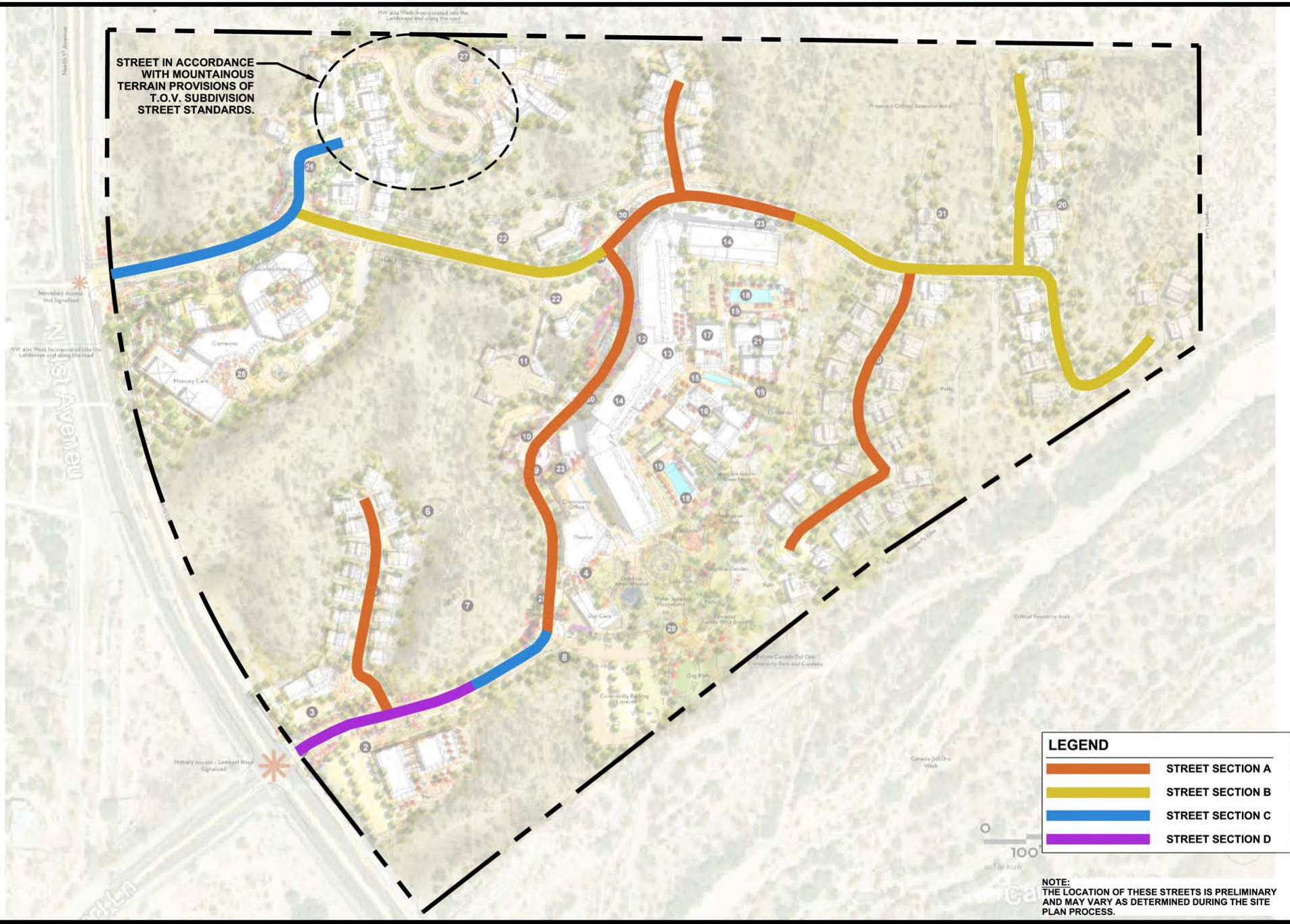
SECTION D: STREET SECTION ADJACENT TO RETAIL USES

The WLB Group WLB

EXHIBIT W.2
STREET SECTIONS

10.31.2014
N.T.S.
WLB No. 181057-Y-002

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\W.2 - Street Sections.dwg Plotted: Dec. 17, 2014



NOTE:
THE LOCATION OF THESE STREETS IS PRELIMINARY AND MAY VARY AS DETERMINED DURING THE SITE PLAN PROCESS.

The WLB Group WLB

EXHIBIT W.3
LOCATIONS OF STREET SECTIONS

12.17.2014
WLB No. 181057-Y-002

0' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\W.3 - Street Section Map.dwg Plotted: Dec. 17, 2014

II-K. Recreation and Trails

1. How the development will facilitate access to off-site trails and how access will be maintained.

This project will maintain access to existing trails in the following manner:

- The Palisades Splits, located to the north of the subject property, contain single-family residential lots and some of the owners of these lots have horses. These property owners ride their horses from their lots and access the Canada del Oro Wash by riding through the eastern portion of the subject property. As such, a trail easement will be provided in the eastern portion of the site to allow for continued access to the Canada del Oro Wash. This trail easement will coincide with Trail #328 as shown in the Oro Valley Trails Task Force Report. A permanent, non-motorized public recreation easement shall be dedicated to the Town of Oro Valley for Trail #328 and the Town of Oro Valley will be responsible for maintenance of this trail. The owner will work with the Town of Oro Valley Parks and Recreation Department on the alignment and width of this trail and easement.

- This project will connect its internal paths and trails with the sidewalk and bicycle lanes that are located with the 1st Avenue right-of-way. This connection will also allow future residents to access the multi-use path that is located on the southeastern side of the Canada del Oro Wash. Residents can reach this path via foot by using the sidewalk that is located adjacent to 1st Avenue which then provides connection to the river path.

- If bank protection is constructed on this site, the owner will develop a multi-use path along the top of the bank protection on this property. Trails that are developed on the site will be connected to this multi-use path.

3. Describe the proposed ownership of natural and modified open space within the development.

A minimum of 30% of the gross site area shall be provided as open space, consisting of both undisturbed natural open space and improved open space. The natural and modified open space within this project will be owned and maintained by La Posada.

4. Park.

This project will provide a park, intended for use by the residents of the project and for the public. The exact amenities in the park, and those to be made available to the public, will be determined at the Conceptual Site Plan (CSP) stage and will be based on input that will be sought from members of the community of Oro Valley. The owner will also meet with the Oro Valley Parks and Recreation Advisory Board (PRAB) to seek their consultation and input on the types of recreational facilities in the park that may be most appropriate for public use.

La Posada makes it a practice to establish their own process where they engage the community members to determine the types of recreational facilities and amenities are desired. They will hold one meeting with Town of Oro Valley officials at the time of the initial CSP submittal to discuss the park and determine the types of recreational facilities and amenities that will be made available to the general public. There will be on-site parking for the park and this parking area will have spaces that are designated for campus and public use. The exact number will be determined at the CSP stage. This park will provide a paved connection to the Canada del Oro Wash. The park may contain some or all of the following amenities: gardens, small outdoor amphitheater, sitting areas, gazebo, ramadas and barbecue areas, dog park, and vehicle and bicycle parking.

5. Recreational Facilities and Amenities.

This project proposes to provide an extensive system of recreational facilities and amenities for its residents. Facilities will be handicapped accessible, where appropriate. It is an important part of the health and wellness of this continuing care retirement community. There will be a variety of recreational facilities and amenities, both active and passive, situated throughout the community. Recreational facilities and amenities will be owned and maintained by La Posada and will include the following:

- Walking paths, trails and sidewalks, shaded where possible, throughout the site, connecting all the Development Areas (where appropriate and considering such physical site elements as topography, washes or other environmentally sensitive areas).
- Sitting areas, some shaded, within each of the Development Areas as identified on *Exhibit Q: Development Areas.*
- Pools and spas.
- Gardens.
- Landscaped plazas and courtyards.
- Putting green.
- Pedestrian and cyclist amenities along the interior paths and sidewalks.
- Fitness center.
- Shared use paths, where appropriate.
- Natural turf (limited to a maximum of 15% of the total park area).
- Labyrinth.
- Columbarium.
- Splash pad.

The recreational amenities and facilities provided within this project shall meet the standards of Section 26.5 Provision of Recreational Area of the Oro Valley Zoning Code. Representative imagery for the park is shown in the appendices of this document. The project, however, will not be limited to the number of recreational amenities and facilities as described in Section 26.5.D.2.c of the Oro Valley Zoning Code.

NAKOMA SKY

PATH & TRAILS NETWORK

Exhibit X

LEGEND

- 1ST AVE. STREET SIDE WALKS
- CAMPUS DESERT PARKWAY PATH *(LOOP .5 mi.)*
- MOUNTAIN VIEW HOMES LINK
- SOUTH TRAIL CONNECTION *(LOOP .25 mi.)*
- COMMUNITY PARK
- WALKABILITY RADIUS

NOTE: Bike lane incorporated into the Desert Parkway.

II-L. Schools

The demographic makeup of this development consist of residents who are 62 years and older. As such, this development will not generate any students and will have no effect on the number of students attending the various schools within the school district.

II-M. Water

1. Indicate additional domestic water demand that this rezoning will generate.

The subject property is within the service area of Oro Valley Water Utility, and for its domestic and fire flow demands will be served by the existing 12" line located along 1st Avenue.

2. Indicate water service capacity and current demand (percentage of existing capacity) from applicable water company.

This project will meet all of the requirements of the Town of Oro Valley Water. The Water Utility indicates that it has the water capacity to serve this project.

3. Water Conservation.

The owners of this project will consult with the Oro Valley Water Conservation Specialist to discuss water conservation measures that may be feasible and appropriate for this project. This project may employ the use of the following water conservation measures and others that may be recommended by the Oro Valley Water Conservation Specialist:

- Grading of areas onsite to direct water to landscape areas.
- Rain water harvesting.
- Restrictions on natural turf to no more than 15% of the total park area.
- Where appropriate, artificial turf will be used.
- The potential collection of water from roofs and possible collection in tanks or cisterns.
- The use of low flow plumbing fixtures.
- The potential use of greywater (from wash basins, showers and baths) to provide irrigation for landscape areas.
- Recreational amenities that use water, such as water splash playground, shall recycle and filter water.
- Reclaimed water may be used on this site, if such a time arrives when a reclaimed water line would be installed in 1st Avenue. At the time of the writing of this PAD, no reclaimed water lines were located in the vicinity of the site.

II-N. Wastewater

Wastewater service will be provided by the Pima County Regional Wastewater Reclamation Department. Gravity sewer lines will be constructed on site to convey wastewater into the 18-

inch PVC public sewer main that exists within the site. The design of all sewer infrastructure will be in conformance with the design standards of the Pima County Regional Wastewater Reclamation Department.

II-O. Buffer Yards

1. **Map of buffer areas, if used, and techniques used to mitigate sound, visibility, exterior lighting, and traffic impacts.**

   This project will provide the following buffers:

   Western Portion of the Site: Minimum 40-foot natural buffers where open space abuts the western property line. In areas where the proposed Development Parcels are located adjacent to the western boundary of the site, a 15-foot enhanced landscape buffer will be installed. Refer to *Exhibit Z: Buffer Yards* for the proposed buffer yards along 1st Avenue.

   Northern Portion of the Site: Minimum 40-foot natural buffers where open space is located adjacent to the northern boundary. A 15-foot natural buffer will be provided in areas where a Development Parcel is adjacent to the northern property line. The property to the north is planned as a traditional single-family residential development. The layout of that project is such that there is only one residential lot that lies adjacent to the northern boundary of this project. The 15-foot natural bufferyard, coupled with a 32-foot building setback from the north property line will provide an adequate buffer between this site and the proposed residential community to the north.

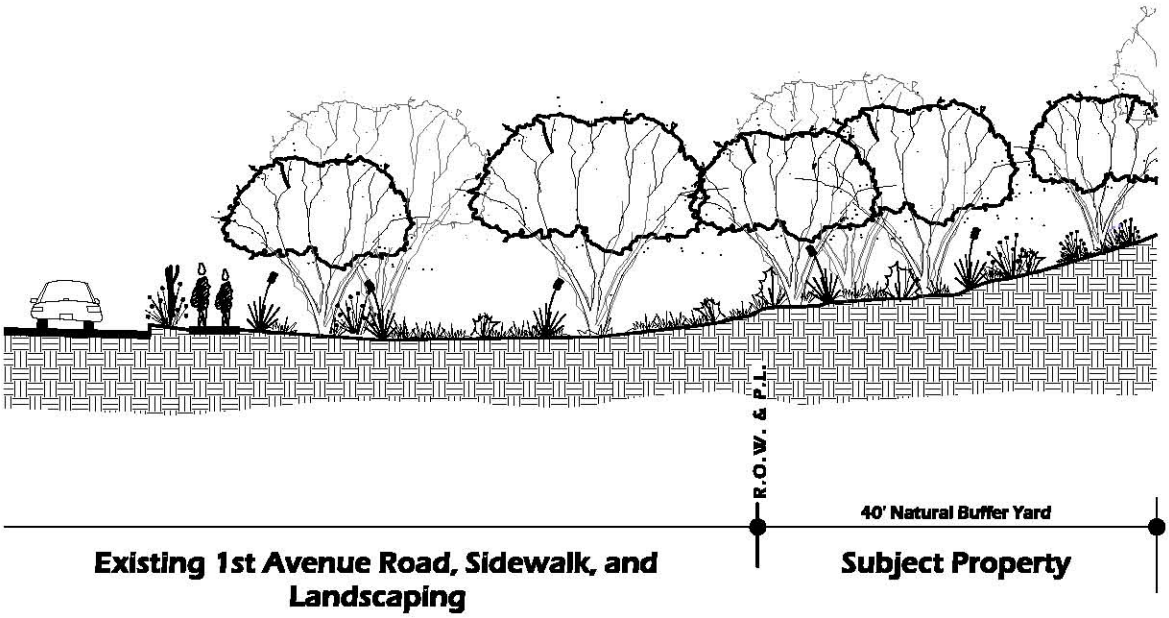
   Eastern Portion of the Site: The natural topography of the site will serve as a buffer in this portion of the site. The eastern boundary of the site lies adjacent to property owned by Pima County and it will not be developed, other than for perhaps flood control improvements related to the Canada del Oro Wash. A minimum 40-foot natural buffer will be provided where open space is located adjacent to the eastern boundary. A 15-foot natural buffer will be provided along the eastern boundary of the site adjacent to the areas that will be developed with residential uses.

   Southern Portion of the Site: The presence of the Canada del Oro Wash adjacent to the southern boundary of the site provides a natural buffer. The property across the wash consist of existing commercial uses and the loading areas of those commercial uses back onto the wash. As such, there is not need for buffering. However, if bank protection is constructed along the Canada del Oro Wash, then a 50-foot open space area will be provided which will include a 10-foot enhanced landscape buffer to be provided in this area where development is proposed. A minimum 50-foot natural buffer will be provided where open space is located adjacent to the southern boundary. This 50-foot natural buffer will include a trail or multi-use path.

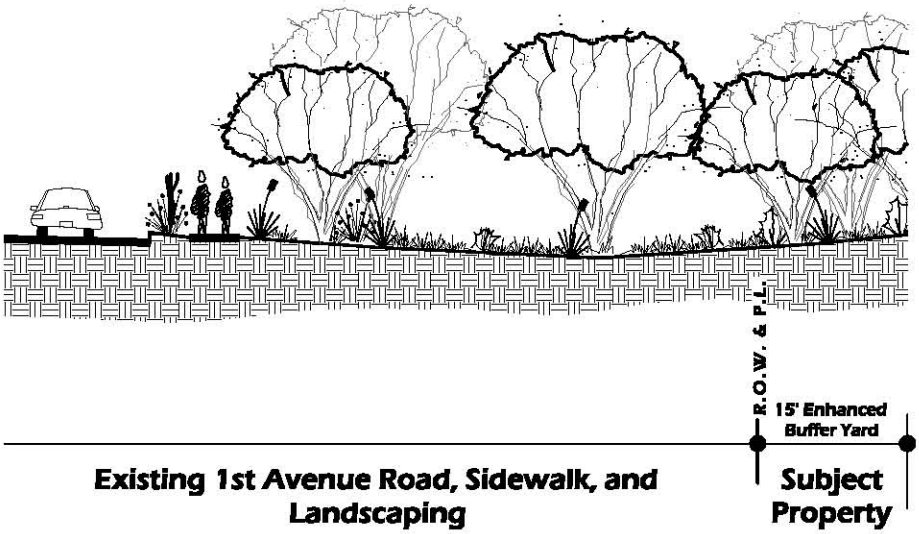
   See *Exhibit Y: 1st Avenue Buffer Yard Cross-Sections* and *Exhibit Z: Buffer Yards.*

II-P. Signs

A Master Sign Program will be developed for the project and will comply with Chapter 28 of the Oro Valley Zoning Code. The Master Sign Program will be submitted and approved prior to obtaining any sign permits for the property. Representative images for monuments and signage is shown in *Appendix C* of this document.



Section A: 40' Natural Buffer Yard



Proposed Plants Per 100 Lineal Feet:
- 4 Trees
- 4 Shrubs or Cactus
- 8 Accents or Cactus

Section B: 15' Enhanced Buffer Yard

NOTE:
REFER TO EXHIBIT R: TDP FOR PROPOSED LOCATIONS OF BUFFER YARDS ALONG 1st AVENUE.

The WLB Group WLB

EXHIBIT Y
1st AVENUE BUFFER YARD CROSS-SECTIONS

12.17.2014
WLB No. 181057-Y-002

N.T.S.

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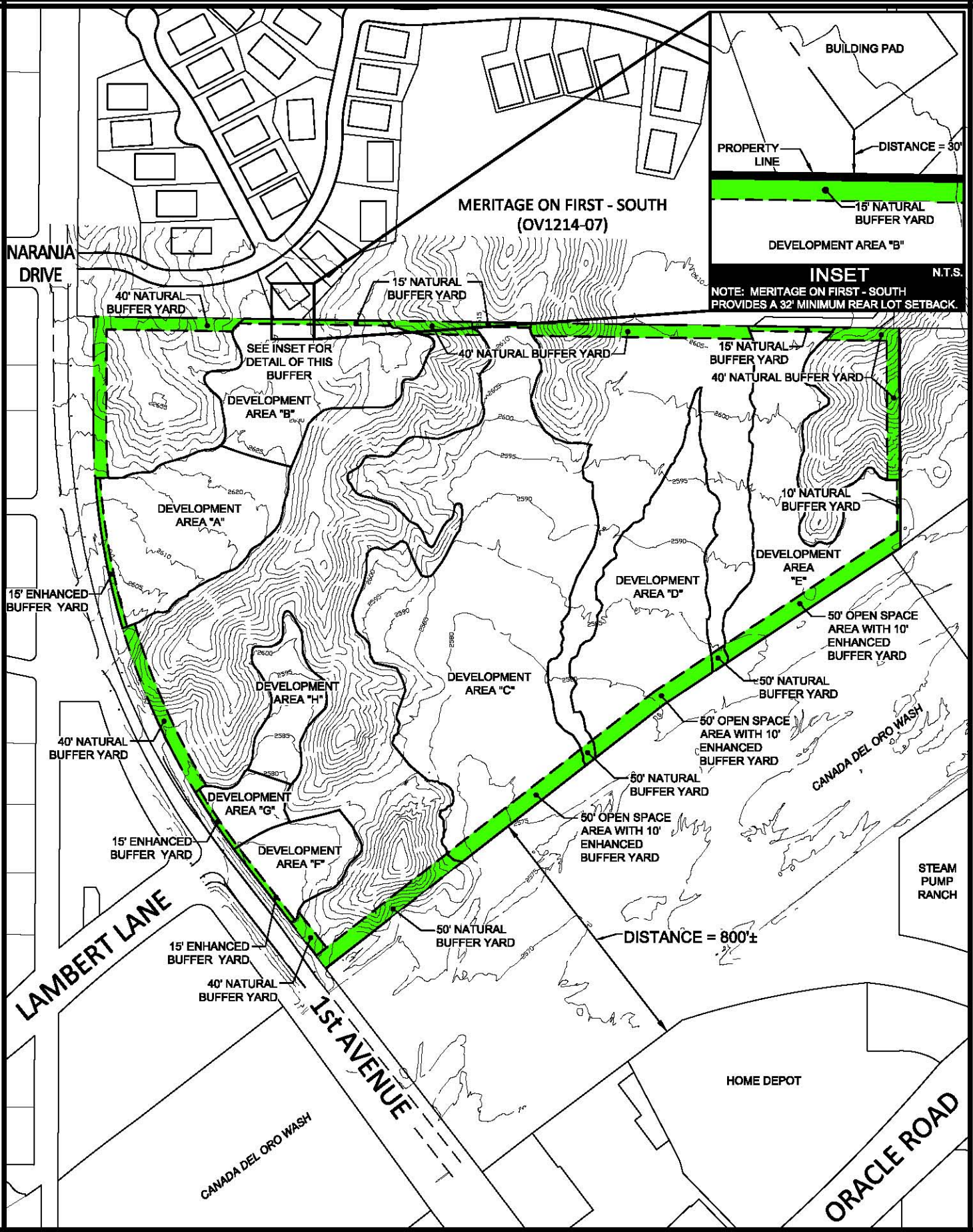

The WLB Group WLB

EXHIBIT Z
BUFFER YARDS

12.17.2014
Contour Interval = 1 Ft.
WLB No. 181057-Y-002

0' 400'

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II-Q. Lighting

Lighting shall be in conformance with Section 27.5 Outdoor Lighting of the Oro Valley Zoning Code.

II-R. Parking

The parking standards in the Design Standards for the Town of Oro Valley (Addendum A, Adopted by Ordinance #11-20 on July 6, 2011) shall apply to this project.

The following are the specific minimum parking requirements for this project:

- Commercial/Retail: Minimum 1 space per 500 square feet of building area.
- Professional office: Minimum 1 space per 500 square feet of building area.
- Detached residential unit: Minimum of 1 space per unit to be contained within garage or on driveway. Minimum 1 space per every four units for guest parking (guest parking is permitted on driveways).
- Attached residential unit: Minimum of 1 space per unit to be contained within garage or on driveway. Minimum 1 space per every four units for guest parking (guest parking is permitted on driveways).
- Apartment unit: Minimum of 1 space per unit.
- Long term care facility and assisted living facility: Minimum 0.25 per bed or unit and 2 spaces per every three employees.
- Community park: Minimum 5 spaces per acre.
- Shared parking shall be permitted as per the Oro Valley Zoning Code.

II-S. Water Features

A limited use of water features is allowed on this property. Prior to the installation of any water feature, plans and specifications shall be submitted to the Planning and Zoning Administrator for review and approval. The intent of this review is not to approve or deny the water feature itself. The intent is to assess the water usage and if it constitutes a limited and careful use of water. If it does, then the water feature shall be approved.

The imagery contained in the appendices to this document represent the design intent and aspirations for incorporating water features into the overall design setting for the project. All such water features will be designed with the upmost sensitivity to water conservation and will focus on sound and visual features with minimal pool areas. All water feature designs will be engineered to rely on re-circulation systems and other associated techniques that minimize water usage.

II-T. Noise

All uses on the site shall be regulated by the noise regulations contained within Chapter 25 of the Oro Valley Zoning Code.

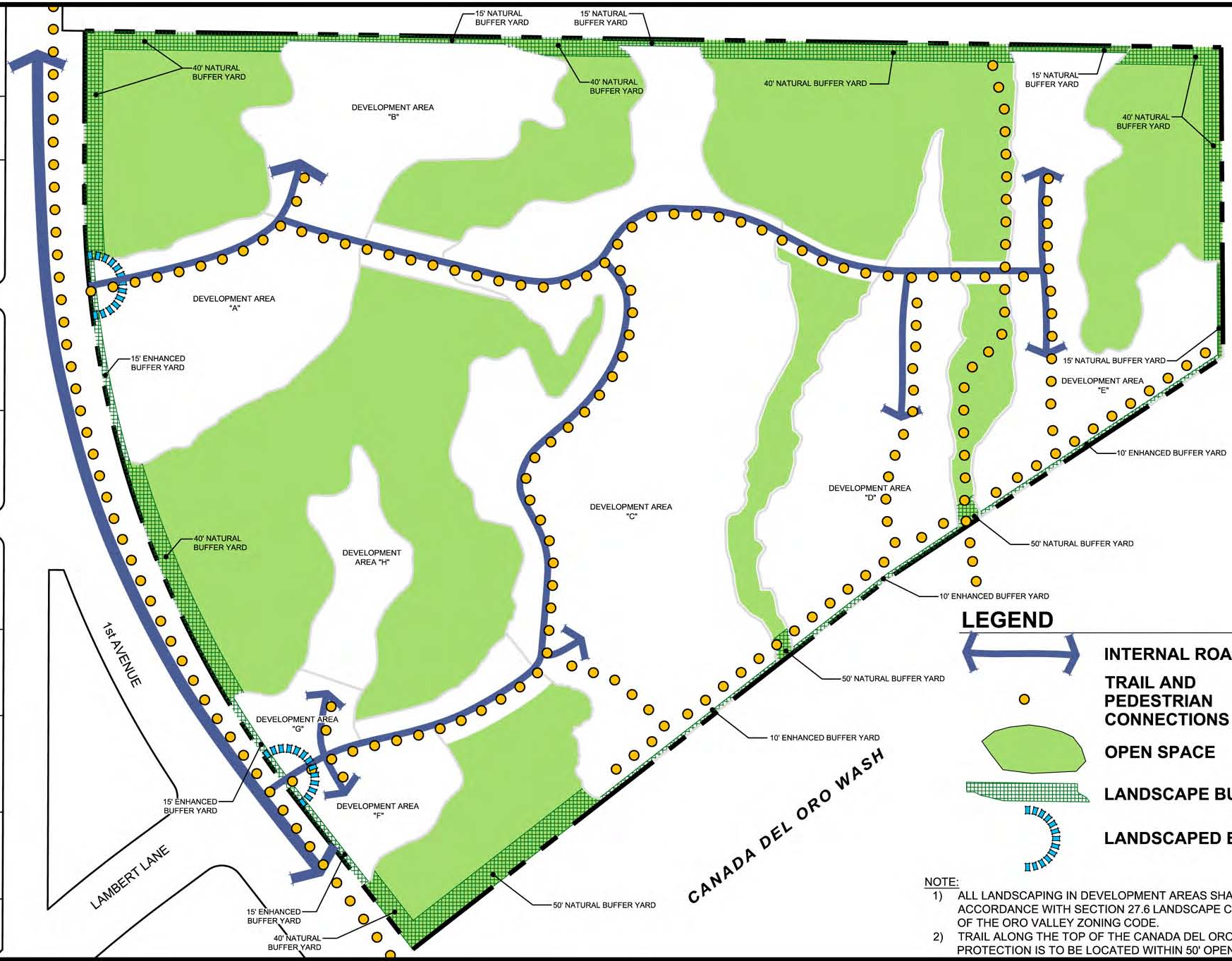
II-U. Landscaping and Native Plant Preservation

This project shall conform to Section 27.6 Landscape Conservation of the Oro Valley Zoning Code, with the exception that all plants from the Arizona Department of Water Resources Low Water Use Drought Tolerant Plant List for the Tucson Active Management Area be permitted for use in this PAD, except that no palms are permitted. Plants from the Oro Valley Zoning Code Addendum C: Approved Native Plant List are also permitted in this PAD, and may be used anywhere within the PAD.

Refer to *Exhibit AA: Landscape Concept Plan*.

II-V. Energy

Where aesthetically appropriate and functionally viable, solar energy collection devices are encouraged.



NOTE:

1) ALL LANDSCAPING IN DEVELOPMENT AREAS SHALL BE IN ACCORDANCE WITH SECTION 27.6 LANDSCAPE CONSERVATION OF THE ORO VALLEY ZONING CODE.
2) TRAIL ALONG THE TOP OF THE CANADA DEL ORO WASH BANK PROTECTION IS TO BE LOCATED WITHIN 50' OPEN SPACE AREA.

The WLB Group INC. **WLB**

EXHIBIT AA
LANDSCAPE CONCEPT PLAN

12.19.2014
WLB No. 181057-Y-002

0' 300'

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DEVELOPMENT AREA "B"

DEVELOPMENT AREA "A"

DEVELOPMENT AREA "C"

DEVELOPMENT AREA "D"

DEVELOPMENT AREA "E"

DEVELOPMENT AREA "H"

DEVELOPMENT AREA "G"

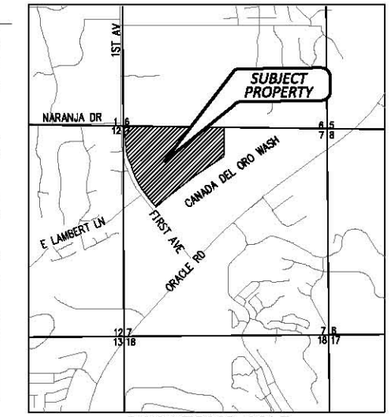
DEVELOPMENT AREA "F"

1st AVENUE

LAMBERT LANE

CANADA del ORO WASH

PROPERTY BOUNDARY



LOCATION MAP

A PORTION OF SECTION 7,
TOWNSHIP 12 SOUTH, RANGE 14 EAST,
GILA & SALT RIVER MERIDIAN
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SCALE: 3" = 1 MILE

Legend of Symbols

- Property Boundary
- Internal Roadway
- Proposed Critical Resource Area (to be conserved except for roads, paths, trails, and other open space amenities as permitted by Oro Valley Zoning Code).
- E.S.L. Hillside Conservation Areas
- Areas to Remain Undisturbed / Ungraded
- Areas to be Disturbed / Graded (including highly visible areas)
- Highly Visible Areas from Off-Site

The WLB Group Inc. WLB
TUCSON - PHOENIX - LAS VEGAS - FLAGSTAFF

Exhibit BB: Composite Map #2

12.18.2014
WLB No. 181057-Y-002

0' 100' 200' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\BB - Composite Map 2.dwg Plotted: Dec. 18, 2014

II-V. Phasing

The primary intent of building the project in phases is to relate infrastructure requirements to site development, market demand and project financing. It is anticipated that the project will be constructed in phases and the area that is anticipated to be constructed in the first phase is shown on *Exhibit CC: Phase 1 Area.* Only the infrastructure that is required to serve the development areas in this first phase would be constructed. As the development areas are constructed, the roads, utilities, recreational elements, etc. would be simultaneously built.

II-W. General PAD Administration

1. This PAD is the controlling document for the development of this project. Any existing or future Town of Oro Valley ordinances or regulations (including any design guidelines) that conflict with this PAD shall either not apply or shall be interpreted to allow the PAD regulations to govern.

2. Any proposed changes to this PAD and Tentative Development Plan (TDP) shall be submitted to the Planning and Zoning Administrator, who shall review the item and ascertain whether or not the change is significant. If any change proposed is determined by the Planning and Development Administrator to be not significant, then the Planning and Development Administrator has the authority to approve such a change on his/her own and will approve this change in written correspondence. If a change is determined to be significant by the Planning and Development Administrator, the proposed change shall be submitted for reconsideration by both the Planning Commission and Town Council.

   A significant change shall be determined by, but not limited to, the following criteria:

   a. Any change to the permitted use or uses. Permitted uses shall mean the primary and alternative uses as set forth in the Tentative Development Plan, this PAD and conditions attached to the approved rezoning.

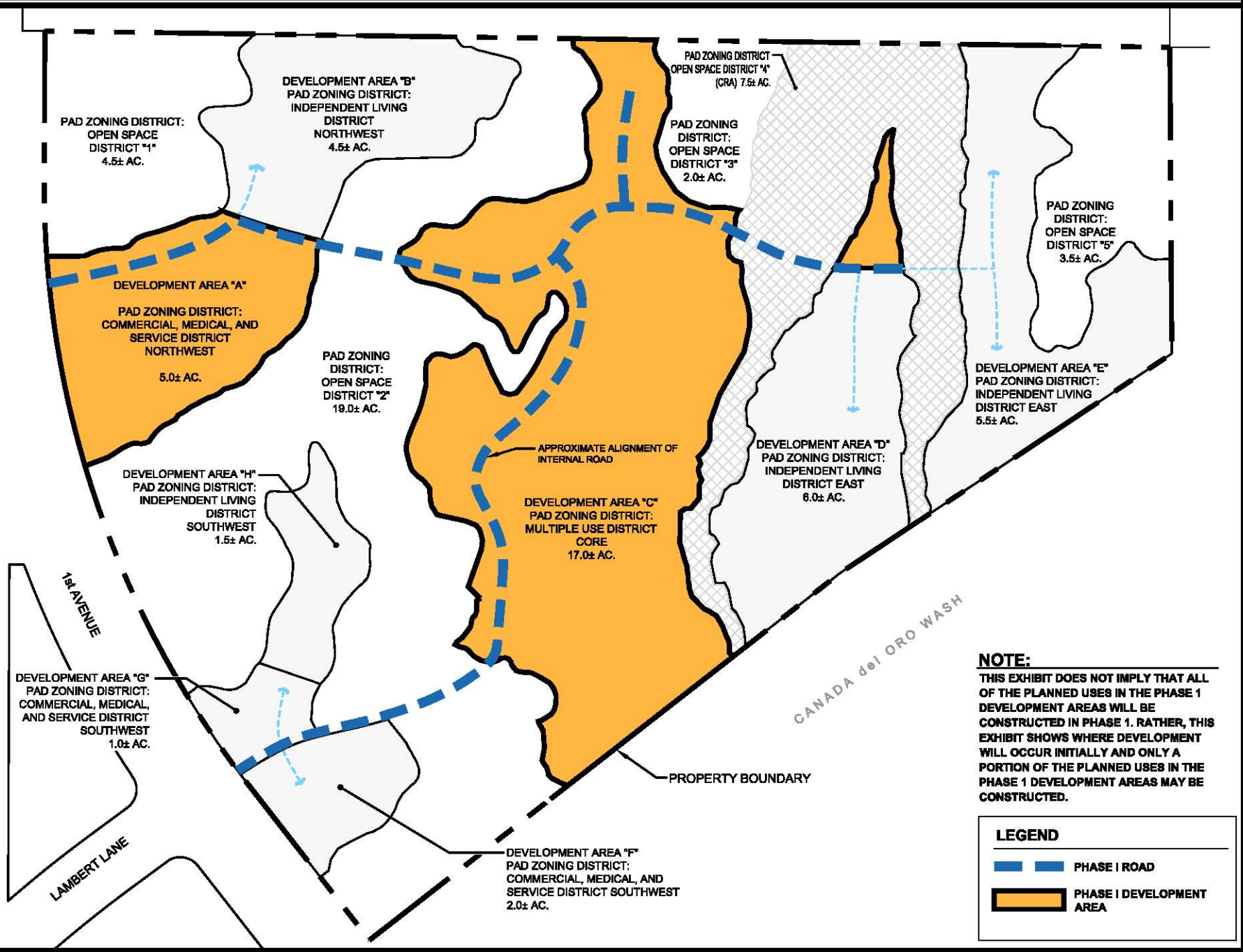
   b. Any change to the development standards or zoning conditions relating to building heights, setbacks, open space requirements, any reduction in open space, parking standards (as defined herein), floor area ratios and density.

   c. Any change to the Tentative Development Plan (TDP) associated with this rezoning which would vary any material terms or conditions of the rezoning, which would modify any proposed density standards, any kinds of street or land improvements proposed, affecting the standards and layout for vehicular circulation, signs and nuisance controls intended for the development.

   d. Nothing in this section shall be deemed to authorize the Planning and Zoning Administrator to modify or approve any aspects of development reserved to the Conceptual Design Review Board pursuant to Section 22.5 of the Oro Valley Zoning Code.

3. Administrative Interpretations. On occasion, it may be necessary to request an interpretation from the Planning and Development Administrator related to the language contained within this PUD. These circumstances may relate to the interpretation of the project intent, permitted uses, development standards or any other language contained within this PAD. The Planning and Development Administrator shall have the authority to make interpretations of the intent of this PAD and the language contained herein. Any such interpretations shall be provided by the Planning and Development Administrator in written form upon the request of the owner, developer or its assigns.

4. Where the PAD document is silent, the Oro Valley Zoning Code shall prevail.



The WLB Group WLB

EXHIBIT CC
PHASE I AREA

12.19.2014
WLB No. 181057-Y-002

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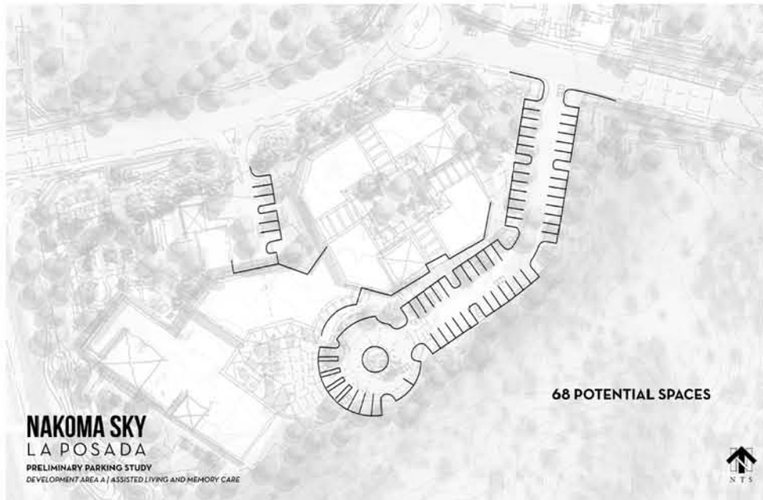
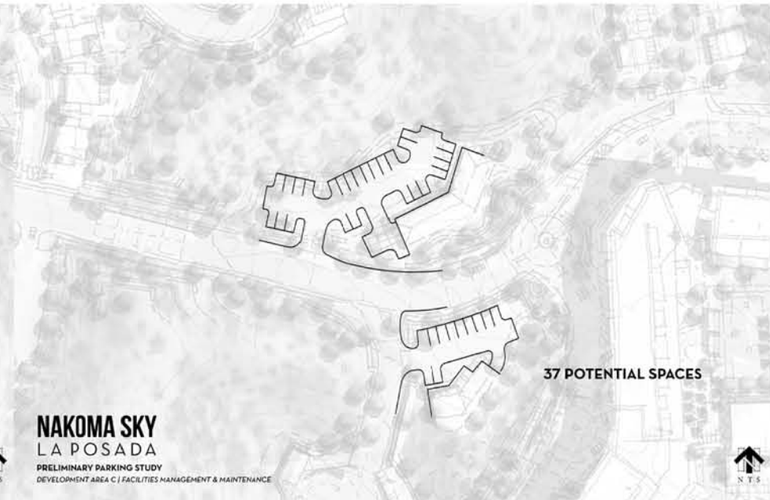
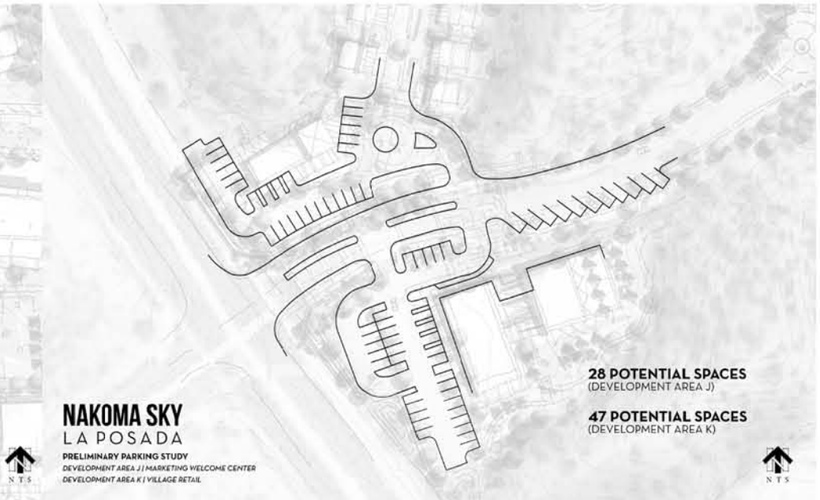
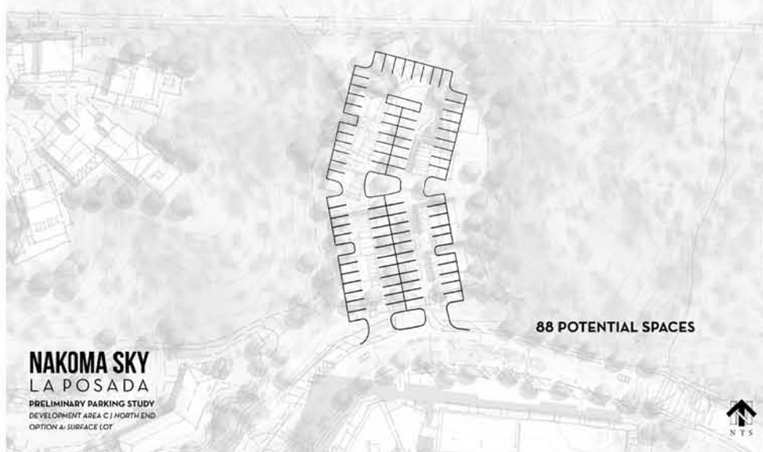
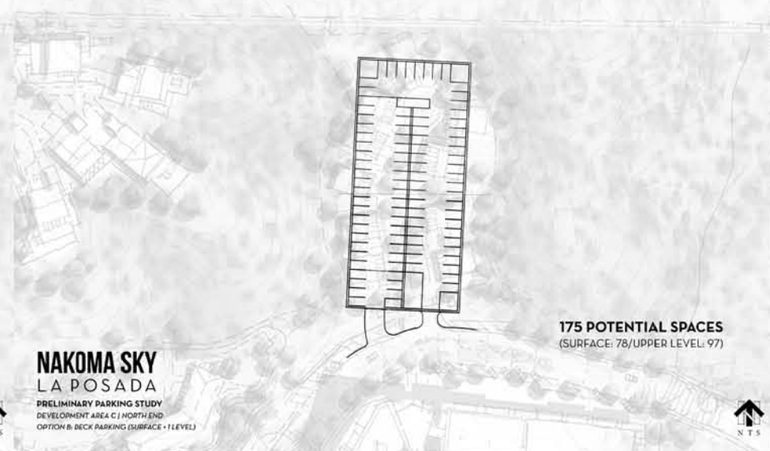
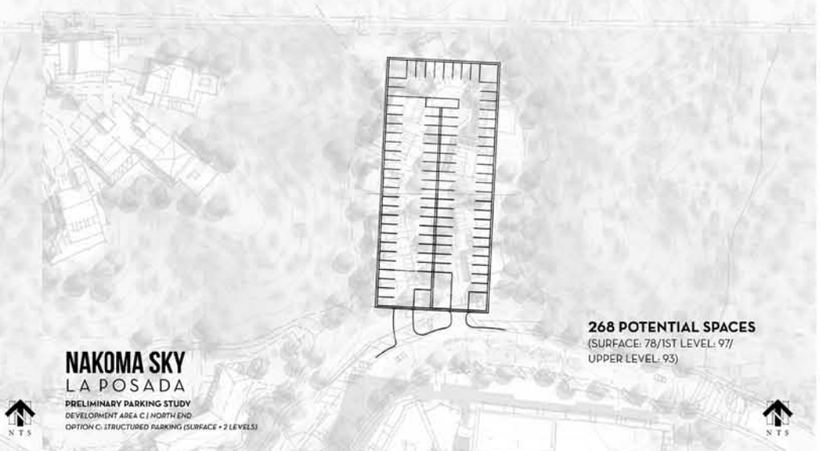


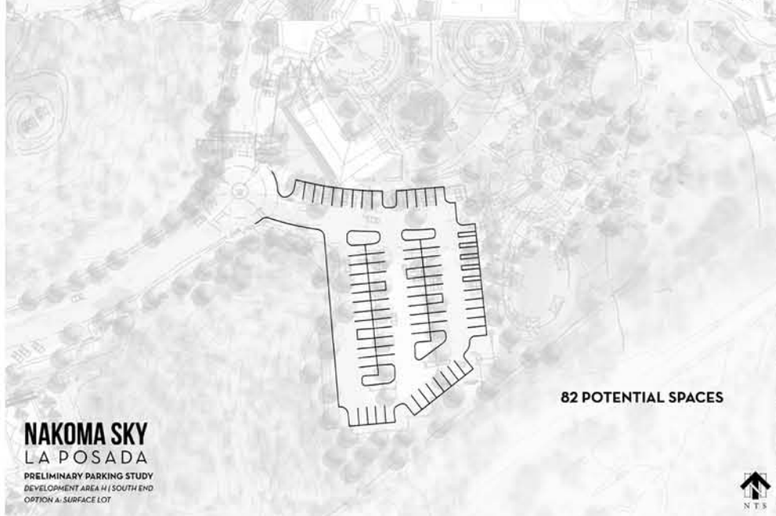


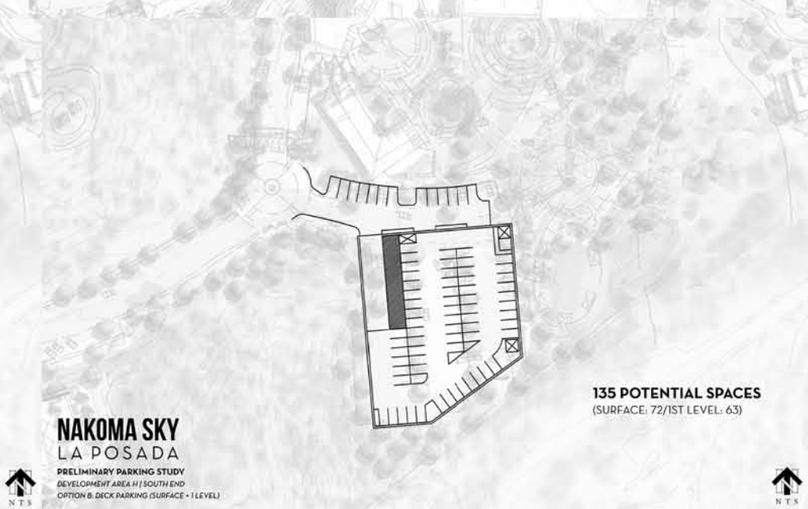












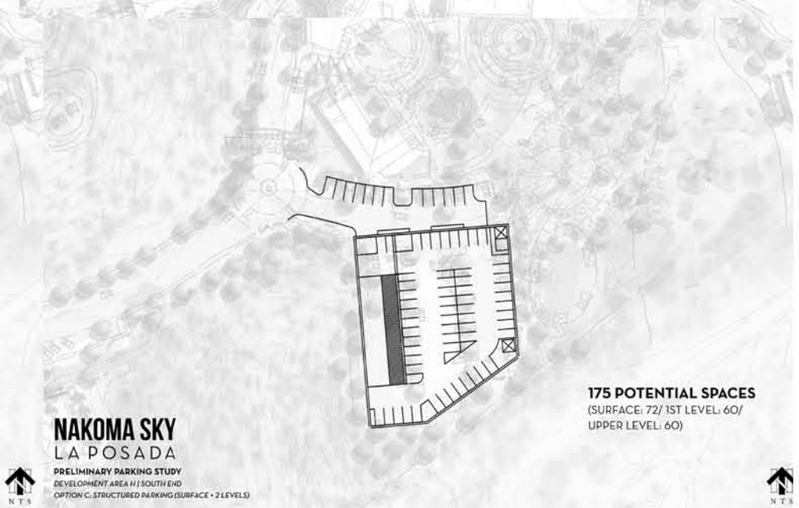
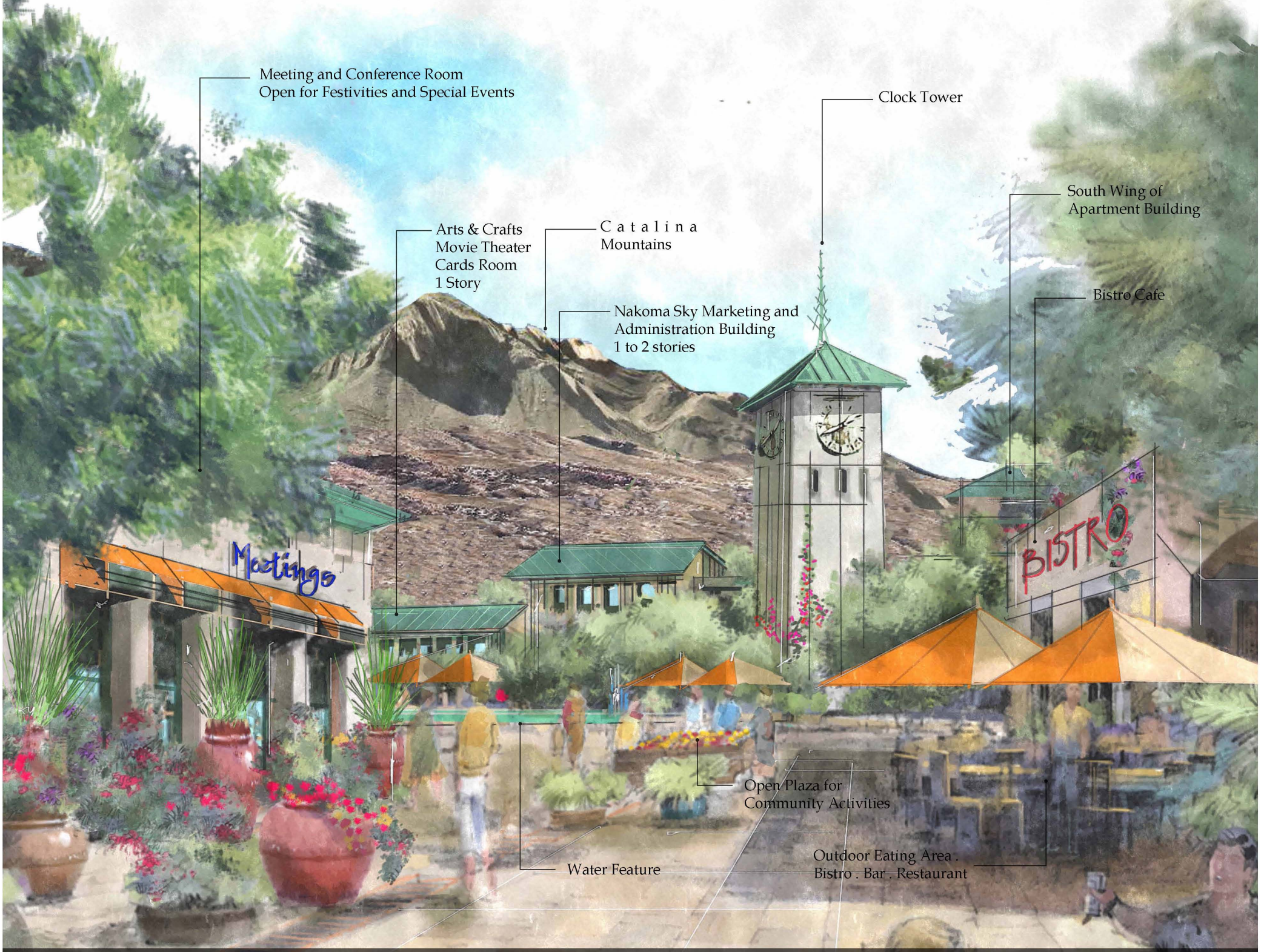


EXHIBIT DD: OPTIONAL SURFACE PARKING LOCATIONS

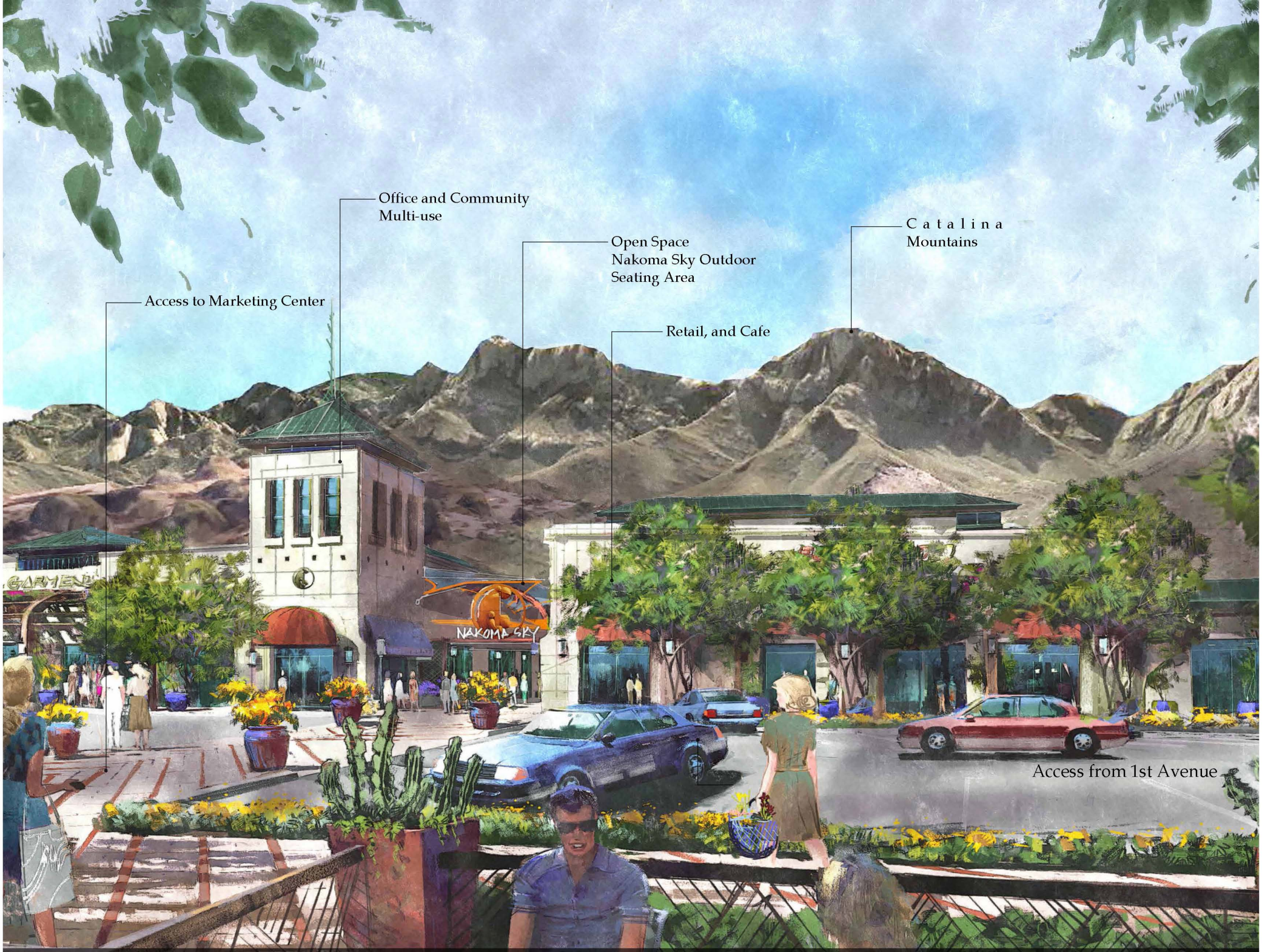
APPENDIX A

Representative Site Perspectives and Elevations

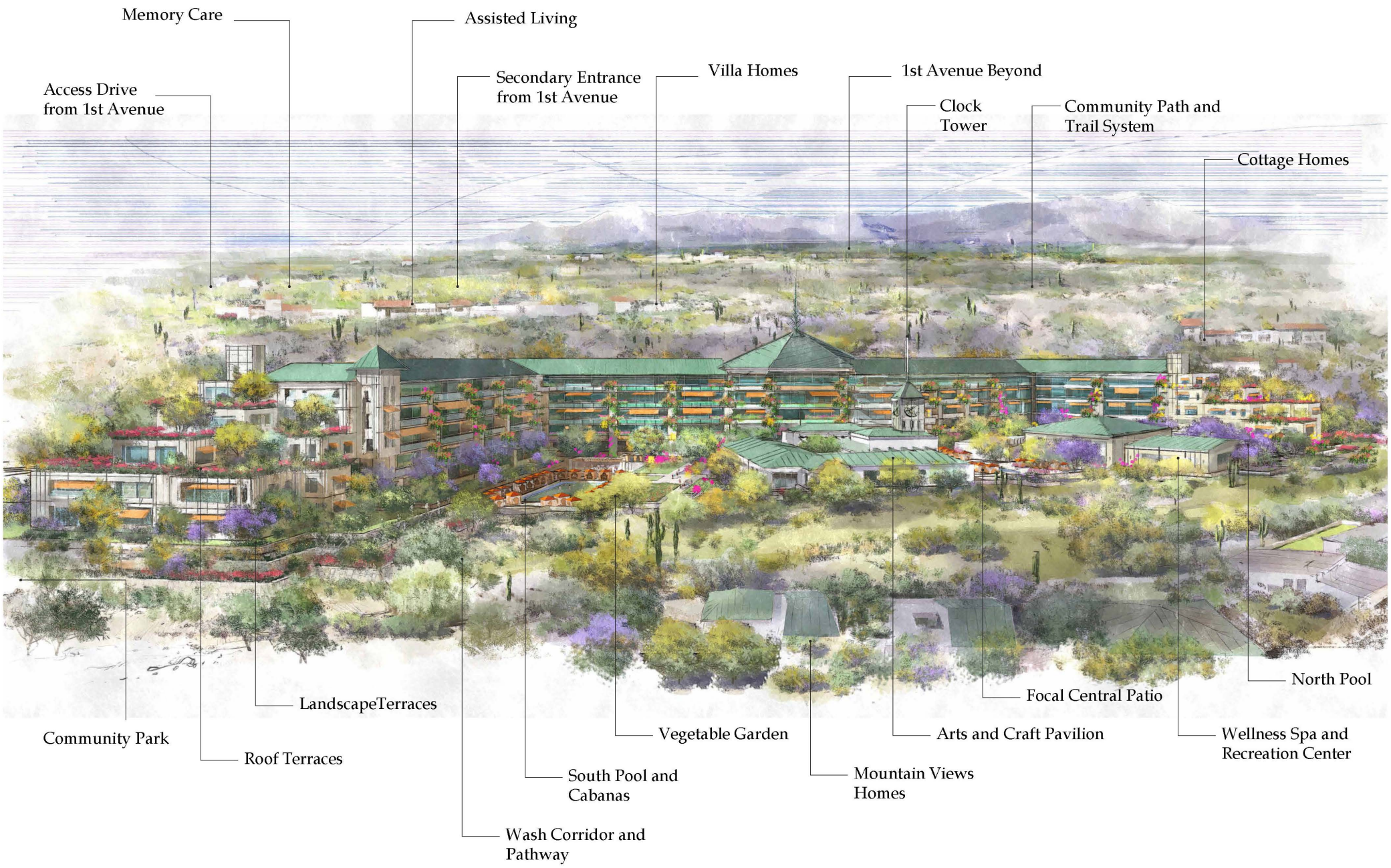
Note: The representative site perspectives and elevations in this appendix are intended to provide an illustration of the character and flavor of the various constructed elements of the project. The final constructed elements may not look exactly like the images contained herein.



Village Plaza between the Bistro Cafe and Meeting Conference Room - Looking South



Looking East From Marketing Center to the Village Retail Cafe - Main Entrance Road



Orchestrated Land Uses at the Core Village - Looking NorthWest

ARTS

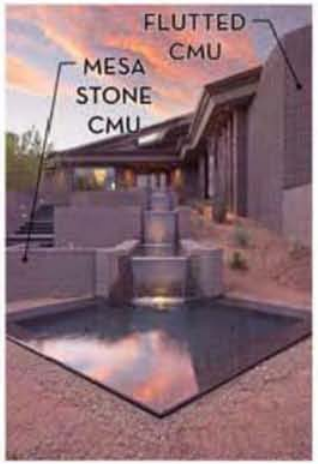
APPENDIX B

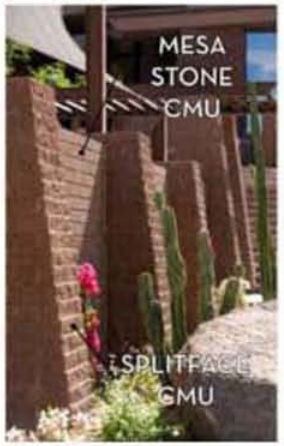
Representative Building and Roof Materials

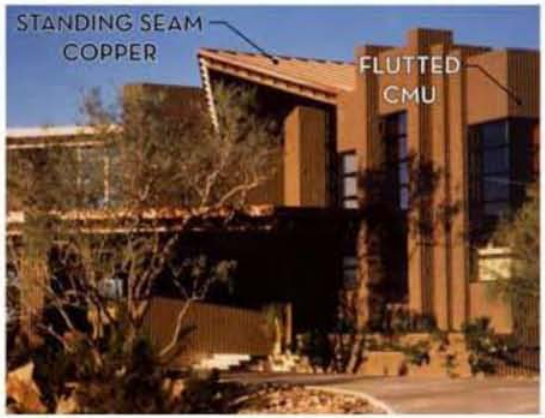
Note: The representative building and rood materials in this appendix are intended to provide an illustration of the character and flavor of the various constructed elements of the project. The final constructed elements may not look exactly like the images contained herein.

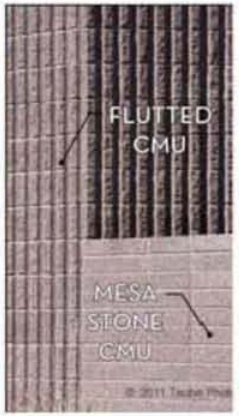
EXTERIOR MATERIALS

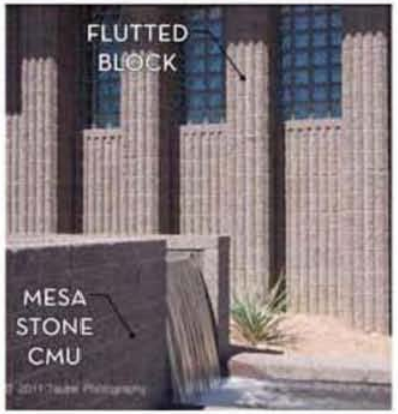
WILL INCLUDE MASONRY VENEER AND STUCCO





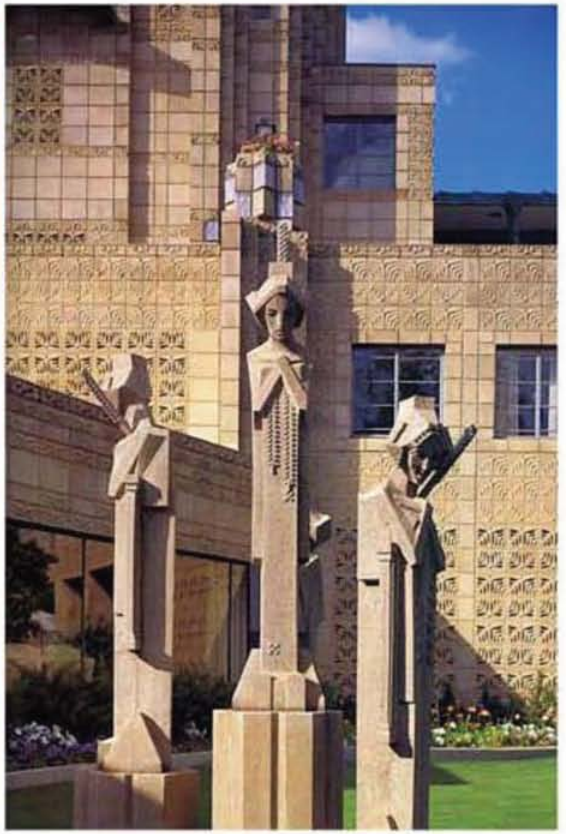






Posada Inn

FLUTTED
CMU



BILTMORE LIKE
CAST BLOCK
FLUTTED
CMU

BILTMORE LIKE
CAST BLOCK
SMOOTH CAST
BLOCK

ROOFS AND FLAT ROOFS WITH PARAPETS

APPENDIX C

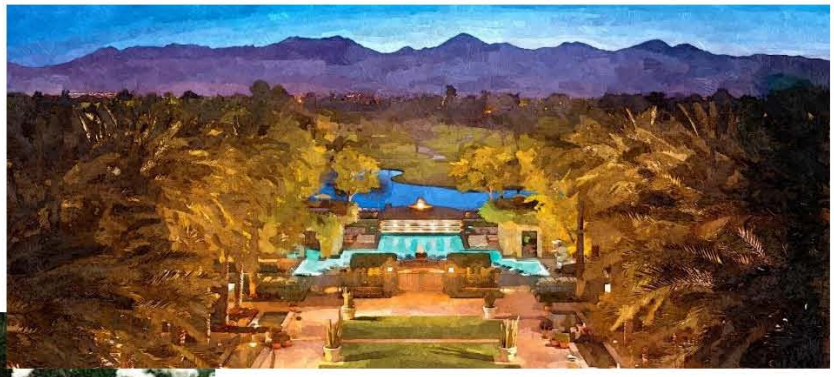
Representative Site Imagery

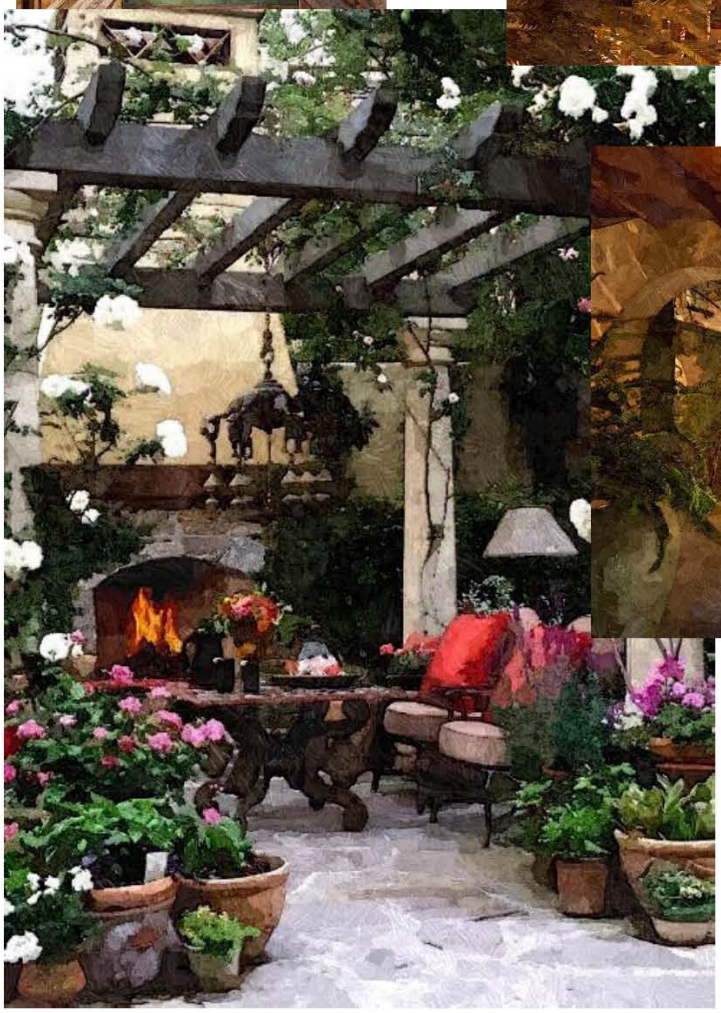
- **Architectural and Architectural Finishes Imagery**
- **Monuments and Signage Imagery**
- **Park Design Imagery**
- **Water Feature Imagery**

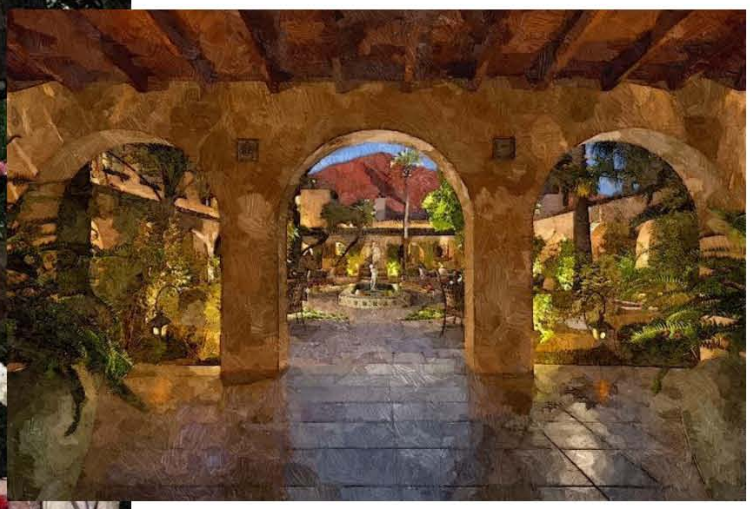
Note: The representative site imagery in this appendix is intended to supplement the imagery shown in Appendices A and B and provide additional illustration of the character and flavor of the various constructed elements of the project. The final constructed elements may not look exactly like the images contained herein.

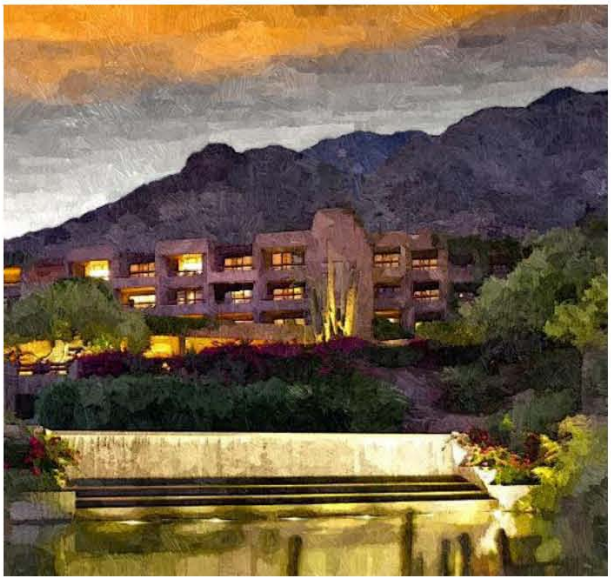
Architectural and Architectural Finishes Imagery

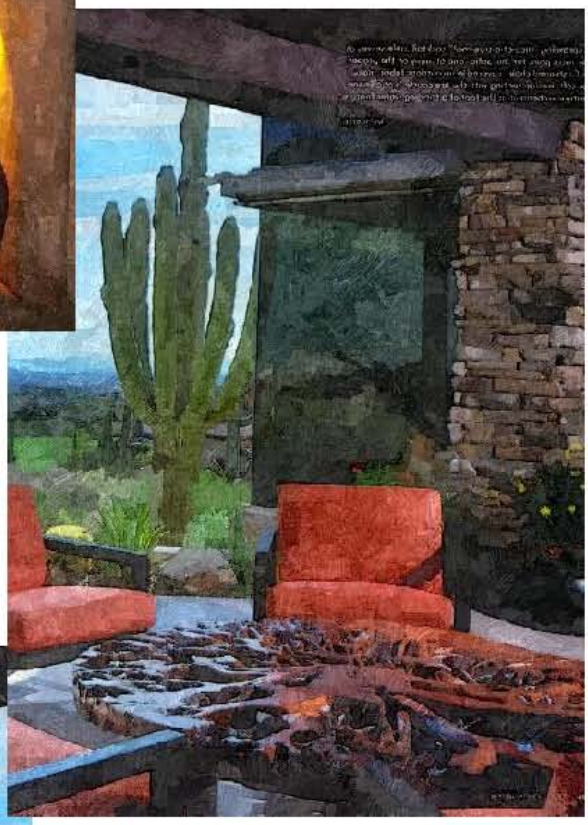
ARCHITECTURAL AND ARCHITECTURAL FINISHES IMAGERY

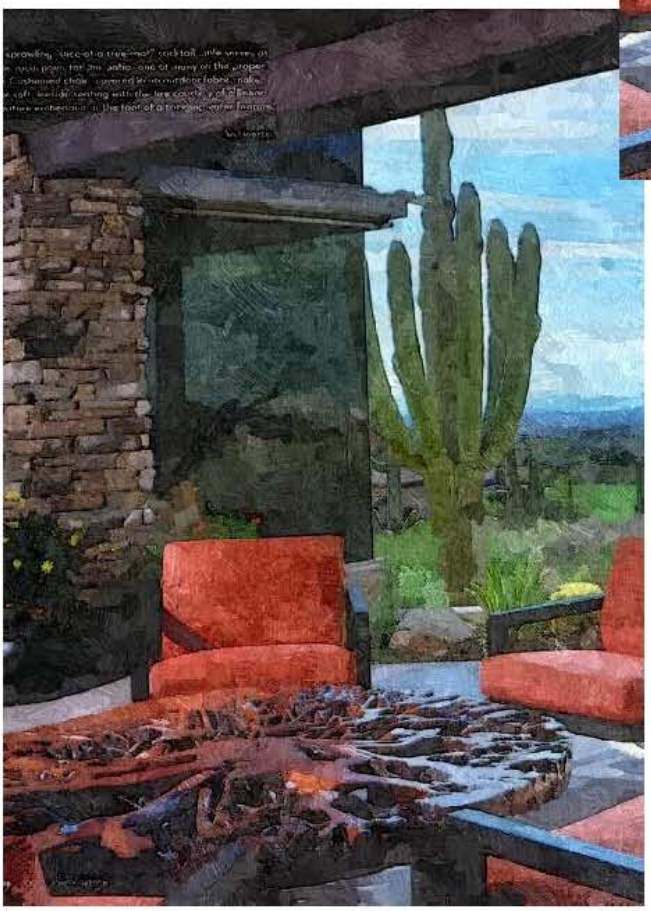


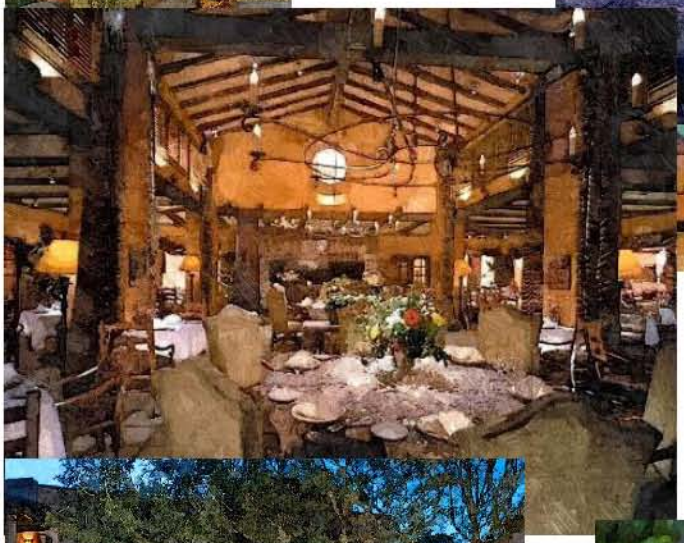


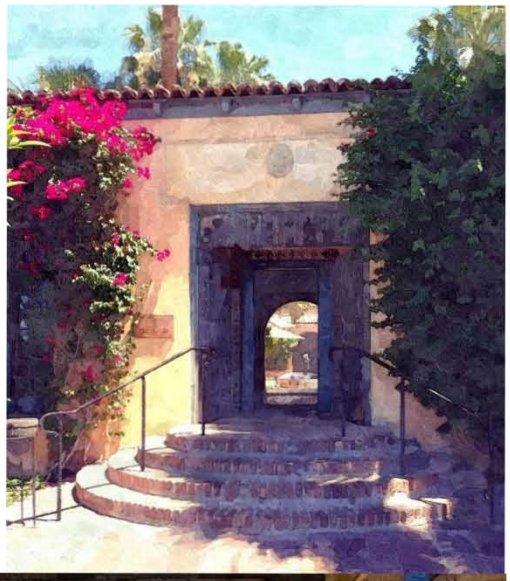


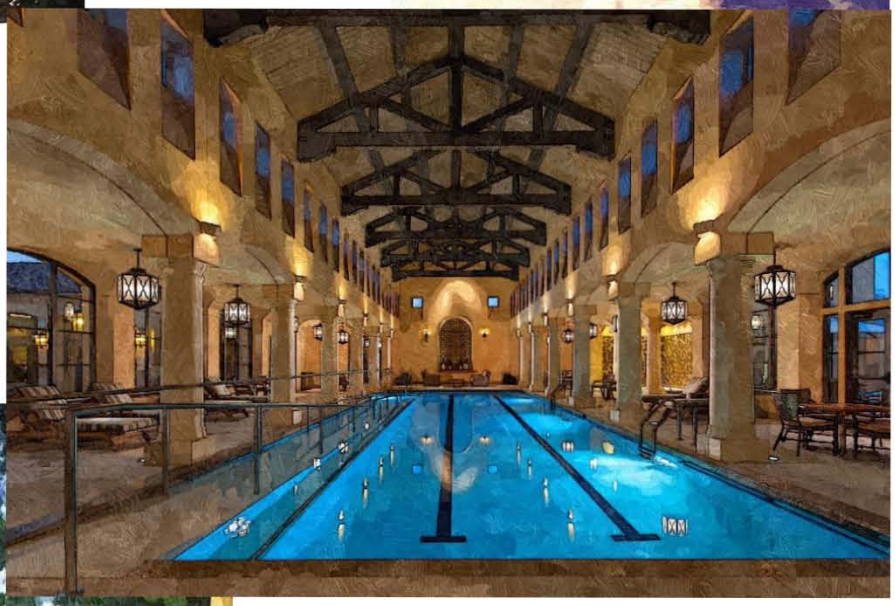


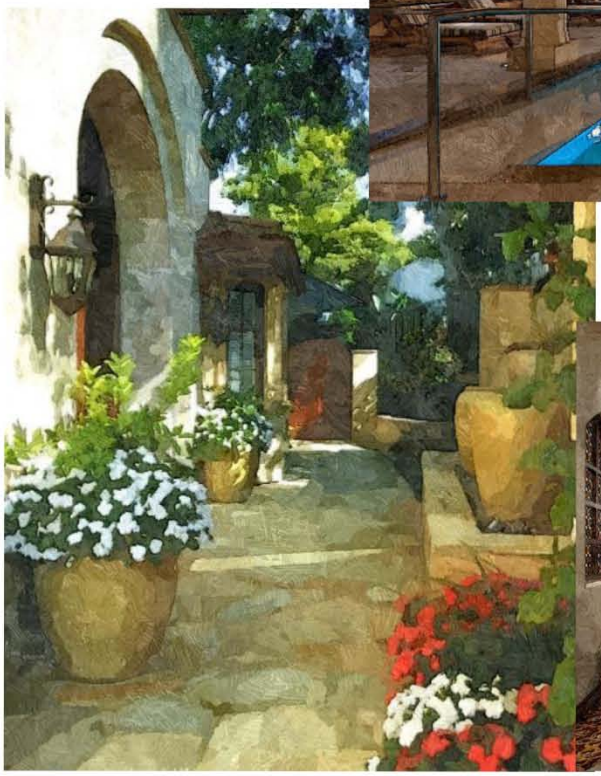


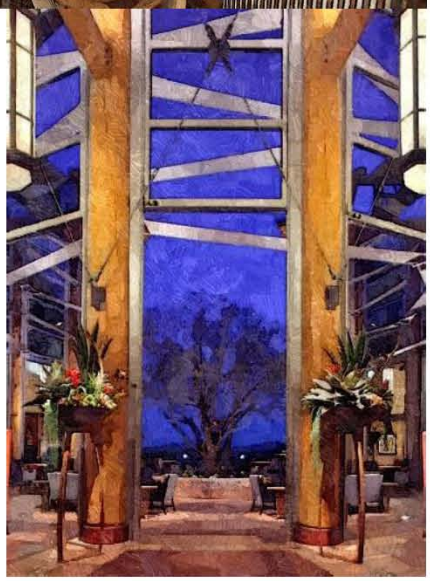


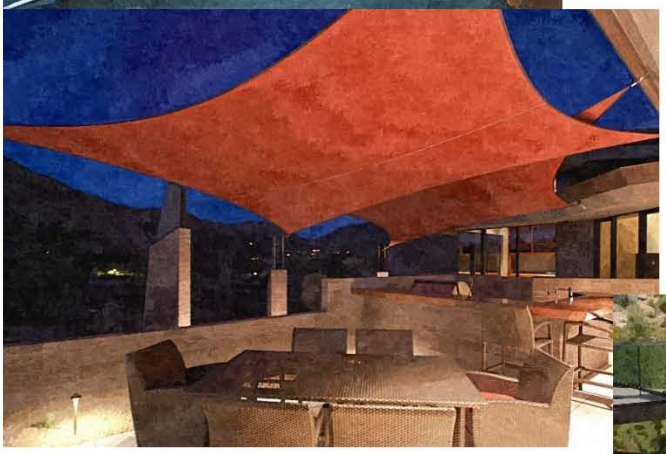


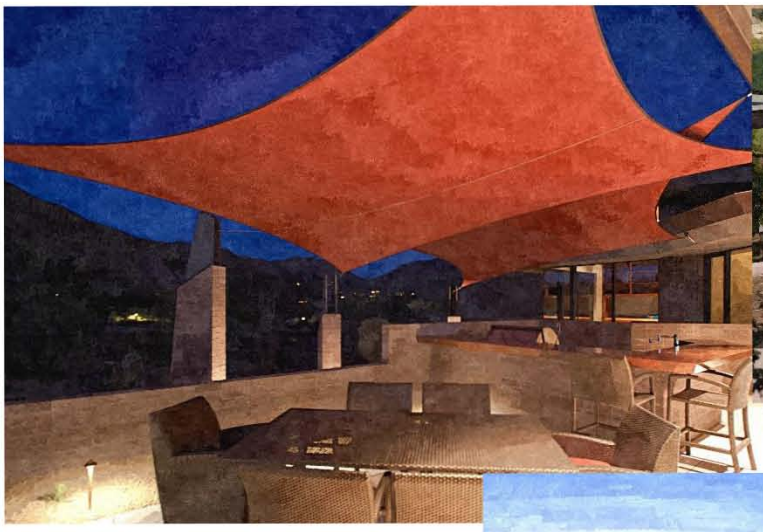


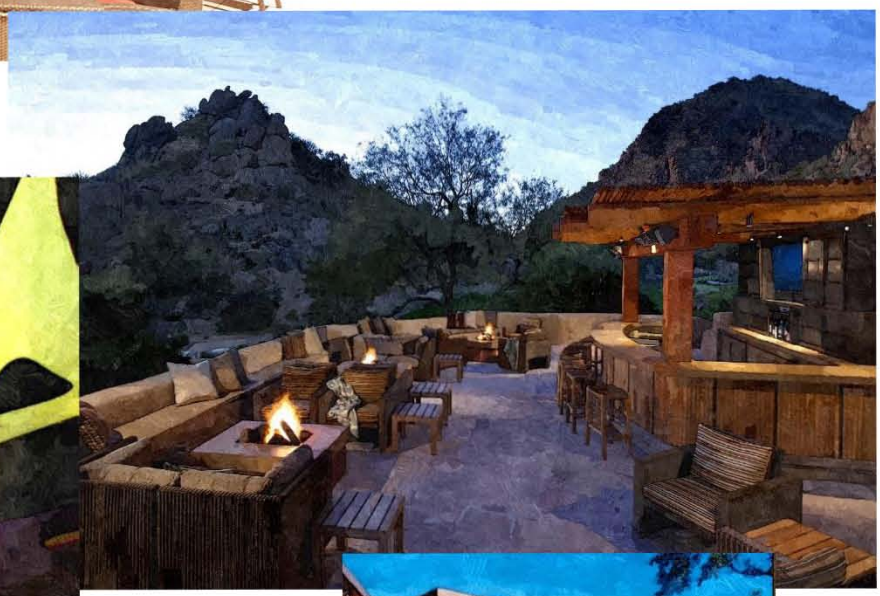


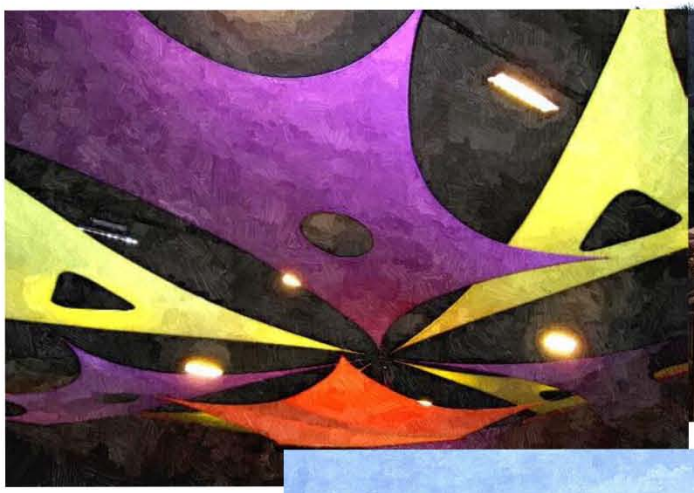


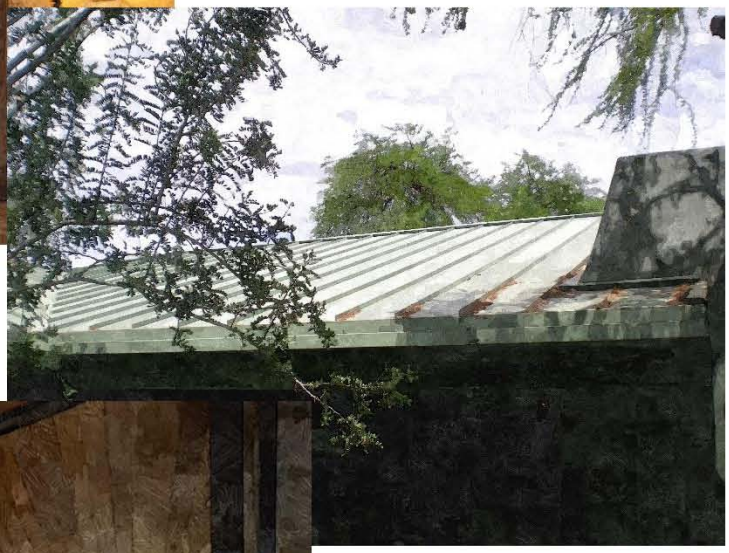






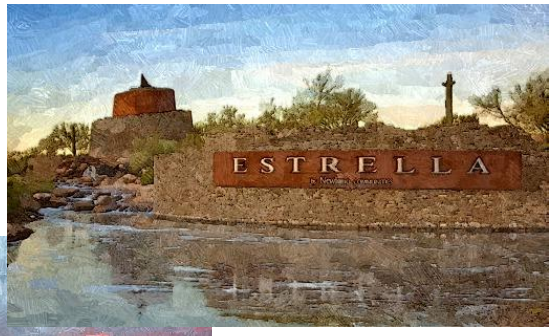






Monuments and Signage Imagery

MONUMENTS AND SIGNAGE IMAGERY



MONTE SERENO

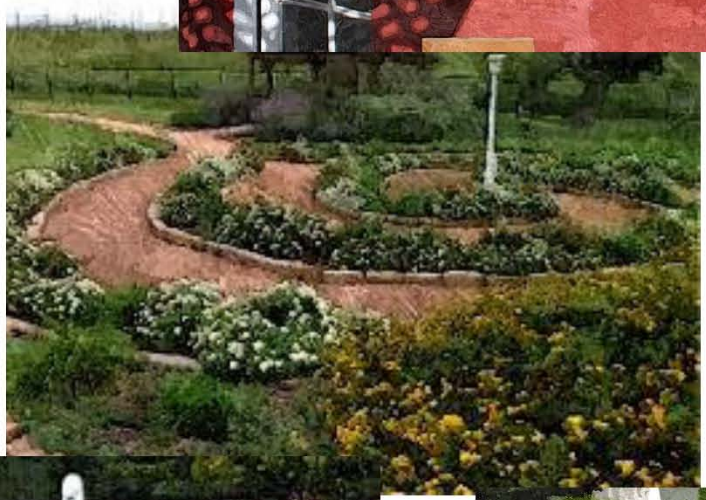
SaddleBrooke Ranch
A ROBSON RESORT COMMUNITY

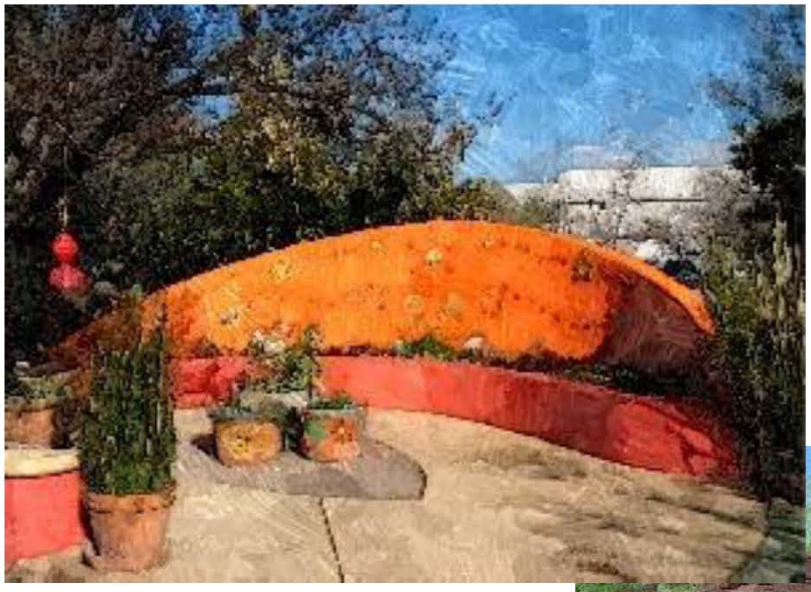
SERENO CANYON

Park Design Imagery

PARK DESIGN IMAGERY

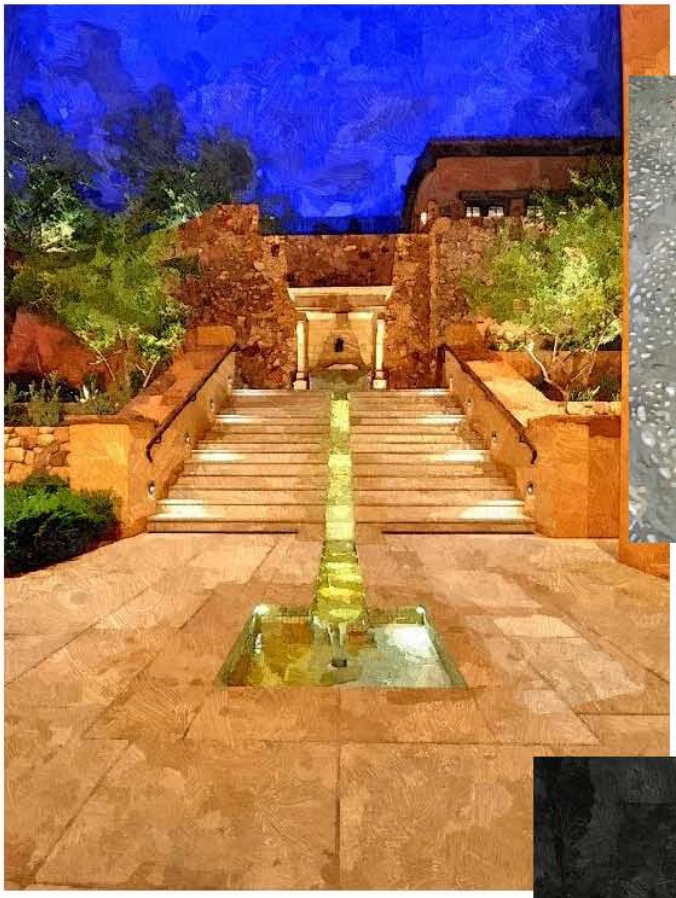
The
Artists'
Studio

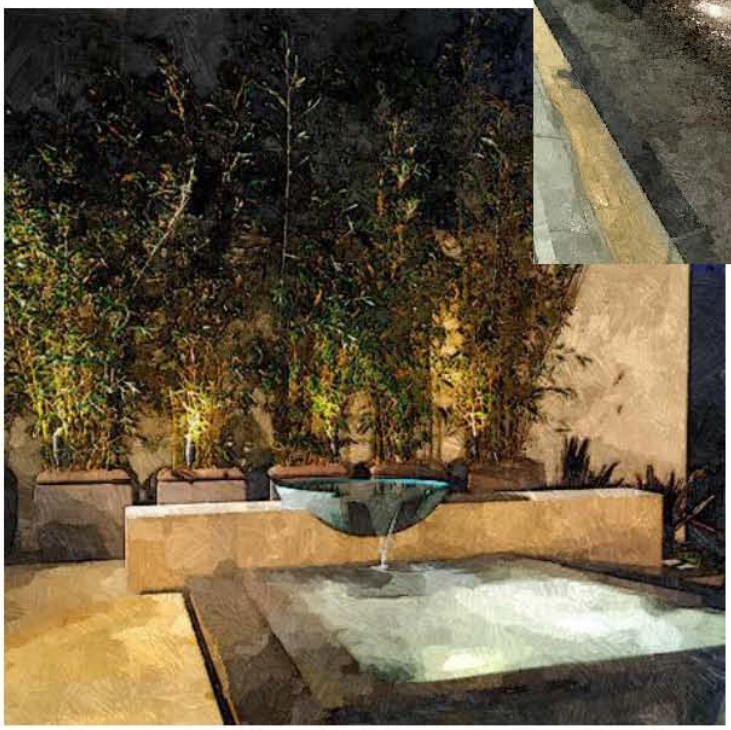


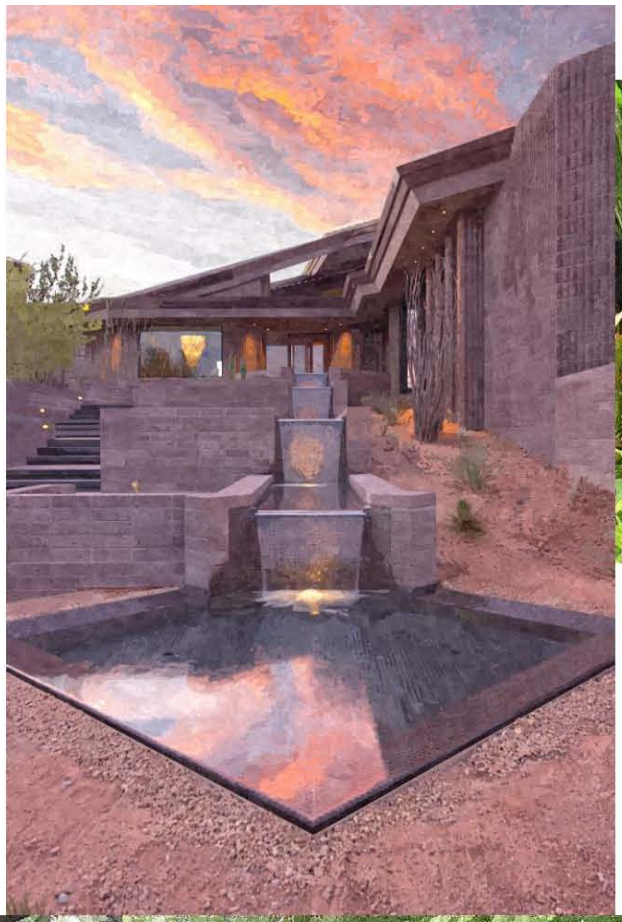


Water Feature Imagery

WATER FEATURE IMAGERY







APPENDIX D

Building Height Exhibit

N 1st Avenue
Canada del Oro River
LEGEND
1st Level
2nd Level
3rd Level
5th Level
NTS

APPENDIX E

Pre and Post Development Viewsheds

La Posada

Reference Map

View #1 Existing

See reference map.

La Posada

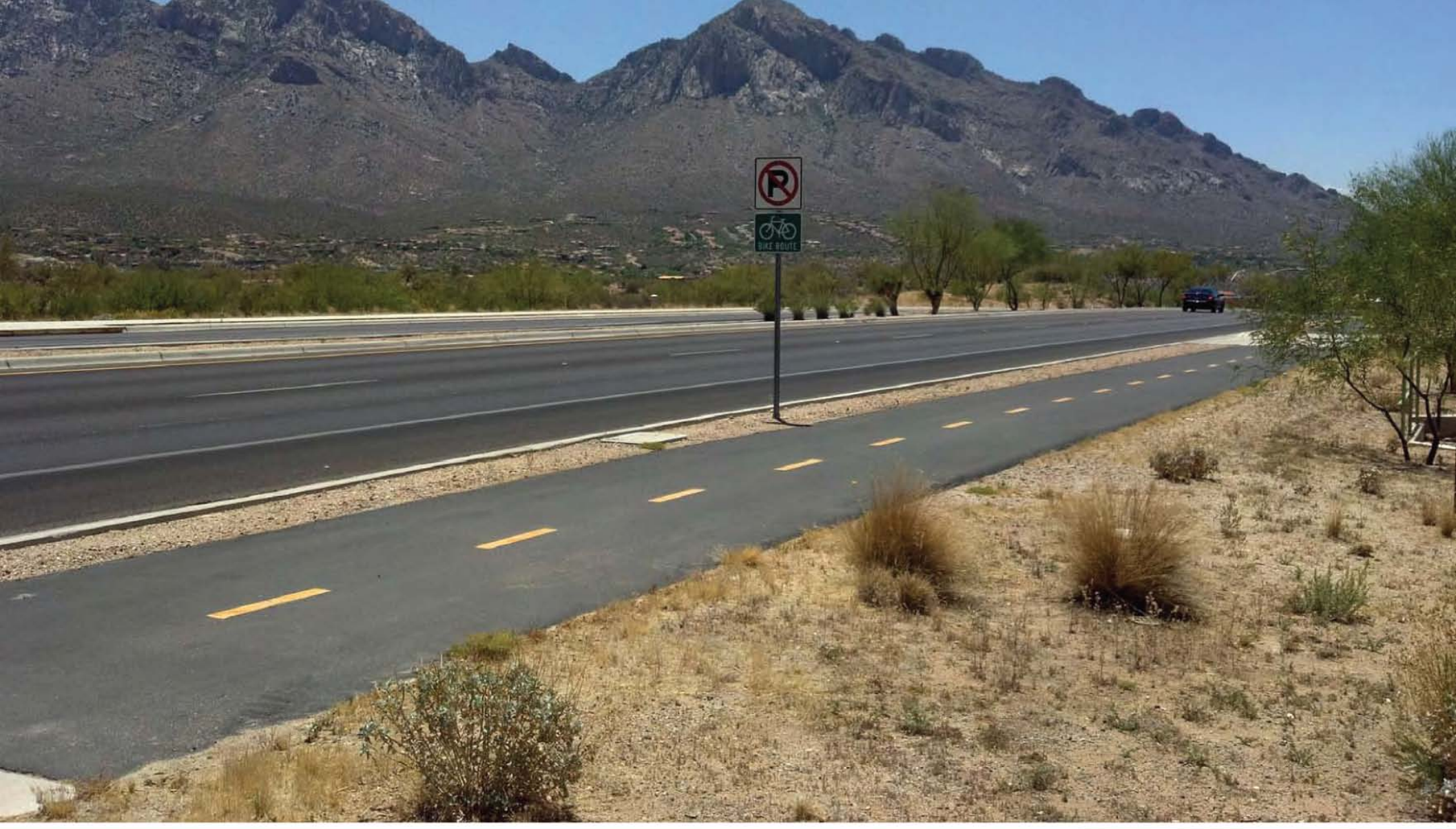
Model Visual Simulation

View #1 Proposed

See reference map.

La Posada

Model Visual Simulation

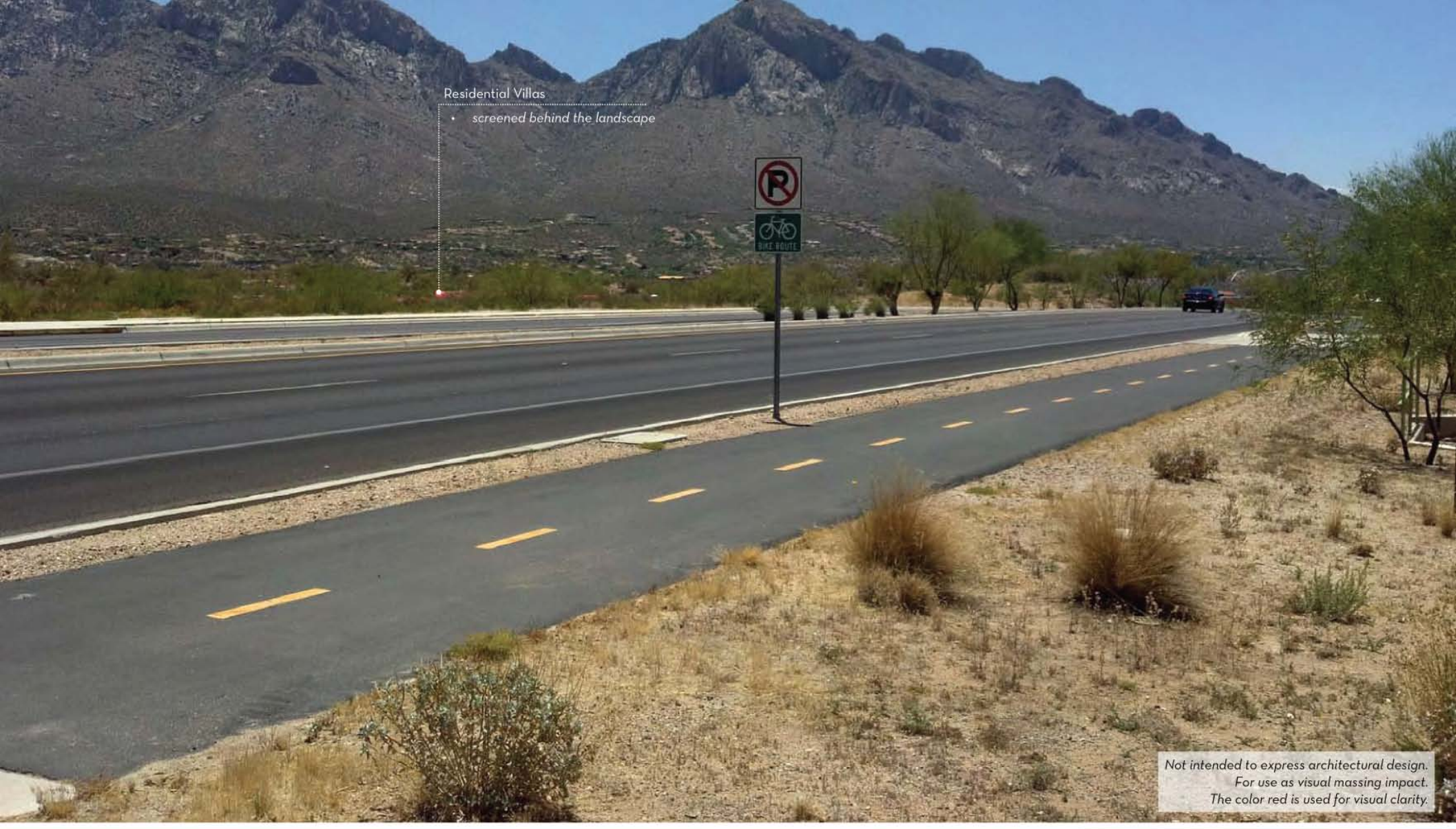


View #2 Existing

See reference map.

La Posada

Model Visual Simulation



View #2 Proposed

See reference map.

La Posada

Model Visual Simulation

View #3 Existing

See reference map.

La Posada

Model Visual Simulation

View #3 Proposed

See reference map.

La Posada

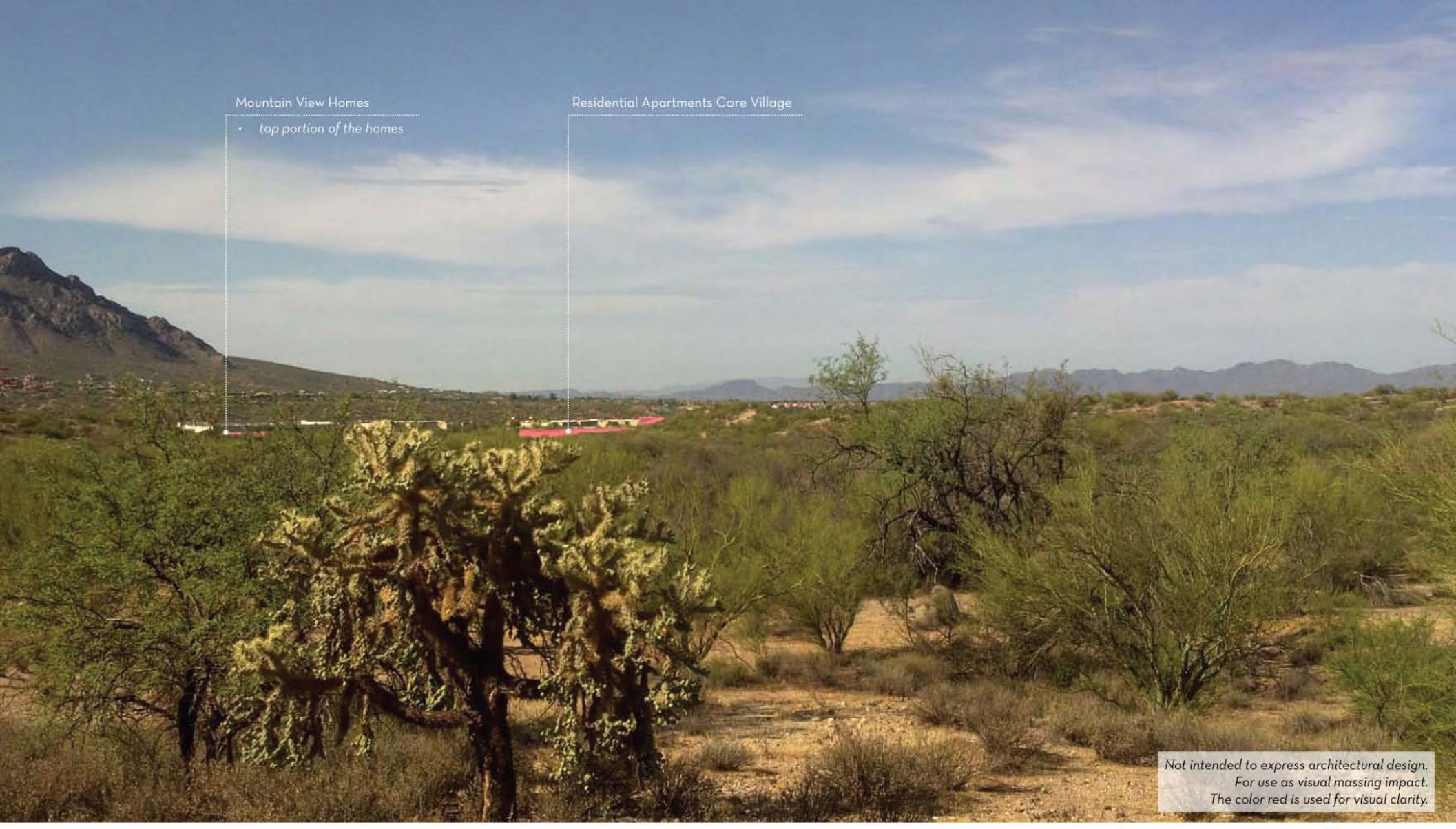
Model Visual Simulation

View #4 Existing

La Posada

Model Visual Simulation

See reference map.



View #4 Proposed

La Posada

Model Visual Simulation

See reference map.

View #5 Existing

La Posada

Model Visual Simulation

See reference map.

View #5 Proposed

La Posada

Model Visual Simulation

See reference map.

View #6 Existing

La Posada

Model Visual Simulation

See reference map.

View #6 Proposed

La Posada

Model Visual Simulation

See reference map.

View #7 Existing

La Posada

Model Visual Simulation

See reference map.

View #7 Proposed

La Posada

Model Visual Simulation

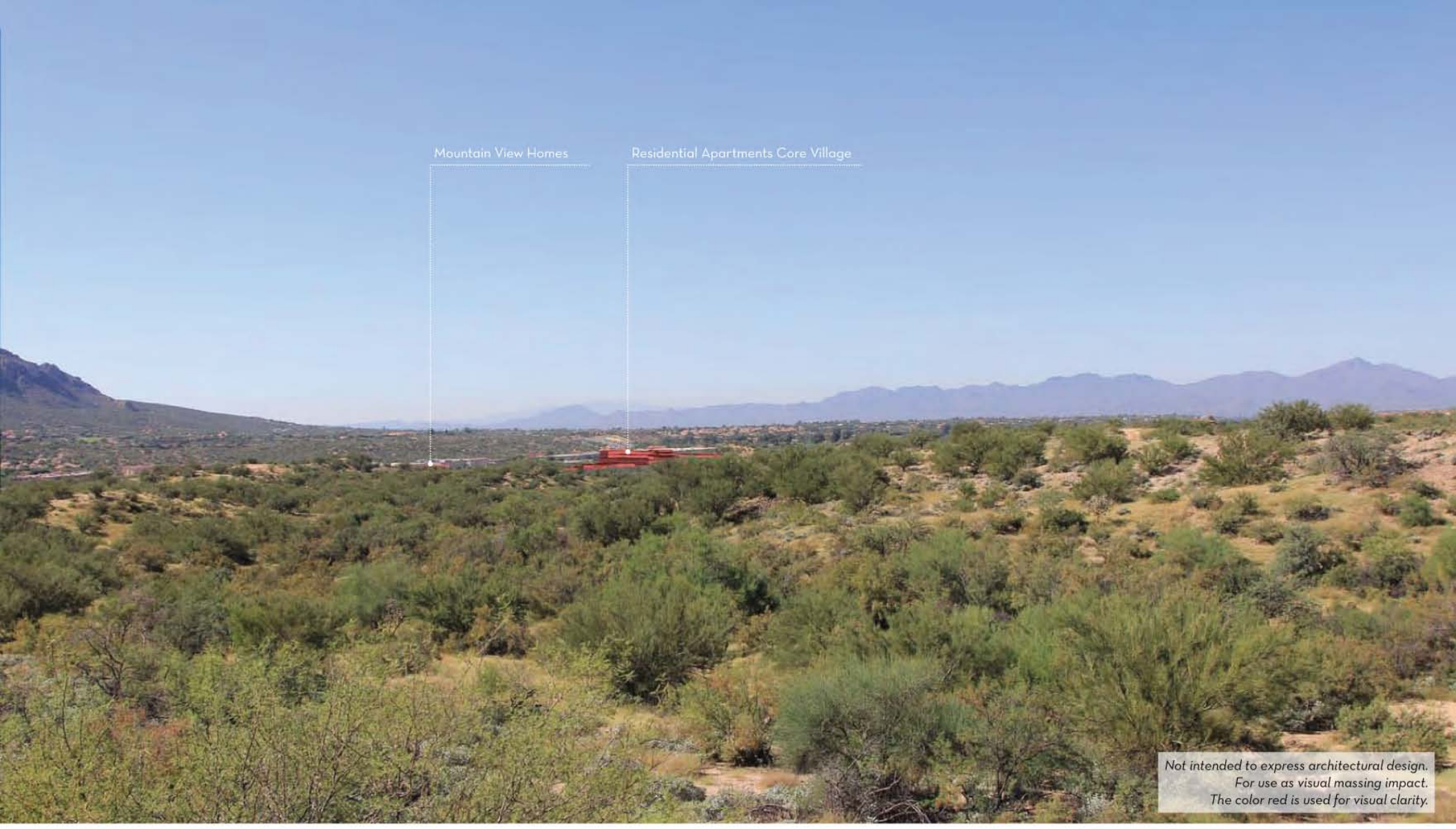
See reference map.

View #8 Existing

La Posada

Model Visual Simulation

See reference map.



View #8 Proposed

La Posada

Model Visual Simulation

See reference map.

View #9 Existing

La Posada

Model Visual Simulation

See reference map.

View #9 Proposed

La Posada

Model Visual Simulation

See reference map.

View #10 Existing

La Posada

Model Visual Simulation

See reference map.

View #10 Proposed

La Posada

Model Visual Simulation

See reference map.

View #11 Existing

La Posada

Model Visual Simulation

See reference map.

View #11 Proposed

La Posada

Model Visual Simulation

See reference map.

View #12 Existing

La Posada

Model Visual Simulation

See reference map.

View #12 Proposed

La Posada

Model Visual Simulation

See reference map.

View #13 Existing

La Posada

Model Visual Simulation

See reference map.

View #13 Proposed

La Posada

Model Visual Simulation

See reference map.

View #14 Existing

La Posada

Model Visual Simulation

See reference map.

View #14 Proposed

La Posada

Model Visual Simulation

See reference map.

View #15 Existing

La Posada

Model Visual Simulation

See reference map.

View #15 Proposed

La Posada

Model Visual Simulation

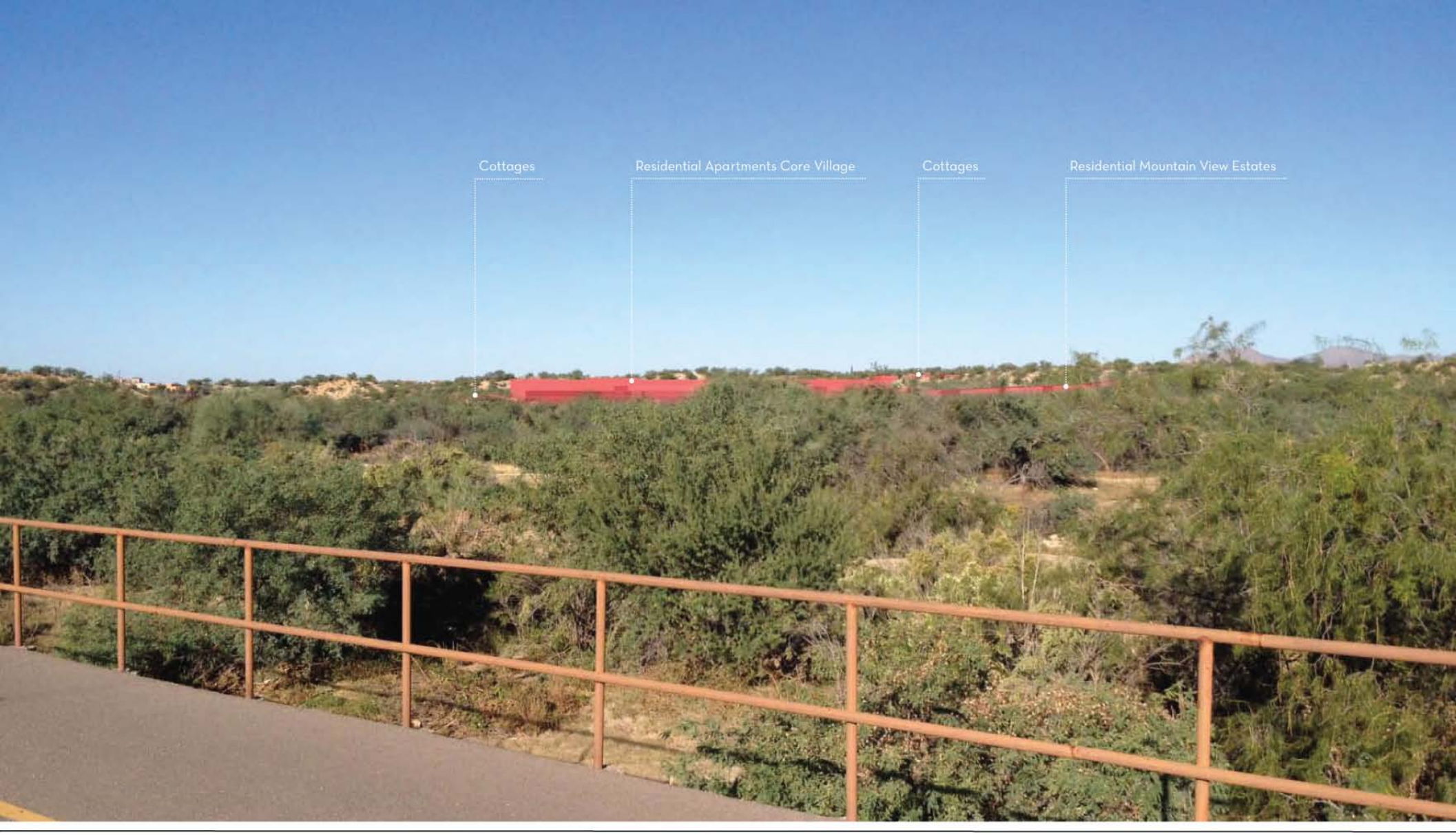
See reference map.

View #16 Existing

La Posada

Model Visual Simulation

See reference map.



View #16 Proposed

La Posada

Model Visual Simulation

See reference map.

APPENDIX F

Tentative Development Plan (24” x 36”)

APPENDIX G

ESL Flexible Development Standards

ESL Incentives Request:

ZONING INCENTIVES (SECTION 27.10(F)(2)(C)(III)	
*	(a) Building Setbacks
*	(b) Landscape Buffer Yards
*	(c) Minimum Lot Size
*	(d) Off-Street Parking
*	(e) Building Height
--	(f) Open Space
--	(g) Mixed Use
--	(h) Modified Review Process
--	(i) Recreation Area Credit
--	(j) Native Vegetation Preservation

*Items a thru e are being addressed in this PAD as permitted by Section 24.4 of the Oro Valley Zoning Code.

Items f thru j are incentives that either do not apply to this PAD or are not being requested at this time.

RESOLUTION NO. (R)15-10

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT KNOWN AS THE ENVIRONMENTALLY SENSITIVE LANDS PLANNING MAP, ATTACHED HERETO AS EXHIBIT "A" AND FILED WITH THE TOWN CLERK; AND DECLARING AN EMERGENCY TO EXIST

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, that certain document entitled the Environmentally Sensitive Lands Planning Map, 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 and declaring an emergency to exist, and this resolution shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 21st day of January, 2015.

TOWN OF ORO VALLEY

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

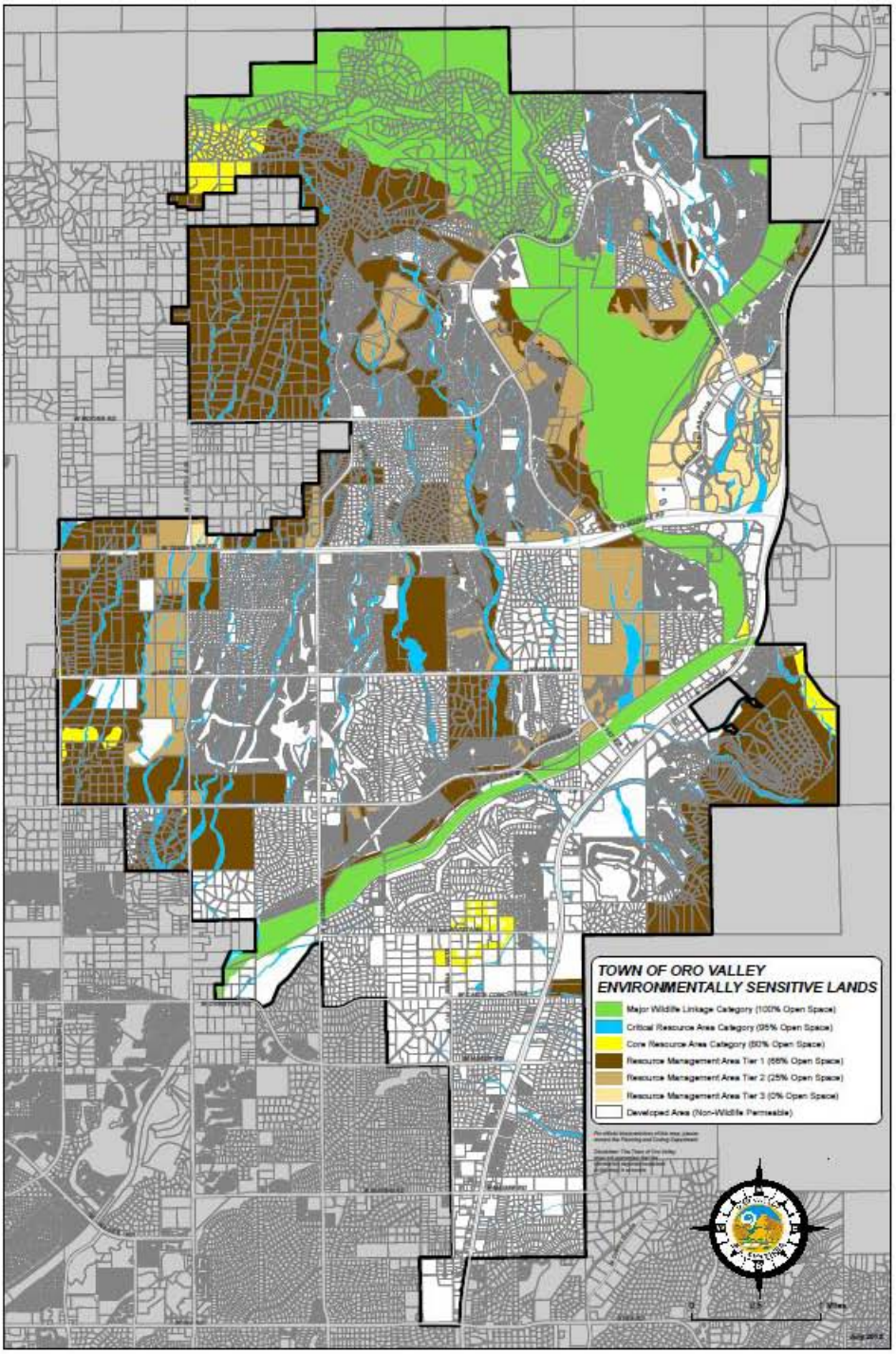
Date: _____

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

Date: _____

Exhibit A


TOWN OF ORO VALLEY
ENVIRONMENTALLY SENSITIVE LANDS
Major Wildlife Linkage Category (100% Open Space)
Critical Resource Area Category (95% Open Space)
Core Resource Area Category (80% Open Space)
Resource Management Area Tier 1 (55% Open Space)
Resource Management Area Tier 2 (25% Open Space)
Resource Management Area Tier 3 (0% Open Space)
Developed Area (Non-Wildlife Permeable)

Town Council Regular Session **Item # 4. b.**

Meeting Date: 01/21/2015
Requested by: Bayer Vella
Submitted By: Michael Spaeth, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: NAKOMA SKY SENIOR LIVING CAMPUS ON A 79.5-ACRE PROPERTY, LOCATED SOUTHEAST OF THE INTERSECTION OF 1ST AVENUE AND NARANJA DRIVE

1. RESOLUTION NO. (R)15-11, ADOPTING A MINOR GENERAL PLAN TEXT AMENDMENT TO CLARIFY THE INTENT AND APPLICABILITY OF A GENERAL PLAN SPECIAL AREA POLICY THAT RESTRICTS RESIDENTIAL SUBDIVISION DEVELOPMENT ON THE PROPERTY TO NO MORE THAN THREE (3) UNITS PER ACRE

2. ORDINANCE NO. (O)15-03, ADOPTING AN AMENDMENT TO THE ENVIRONMENTALLY SENSITIVE LANDS (ESL) PLANNING MAP TO MODIFY THE RIPARIAN AREA BOUNDARIES ON A CRITICAL RESOURCE AREA ON THE EAST SIDE OF THE PROPERTY

3. ORDINANCE NO. (O)15-04, REZONING FROM ROONEY RANCH "Z" PLANNED AREA DEVELOPMENT (PAD) TO NAKOMA SKY PAD TO ENABLE DEVELOPMENT OF A 79.5-ACRE SENIOR LIVING AND CARE CAMPUS, INCLUDING DINING, RECREATIONAL, CULTURAL, AND RETAIL USES

RECOMMENDATION:

The Planning and Zoning Commission recommends:

Approval of the Minor General Plan Amendment (Item A)
Approval of the Environmentally Sensitive Land Planning Map Amendment (Item B)
Approval of Rezoning to Nakoma Sky Planned Area Development (Item C), subject to the conditions in Attachment 1

EXECUTIVE SUMMARY:

The applicant proposes to rezone the 79.5-acre property of Nakoma Sky Planned Area Development (PAD) to develop a 400-unit senior living and care campus, located southeast of the 1st Avenue and Naranja Drive intersection (Attachment 2). The proposed project contains a variety of senior living and associated uses as depicted on the applicant's Tentative Development Plan, including:

- Independent living, assisted living and memory care
- Entertainment, arts and cultural facilities
- Retail and office uses
- Restaurants and dining facilities
- Trails, paths, and recreational facilities

The applicant also proposes to amend the Environmentally Sensitive Lands Planning Map to refine the boundaries of the riparian corridor lying on the east side of the property consistent with existing drainage and vegetative conditions.

Further, the applicant requests a Minor General Plan text amendment to address a Special Area Policy applicable to the property that states, *"The area designated as Master Planned Community may be developed at up to three units per acre."* The Zoning Code permits General Plan text changes, *"that clarify any portion of an element, policy, objective or goal without substantially altering the intent."*

The proposed PAD zoning is consistent with the Master Planned Community General Plan land use designation, which envisions a range of land uses on the property developed in a comprehensive manner.

The requests were considered by the Planning and Zoning Commission on January 6, 2015. At the public hearing, staff presented numerous conditions to address previously raised concerns. The applicant indicated their agreement with all of the conditions as presented by staff. At the conclusion of the public hearing, the Commission voted to recommend approval of the request. The Planning and Zoning Commission Staff Report is provided as Attachment 3 for background information.

The applicant's proposal is attached for your reference, as follows:

- Nakoma Sky PAD (Exhibit B in Ordinance Rezoning to PAD)
- Updated Cultural Resources Survey (Attachment 4)
- Environmentally Sensitive Lands (ESL) Planning Map Amendment (Attachment 5)
- Minor General Plan Amendment (Attachment 6)

BACKGROUND OR DETAILED INFORMATION:

For detailed background information on the request, please refer to the Planning and Zoning Commission Staff Report (Attachment 3). To avoid duplicative information, a summary of each request is provided below, focused on new or updated information not found in the Commission staff report.

Minor General Plan Amendment

The General Plan Special Area Policy which applies to the subject property states, *"The area designated as Master Planned Community may be developed at up to three units per acre."* It has been interpreted to apply to single-family residential subdivisions in order to regulate the number of single-family homes to no more than three (3) per acre (which equate to 238 homes on the Nakoma Sky property).

Since the Nakoma Sky project is not a residential subdivision, the applicant wishes to modify the policy to include language which clarifies that the policy only applies to single-family residential subdivisions and that the proposed senior living campus is not subject to the policy. The Commission has recommended approval of the amendment which clarifies that the policy only applies to residential subdivisions and does not apply to the proposed senior living campus.

ESL Map Amendment Analysis

The applicant proposes to revise the ESL map to reflect changes to the Critical Resource Area (CRA; aka riparian area) located on the east side of the property. RECON Environmental was hired by the applicant to conduct field surveys to quantify the volume and condition of existing riparian vegetation and to evaluate the function of the wash corridor, including locations of surface flow and channel braiding.

The biologists determined, through measurement of vegetation volume, that a targeted area between the two channels in the southern portion of the CRA does not meet the ESL-defined xeroriparian habitat criteria, and recommends removal of the area from the CRA designation. The Commission has recommended approval of the ESL Planning Map Amendment.

Rezoning to Nakoma Sky PAD

A summary of outstanding issues which were discussed and resolved at the Planning and Zoning

Commission meeting as follows:

Proposed Building Height: The applicant's proposed 5 story (75 feet plus 10 feet additional for architectural features) was a primary issue during the neighborhood meetings, site tour, staff review and Commission consideration of the request. A significant portion of this building will be naturally shielded from view from 1st Avenue by a hillside area, but the building will be significantly visible from Oracle Road and the CDO Bridge. Given the height, bulk and scale of the building, the Commission recommended numerous design approaches to reduce the visual impact of this building. These design approaches included stair stepping down the ends of the building, landscape terracing on multiple levels of the building, several muted earth tone colors and variation in roof and wall planes. These design approaches are provided in the conditions of approval (Attachment 1). The applicant agreed to these conditions.

Design Character and Theming: A number of renderings, perspective drawings, material examples and vinettes are included within the PAD document to illustrate the design intent for the buildings. This information was represented throughout the neighborhood meeting process for this case. However, the PAD lacked language requiring adherence to the design elements within the PAD. The Commission recommended a condition which requires that the design character and theming shall equal or exceed the imagery provided in the PAD document, as determined by the Conceptual Design Review Board and Town Council. The Commission further recommended a condition requiring consistent architectural treatment of all sides of all buildings (4-sided architecture). The applicant agreed to these conditions.

Underground Parking: Throughout the neighborhood meeting and staff review process, the applicant illustrated that a portion of the parking would be provided underground to limit the site disturbance resulting from surface parking areas. However, the PAD document did not contain a requirement for the underground parking. The Commission recommended a condition which required parking beyond what is depicted in the PAD to be located underground or under the building. The applicant agreed to this condition.

Public Access to Park and Facilities: Throughout the neighborhood meeting and staff review process, the applicant illustrated that limited public access would be provided to the park area, theater and meeting rooms within the development. However, the PAD did not address public access to these facilities. The Commission recommended a condition requiring a public access agreement be approved by the Town, prior to the effective date of the zoning. The applicant agreed to this condition.

Tentative Development Plan: The language in the PAD document had the effect of reducing the force and effect of the Tentative Development Plan, which had been represented throughout the public and staff review of this case. The Commission recommended a condition which adopts the Tentative Development Plan, with the allowance for minor changes as provided in the Zoning Code. The applicant agreed to this condition.

Water Features: The PAD document allowed for water features within the development, which is prohibited by the Zoning Code. The Commission recommended a condition which prohibits the use of water for ornamental purposes, consistent with the Zoning Code. The applicant agreed to this condition.

Traffic and Access: During review of the project, staff strongly encouraged providing an access point from 1st Avenue at Naranja Drive, which is a signalized intersection. To accomplish this access, it was necessary to secure the concurrence of the property owner to the north. However, negotiations with the applicant and the property owner to the north were not successful. Engineering has reviewed the Traffic Impact Analysis (TIA) for this project and finds that the two proposed access points will provide safe and efficient access for the development.

Additional Conditions: A number of additional conditions are recommended by the Commission addressing allowable uses, open space and amenities within development areas, plant materials and required path improvements. The applicant agreed to all conditions in Attachment 1.

Attachments 7 through 15 are provided for additional background and reference.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

Agenda Item A

I MOVE to adopt Resolution No. (R)15-11, approving the Minor General Plan Amendment requested under case OV1114-005.

OR

I MOVE to deny the Minor General Plan Amendment requested under case OV1114-005, based on the finding that _____.

Agenda Item B

I MOVE to adopt Ordinance No. (O)15-03, approving the ESL zoning map amendment requested under case OV914-008.

OR

I MOVE to deny the ESL zoning map amendment requested under case OV914-008, based on the finding that _____.

Agenda Item C

I MOVE to adopt Ordinance No. (O)15-04, rezoning the subject property to Nakoma Sky Planned Area Development under case OV914-007, subject to the conditions contained in Attachment 1.

OR

I MOVE to deny the rezoning requested under case OV914-007, based on the finding that _____.

Attachments

(R)15-11 Rooney Ranch North Minor General Plan Amendment
(O)15-03 Amending ESL Planning Map
(O)15-04 Rezoning to Nakoma Sky PAD
Exhibit B to Ordinance Rezoning to Nakoma Sky PAD
Attachment 1 - Conditions of Approval
Attachment 2 - Location Map
Attachment 3 - Planning and Zoning Commission Staff Report
Attachment 4 - Updated Cultural Resource Survey
Attachment 5 - ESL Map Amendment
Attachment 6 - Minor General Plan Amendment
Attachment 7 - Slope Map
Attachment 8 - Zoning Map

Attachment 9 - Approved Rooney Z Development Plan
Attachment 10 - General Plan Land Use
Attachment 11 - General Plan Conformance Analysis
Attachment 12 - ESL Conformance Analysis
Attachment 13 - Neighborhood Meeting Summary Notes
Attachment 14 - Interested Party Letter
Attachment 15 - Site Tour Agenda and Packet

RESOLUTION NO. (R)15-11

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE GENERAL PLAN TO AMEND THE GENERAL PLAN SPECIAL AREA POLICY FOR ROONEY RANCH NORTH

WHEREAS, the Town of Oro Valley residents ratified the General Plan on November 8, 2005; and

WHEREAS, applicant Rob Longaker of WLB Group, Inc., is requesting a Minor General Plan Amendment to clarify the General Plan Special Area Policy for Rooney Ranch North; and

WHEREAS, the Town desires to amend the General Plan, attached hereto as Exhibit "A", to amend the General Plan Special Area Policy for Rooney Ranch North; and

WHEREAS, the Planning and Zoning Commission held a meeting on January 6, 2015, and voted to recommend approval to amend the General Plan Special Area Policy for Rooney Ranch North; and

WHEREAS, pursuant to Oro Valley Zoning Code Revised, Section 22.1, General Plan Amendment Procedures, upon recommendation by the Planning and Zoning Commission of any amendment to the General Plan, a public hearing before the Mayor and Council shall be scheduled; and

WHEREAS, Mayor and Council duly considered the proposed Minor General Plan Amendment to clarify the General Plan Special Area Policy for Rooney Ranch North at a public hearing on January 21, 2015.

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

SECTION 1. The Mayor and Council hereby adopts the amendment to the General Plan, attached hereto as Exhibit "A", to clarify the General Plan Special Area Policy for Rooney Ranch North.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of the resolution or any part of the General Plan Amendment adopted herein 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 this 21st day of January, 2015.

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"

Amended text shown in ALL CAPS

Rooney Ranch North

The area designated as Master Planned Community may be developed at up to three units per acre IF DEVELOPED AS A SINGLE FAMILY RESIDENTIAL SUBDIVISION. THIS POLICY DOES NOT APPLY TO SENIOR LIVING OR SENIOR CARE FACILITIES.

ORDINANCE NO. (O)15-03

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE ENVIRONMENTALLY SENSITIVE LANDS PLANNING MAP CRITICAL RESOURCE AREA AS DEPICTED IN EXHIBIT "B" AND 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 February 16, 2011, the Town Council approved Ordinance No. (O) 11-01, which adopted the "Environmentally Sensitive Lands" and "Environmentally Sensitive Lands Planning Map" of the Oro Valley Zoning Code Revised; and

WHEREAS, Applicant, WLB Group, Inc., is requesting an amendment to the Environmentally Sensitive Lands Planning Map Critical Resource Area (CRA) for the property located near First Avenue and Lambert Lane, attached hereto as Exhibit "A"; and

WHEREAS, Applicant hired RECON Environmental to perform field surveys of the area, the same Environmental company hired by the Town to create the original "Environmentally Sensitive Lands Planning Map"; and

WHEREAS, RECON determined that the vegetation volume of the area between the two channels in the southern portions of the CRA does not meet the Environmentally Sensitive Lands defined xeroriparian habitat criteria and recommends that the CRA boundaries, attached hereto as Exhibit "B" be refined to be consistent with existing drainage and vegetative conditions.

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

SECTION 1. The Council hereby adopts the amendment to the Environmentally Sensitive Lands Planning Map as depicted in Exhibit "B"

SECTION 2. The effective date of the Environmentally Sensitive Lands Planning Map amendment shall be thirty days after the adoption of this Ordinance by the Town Council.

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.

SECTION 4. 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.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 21st day of January, 2015.

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

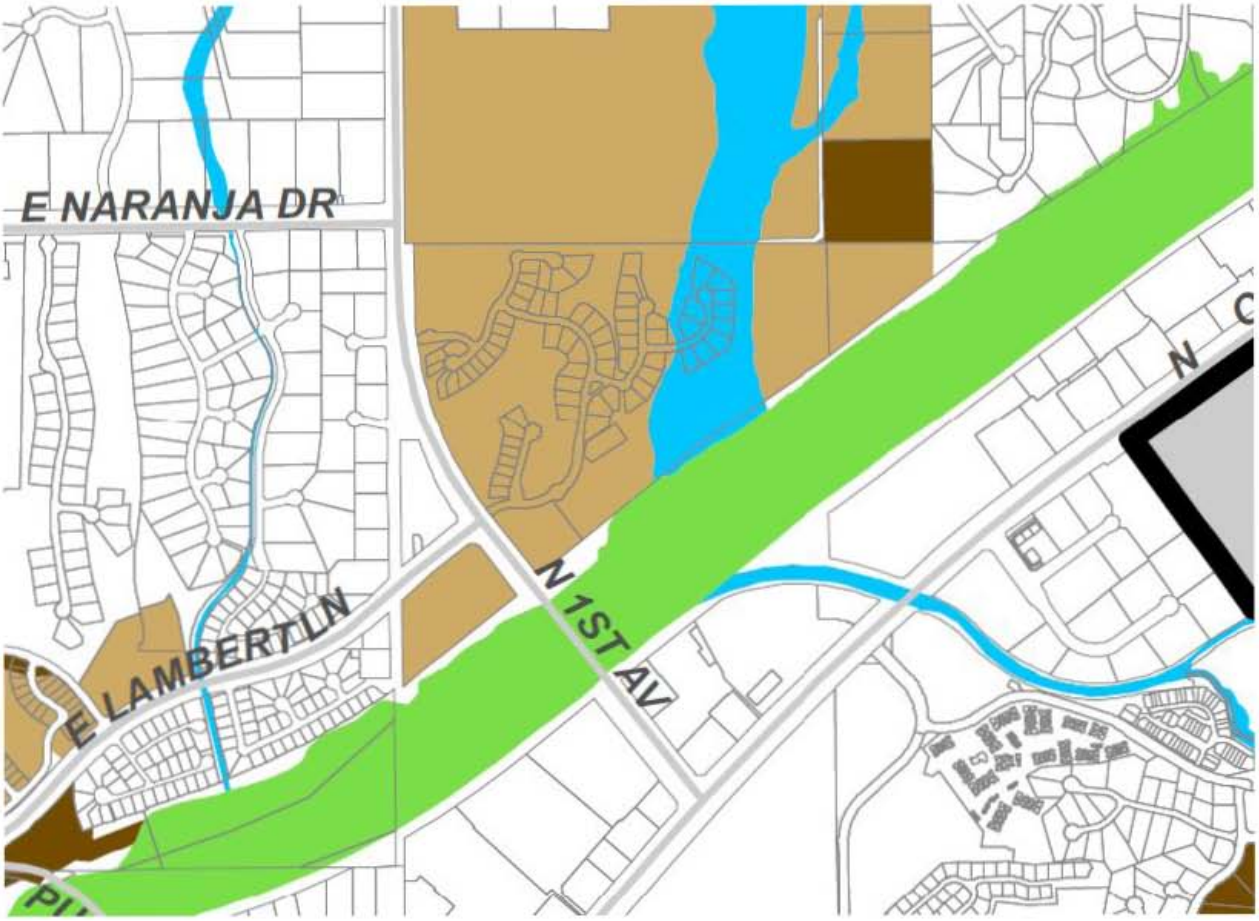
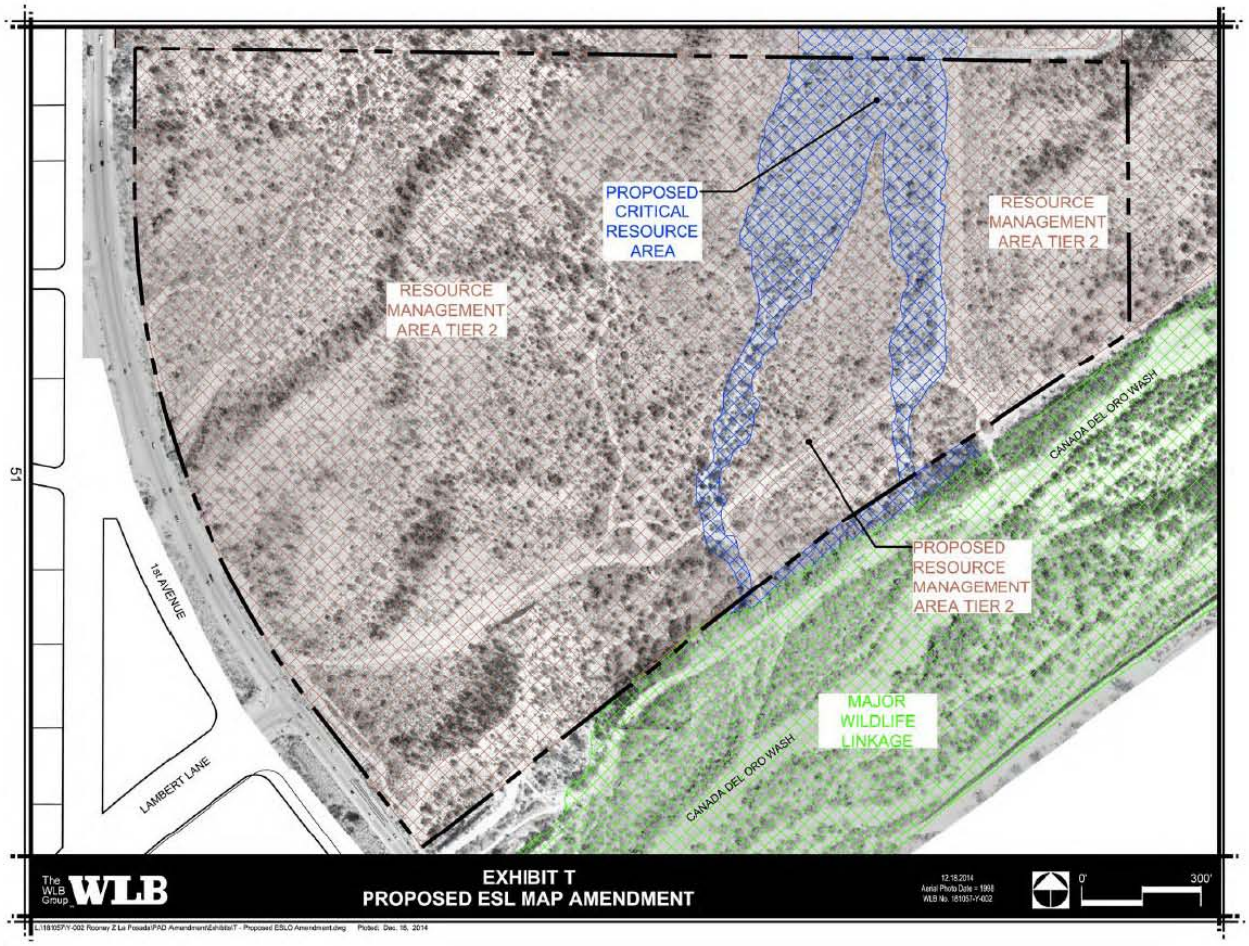


Exhibit B


PROPOSED CRITICAL RESOURCE AREA
RESOURCE MANAGEMENT AREA TIER 2
RESOURCE MANAGEMENT AREA TIER 2
PROPOSED RESOURCE MANAGEMENT AREA TIER 2
MAJOR WILDLIFE LINKAGE
CANADA DEL ORO WASH
CANADA DEL ORO WASH
18th AVENUE
LAMBERT LANE
51
The WLB Group
WLB
EXHIBIT T
PROPOSED ESL MAP AMENDMENT
12.18.2014
Aerial Photo Date = 1998
WLB No. 181057-Y-002
0'
300'

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:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

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

<u>Engineering</u>

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

NAKOMA SKY
PLANNED AREA DEVELOPMENT

NAKOMA SKY
PLANNED AREA DEVELOPMENT

Property Owner:

La Posada
350 East Morningside Road
Green Valley, Arizona 85614

Document Prepared By:

The WLB Group, Inc.
4444 East Broadway Boulevard
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Swaback Partners
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(480) 367-2100
Vern Swaback
Jeff Denzak
Mike Wetzel
Pao Cagnina

August 22, 2014
Revised November 3, 2014
Revised November 18, 2014
Revised December 18, 2014

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Appendix A: Representative Site Perspectives and Elevations.

Appendix B: Representative Building and Roof Materials.

Appendix C: Representative Site Imagery (including Architectural and Architectural Finishes Imagery, Monuments and Signage Imagery, Park Design Imagery and Water Feature Imagery).

Appendix D: Building Height Exhibit.

Appendix E: Pre and Post Development Viewsheds.

Appendix F: Tentative Development Plan (24” x 36”).

Appendix G: ESL Flexible Development Standards.

INTRODUCTION

This document has been prepared in support of a proposed amendment to the Rooney Ranch Area Z Planned Area Development (PAD) and Area A of the Rooney Ranch Oro Valley Center PAD to result in a new PAD named the Nakoma Sky PAD. This PAD will allow for the development of a continuing care retirement community on the property.

Area Z consists of 76.5+/- acres and Area A consists of 3+/- acres, for a total project site of 79.5+/- acres.

PART I – INVENTORY AND ANALYSIS

I-A. Existing Land Uses

1. Site Location

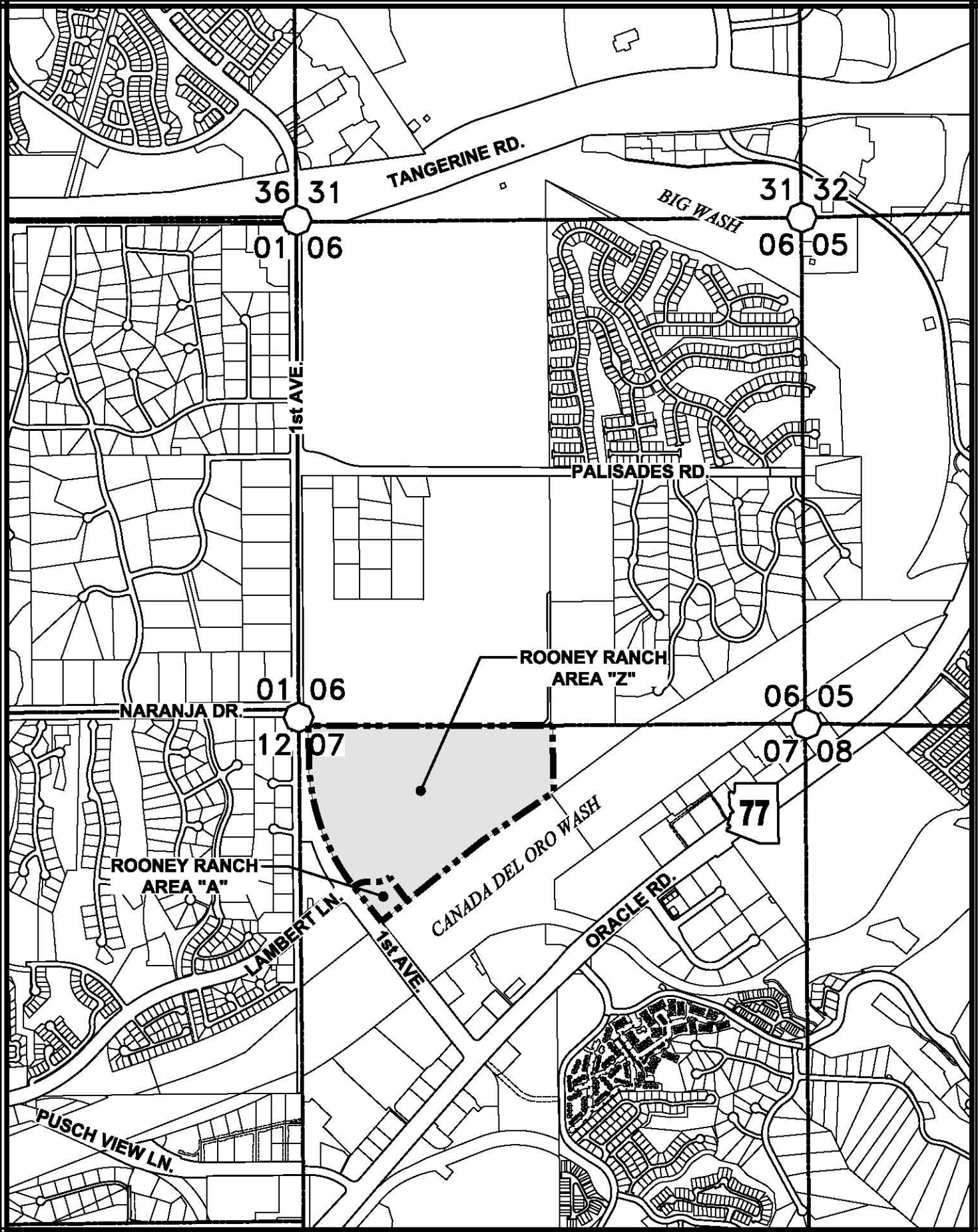
The subject property consists of 79.5+/- acres located within the Town of Oro Valley in Section 7, Township 12 South, Range 14 East, Pima County, Arizona. The site is bounded by 1st Avenue to the west, property owned by Pima County Flood Control District to the east, the Canada del Oro Wash to the south and property owned by Capri Company, LLC (the Kai family) to the north.

Refer to *Exhibit A: Site Location Map*.

2. Existing Land Uses - Onsite

The subject property is currently undeveloped and vacant. However, it is evident that the site is being used illegally as evidenced by dirt roads, dirt bike paths and trash that is dumped on the site.

Refer to *Exhibit B: Aerial Photograph* and *Exhibit C: Existing Land Uses*.



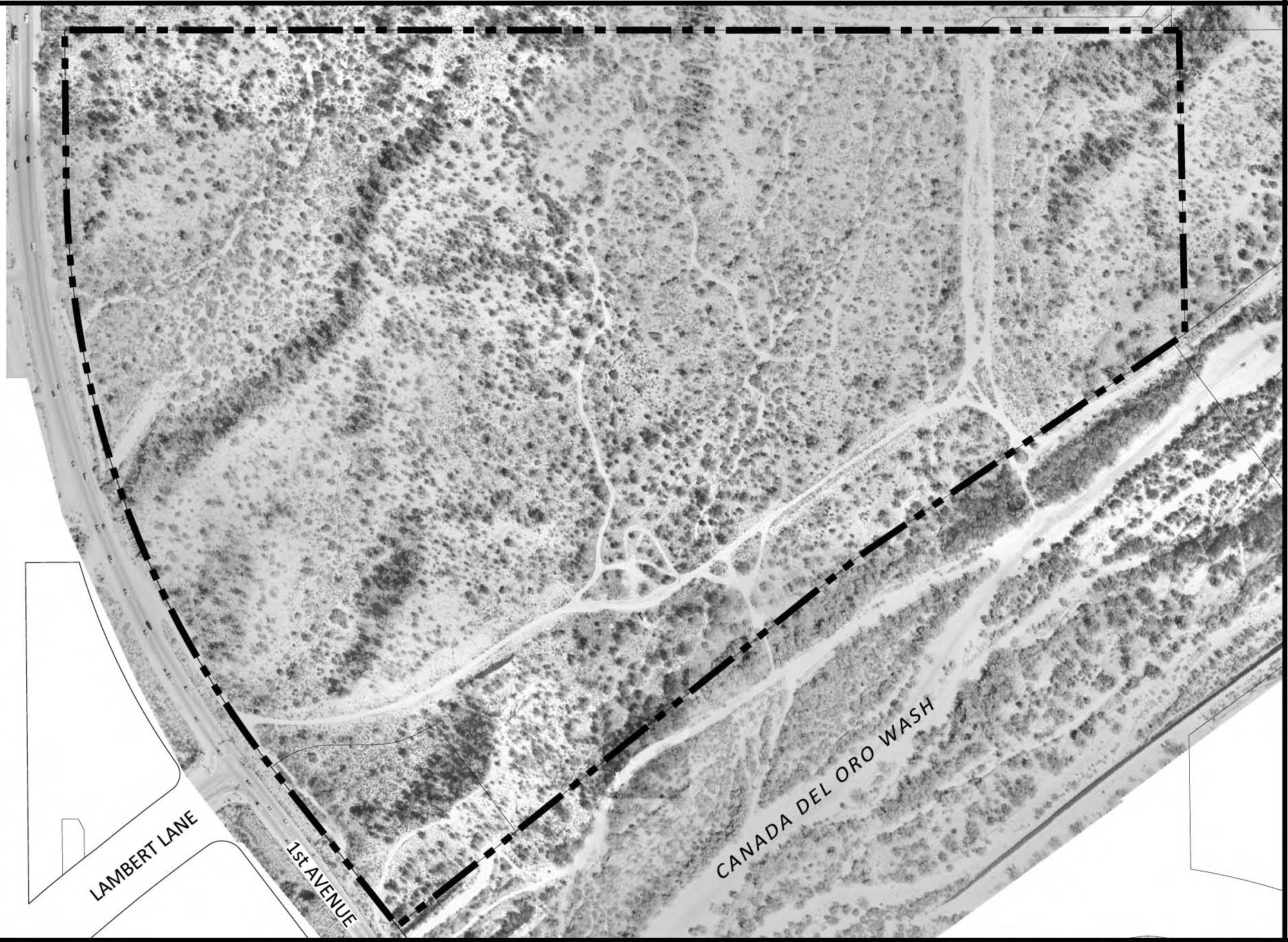
The WLB Group WLB

EXHIBIT A
SITE LOCATION MAP

10.29.2014
WLB No. 181057-Y-002

0 Miles 1/4

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\A - Site Location Map.dwg



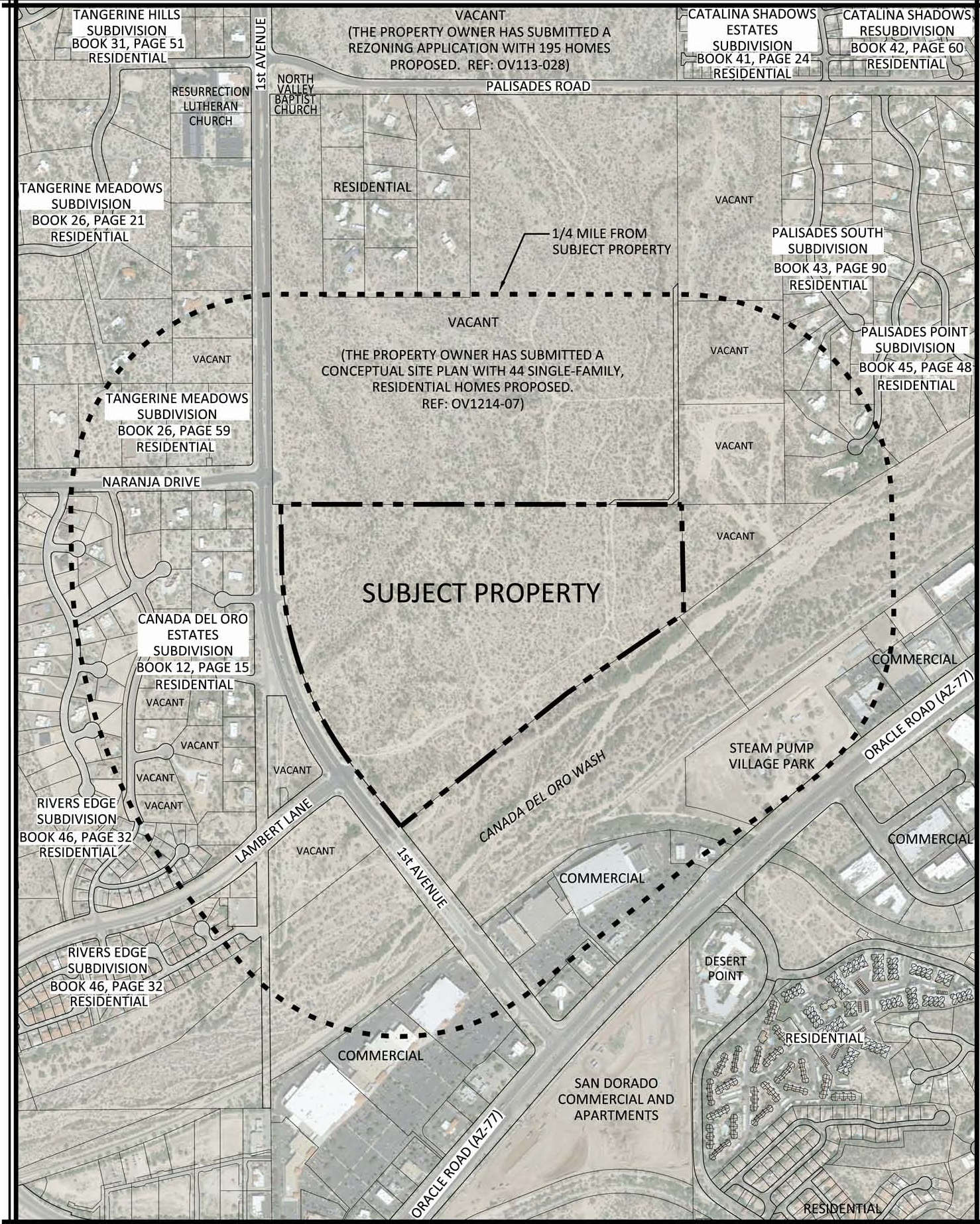
The WLB Group Inc. **WLB**

EXHIBIT B
AERIAL PHOTOGRAPH

10.29.2014
Aerial Photo Date = 2003
WLB No. 181057-Y-002

0' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\B - Aerial Photo.dwg Plotted: Oct. 29, 2014



The WLB Group WLB

EXHIBIT C
EXISTING LAND USES

10.29.2014
Aerial Photo Date = 2013
WLB No. 181057-Y-002

0' 800'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\C - Ex Land Uses.dwg Plotted: Nov. 01, 2014

3. Existing Adjacent Land Uses

The subject property is surrounded by the following existing zonings and land uses:

a. Existing Zoning

North: R1-144 and R-6.
East: R1-144.
South: Rooney Ranch Oro Valley Center PAD.
West: R1-144 and Rooney Ranch Oro Valley Center PAD (Areas E and F, zoned for commercial and professional office uses).

b. Existing Land Uses

North: Vacant, but residential subdivision is currently being processed.
East: Vacant land.
South: Canada del Oro Wash.
West: Single-family detached residential and vacant land.

See *Exhibit C: Existing Land Uses.*

c. There are both one story and two story structures within one-quarter mile of the subject property.

d/e. There are no pending or conditionally approved rezonings within one-quarter mile of the subject property.

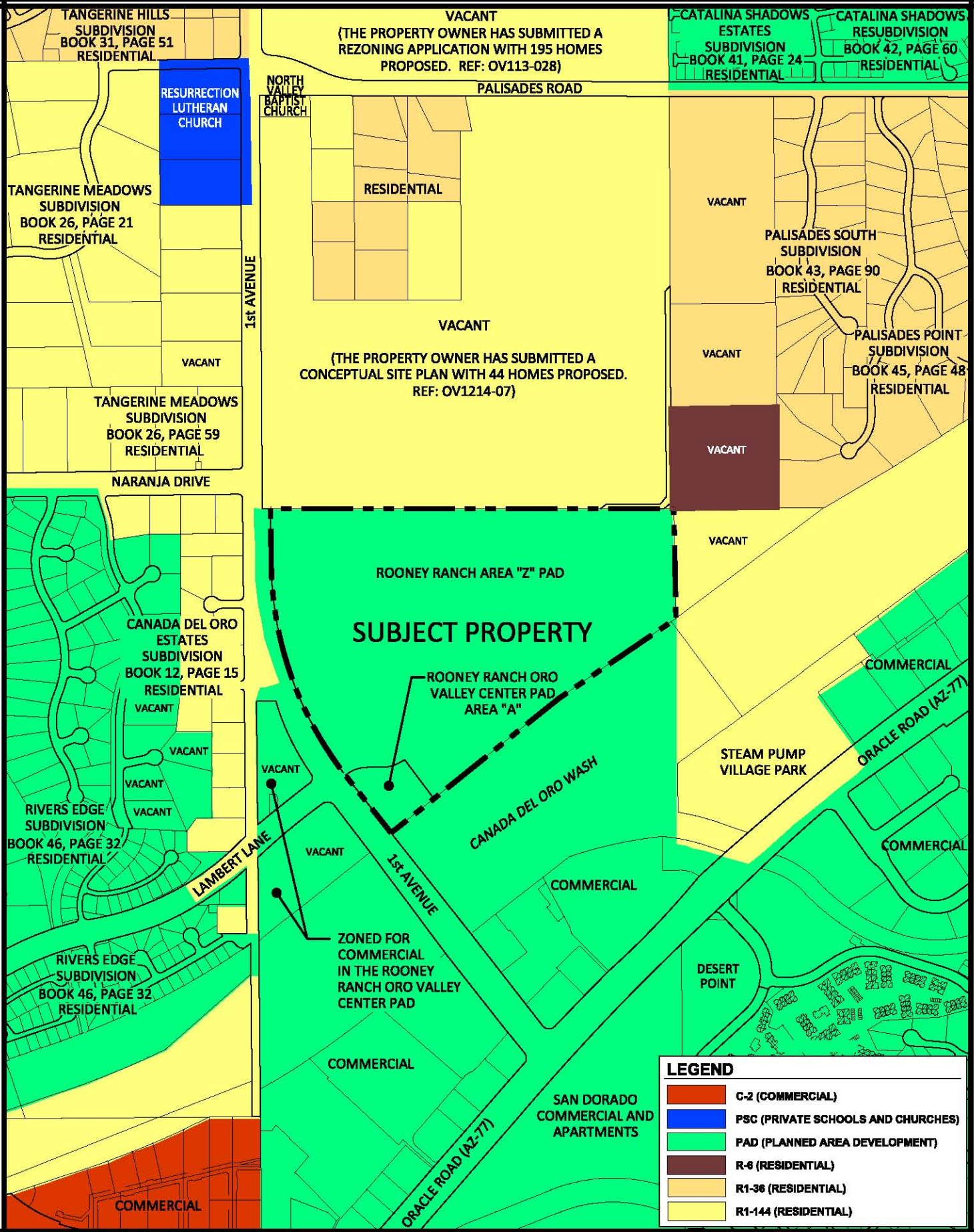
f. The approximately 121-acre property located directly north of the subject property (owned by Capri Company, LLC) is currently processing a Conceptual Site Plan (ref: OV1214-07) with single family residential homes proposed.

g. Architectural styles of the homes to the northeast are contemporary and Mediterranean style. Homes towards the west display adobe/block characteristics.

Refer to *Exhibit D: Existing Zoning*.

4. Well Sites

There is one well site located within 100 feet of the subject property. It is a Town of Oro Valley test well and is located in the Canada del Oro Wash, approximately 80 feet southeast of the subject property.



The WLB Group WLB

EXHIBIT D
EXISTING ZONING

10.30.2014
WLB No. 181057-Y-002

0' 800'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\D - Existing Zoning.dwg Plotted: Nov. 01, 2014

I-B. Topography

1. Topographic Characteristics

The topography of the subject property is characterized by hills and ridges that generally run in a north/south manner through the site. Overall, the subject property slopes from north to south towards the Canada del Oro Wash. The southwestern corner is the low point of the site at an approximate elevation of 2,568 feet, while the northwestern portion of the site contains the high point lying at an approximate elevation of 2,662 feet.

Refer to *Exhibit E: Topography.*

The property was analyzed using the Hillside Area Category requirements in Section G of the Town's Environmentally Sensitive Lands Ordinance (ESLO). The slope categories used for this analysis coincide with the values provided in the Slope Density and Disturbance Limits table (Table 27.10-4 in the ESLO). The results of the slope analysis are below:

Slope Categories (per ESLO)	% of Site	Area (Ac.)	% of Allowed Disturbance Per ESLO Table 27.10-4	Allowable Disturbance Area (Ac.)
0% to 15%	64.1%	51.0±	100%	51.0±
15% to 18%	3.3%	2.6±	40%	1.1±
18% to 20%	2.4%	1.9±	30%	0.6±
20% to 25%	6.2%	4.9±	20%	1.0±
25% to 33%	10.6%	8.4±	5%	0.4±
33%+	13.4%	10.7±	4%	0.4±
		79.5±	**Total Allowable Disturbance***	**54.4±**

*To determine the total allowable disturbance area of the subject property based only on slopes, the area of each slope category was multiplied by the respective percentage of allowable disturbance using the values listed in Slope Density and Disturbance Limits Table of the ESLO (Table 27.10-4). The sum of each of the slope categories' allowable disturbance areas results in the total allowable site disturbance area of approximately 54.4 acres (based only on regulated slopes and not additional development constraints on-site).

Approximately 28.5 acres or approximately 36 percent of the subject property is characterized by slopes of 15 percent and greater.

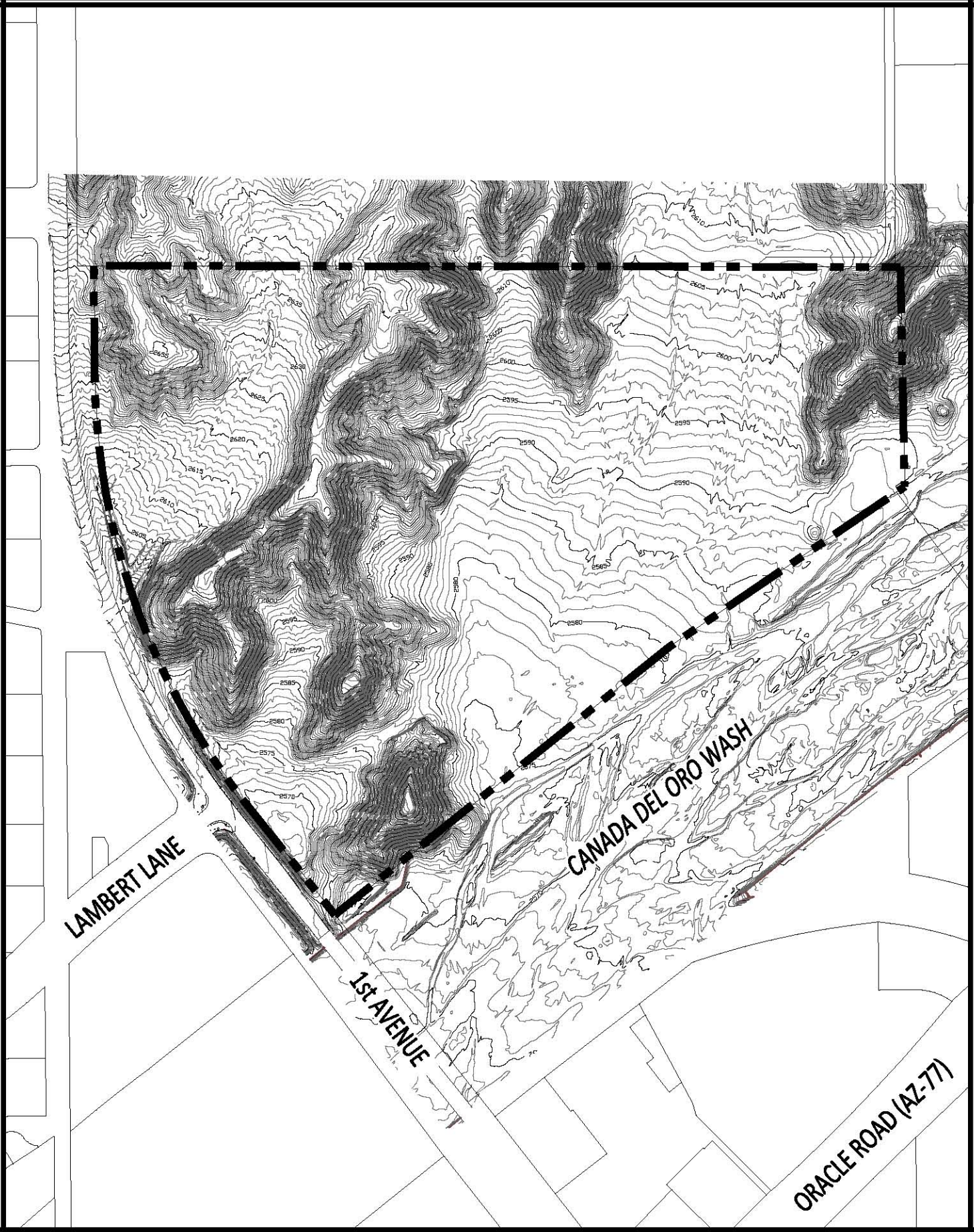
There are no rock outcrops on the property.

Refer to *Exhibit F: ESLO Slope Analysis*.

2. Average Cross Slope

The pre-development average cross-slope for the entirety of the subject property is 13.42 percent. This figure was derived using the formula as forth by the Hillside Development Zone, Section 10-110 of the Oro Valley Zoning Code Revised. Average cross slope was calculated as follows:

$$\frac{(I)(L)(0.0023)}{A} = \frac{(1')(463{,}989')(0.0023)}{79.5\text{ ac.}} = 13.42\%$$



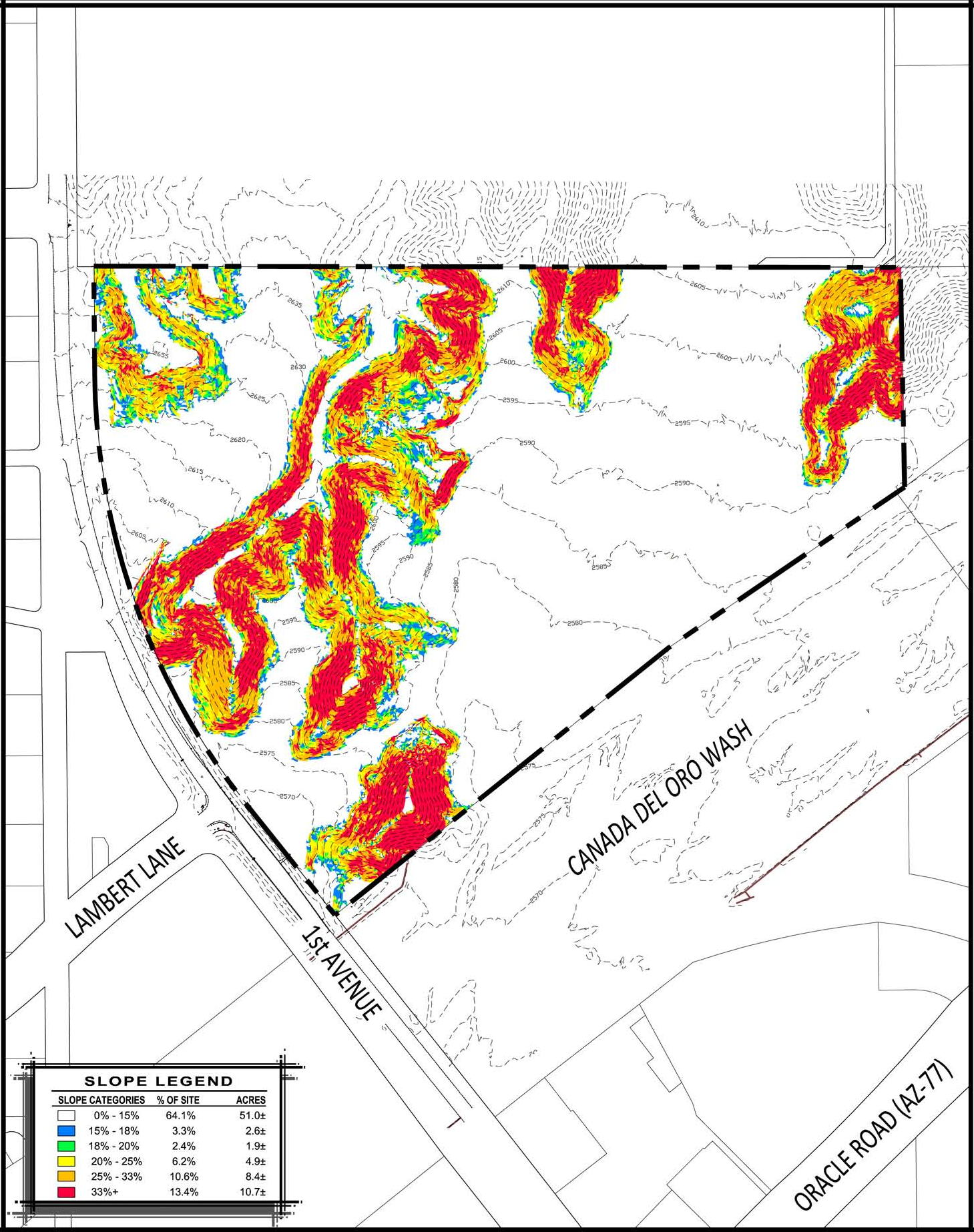
The WLB Group WLB

EXHIBIT E
TOPOGRAPHY

10.30.2014
CONTOUR INTERVAL = 1 FT.
WLB No. 161057-Y-002

0' 400'

L:\161057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\E - Topography.dwg Plotted: Oct. 31, 2014



SLOPE LEGEND

SLOPE CATEGORIES	% OF SITE	ACRES
0% - 15%	64.1%	51.0±
15% - 18%	3.3%	2.6±
18% - 20%	2.4%	1.9±
20% - 25%	6.2%	4.9±
25% - 33%	10.6%	8.4±
33%+	13.4%	10.7±

The WLB Group INC. WLB

EXHIBIT F
ESLO SLOPE ANALYSIS

10.30.2014
CONTOUR INTERVAL = 5 Ft.
WLB No. 181057-Y-002

0' 400'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\F - ESLO Slope Analysis.dwg Plotted: Oct. 31, 2014

I-C. Hydrology

1. Offsite Watersheds

Exhibit G: Offsite Watersheds shows the offsite, upstream watersheds impacting the subject property.

There are several offsite watersheds that flow from the north to the south through the project site. The offsite watersheds extend as far as north of Tangerine Road and have watershed areas from 0.6 acres to 470.2 acres. The site is located within a small valley adjacent the west bank of the Canada Del Oro Wash. The offsite flows are discharging across the northern property boundary via natural drainage swales and braided sheet flood fashion.

2. Offsite Natural or Man-Made Features

The flows, from both on-site and off-site, exit the subject property either via an RCP under 1st Avenue or directly into the Canada del Oro Wash over the banks. Each pipe under 1st Avenue has a headwall with mitered inlets. Approximately 380 linear feet of soil cement bank protection extends from the bridge on 1st Avenue to the hill to the immediate north of the bridge, located in the southwestern portion of the site.

3. 100-Year Discharges Greater Than 50 cfs

The areas with 100-year discharges greater than 50 cfs are shown on *Exhibit H: Onsite Hydrology*.

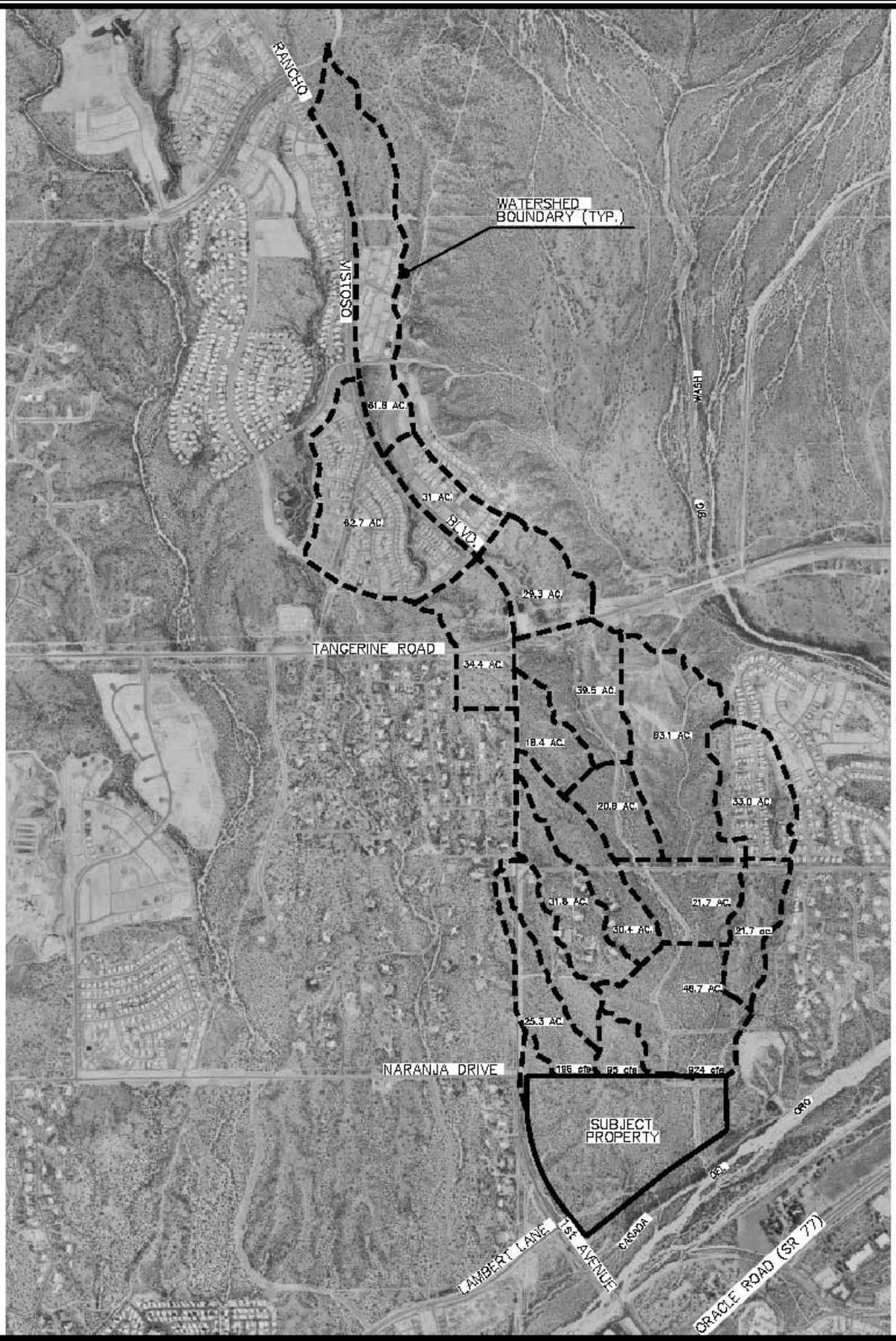
4. Onsite Hydrology

The onsite drainage generally is conveyed in a southerly direction as shallow sheet flow to the receiving waters of the Canada del Oro Wash and drains at a slope of 1.0 to 5.0 percent. The contours of the land are generally parallel with the Canada del Oro Wash with minimal channelization of the flow. The onsite flow is characterized by braids that are discontinuous and alternate between defined braids and sheet flow. There are no onsite drainage facilities.

Portions of the subject property are located within Special Flood Hazard Areas (SFHA) as identified by the Federal Emergency Management Agency (FEMA). The floodplain limits for the Canada del Oro Wash extend into the site near the southern property line (please refer to *Exhibit H: Onsite Hydrology* for the location of flood limits). Base flood elevations have been established by FEMA along the Canada del Oro Wash.

5. Downstream Drainage Conditions

The Canada del Oro Wash downstream of the subject property has been channelized with soil cement bank protection to allow for development to occur along its banks. Also downstream of the subject property is the bridge that carries 1st Avenue over the Canada del Oro Wash.



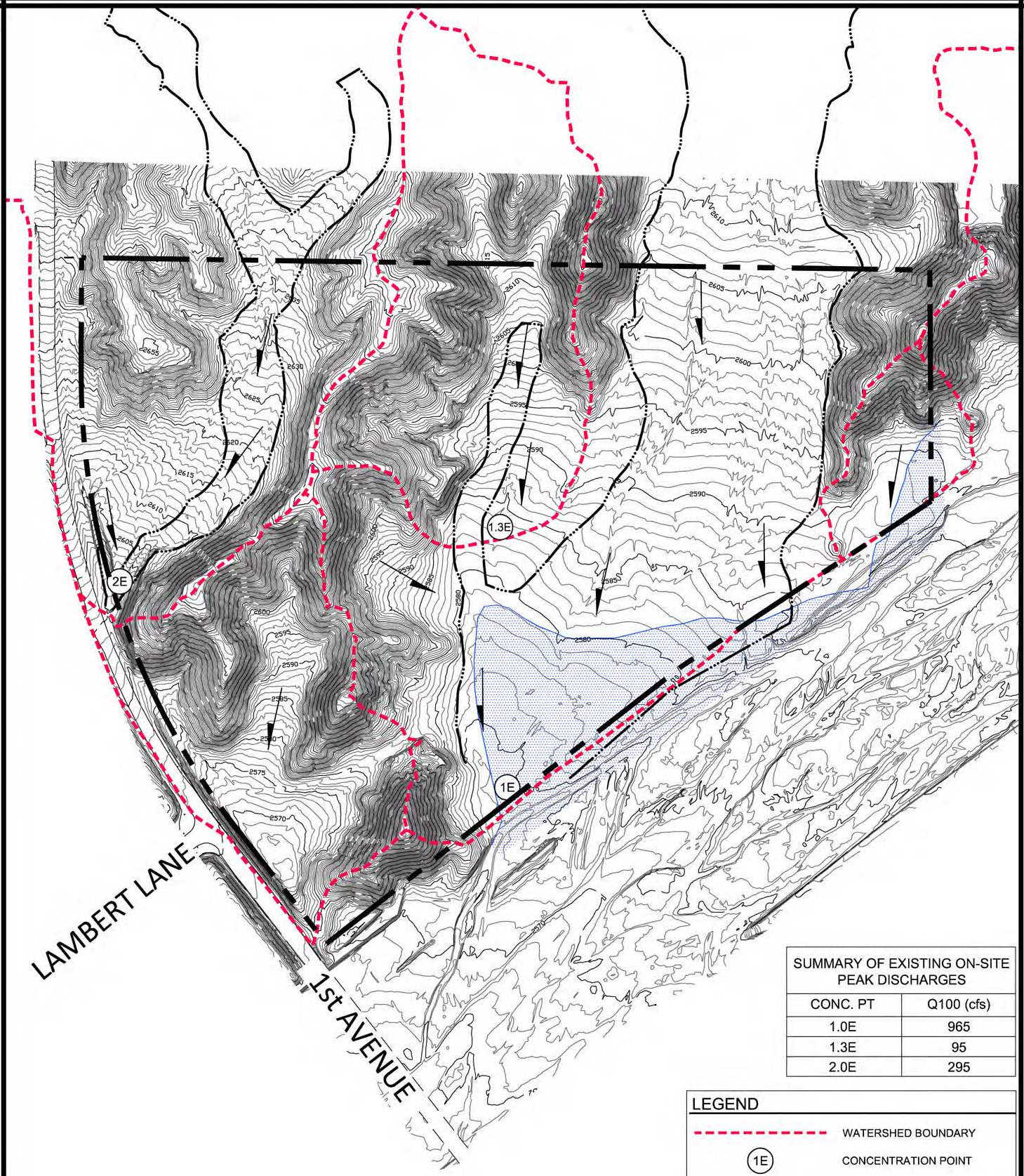
The WLB Group WLB

EXHIBIT G
OFFSITE WATERSHEDS

10.28.2014
Aerial Photo Date = 1998
WLB No. 181057-Y-002

1/3 MILE

L:\181057Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\G - Offsite Watersheds.dwg Plotted: Oct. 31, 2014



SUMMARY OF EXISTING ON-SITE PEAK DISCHARGES	
CONC. PT	Q100 (cfs)
1.0E	965
1.3E	95
2.0E	295

LEGEND

- WATERSHED BOUNDARY
- (1E) CONCENTRATION POINT
- FLOW DIRECTION
- PROPERTY BOUNDARY
- 100-YR FLOODPLAIN
- FEMA 100-YR FLOODPLAIN

The WLB Group WLB

EXHIBIT H
ON-SITE HYDROLOGY

10.27.2014
Contour Interval = 1 Ft.
WLB No. 181057-Y-002

0' 400'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\H - Onsite Hydro.dwg Plotted: Oct. 31, 2014

I-D. Vegetation

1. Vegetative communities and associations on the site.

According to the SWReGAP Provisional Digital Land Cover data in Pima County Mapguide, the majority of site (approximately 95%) consists of Sonora Palo Verde-Mixed Cacti Desert Scrub, and the remainder of the site consists of Sonora-Mojave Creosote bush-White Bursage Desert Scrub.

2. Significant cacti and groups of trees and Federally listed threatened and endangered species.

There are no Federally listed threatened and endangered species on site. There are pockets of areas on the site, such as on north facing ridges and areas adjacent to washes, that contain groupings of mesquite and palo verde trees. There are no ironwood trees on the site, nor are there any saguaro cacti.

3. Vegetative densities by approximate percentage of plant cover.

As determined by field reconnaissance and analysis of aerial photographs, the subject property is characterized by a moderate amount of vegetation. Three washes traverse the site from north to south, and drain into the Canada Del Oro Wash. The density of the vegetation on site gradually diminishes with distance from the washes.

I-E. Wildlife

1. Arizona Game and Fish Department (AZGFD) Online Environmental Review

a. In lieu of a letter from AZGFD, we utilized the Arizona Game and Fish Department (AZGFD) Online Environmental Tool Print-out. There is one Federal and State listed endangered species potentially having habitat within three miles of the subject property. The species is the Lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*). The United States Fish and Wildlife Service (USFWS) completed a 5-year review of the Lesser long-nosed bat in 2007, and found higher population numbers than expected and a generally stable-to-increasing trend. The USFWS recommended down listing the species from endangered to threatened in the study.

   Currently, the United States Fish and Wildlife Service is considering reclassifying the Lesser long-nosed bat from endangered to threatened due to substantial scientific and commercial information readily available to the agency. The agency's determination is expected to be published in August, 2014.

b. According to Arizona Game and Fish Department data, there are no high densities of a given species' population or an unusually high diversity of species on the subject property.

c. Aquatic or riparian ecosystems. There are no aquatic or riparian ecosystems on the site.

I-F. Viewsheds

1. Viewsheds onto and across the site from adjacent properties that may be blocked by development of the site.

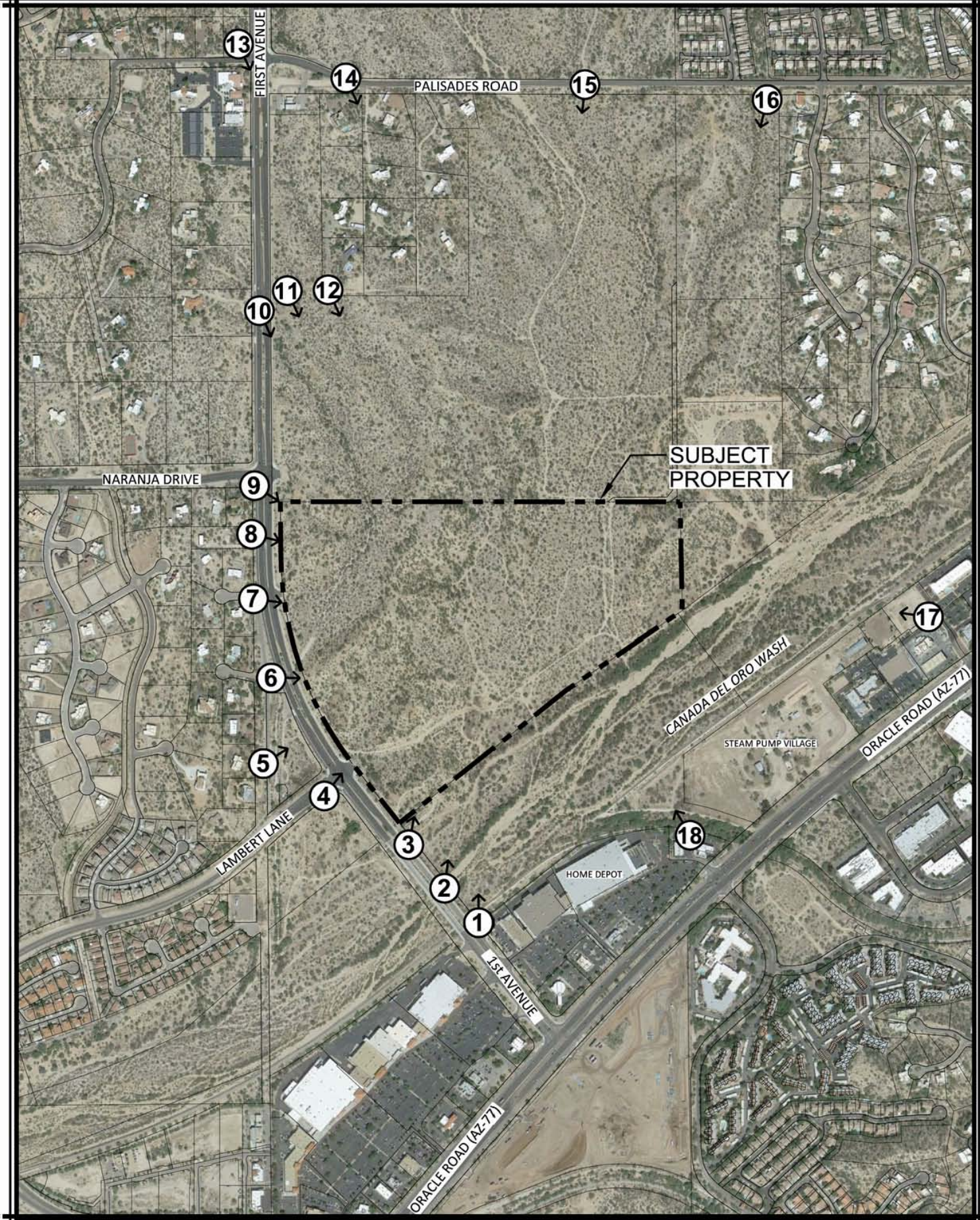
Long distance views of the Catalina Mountains will not be obscured by this development. Near distance views of ridges on this site will largely remain intact since the majority of the ridges will not be developed Photographs of the site were taken from several locations surrounding the site. See *Exhibit I: Viewsheds* for viewsheds onto and across the site from adjacent properties.

2. Areas of high visibility from adjacent off-site locations.

From 1st Avenue:	The western portion of the site is visible. The eastern portion of site is not visible due to intervening ridge.
From North:	Portions of the site are visible, and other portions are not visible due to the existing ridges.
From 1st Ave Bridge:	The eastern portion of the site is visible to those in cars traveling across the bridge and pedestrians.
From South:	From Oracle Road, there are vantage points where one can see the site, but with limited views.

The areas of high visibility were determined by field observation, topography, and aerial photograph reconnaissance.

See *Exhibit J: High Visibility Areas.*



The WLB Group **WLB**

EXHIBIT I
VIEWSHED KEY MAP

10.29.2014
Aerial Photo Date = 2013
WLB No. 181057-Y-002

0' 800'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\I - Viewshed Keymap.dwg Plotted: Nov. 01, 2014

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The WLB Group WLB

EXHIBIT I
VIEWSHED PHOTOGRAPHS 1

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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The WLB Group WLB

EXHIBIT I
VIEWSHED PHOTOGRAPHS 2

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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The WLB Group WLB

EXHIBIT I
VIEWSHED PHOTOGRAPHS 3

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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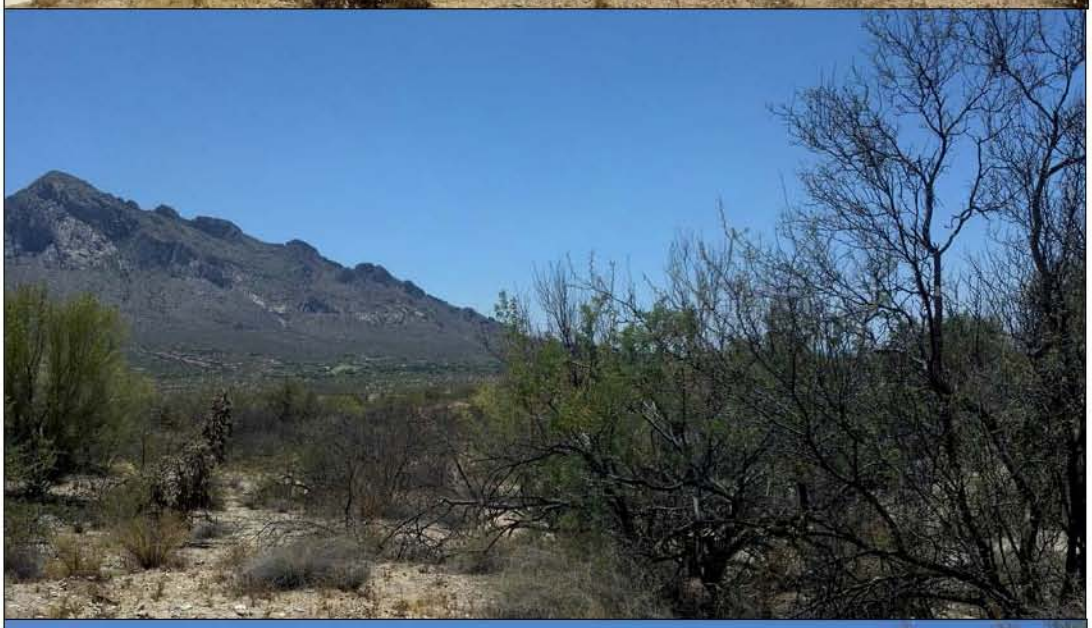

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The WLB Group WLB

EXHIBIT I
VIEWSHED PHOTOGRAPHS 4

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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The WLB Group WLB

EXHIBIT I
VIEWSHED PHOTOGRAPHS 5

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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The WLB Group WLB

EXHIBIT I
VIEWSHED PHOTOGRAPHS 6

10.27.2014
Photo Date = 2014
WLB No. 181057-Y-002

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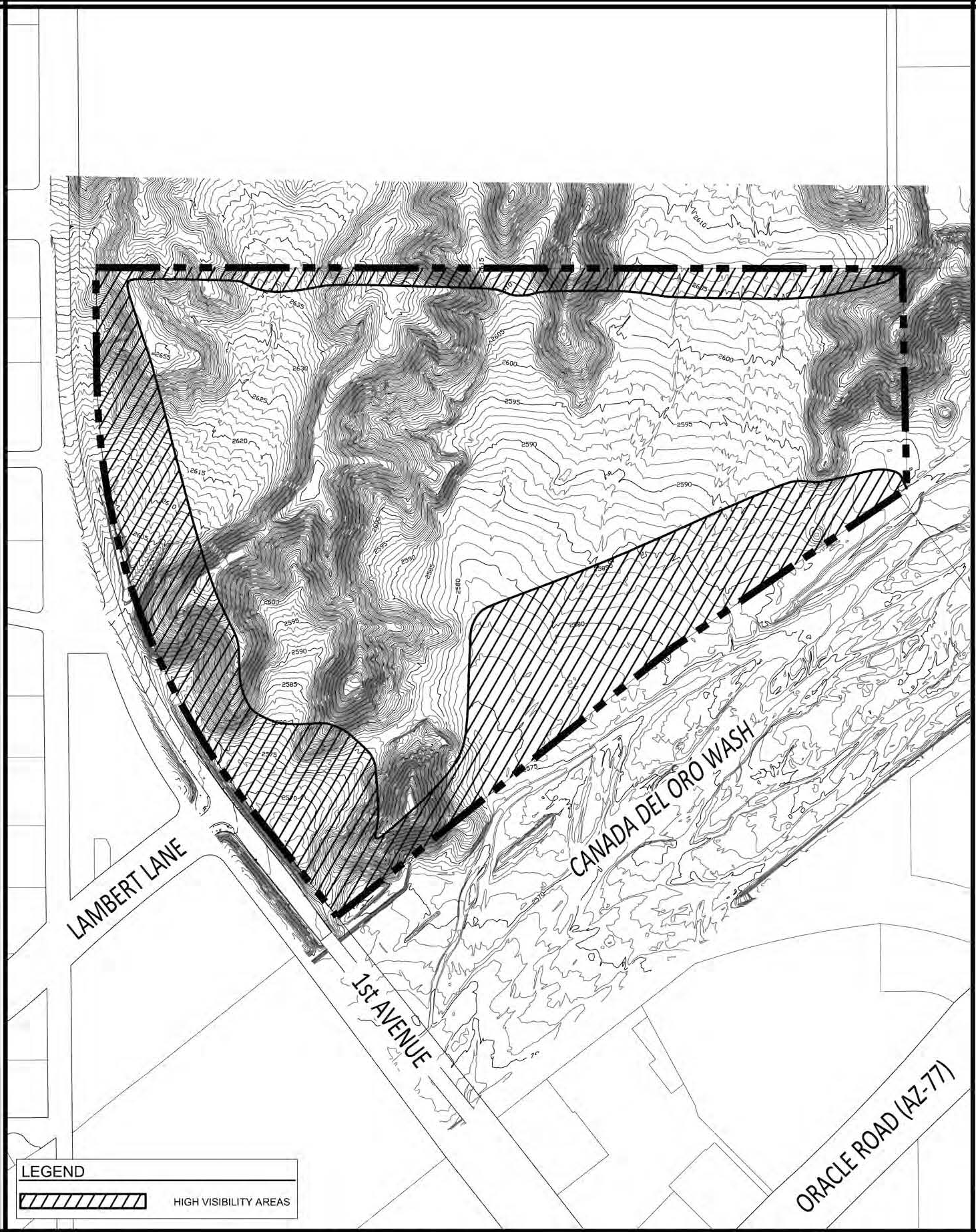


The WLB Group WLB

EXHIBIT J
HIGH VISIBILITY AREAS

10.30.2014
CONTOUR INTERVAL = 1 FT.
WLB No. 181057-Y-002

0' 400'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\J - High Visibility Areas.dwg Plotted: Oct. 31, 2014

I-G. Traffic

1. All existing and proposed off-site streets between the development and the nearest arterial streets.

Primary access to the subject property will be from the intersection of 1st Avenue and Lambert Lane. A secondary access point will be from 1st Avenue, approximately a quarter-mile north of the primary access point. Other arterial streets within one-mile of the subject property include Naranja Drive, Pusch View Lane, Tangerine Road, and Oracle Road. Roads adjacent to and within one-mile distance from the subject property are generally in excellent condition.

Please refer to *Exhibit K: Traffic.*

2. All arterial streets within one mile of the project site.

Road	Existing ROW	Ultimate ROW	Travel Lanes	Capacity	Speed Limit	ADT	Surface Conditions	Scheduled Improvements
1st Avenue	125' - 200'	150'	4	35,820	45 MPH	15,931 – 24,466	Generally Excellent	None Scheduled
Oracle Road	225' – 375'	200'	6	59,900	50 MPH	25,541	Generally Excellent	None Scheduled
Lambert Lane	150'	150'	2	15,930	45 MPH	12,162	Generally Excellent	None Scheduled
Naranja Drive	150'	150'	2	15,930	45 MPH	4,010	Generally Excellent	Funding Identified for 2018
Tangerine Road	200' – 650'	300'	4	35,820	45 MPH	10,543	Generally Excellent	None Scheduled
Pusch View Lane	135' – 330'	150'	4	35,820	35 – 45 MPH	5,926	Generally Excellent	None Scheduled

The following is the ADT for two additional road segments:

- Oracle Road south of 1st Avenue: 46,000 ADT (2008 PAG Data).
- Tangerine Road between La Canada Drive and 1st Avenue: 17,641 ADT (2013 PAG Data).

3. Existing and proposed intersections on arterials within one mile of the site, most likely to be used by traffic from this site.

Arterial intersections within one mile of the site that will likely carry traffic generated by this development include 1st Avenue and Lambert Lane, 1st Avenue and Naranja Drive, 1st Avenue and Oracle Road, and 1st Avenue and Tangerine Road. Please refer to *Exhibit K: Traffic*.

4. Existing bicycle and pedestrian ways adjacent to the site and their connections with streets, parks, and schools.

According to a review of the conditions of the area, there are paved bicycle lanes with striped shoulders along 1st Avenue and Naranja Drive, both which are adjacent to the site.

There are multiple bicycle facilities within one mile of the site, which are classified as follows:

- East of 1st Avenue, along Tangerine Road (striped shoulder and paved shared use path).
- West of 1st Avenue, along Tangerine Road (striped shoulder and paved shared use path).
- 1st Avenue (signed bike route with on-street bike lane and paved shared use path).
- Naranja Drive (striped shoulder).
- Palisades (striped shoulder).
- Lambert Lane (striped shoulder and paved shared use path).
- Pusch View Lane (signed bike route with on-street bike lane).
- Oracle Road (striped shoulder).
- Canada del Oro Wash (paved shared use path).

The bicycle lanes and paved shared use paths described above are interconnected and provide multi-modal transportation accessibility around the subject property.

I-H. Recreation and Trails

1. Trails, parks, and recreation areas within one mile of the site.

Paved shared-use paths exist along 1st Avenue, Lambert Lane, and the south side of the Canada del Oro Wash. Bicycle lanes with striped shoulders within one mile of the site also exist along 1st Avenue, Pusch View Lane, Lambert Lane, Naranja Drive, Palisades Road, Rancho Vistoso Boulevard, Naranja Drive, and Oracle Road.

A mountain bike trail is located immediately adjacent to the Steam Pump Ranch recreational facility, located southeast of the site and across the Canada del Oro Wash.

Catalina State Park, the Coronado National Forest, and Steam Pump Ranch are located within one mile of the site.

Oro Valley Trail #328 (as shown in the Oro Valley Trails Task Force Report), is located in the eastern portion of the site and connects to the Canada del Oro Wash.

Refer to *Exhibit L: Recreation and Trails*.

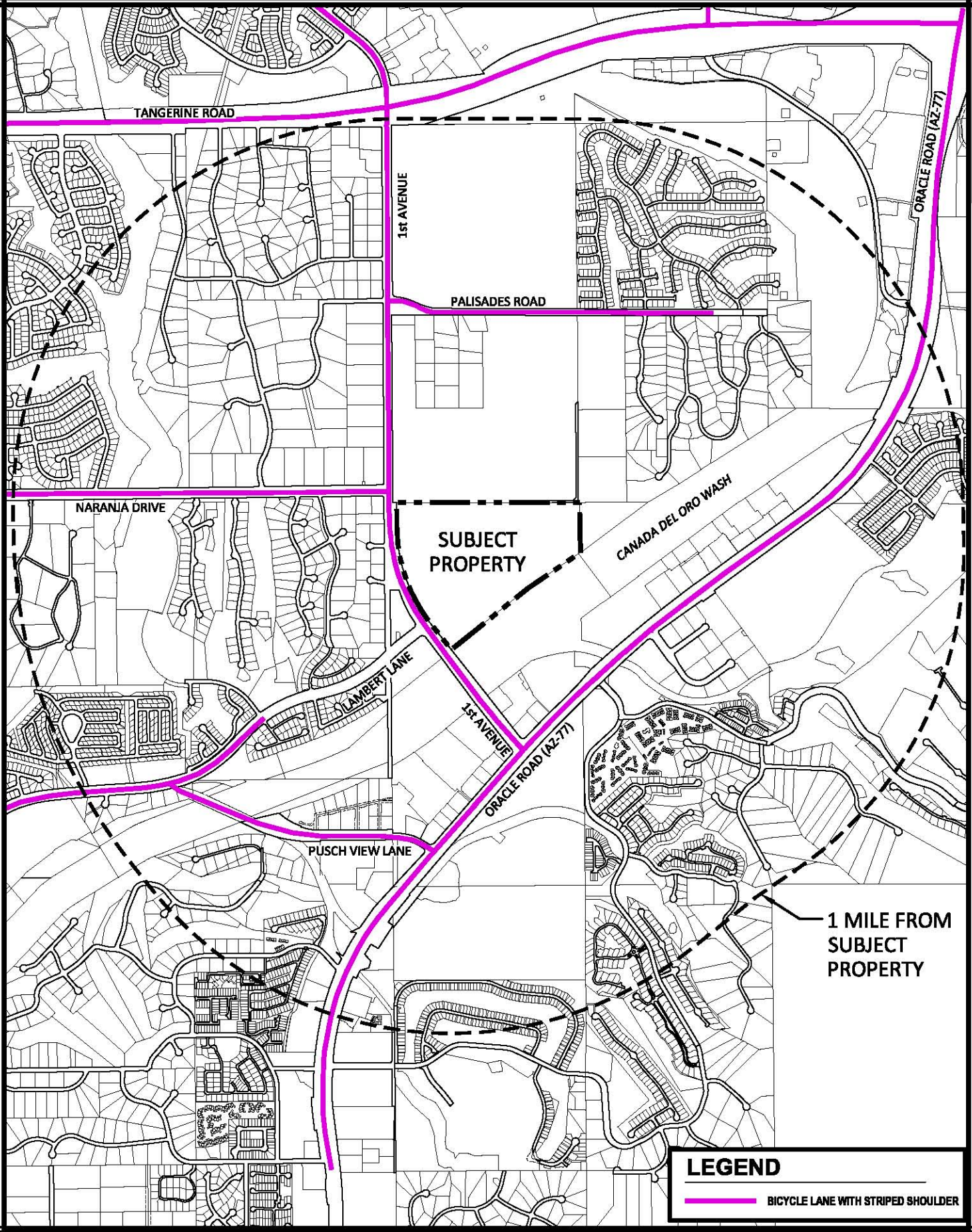
2. State the size and type of the parks and recreation area identified.

Catalina State Park consists of approximately 5,500 acres. The park features active and passive recreational areas, camping, equestrian facilities, hiking trails and restrooms.

The Santa Catalina District of the Coronado National Forest consists of approximately 155,000 acres (including the approximately 57,000 acre Pusch Ridge Wilderness Area). This recreational area features active and passive recreational areas, including trails, camping, fishing and equestrian activities.

The Canada Del Oro Riverfront Park consists of approximately 30 acres and is located just over one mile from the site. This park features active and passive recreational areas, ball fields, walking paths and restrooms.

Steam Pump Ranch recreational facility consists of approximately 15 acres and represents the history of Oro Valley's settlement. Steam Pump Ranch features trails, ramadas, and restrooms, and is a hub for community activities such as the weekly Oro Valley Heirloom Farmers Market. This recreational facility is typically open only for special uses and events (such as the farmers market) and reservations.



The WLB Group WLB

EXHIBIT K
TRAFFIC

10.29.2014
WLB No. 181057-Y-002

1/3 MILE

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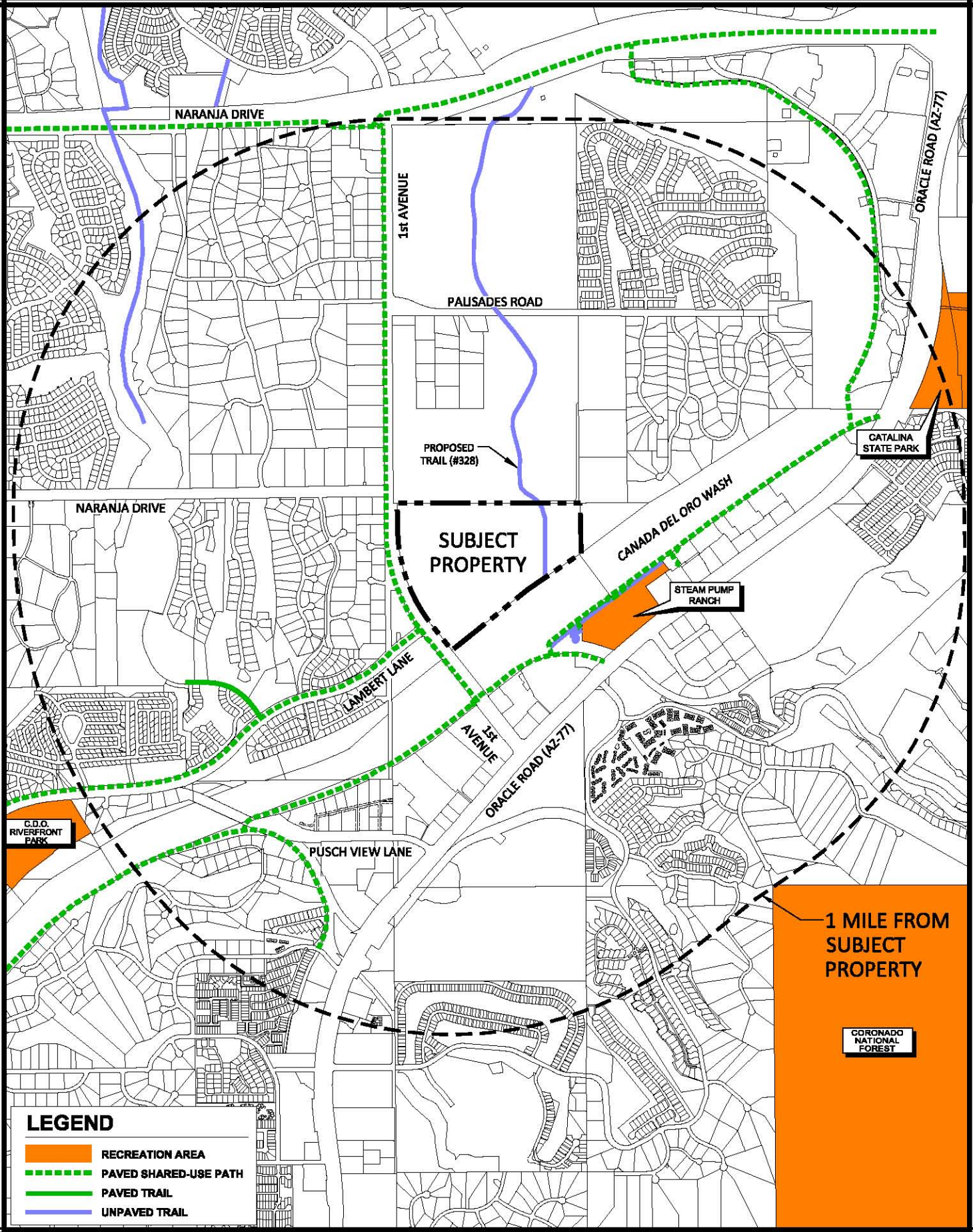

The WLB Group WLB

EXHIBIT L
RECREATION AND TRAILS

10.29.2014
WLB No. 181057-Y-002

1/3 MILE

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\L - Rec and Trails.dwg F

I-I. Cultural/Archaeological/Historic Resources

The previously completed archaeological survey for this site was updated in October of 2014 to determine if there are any significant cultural resources present on the site that might be adversely impacted by construction. The only cultural resources on the site consist of four areas with artifact scatters. Two of these sites have been assigned numbers with the Arizona State Museum (ASM) and the two new sites will be assigned site numbers. However, since these sites do not have the potential to yield meaningful information beyond their recording with ASM, no further studies are recommended. Of course, as required by State law, if human skeletal remains or funerary objects are discovered, the ASM should be contacted immediately.

I-J. Schools

1. Map all existing and proposed public schools within one mile of the site.

The site is located in the Amphitheater School District Number 10. There are no existing or proposed public schools within one mile of the site.

2. Describe or map the location of all existing and proposed public schools serving the site, if not within a one-mile radius of the site.

No schools will be serving this development due to the senior demographics (minimum age of 62 years old).

I-K. Water

1. **Name, address, and contact person for water service provider.**

   Contact Information: Mark Moore, Oro Valley Water Utility located at 11000 N. La Canada Drive, Oro Valley, AZ 85737

2. **If not within a defined water service area, explain how domestic water supply will be provided and address adequacy for future uses on the site.**

   The subject property is located within the defined water service area for Oro Valley Water Utility, and will be served by Oro Valley Water Utility. See *Exhibit M: Existing Wet Utility Locations* for the location of water utility infrastructure.

I-L. Sewers

The subject property contains an 18-inch, a 12-inch, and an 8-inch sewer line. All sewer lines are numbered as G-89-23. These are public sewer lines owned and maintained by Pima County Regional Wastewater Reclamation Department. See *Exhibit M: Existing Wet Utility Locations* for the location of sewer utility infrastructure.

Refer to *Exhibit M: Existing Wet Utility Locations.*

I-M. Environmentally Sensitive Lands Ordinance (ESLO)

According to the Town's Environmentally Sensitive Lands map, the subject property contains two environmentally sensitive land categories. Approximately 15.0 acres of the site is designated as a Critical Resource Area (CRA) (95% open space requirement), with the remaining approximately 64.5 acres of the site designated as a Resource Management Area Tier 2 (25% open space requirement).

Refer to *Exhibit N: Environmentally Sensitive Lands Map*.

Note: It should be noted that the property owner has submitted an application concurrent with this PAD application to request an amendment to the configuration of the CRA on this site. Please refer to the separate application and to *Exhibit T: Proposed ESL Map Amendment.*

I-N. McHarg Composite Map

Refer to *Exhibit O: Composite Map #1.*

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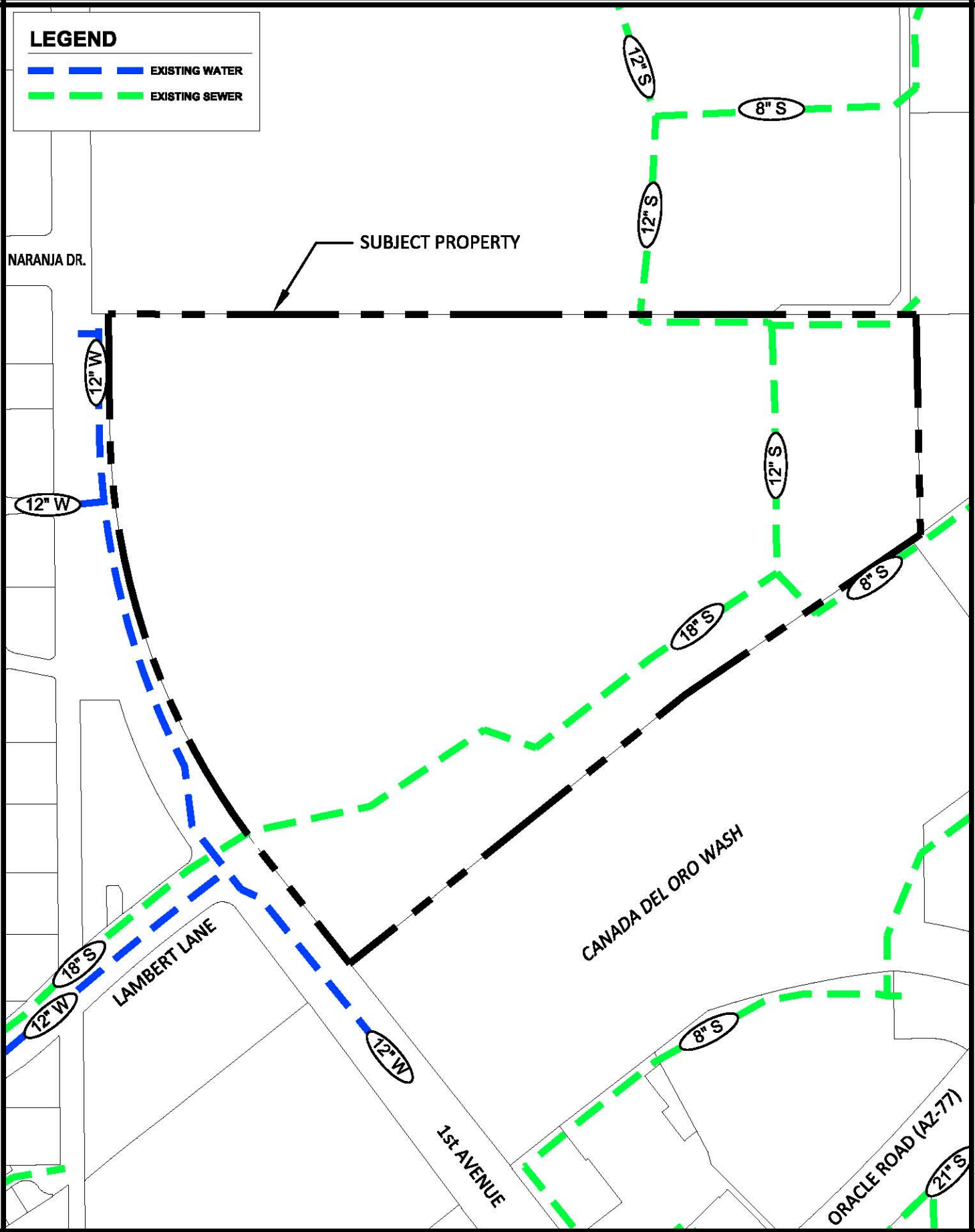
I-N. McHarg Composite Map

Refer to *Exhibit O: Composite Map #1.*



The WLB Group WLB

EXHIBIT M
EXISTING WET UTILITY LOCATIONS

10.30.2014
WLB No. 181057-Y-002

0' 400'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\M - Existing Wet Utilities.dwg Plotted: Oct. 31, 2014

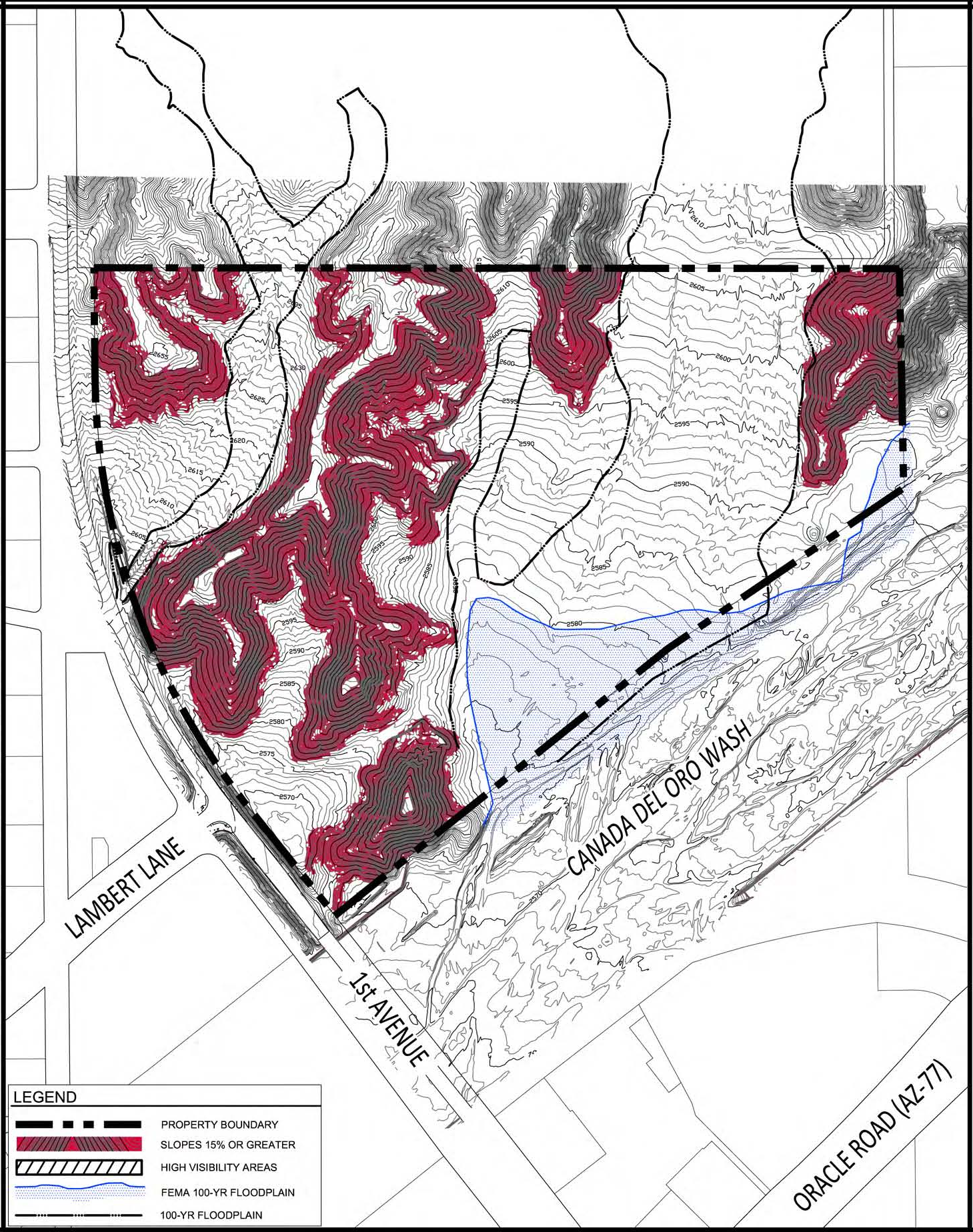
The WLB Group WLB

EXHIBIT N
ENVIRONMENTALLY SENSITIVE LANDS MAP

10.29.2014
Aerial Photo Date = 1998
WLB No. 181057-Y-002

0' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\N - ESLO.dwg Plotted: Oct. 31, 2014



The WLB Group WLB

EXHIBIT O
COMPOSITE MAP #1

10.27.2014
CONTOUR INTERVAL = 1 FT.
WLB No. 181057-Y-002

0' 400'

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PART II - LAND USE PROPOSAL

II-A. Project Overview

1. Project Narrative

The Project

Nakoma Sky is a proposed continuing care retirement community (CCRC). It is proposed by the owners of the existing La Posada continuing care retirement community in Green Valley, Arizona. A CCRC is defined as follows:

> *A CCRC is a residential alternative for older adults (usually age 65 and older) that provides flexible housing options, a coordinated system of services and amenities, and a continuum of care that addresses the varying health and wellness needs of residents as they grow older. The emphasis of the CCRC model is to enable residents to avoid having to move - except, perhaps, to another level of care within the community - if their needs change and they require health care and supervision. Remaining within the community allows the residents to continue their existing relationships with a spouse and friends, avoid the stress of a move, and receive health care, should it be needed, in an environment they know and trust.*

La Posada is an award winning not-for-profit 501(c)(3) organization that has been providing homes and services for seniors 62 years and older on a beautiful 100-acre campus in Green Valley since 1987. La Posada plans to build a new innovative senior living campus in Oro Valley to help residents live well according to each person's definition and interests while additionally providing amenities that will connect to the broader Oro Valley community including parks, gardens, a cultural arts building, a coffee shop, resale shop, and an intergenerational adult day care and pre-school.

The campus, when built out, will have the potential for up to 400 units and will be constructed in phases over an extended period of time. La Posada expects to employ approximately 225 individuals with jobs ranging from professional management, fitness and wellness staff, sous chef/ restaurant skills, landscapers, caregivers, servers, etc. Swaback Partners (project architect) and The WLB Group, in association with La Posada, are working to create a land use and design to maximize the beautiful views of the mountains and to preserve much of the natural land forms of the site. Underground parking for apartment residents will help to preserve much of the natural environment, in addition to strategic locations for parking areas on the property.

The residents and the La Posada organization plans to be a significant partner in the Oro Valley community. A recent Eller School of University of Arizona study showed that La Posada in Green Valley provides an economic impact to our region of nearly $53 M annually. It is expected that a similar impact would be created by a campus in Oro Valley. A recent marketing study by a national consultant also demonstrated that there is a significant amount of growing need for La Posada's services in Oro Valley and nearby communities.

This PAD will allow the project to be designed in a cohesive and coordinated manner. Master planning provides for a superior product for the following reasons:

- Land uses can be arranged in manner that locates compatible uses in proximity to one another.
- Utilities can be brought to site in a coordinated and phased manner.
- Parks and recreational facilities can be planned and integrated into the project.
- It provides the opportunity to establish a unified architectural and landscape theme.
- This PAD allows for simple administration and regulation of the project by the Town of Oro Valley. All of the development regulations and standards are clearly identified within this document, and where the Oro Valley Code presides, this PAD clearly indicates the applicable Oro Valley Code section.

2. General Plan Compliance

a. General Plan Compliance

This project is in conformance with the Town of Oro Valley General Plan. The land use designation on the property is Master Planned Community (MPC) and this PAD request conforms to this land use designation.

The following is a list of development strategies employed by this project that make it compatible with the various policies and criteria found in the elements of the Oro Valley General Plan:

<u>Land Use Element:</u>

- The project contains varied types and intensities of development.
- The site analysis information contained in Part I of this PAD supports the land use proposals contained in the PAD.
- This project provides a mix of senior housing types, ranging from apartments to detached housing units.
- The PAD clusters development such that it protects the environmentally sensitive area of the site in conformance with the Oro Valley Zoning Code.
- A wide range of activities are provided in activity center areas – the core area, or Multiple Use District for the project, provides such activities as follows: recreation complex, spa and wellness center, arts and crafts area, outdoor pool terrace, multi-purpose room, modest performing arts center, daycare, outdoor dining and community park.

- The project provides a wide range of recreational facilities and links to open space, as well as a connection to a future linear park along the Canada del Oro Wash.

Transportation Element:

- Streets are curvilinear in nature.
- Safe pedestrian access is provided within the PAD to the community park.
- Sidewalks and other pedestrian paths are incorporated into the site.
- All streets meet public design standards.

Economic Development Element:

- The project will have a favorable fiscal impact on the community and the economy.

Open Space/Recreation Element:

- Pedestrian paths and bicycle lanes on streets are provided, and a non-motorized trail easement will be provided on the property to allow pedestrian and equestrian users to continue to access the Canada del Oro Wash.
- Open space facilities provide the opportunity to connect to a future trail along the proposed Canada del Oro Wash bank protection.
- The project provides handicapped accessibility.

Natural Resources Conservation Element:

- Regulated washes and their associated vegetation will be preserved to the greatest degree possible in their natural condition.
- Only plant materials as approved by this PAD will be used on the project.
- Environmentally sensitive materials will be used where feasible in areas where erosion protection is required.
- The Critical Resource Area (as amended) will be preserved in accordance with the Oro Valley Zoning Code.

Cultural/Historic Element:

- The site has been surveyed for archaeological resources and there are none that inhibit development of this site.

b. Special Area Policy

There is a Special Area Policy in the General Plan that was written for the previously contemplated traditional single family residential project on this property. The Special Area Policy reads as follows:

"The area designated as Master Planned Community may be developed at up to three units per acre."

A clarification of this General Plan Special Area Policy is being requested concurrent with this PAD, indicating that this Special Area Policy does not apply to this project for the following reason:

This Special Area Policy was written to limit the density of the traditional residential project previously proposed by Pepper Viner Homes for the property. The proposed continuing care retirement community is not a traditional residential project. Rather, the proposed project will contain a variety of uses, only one of which is residential. As such, it is our interpretation that this Special Area Policy does not apply to the Nakoma Sky continuing care retirement community, and would only apply if the property were to be developed as a traditional residential community.

3. Proposed Land Uses and PAD Districts

This PAD establishes its own zoning districts based on underlying zoning districts from the Oro Valley Zoning Code. One of the reasons for this PAD is that the Oro Valley Zoning Code does not contain a zoning district that allows for the intended use of the property as a continuing care retirement community. As such, this PAD establishes the following zoning districts:

- **Multiple Use District – Core** (underlying OVZC zoning district is R-6 Multi-Family Residential District).

- **Commercial, Medical and Service District – Northwest and Southwest** (underlying OVZC zoning district is C-N Neighborhood Commercial District).

- **Independent Living District** (underlying OVZC zoning district is R-4 Townhouse Residential District).

- **Open Space District** (underlying OVZC zoning district is Parks and Open Space District).

The table on the following page compares the requested PAD development standards with the underlying zoning districts.

Zoning District Comparison Table

ZONING DISTRICT	MINIMUM LOT AREA	MINIMUM LOT WIDTH	SETBACKS			MAXIMUM BUILDING HEIGHT	MINIMUM DISTANCE BETWEEN BUILDINGS	MINIMUM OPEN SPACE	MAXIMUM FLOOR AREA RATIO
Underlying: R-4	(1)	None	(2)			25' or 2 stories	10'	10%	N/A
PAD: Independent Living District	(1)	None	Per Section II-A.5 of this PAD			25' or 2 stories	10'	30% (over entire PAD)**	N/A
Underlying: C-N	N/A	N/A	F	R	S	25' or 2 stories	N/A	25%	0.25
			20'	0 - 50'	0 - 50'				
PAD: Commercial, Medical and Service	N/A	N/A	F	R	S	36'* (2 stories)	10'	30% (over entire PAD)**	0.35
			20'	0 - 50'	0 - 50'				
Underlying: R-6	N/A	N/A	F	R	S	25' or 2 stories	N/A	25%	0.25
			20'	0 - 50'	0 - 50'				
PAD: Multiple Use District	N/A	N/A	None			36' (2 stories) and 75'*	N/A	30% (over entire PAD)**	None

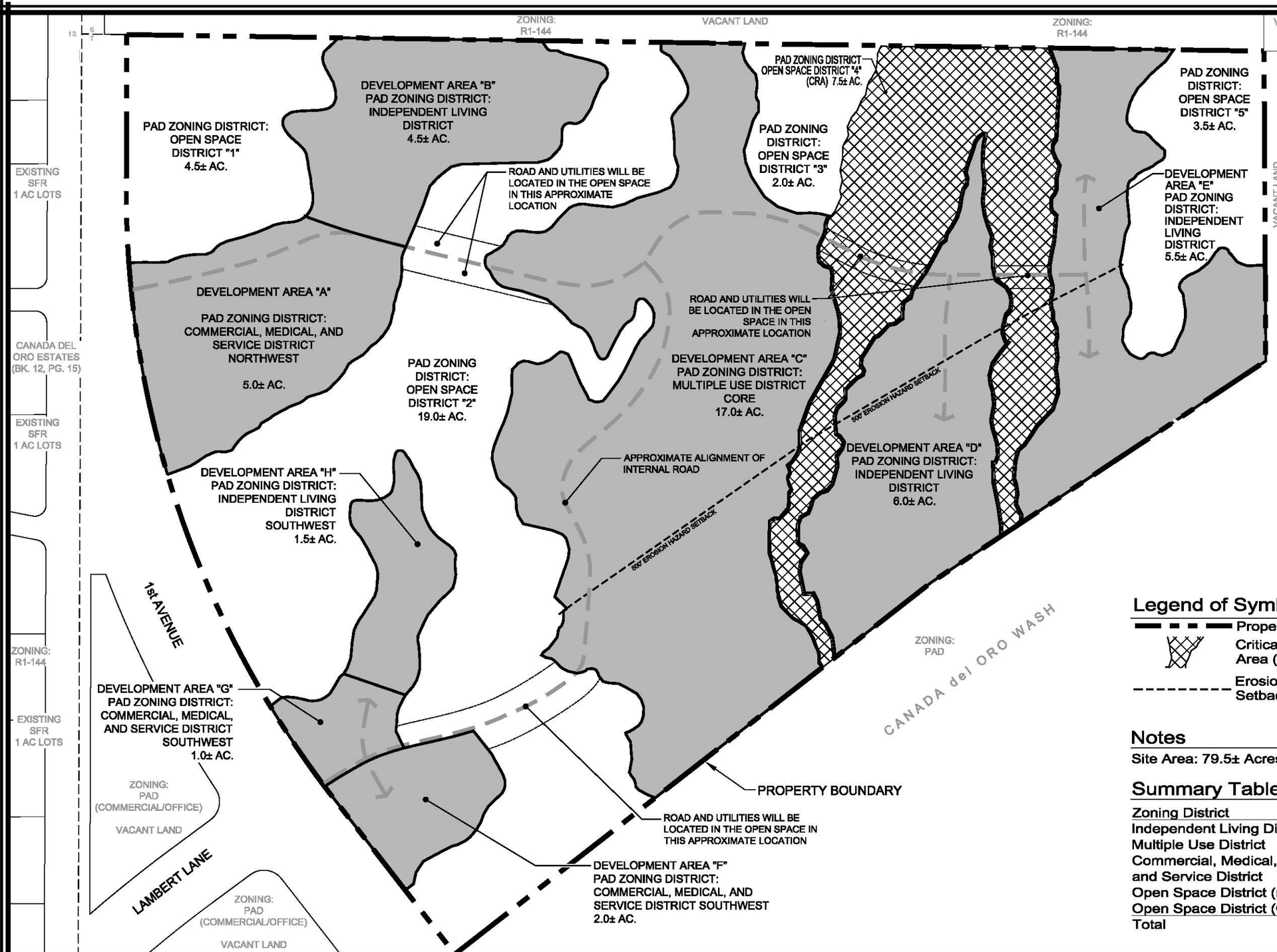
(1) The minimum gross land area per dwelling unit shall be five thousand four hundred fifty (5,450) square feet.

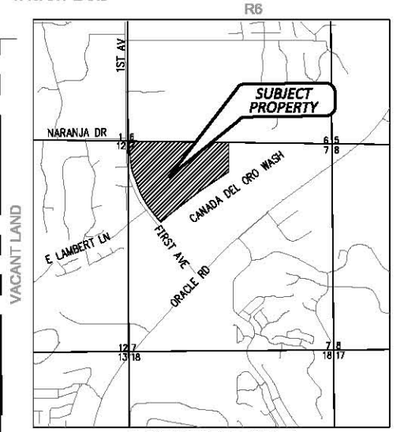
(2) Wherever an R-4 development abuts an R-1 District or an alley abutting R-1 Districts, the following shall apply:

- A setback of not less than 30 feet shall be maintained for single-story structures.
- An additional depth of 10 feet shall be provided for each additional story.
- Wherever an R-4 development abuts any district other than R-1, or abuts an alley adjacent to such other district, a setback not less than 10 feet in depth shall be maintained.
- No building or part thereof shall be erected or altered in this district that is nearer a dedicated street or private street than 20 feet, except that the average setback from any dedicated street shall be at least 25 feet.

*Refer to the development standards in Section II-A.5 for the specific locations on the site where each building height is permitted. 75' is permitted only in Development Area "C" as shown on *Exhibit P.*

**The 30% open space is over the entirety of the property, and not per the individual zoning districts.





LOCATION MAP

A PORTION OF SECTION 7,
TOWNSHIP 12 SOUTH, RANGE 14 EAST,
GILA & SALT RIVER MERIDIAN
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SCALE: 3" = 1 MILE

Legend of Symbols

- Property Boundary
- Critical Resource Area (Proposed)
- Erosion Hazard Setback (500')

Notes

Site Area: 79.5± Acres

Summary Table

Zoning District	Acreage	% of Site
Independent Living District	16.0±	20.1±%
Multiple Use District	17.0±	21.4±%
Commercial, Medical, and Service District	9.5±	12.0±%
Open Space District (non-CRA)	29.5±	37.1±%
Open Space District (CRA)	7.5±	9.4±%
Total	79.5±	100.0±%

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Exhibit P: PAD Zoning Districts

12.19.2014
WLB No. 181057-Y-002

0' 100' 200' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\P - PAD Zoning Districts.dwg Plotted: Dec. 19, 2014

4. Permitted Uses

a. This section of the PAD outlines the permitted uses for the property. Please refer to *Exhibit P: PAD Zoning Districts* for the location of the PAD Zoning Districts and the Development Areas to which are referred in the table below. In the table below, "P" means the use is permitted in that zoning district. All other uses permitted under the base zoning districts (R-4, R-6 and C-N) are permitted by right.

Table of Permitted Uses

Use	Independent Living District (Development Areas B, D, E & H)	Commercial, Medical and Service (Development Area A)	Commercial, Medical and Service (Development Areas F & G)	Multiple Use District (Development Areas C)	Open Space District
Antique Store			P		
Apartment for Senior Living (62 years and older)				P	
Art Gallery			P	P	
Assisted Living	P	P		P	
Bakery			P		
Bicycle Shop			P		
Book Store			P		
Camera Store			P		
Candy Shop			P		
Children's Museum		P	P	P	
Coffee Shop			P	P	
Condominium	P	P	P	P	
Craft Shop			P		
Day Care			P	P	
Day Nursery			P	P	
Dining Facilities (1)	P	P	P	P	
Duplex/Multiple Dwelling for Senior Living (62 years and older)	P	P	P	P	
Florist			P		
General Merchandising			P		
Gift/Hobby Shop			P		
Health Spa/Fitness Center			P	P	
Ice Cream Shop			P		
Improved Open Space	P	P	P	P	P
Mail Service		P	P	P	
Memory Care	P	P		P	

Use	Independent Living District (Development Areas B, D, E & H)	Commercial, Medical and Service (Development Area A)	Commercial, Medical and Service (Development Areas F & G)	Multiple Use District - Core (Development Area C)	Open Space District
Multiple Dwelling Unit for Senior Living (62 years and older)	P	P	P	P	
Natural Undisturbed Open Space	P	P	P	P	P
Office and Administration	P	P	P	P	
Optician			P		
Parking (at, below and above grade) in conjunction with and only to serve other permitted uses)	P	P	P	P	P
Parks, Trails & Recreational Facilities	P	P	P	P	P
Physician / Nurse Practitioner	P	P	P	P	
Recreational Facilities, Active and Passive	P	P	P	P	P
Residential Dwelling (Attached or Detached) for Senior Living (62 years and older)	P	P	P	P	
Restaurant (1)		P	P	P	
Roads/Streets	P	P	P	P	P (2)
Sales/Welcome Center			P	P	
Shoe Repair			P		
Theater			P	P	
Townhouse for Senior Living (62 years and older)	P	P	P	P	
Trails & Walking Paths	P	P	P	P	P
Utilities and Associated Facilities Necessary to Serve the Project	P	P	P	P	P
Video Store			P		
Wellness Center/Spa/Fitness Pavilion		P	P	P	

(1) A dining facility is a place within a building where food is served and a restaurant is an establishment where the primary business is serving food to the public. The specific location of restaurants on the site will be determined during the site plan process.
(2) Roads/streets are permitted in open space where necessary to provide connection to the Development Areas or to utility facilities.

5. Development Standards

- The following are the development standards for each of the PAD Zoning Districts.

Multiple Use District (Core)

a. Minimum Site Building Setbacks:

- Adjacent to Northern Boundary of Site: 20 feet.
- Adjacent to Canada del Oro Wash: 50 feet.

b. Minimum Distance Between Buildings: 10 feet.

c. Building Height Limitations:

- 75 feet (five stories) with an additional 10 feet for architectural features permitted on a maximum of 25% of the building area.
- 36 feet (two stories) for all other buildings in this district.
- 15 feet above the 36-foot maximum building height described above for an uninhabitable architectural feature.
- Building height shall mean the vertical distance measured from finished grade found along the outside walls of a building to the highest point of the building, excluding architectural features.

d. Minimum Interior Setback Requirements: None.

e. Floor Area Limits: None.

Independent Living District

a. Minimum Site Building Setbacks:

- Adjacent to 1st Avenue: 50 feet.
- Adjacent to Northern Boundary of Site: 20 feet.*
- Adjacent to Eastern Boundary of Site: 20 feet.
- Adjacent to Canada del Oro Wash: 50 feet.

*Development Area B as shown on *Exhibit P: PAD Zoning Districts* will provide a 32-foot building setback along its northern boundary to match the building setback of the residential lot located on the property to the north of this site.

b. Minimum Distance Between buildings: 10 feet.

c. Minimum Distance Between Residential Structure and Commercial Structure: 50 feet.

d. Building Height Limitations: 25 feet (two stories). Building height shall mean the vertical distance measured from finished grade found along the outside walls of a building to the highest point of the building, excluding architectural features.

e. Minimum Interior Setback Requirements: None.

f. Minimum Lot Area: None.

Commercial, Medical and Service District (Northwest and Southwest)

a. Minimum Site Building Setbacks:

- Adjacent to 1st Avenue: 50 feet.
- Adjacent to Canada del Oro Wash: 50 feet.

b. Minimum Distance Between Buildings: 10 feet.

c. Building Height Limitations:

- 30 feet (two stories) for residential buildings.
- 25 feet (one story) for any building in Development Area A (as shown on *Exhibit P: PAD Zoning Districts*) that is located within 150 feet of the western boundary of this PAD.
- 36 feet (two stories) for non-residential buildings.
- Building height shall mean the vertical distance measured from finished grade found along the outside walls of a building to the highest point of the building, excluding architectural features.

d. Minimum Interior Setback Requirements: None.

e. Floor Area Limits: 0.35.

Open Space District

- A minimum of 30% of the gross site area shall be reserved as open space.

6. Units

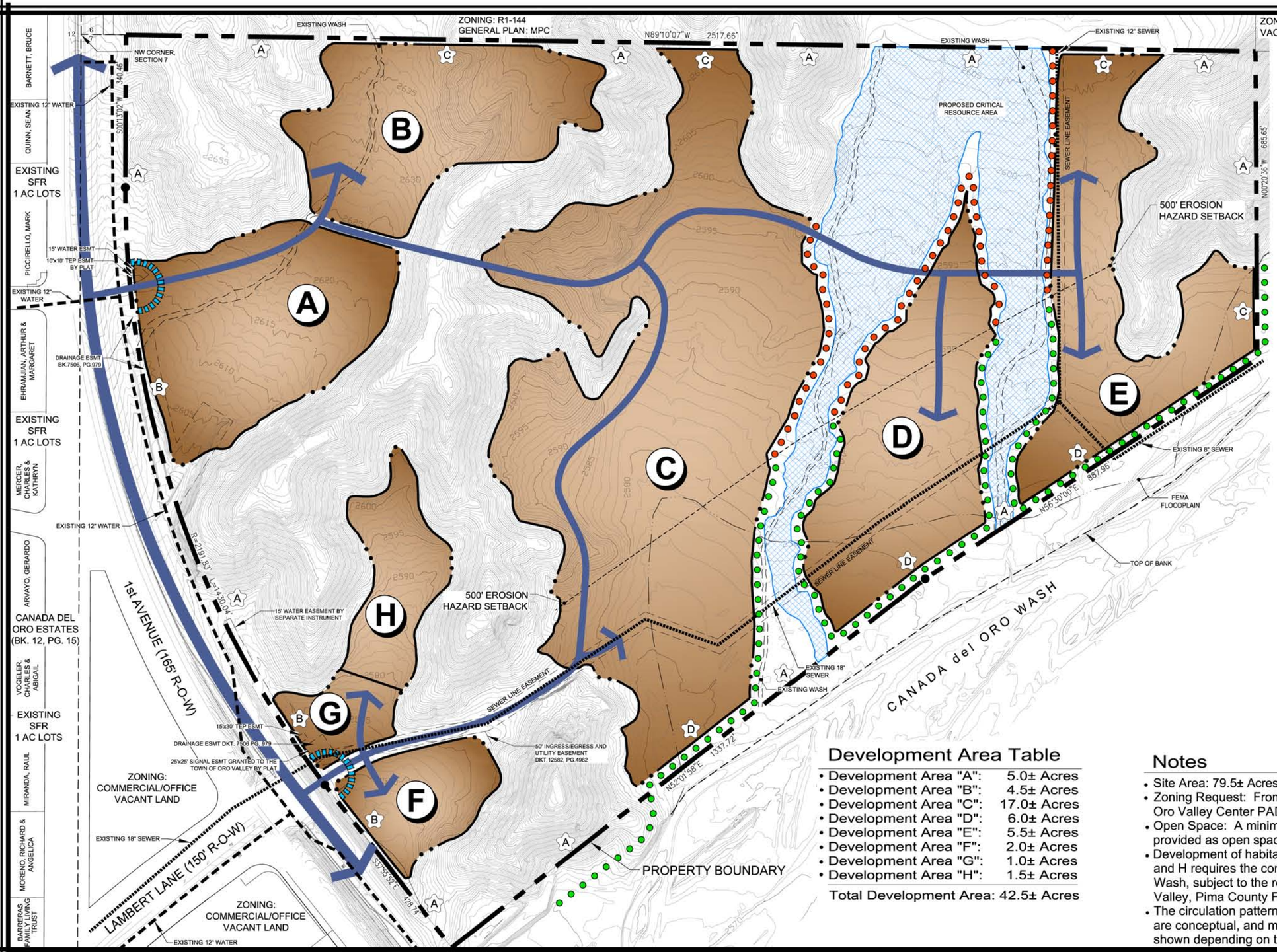
- Maximum number of units: 400 units. A unit is defined as a building, or a portion of a building, designed or used a living quarters, including bathroom facilities and that may or may not include kitchen facilities, sleeping and living areas.

7. Tentative Development Plan

The Tentative Development Plan (TDP) for this project is being presented in a two-pronged manner, described as follows:

The first part involves *Exhibit Q: Development Areas* which is presented in "bubble" diagram format. The "bubbles" represent the proposed development areas on the site. Each development area has been assigned a letter and an approximate acreage has been provided for each area as well. These development areas were identified based on the site analysis performed for this property. This exhibit shows surveyed property boundaries and dimensions, internal circulation, natural open space areas, adjacent public right-of-way and adjoining vacant and developed properties. It should be noted that the following modifications to this plan are permitted without an amendment to the PAD: modifications to the internal circulation system and the boundaries of the Development Area boundaries.

The Tentative Development Plan (TDP) for the project is shown on *Exhibit R*. It should be noted that as planning of the property continues, the final site plan (or plans) to be shown on future Conceptual Site Plans (CSP) may differ from that which is shown on these plans. However, provided that the development is consistent with the development areas shown on the Tentative Development Plan (bubble format) and provided that future plans conform with the intent, development standards and regulations established herein, no amendment to this PAD will be required to allow such plans.



LOCATION MAP

A PORTION OF SECTION 7,
TOWNSHIP 12 SOUTH, RANGE 14 EAST,
GILA & SALT RIVER MERIDIAN
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SCALE: 3" = 1 MILE

Legend of Symbols

- Property Boundary
- Development Area Boundary
- Proposed Tributary Wash Bank Protection
- Proposed Canada del Oro Wash Bank Protection
- Point of Ingress / Egress
- A — 40' Natural Buffer Yard
- B — 15' Enhanced Buffer Yard
- C — 15' Natural Buffer Yard
- D — 50' Open Space Area with 10' Enhanced Buffer Yard
- Proposed Critical Resource Area (7.5± Ac.)
- Existing Water Line
- Existing Sewer Line
- Internal Vehicular Circulation

Development Area Table

• Development Area "A":	5.0± Acres
• Development Area "B":	4.5± Acres
• Development Area "C":	17.0± Acres
• Development Area "D":	6.0± Acres
• Development Area "E":	5.5± Acres
• Development Area "F":	2.0± Acres
• Development Area "G":	1.0± Acres
• Development Area "H":	1.5± Acres
Total Development Area:	42.5± Acres

Notes

- Site Area: 79.5± Acres.
- Zoning Request: From Rooney Area Z PAD and Rooney Ranch Oro Valley Center PAD to La Posada at Rooney Ranch PAD.
- Open Space: A minimum of 30% of the gross site area will be provided as open space.
- Development of habitable structures in Development Areas F, G, and H requires the construction of bank protection along the CDO Wash, subject to the review and approval of the Town of Oro Valley, Pima County Flood Control District, and FEMA.
- The circulation patterns and development area boundaries shown are conceptual, and may ultimately be different from that which is shown depending on the final configuration of the site.

The WLB Group WLB
TUCSON - PHOENIX - LAS VEGAS - FLAGSTAFF

Exhibit Q: Development Areas

12.19.2014
CONTOUR INTERVAL = 1 FOOT
WLB No. 181057-Y-002

0' 100' 200' 300'

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Site Area: 80 Acres +/_ . Oro Valley, Arizona

EXHIBIT R: TENTATIVE DEVELOPMENT PLAN

October 2014

LEGEND

1. Primary Access to the Community . Signage Wall
2. Village Retail . Cafe . Store . Bar
   10,000 sf. - 40 parking spaces + 15 on-street parking
3. Marketing Welcome Center . 2,500 sf. - 12 parking spaces
4. Entertainment Village - Theater, Classrooms, Day-care, Playground, Outdoor Amphitheater.
5. Residential - 17 South Cottages + 10 North Cottages
   Average Square Footage 1,400 with attached garages.
   On-street parking for visitors
6. Trail Head Access with Trellis, Water, Public Bathroom, Golf-Carts Parking, Bike racks
7. Resting Area . Mountain Views and Look Out Cabana with Telescope.
8. Access to Community Park
9. Arrival Plaza
10. Access to Underground Parking for Residents and Employees
11. Service Access Road to Underground Delivery Area . Kitchen . Garbage Pick-up Areas (Secondary PickUp areas will be located on each of the buildings) . Storage . Mechanical
12. Arrival Court . Main Access to Apartment Buildings and Core
13. Restaurants . Bar & Bistro Cafe . Chef Kitchen . Demo and Community Kitchen
14. Residential Apartments .
    Average Square Footage 1,300 with underground private garages.
    Total 220 Units +/_
15. Community Village Main Courtyard
16. Offices . Arts . Flex Rooms . Beauty . Card Room . Tech Room Compound
17. Meeting Rooms . Post Office
18. Residents Pools . Cabanas . Restrooms . Bar
19. Outdoor Patios . Fire Pits . Lounge Rooms .
20. Residential Estates Mountain View . Average Lots Square Footage 4,500
    36 Lots Total . Average Homes Square Footage 2,000
21. Wellness & Spa Village . Exercise Rooms . Yoga .
    Meditation . Indoor Pool . Roof Top Pool . Gardens
22. Facilities Management . Central Plan . Services . Overflow Parking + Community Trams Parking . Solar Array and related Facilities.
23. Golf Carts Parking / Charging Station
24. Northern Arrival Plaza
25. Assisted Living & Memory Care . Approximately 42 Units for Assisted Living and 30 Units for Memory Care . Plus additional Service, Recreational and Common Areas . 55 +/- Parking Spaces
26. Residential Villas . 22 Units (11 1st level + 11 2nd Level) .
    Average Square Footage 1,600
27. Residential Hill Villas . 5 Units with attached parking (one level) .
    Average Square Footage 1,600
28. Community Park . Public Bathrooms . Ramadas . Gardens .
    Dog Park . BBQ Areas . Water Splash Park
29. Gate / Signage Entrance to Residential Apartments Core
30. Visitors Parking (35 +/-)
31. Guest House

Notes:

1) This Tentative Development Plan (TDP) designates a parking garage beneath the apartment building. If surface parking is to be used on this site instead of, or in addition to, the parking garage, then those surface parking areas will be as shown on Exhibit DD. The use of surface parking rather than or in addition to the parking garage will not require an amendment to this PAD.
2) Modifications to this Tentative Development Plan (TDP) shall be in accordance with Section II-W: General PAD Administation of this PAD.

8. Architectural Design Criteria

The architectural design criteria for the project is as shown in the representative imagery contained in the appendices to this document.

The architectural design criteria will also be in accordance with the Design Standards for the Town of Oro Valley (Addendum A, Adopted by Ordinance #11-20 on July 6, 2011).

9. Landscape Design Criteria

Landscape design shall be per section 27.6 of the Oro Valley Zoning Code (including native plant salvage, landscaping, water harvesting and irrigation standards) with the exception that all plants from the Arizona Department of Water Resources Low Water Use Drought Tolerant Plant List for the Tucson Active Management Area be permitted for use in this PAD, except that no palms are permitted. Plants from the Oro Valley Zoning Code Addendum C: Approved Native Plant List are also permitted in this PAD, and may be used anywhere within the PAD.

In addition to this, landscape design shall be in accordance with the Design Standards for the Town of Oro Valley (Addendum A, Adopted by Ordinance #11-20 on July 6, 2011).

The following area some of the landscape design criteria that are listed in the Design Standards and that will apply to this PAD:

- Existing natural landscaping and habitat shall be preserved to the greatest extent possible by the following: (1) encouraging clustering of buildings to preserve sensitive areas and maximize open space, and (2) identification of specimen plants and incorporating into landscape plans.

- Landscaping shall be considered an integral element of the project when site planning.

- Landscaping shall be provided to highlight the built environment.

- Landscaping shall be used to help define pedestrian circulation.

- Landscaping shall be used to accentuate building and project entrances.

- Landscaping and hardscaping shall be provided at intersections to create focal points in the development.

- Trees and plant materials shall be used to maximize shade for pedestrians.

- Landscaping shall be designed to provide shade for pedestrians, automobiles and western facing structural elements.

- Undesirable views shall be screened with plant materials.

- Landscaping shall be used in plazas and courtyards to create a sense of enclosure in seating and gathering areas, where appropriate.

10. General Design Criteria

The Design Standards for the Town of Oro Valley (Addendum A, Adopted by Ordinance #11-20 on July 6, 2011) contain standards specific to continuing care retirement communities and this project will adhere to them. They are as follows:

- Paved, lighted, Americans with Disability Act of 2010 (ADA)-accessible walkways shall be provided between all common facilities and residential buildings.

- Shaded seating areas shall be provided along walkways with a minimum of two adequately separated seating areas provided along any walkway over 400 feet in length.

- ADA accessibility shall be provided to all buildings and facilities.

- An accessible route meeting the 2010 ADA Standards for Accessible Design shall be provided through the project and connecting with the 1st Avenue right-of-way.

- A transit stop on 1st Avenue will be provided in accordance with the Oro Valley Zoning Code.

- This PAD shall comply with the Town of Oro Valley Design Standards, Addendum A (Adopted by Ordinance #11-20 on July 6, 2011).

Also, the Site Planning standards contained within the Design Standards for the Town of Oro Valley shall apply to this site.

II-B. Existing land Uses

1. Zoning boundaries and existing land uses.

Refer to *Exhibit P: PAD Zoning Districts.*

2. Effect of the proposed development on existing land uses on and off-site.

The proposed development essentially has no effect on existing onsite land uses since the land is currently vacant. However, the development of the site will curtail the previously-mentioned illegal use of the property. This project, through the proposed development standards herein, has mitigated any negative impacts on existing off-site uses.

II-C. Environmentally Sensitive Lands

1. Map and identify all ESL Conservation Categories and Environmentally Sensitive Open Space (ESOS).

Refer to *Exhibit S: ESOS.*

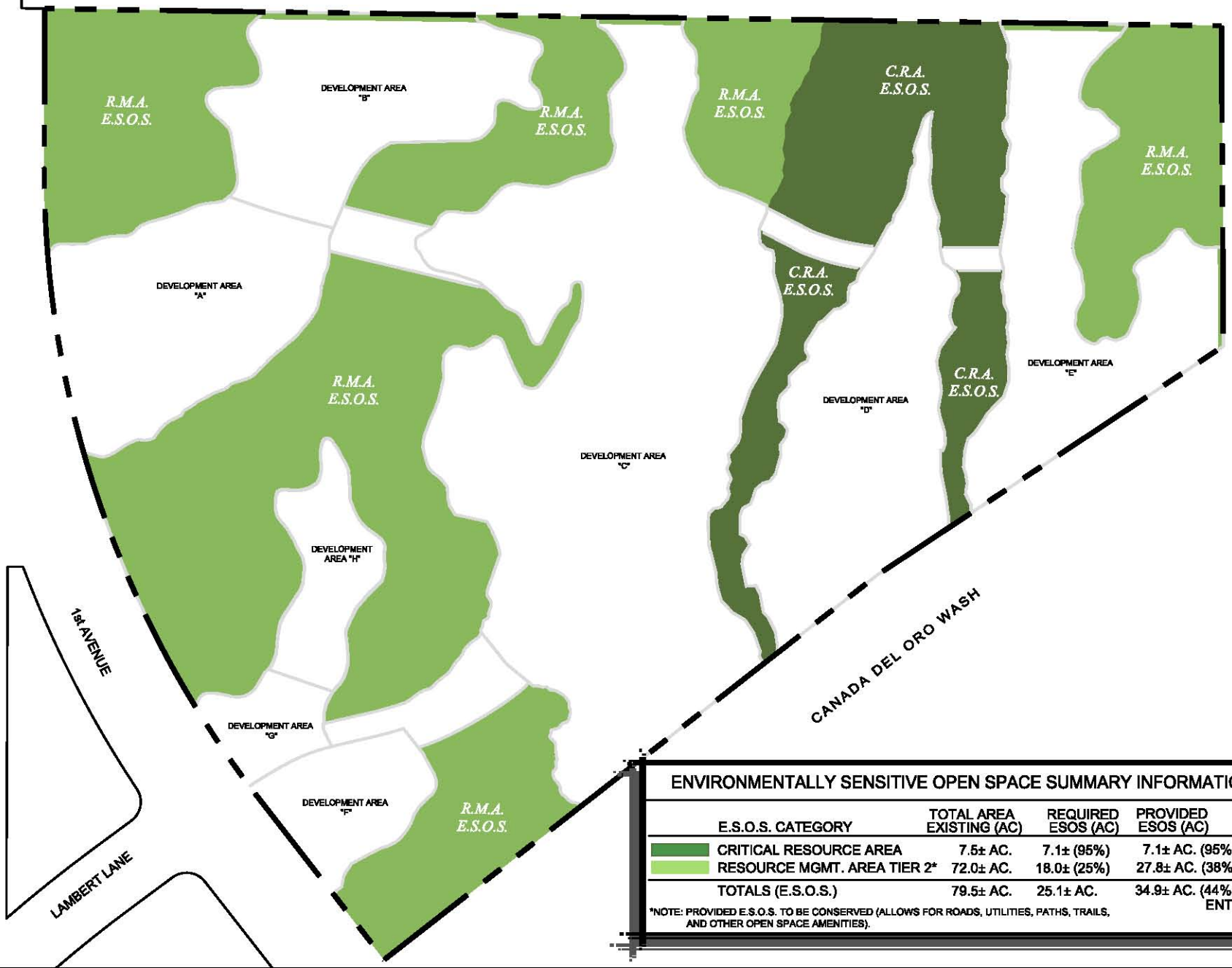
2. ESOS Table

Environmentally Sensitive Open Space (ESOS) Table			
ESOS Category	**Total Area Existing on Site**	**Required ESOS on Site**	**Provided ESOS on Site**
Critical Resource Area (CRA)*	7.5+/- ac.	7.1+/- ac.	7.1+/- ac (95% of CRA)
Resource Management Area (RMA) Tier 2**	72.0+/- ac.	18.0+/- ac.	27.8+/- ac (38% of RMA)
Totals	**79.5+/- ac.**	**25.1+/- ac.**	**34.9+/- ac. (44% of entire site)**

*CRA requires 95% conserved open space.
**RMA Tier 2 requires 25% conserved open space.

As previously mentioned, an application has been submitted concurrent with this PAD application to amend the configuration of the CRA on the property. The portion of the property currently designated as CRA has been analyzed by RECON Environmental, Inc. to determine if the CRA area should be modified based on a ground level biological assessment of the site. The results of their analysis indicate that the CRA should be reconfigured as shown on *Exhibit T: Proposed ESL Map Amendment* to more accurately reflect the biological resources of the site.

Please refer to the separately submitted Recon Environmental., Inc. report for additional information.



ENVIRONMENTALLY SENSITIVE OPEN SPACE SUMMARY INFORMATION

E.S.O.S. CATEGORY	TOTAL AREA EXISTING (AC)	REQUIRED ESOS (AC)	PROVIDED ESOS (AC)
CRITICAL RESOURCE AREA	7.5± AC.	7.1± (95%)	7.1± AC. (95% OF C.R.A.)
RESOURCE MGMT. AREA TIER 2*	72.0± AC.	18.0± (25%)	27.8± AC. (38% OF R.M.A.)
TOTALS (E.S.O.S.)	79.5± AC.	25.1± AC.	34.9± AC. (44% OF ENTIRE SITE)

*NOTE: PROVIDED E.S.O.S. TO BE CONSERVED (ALLOWS FOR ROADS, UTILITIES, PATHS, TRAILS, AND OTHER OPEN SPACE AMENITIES).

The WLB Group WLB

EXHIBIT S
ESOS

12.17.2014
WLB No. 181057-Y-002

0' 300'

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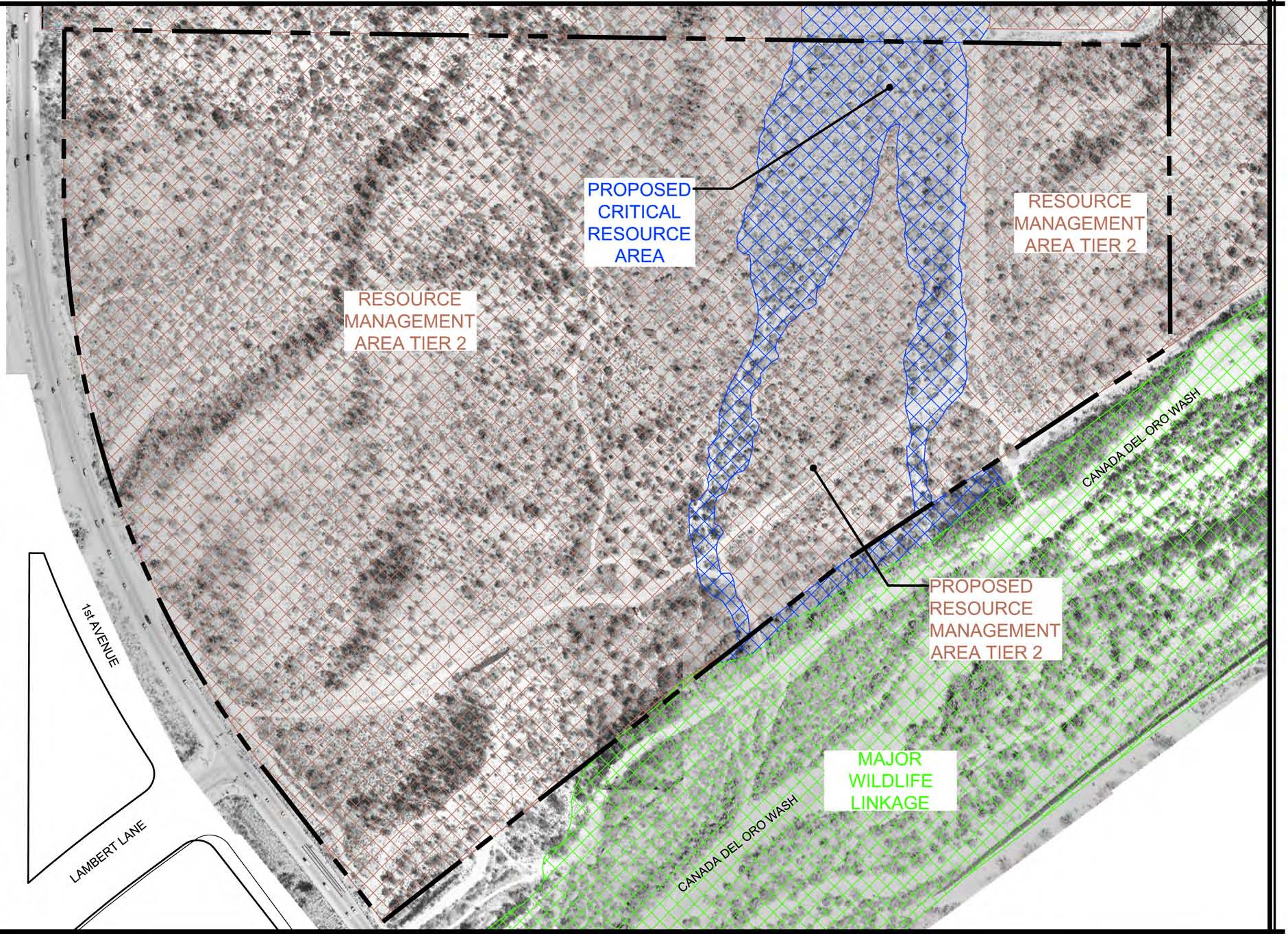

The WLB Group WLB

EXHIBIT T
PROPOSED ESL MAP AMENDMENT

12.18.2014
Aerial Photo Date = 1998
WLB No. 181057-Y-002

0' 300'

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II-D. Topography

1. **How the TDP responds to topographic characteristics described in Part I.**

This project respects the existing topography of the site and conforms with the Hillside Area Category of ESLO. Refer to below table for the total areas of slope and the corresponding disturbance percentages per slope category.

Slope Categories (per ESLO)	% of Site	Area (Ac.)	% of Allowed Disturbance Per ESLO Table 27.10-4	Allowable Disturbance Area (Ac.)
0% to 15%	64.1%	51.0±	100%	51.0±
15% to 18%	3.3%	2.6±	40%	1.1±
18% to 20%	2.4%	1.9±	30%	0.6±
20% to 25%	6.2%	4.9±	20%	1.0±
25% to 33%	10.6%	8.4±	5%	0.4±
33%+	13.4%	10.7±	4%	0.4±
		79.5±	**Total Allowable Disturbance***	**54.4±**

*To determine the total allowable disturbance area of the subject property based only on slopes, the area of each slope category was multiplied by the respective percentage of allowable disturbance using the values listed in Slope Density and Disturbance Limits Table of the ESLO (Table 27.10-4). The sum of each of the slope categories' allowable disturbance areas results in the total allowable site disturbance area of approximately 54.4 acres (based only on regulated slopes and not additional development constraints on-site).

This project will grade approximately 44.6 acres of the site. Since this is less than the 54.4 acres that are allowed to be graded based on slope analysis, this site will be disturbed in accordance with the Hillside Area Category of ESLO. Refer to *Exhibit U: Hillside Conservation Areas*.

2. **Any areas of encroachment of building, lots, driveways, etc. onto slopes of 15% or greater. An explanation as to why this is necessary.**

This project will encroach on slopes in accordance with the allowances of the Hillside Area Category of ESLO. This encroachment is necessary to allow for the following development components of the project:

- A street connection between Development Areas A/B and C as shown on *Exhibit Q: Development Areas* and *Exhibit R: Tentative Development Plan.*

- A potential street connection to the north through the Kai property to allow for another vehicular access point to connect with a signalized intersection (1st Avenue and Naranja Drive). It should be noted that this connection is not shown on the plans in this document because an agreement to construct this street connection could not be reached with the property owner to the north of the subject property.

If an agreement can be reached in the future, then this street connection is permitted, provided it meets the standards of this PAD and the Town of Oro Valley.

- The main entry road into the project from the intersection of 1st Avenue and Lambert Lane.

- Development Areas F and G will be filled, or partially filled, in order to bring their elevation to at or near the adjacent grade of 1st Avenue.

- The potential installation of a sewer line along the western boundary of the property (this will be done with consideration of the equestrian use in this area and will be coordinated with Nancy Ellis or other individual at the Town of Oro Valley).

- The edges of Development Areas A, B, C, E, F, G and H will encroach into slopes as allowable under the Hillside Area Category of ESLO. This encroachment shall be in accordance with the Hillside Area Category of ESLO. This encroachment allows for increased development area on this site that contains slopes, surface drainage and other site constraints that limit the area that may be developed.

- The installation of other utilities may encroach on slopes, with the exact location to be determined during the site plan process.

3. **New average cross-slope, calculations, and values if allowances are to be made under Hillside District Regulations.**

   The area of the subject property proposed to be graded is approximately 44.6 acres. The cross-slope of this proposed grading area is approximately 6.8%. The average cross-slope was calculated as follows:

$$\frac{(I)(L)(0.0023)}{A} = \frac{(1')(134{,}226')(0.0023)}{44.6\text{ ac.}} = 6.9\%$$

4. **Map perimeter of the area used in the new cross slope calculations (if done in item 3 above) and label areas to be left natural.**

   Refer to *Exhibit V: Areas to be Disturbed/Graded.*

5. **Describe and state percentage of total site and map all areas to be disturbed, graded, and/or revegetated.**

   Approximately 44.6 acres of this site will be graded or disturbed. The final limits of grading with be determined during the CSP, FSP and site improvement plan preparation. Refer to *Exhibit V: Areas to be Disturbed/Graded*.

6. **Map the extent of grading on the site.**

   Refer to *Exhibit V: Areas to be Disturbed/Graded.*

7. **Grading Standards**

This PAD proposes the following grading standards:

a. OVZC Section 27.9 shall apply as will the Flexible Disturbance provisions in the Environmentally Sensitive Lands Ordinance (Section 27.10.D.3.g.v.g of the Oro Valley Zoning Code).

b. The Design Standards for the Town of Oro Valley (Addendum A, Adopted by Ordinance #11-20 on July 6, 2011) contain standards specific to grading and this project will adhere to them. The standards below, as well as those in the Design Standards, shall apply to this property:

- The general idea of the grading concept is to utilize contour grading and landscaping techniques in the creation of cut slopes to achieve appearances that emulate natural, undisturbed slopes.

- All exposed disturbed areas will be re-vegetated with plant material and treated to create a natural appearance.

- Tops and toes of slopes shall be rounded to smoothly transition with the natural grades.

- In situations where cut or fill slopes are greater that 5 feet in height and exceed 100 feet in length, the contours of the slope will be manipulated and curved in an undulating fashion in order to reflect the natural terrain.

- Vegetation in the bottom of the fill areas will be salvaged and reused on re-sculptured cut embankments and along rights of way.

- Cut slopes will be sculpted and re-vegetated to emulate naturally existing slopes.

- Seeding and erosion control techniques shall be employed, such as wood fiber hydromulch, drilled seed with straw mulch and jute matting.

- Where possible, shielded cuts will be utilized.

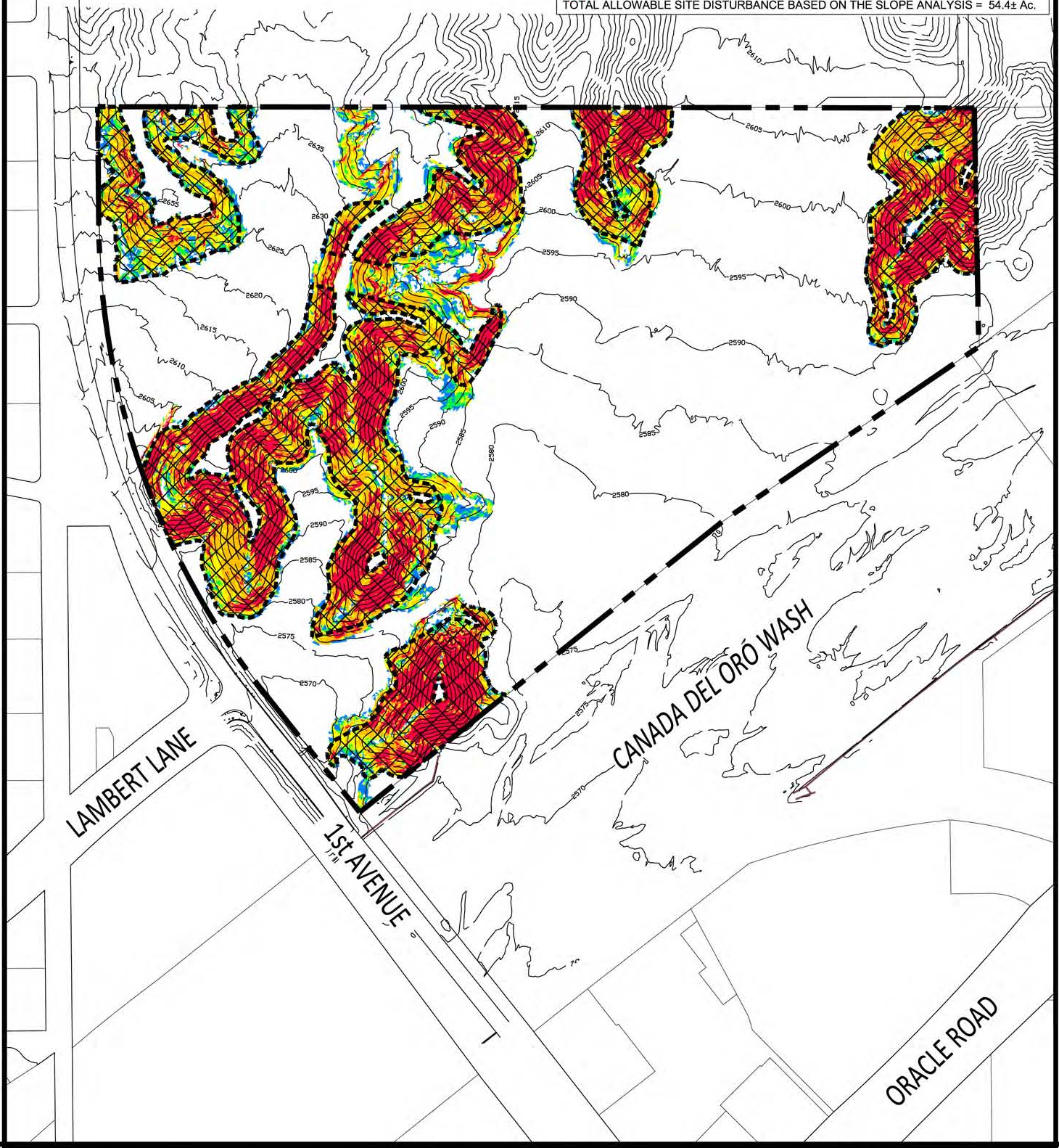
LEGEND

APPROXIMATE AREAS OF SLOPES ≥ 15% TO REMAIN UNDISTURBED (23.5± AC.)

NOTE: ROADS, UTILITIES, PATHS, TRAILS, AND OTHER OPEN SPACE AMENITIES ARE PERMITTED IN THE HILLSIDE CONSERVATION AREAS.

SLOPE LEGEND

SLOPE CATEGORIES	% OF SITE	AREA OF SITE (AC.)	% OF ALLOWED DISTURBANCE PER ESLO TABLE 27.10-4 OF THE TOWN OF ORO VALLEY ZONING CODE	ALLOWABLE DISTURBANCE AREA (AC.)
0% - 15%	64.1%	51.0± Ac.	100%	51.0± Ac.
15% - 18%	3.3%	2.6± Ac.	40%	1.1± Ac.
18% - 20%	2.4%	1.9± Ac.	30%	0.6± Ac.
20% - 25%	6.2%	4.9± Ac.	20%	1.0± Ac.
25% - 33%	10.6%	8.4± Ac.	5%	0.4± Ac.
33%+	13.4%	10.7± Ac.	4%	0.4± Ac.
TOTAL ALLOWABLE SITE DISTURBANCE BASED ON THE SLOPE ANALYSIS =				54.4± Ac.



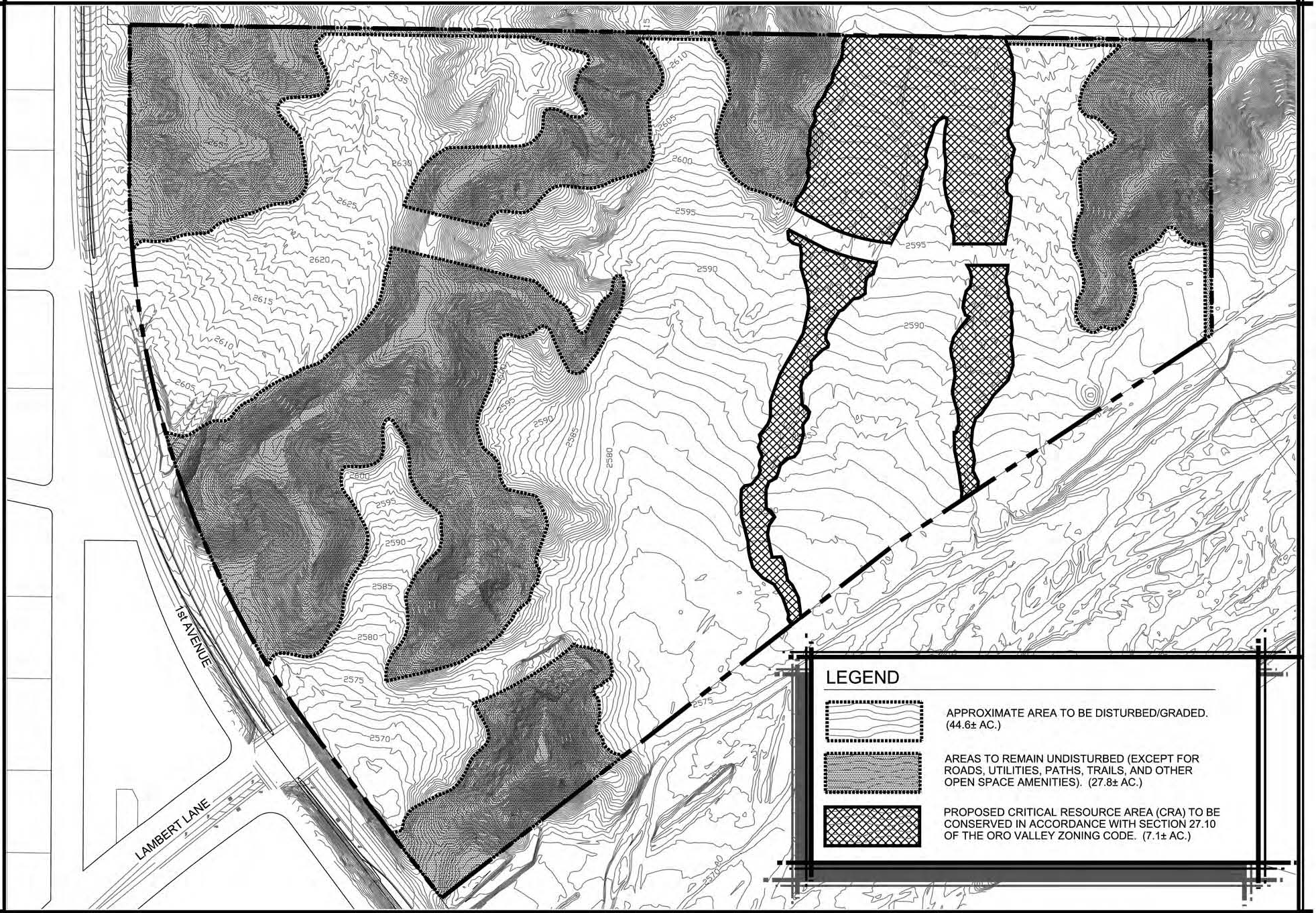
The WLB Group INC. WLB

EXHIBIT U
HILLSIDE CONSERVATION AREAS

12.17.2014
CONTOUR INTERVAL = 5 Ft.
WLB No. 181057-Y-002

0' 400'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\U - Hillside Conservation Areas.dwg Plotted: Dec. 17, 2014



The WLB Group INC. **WLB**

EXHIBIT V
AREAS TO BE DISTURBED/GRADED

12.17.2014
Contour Interval = 1 Ft.
WLB No. 181057-Y-002

0' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\V - Areas to be Disturbed-Graded.dwg Plotted: Dec. 17, 2014

II-E. Cultural Resources

1. **What measures will be used for protection of all cultural and historic resources on the site.**

   The previously completed archaeological survey for this site was updated in October of 2014 to determine if there are any significant cultural resources present on the site that might be adversely impacted by construction. The only cultural resources on the site consist of four areas with artifact scatters. Two of these sites have been assigned numbers with the Arizona State Museum (ASM) and the two new sites will be assigned site numbers. However, since these sites do not have the potential to yield meaningful information beyond their recording with ASM, no further studies are recommended. Of course, as required by State law, if human skeletal remains or funerary objects are discovered, the ASM should be contacted immediately.

II-F. Hydrology

1. **A description of how the TDP responds to hydrological characteristics described in Part I.**

   The primary design components for the project drainage structures will be the requirement of the facilities to convey offsite drainage through the project site, constructed channels or stormdrain pipes and onsite detention basins will convey onsite stormwater runoff to the downstream project boundaries.

   Habitable structures will have the finished floor elevations set to be one foot above the established base flood elevations of adjacent floodplains. The remaining land use will be set at grade so as not to impede or restrict the existing drainage patterns. All structures will be placed such that the flow will not be blocked or obstructed.

   This project will comply with the drainage requirements set forth by the Town of Oro Valley. This project is located within a critical basin. Although the project site has been designated in a critical basin, the Town of Oro Valley may waive any detention requirements associated with the critical basin upon the approval of a detention waiver request. The approval of detention waiver is at the discretion of the Town Engineer at the time of the waiver request and proper documentation must be submitted. This PAD does not provide approval of a detention waiver for this project. The detention waiver request would be based on the location of the project and its adjacency to the Canada Del Oro Wash. As such, the site does not impact any other downstream developments, so the stormwater runoff can be directed directly into the Canada Del Oro Wash without harmful impact to downstream properties. Therefore, site development will mimic the existing conditions by discharging all the storm water flows into their natural watercourses through hydraulic structures. The project will also comply with all water-harvesting requirements per Section 27.6 of the Oro Valley Zoning Code.

2. **Information and substantiation for encroachment/modification of drainage patterns.**

- Modification of Federal Emergency Management Agency (FEMA) Floodplain: The owner of this property will prepare and process (in conjunction with the Town of Oro Valley) a CLOMR and then a LOMR to remove those portions of Development Areas C, D and E from the 100-year floodplain of the Canada del Oro Wash and the associated Special Flood Hazard Area (SFHA). Bank protection would be constructed to protect these development areas. Development of habitable structures in areas associated with the Special Flood Hazard Area (SFHA) will not be permitted unless bank protection is constructed in accordance with federal and local requirements. Development of non-habitable structures is permitted in areas associated with the Special Flood Hazard Area (SFHA) in the event that bank protection is not constructed.

- While the goal of the project is to retain the existing washes in their natural condition to the greatest extent possible, the project will encroach on the 100-year floodplains in accordance with Town floodplain and drainage regulations. Per the Town of Oro Valley Floodplain Management Ordinance, 100-year water surface elevations cannot be raised more than one foot, assuming that both sides of the floodplain are within the property boundary. If both sides of the floodplain are not within the property, then the allowable increase in the water surface elevation is 0.1 foot.

- In accordance with Town floodplain and drainage regulations, the project will reconfigure flows entering the central portion of the site from the north as well as flows entering the northwestern portion of the site from the north. This will increase the development areas of the site without negatively impacting surface flows across the property.

The following requirements of the Town of Oro Valley Stormwater Utility shall apply to this PAD:

- A Town of Oro Valley Floodplain Use Permit (FPUP) will be required for the proposed improvements.

- A single CLOMR shall be required for the full subject reach containing Special Flood Hazard Area (SFHA) encroachments. If desired, the property owner may complete the LOMR process with separate LOMR submittals for separate encroachments along the subject reach.

- Due to an intergovernmental agreement between the Pima County Regional Flood Control District (PCRFCD) and the Town of Oro Valley, the bank protection plans are to be reviewed and approved by the PCRFCD.

- The proposed bank protection along the Canada Del Oro Wash is subject to the standards of the PCRFCD.

- The proposed bank protection improvements along the Canada Del Oro Wash require a fifty (50) foot top width to be reserved along the bank for the purpose of a future linear park. A multi-use path will be constructed within this 50 feet per the review and approval of the Town of Oro Valley and the PCRFCD, which includes the specific paved width of the path.

- Maintenance access shall be provided to and along the entire length of the proposed bank protection along the Canada Del Oro Wash. Bank protection improvements along the tributaries adjacent to Development Areas C, D and E are not to be dedicated to or maintained by the PCRFCD. The Town of Oro Valley will identify requirements for bank protection along these tributaries (and others) in subsequent reviews during the site plan process.

- Hydraulic analysis shall be conducted to ensure that there is zero rise in water surface elevations resulting from the proposed improvements and to ensure that the flood control levee on the opposite embankment continues to meet minimum FEMA certification requirements.

- The builder/owner shall obtain special written permission to conduct work on Pima County property.

- Soil cement bank protection along the Canada del Oro Wash will be constructed per the requirements of the Town of Oro Valley and the PCRFCD.

3. **A map of potential drainage impacts to off-site land uses upstream and downstream.**

   There will be no impacts to off-site land uses upstream and downstream of the site. The modification of flows on the site will not result in water backing onto the adjacent property to the north, and flows entering the Canada del Oro Wash will conform to Town of Oro Valley floodplain and drainage regulations.

4. **A description and map of engineering and design features to be used to mitigate drainage and erosion problems.**

   Site development will occur in a manner that will allow the runoff to generally maintain their existing general drainage patterns. The buildings will be situated in such a way as to allow for positive flow between structures. The maximum increase in the existing water surface elevations due to encroachment is limited to one (1) foot where the owner of the land performing the development owns both sides of the floodplain and no more than 0.1 foot where only one side is owned. The conveyance of runoff through the proposed development will be accomplished by a system of natural washes, pipes, concrete box culverts, channels, catch basins, sidewalk scuppers, and water harvesting basins. All hydraulic structures, constructed drainage channels, and water harvesting basins will be calculated in conjunction with the FSP and improvement plans. Rip rap aprons may be used to control erosion at culvert, channel, or basin outlets. Vegetation may also be used to enhance drainage channels.

A complete hydraulic and hydrologic drainage report, prepared by a professional engineer, will be submitted with the FSP for this project.

Erosion protection will be provided as per the requirements of Town Code.

The property owner is responsible for coordination with the Army Corps of Engineers (ACOE) with regard to any 404 wash issues.

5. **A description of how the TDP conforms to area plans, basin management plans, and Town policies.**

   The design and management of all hydraulic structures and facilities will be in compliance with the Town of Oro Valley drainage standards and policies. The development will not adversely impact the parcels up and downstream of the site.

II-G. <u>Vegetation</u>

1. **Provide an explanation of how the TDP responds to vegetative characteristics described in Part I, including a discussion of the vegetation to be transplanted.**

   This project will conform with the Native Plant Preservation, Salvage and Mitigation requirements of Section 27.6 of the Town of Oro Valley Zoning Code. The most significant vegetation on this site is located on the ridges and in the washes that are located in areas of the site that have been designated as open space. This vegetation will be preserved in place. The owner will take every opportunity possible to salvage significant, healthy trees and use them in the landscaped areas, project entries and other areas on the site where appropriate.

II-H. <u>Wildlife</u>

1. By retaining significant amounts of open space within this site, the native animal populations will be able to traverse the property and continue their foraging and migration patterns. By maintaining, to the maximum extent possible, washes in their natural condition, wildlife will be able to travel within these wash corridors and reach the Canada del Oro Wash and other points beyond. The planting of new and different varieties of vegetation will provide habitat for a wide range of bird species.

II-I. <u>Viewsheds</u>

1. **Describe and map how TDP mitigates impacts to views and vistas from off-site.**

   The area in which the proposed community is located offers outstanding views of the north side of the Santa Catalina Mountains and Pusch Ridge. The development of this proposed community will not block or disturb in a significant manner the existing views of the mountains as seen from adjacent properties. Refer to *Appendix E: Pre and Post Development Viewsheds.*

2. **Describe and map how TDP mitigates impacts to areas of high visibility.**

   The images shown in *Appendix E* illustrate the visual impact of the proposed community, graphically measuring the current setting against the proposed development condition.

   The subject property is visible in limited areas from Oracle Road, and in particular from the area in the vicinity of Home Depot located at Oracle Road and La Reserve Drive. Due to limited visibility and due to its distance from Oracle Road, the subject property in its developed condition will not detract from the visual experience as motorists travel on Oracle Road. This is illustrated in *Appendix E: Pre and Post Development Viewsheds.*

   The subject property, particularly the portion on the west side of the ridges, is also visible from 1st Avenue, as evidenced in *Appendix E: Pre and Post Development Viewsheds*. The post-developed condition of the subject property does not impede any views as seen from 1st Avenue.

3. **Provide drawings and narrative explaining methods for roadway construction in a manner compatible with the natural terrain and document scarring to be mitigated at the completion of construction.**

   The interior roads will be constructed as shown in *Exhibits W.1, W.2 and W.3: Street Sections.* These road sections were all developed based on standard Oro Valley street sections. Roads will follow as much as possible the natural contours of the site, and road grades will be as per the Oro Valley Code and Subdivision Street Standards. One of the street sections proposes a sidewalk only on one side. This section would be used in the following areas: where cuts and fills are required and disturbance should be limited to protect the natural resources of the site; where the street passes through the CRA area in order to limit CRA disturbance; and where lots are only on one side of a street.

4. **Oracle Road Scenic Corridor Overlay District (ORSCOD).**

   Although the subject property is located approximately one-quarter mile from the nearest portion of the Oracle Road right-of-way, the subject property is still subject to the Oracle Road Scenic Corridor Overlay District (ORSCOD). This overlay district was established to regulate development primarily within 100 feet of Oracle Road, and the primary intention of the district was to protect views from the roadway as well as control access. The architecture of the buildings on this site will be very attractive and will complement the surrounding terrain. Oracle Road was located in the center of the former Rooney Ranch PAD, and the entire Rooney Ranch PAD fell under the ORSCOD regulations at the time of the PAD conception. Since that time, the subject property (Nakoma Sky) has been effectively separated from the rest of the Rooney Ranch PAD through a PAD amendment in 2005.

   However, the property still remains on the existing ORSCOD map. Therefore, the subject property is still subject to the ORSCOD regulations while the intention was to only regulate lands in close proximity to Oracle Road.

The original ORSCOD ordinance has been replaced with the ORSCOD requirements in the Scenic Resources Category of the Environmentally Sensitive Lands Ordinance (ESLO), but remains substantially the same as before.

In response to the requirements of the Scenic Resources Category, refer to the following sections of the PAD for more information. Section II-A.1 through Section II-A.7 describes the proposed uses and accessory uses for the site. The Tentative Development Plan (TDP) shows the approximate locations of proposed uses. To review the proposed architectural theme and designs, refer to Section II-A.8 through Section II-A.10. These sections provide the design criteria that will guide the appearance and materials of the structures. Refer to *Appendices A, B and C* to review conceptual designs, as well as *Appendix E: Pre and Post Development Viewsheds* to visualize how the development will impact views from the surrounding area.

In summary, this development will be in compliance with the Oracle Road Scenic Corridor Overlay District provisions for the following reasons. The proposed development will not negatively affect the surrounding views, especially of the prominent Catalina Mountains east of the subject property (refer to *Appendix B* to see visualizations*)*. Additionally, this development does not directly access Oracle Road, and will not disturb access management controls for Oracle Road.

II-J. <u>Traffic</u>

1. **Traffic analysis report.**

A Traffic Impact Analysis has been prepared for this project. Please refer to the separately submitted document entitled "Rooney Ranch Parcel Z" Traffic Impact Analysis. The conclusions of the report are as follows:

- The level of service (LOS) of 1st Avenue will be at acceptable levels with the project.
- The two access points will need to be analyzed as the project develops.
- With the initial phase of development, right turn lanes will not be warranted for the north bound right turns in the project access drives off 1st Avenue. However, as the project develops, there will reach a point when right turn lanes may be warranted. Traffic impact analysis reports will be prepared and submitted with each CSP that is submitted for this project. Once it is determined by these future traffic impact analysis reports that the right turn lanes are warranted, they will be installed by the owner.
- The driveway spacing and corner clearances for the driveways and nearby intersections meet Pima County and Oro Valley standards.
- Storage lengths on all approaches will need to be analyzed as the project develops and lengthened if required.
- Roadway design should conform to meet the standards of Oro Valley. This includes ensuring that sigh distance requirements are met.
- All new traffic markings and signs, on site and off site, shall comply with the *Manual on Uniform Traffic Control Devices* and Oro Valley requirements.

The developer will be financially responsible for providing any additional project-related improvements as necessary at the intersection of East Lambert Lane and North 1st Avenue and at the northern entry point to the project from 1st Avenue.

2. **A description of on-site street rights-of-way, including typical roadway section, and indicate proposed ownership.**

   The streets for this project will be consistent with the street sections contained in *Exhibit W.1 and Exhibit W.2 Street Sections*. The location of the different street sections proposed for this project are shown on *Exhibit W.3*. Other roadway sections may be used on this project subject to the review and approval of the Town Engineer. Interior vehicular access will be via private streets/access lanes to be owned and maintained by La Posada. No public ownership or maintenance of streets is proposed for this project.

3. **A description of any proposed bicycle and pedestrian pathways within the development and indicate whether they are connected to external pathways, arterial streets, parks and schools.**

   A network of pedestrian and bicycle paths is proposed for this project, and will consist of the following:

   - Pedestrian paths that will connect with sidewalks on 1st Avenue.
   - Pedestrian paths and sidewalks on-site that provide the ability to walk within and between all the development parcels as shown on the TDP.
   - Natural paths to be constructed in the proposed park area to be constructed in the southern portion of the site.
   - Natural paths that will allow for access into the Canada del Oro Wash.
   - Bicycle lanes located within on-site streets/access lanes.
   - Shared use paths will be provided on one side of the internal streets.

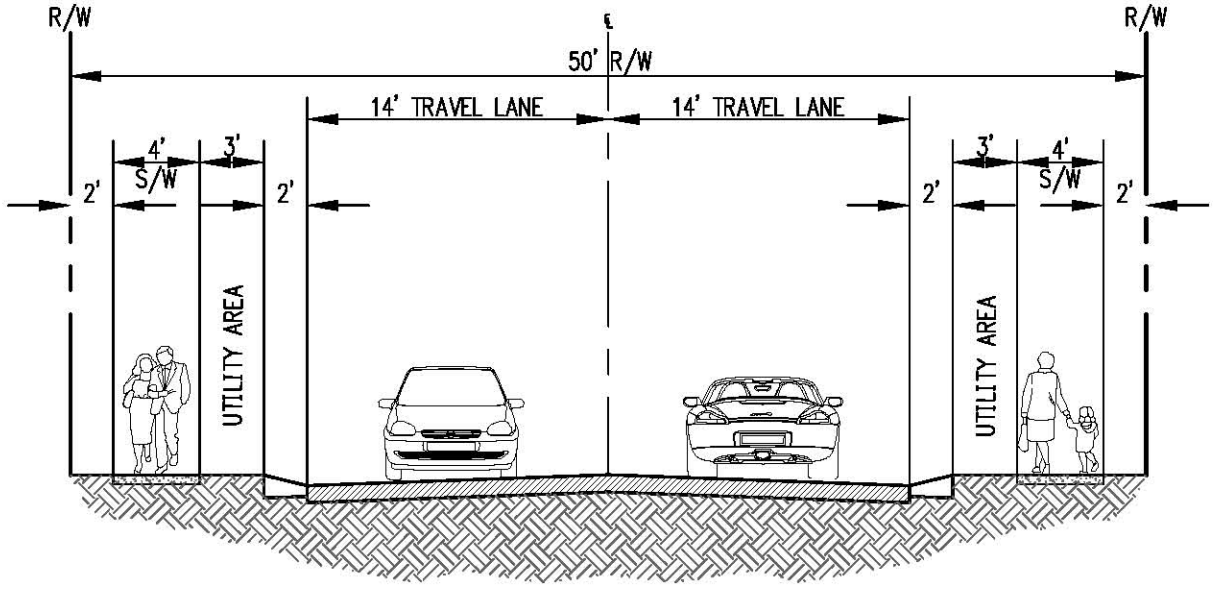
4. **Other.**

   This project will use golf carts for the transportation of residents on the property. The golf carts will use on the on-site streets. Parking areas will be provided for golf carts.

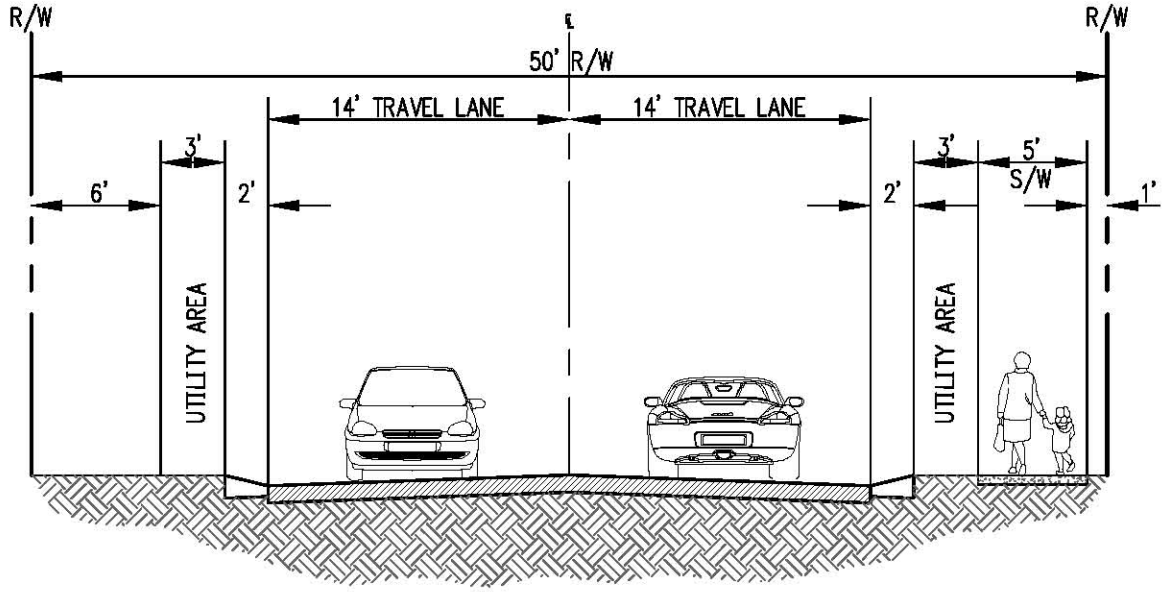
   At a minimum, AASHTO SU-30 design maneuverability shall be provided in all areas of the project.

   Vertical curb shall be required for all street sections with an adjacent sidewalk. However, ribbon curb may be used in lieu of vertical curb provided that a minimum of six feet is provided between the travel lane and sidewalk, subject to the review and approval of the Town Engineer.

The use of sidewalk on one side of the street is permitted in areas where appropriate (such as, but not limited to, areas of environmental sensitivity or on streets where lots are only located on one side of the street), subject to review and final approval by the Town Engineer during the site plan process.



SECTION A: STANDARD STREET SECTION



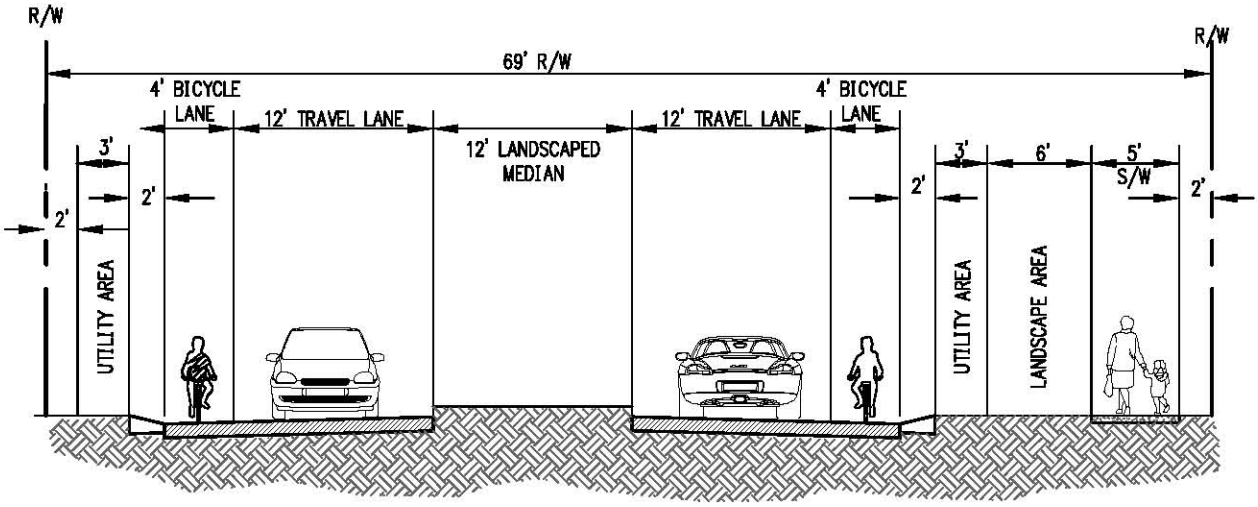
SECTION B: STREET SECTION IN ENVIRONMENTALLY SENSITIVE AREA

The WLB Group WLB

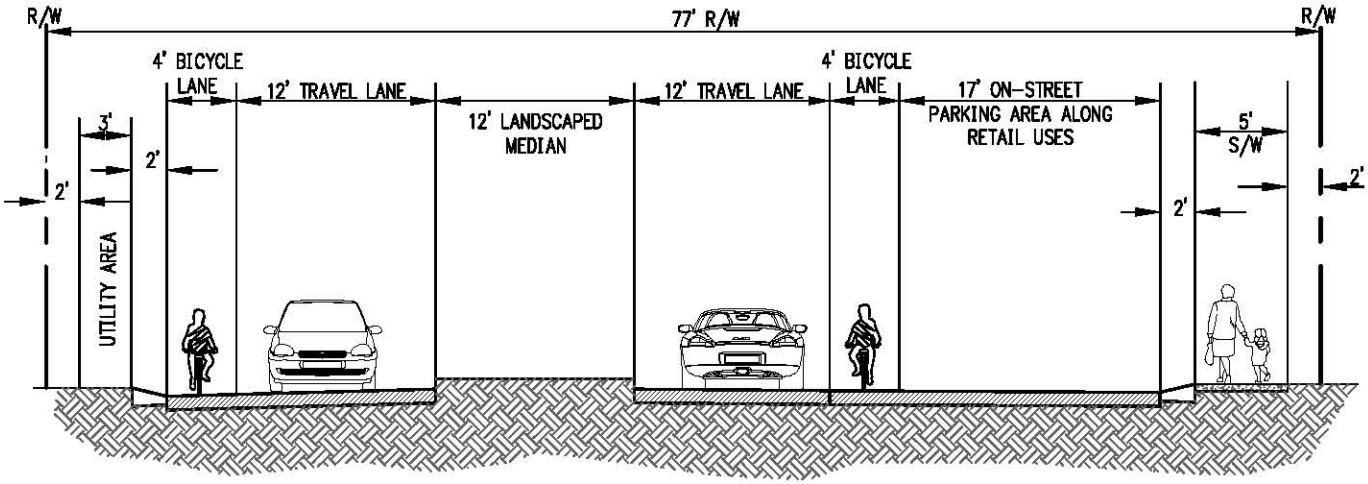
EXHIBIT W.1
STREET SECTIONS

12.17.2014
N.T.S.
WLB No. 181057-Y-002

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\W.1 - Street Sections.dwg Plotted: Dec. 17, 2014



SECTION C: STREET SECTION WITH LANDSCAPED MEDIAN



SECTION D: STREET SECTION ADJACENT TO RETAIL USES

The WLB Group WLB

EXHIBIT W.2
STREET SECTIONS

10.31.2014
N.T.S.
WLB No. 181057-Y-002

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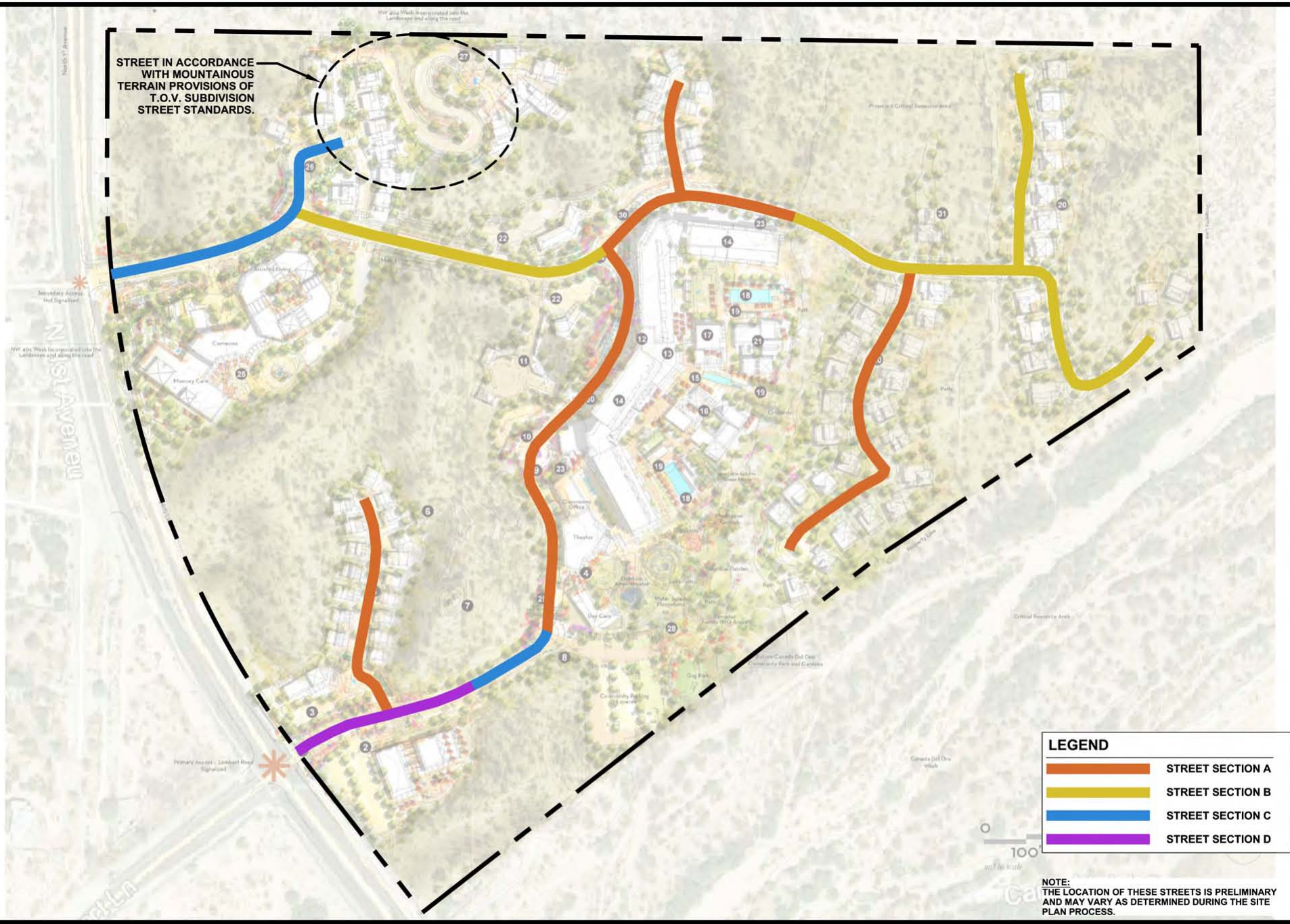


NOTE:
THE LOCATION OF THESE STREETS IS PRELIMINARY AND MAY VARY AS DETERMINED DURING THE SITE PLAN PROCESS.

The WLB Group WLB

EXHIBIT W.3
LOCATIONS OF STREET SECTIONS

12.17.2014
WLB No. 181057-Y-002

0' 300'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\W.3 - Street Section Map.dwg Plotted: Dec. 17, 2014

II-K. Recreation and Trails

1. How the development will facilitate access to off-site trails and how access will be maintained.

This project will maintain access to existing trails in the following manner:

- The Palisades Splits, located to the north of the subject property, contain single-family residential lots and some of the owners of these lots have horses. These property owners ride their horses from their lots and access the Canada del Oro Wash by riding through the eastern portion of the subject property. As such, a trail easement will be provided in the eastern portion of the site to allow for continued access to the Canada del Oro Wash. This trail easement will coincide with Trail #328 as shown in the Oro Valley Trails Task Force Report. A permanent, non-motorized public recreation easement shall be dedicated to the Town of Oro Valley for Trail #328 and the Town of Oro Valley will be responsible for maintenance of this trail. The owner will work with the Town of Oro Valley Parks and Recreation Department on the alignment and width of this trail and easement.

- This project will connect its internal paths and trails with the sidewalk and bicycle lanes that are located with the 1st Avenue right-of-way. This connection will also allow future residents to access the multi-use path that is located on the southeastern side of the Canada del Oro Wash. Residents can reach this path via foot by using the sidewalk that is located adjacent to 1st Avenue which then provides connection to the river path.

- If bank protection is constructed on this site, the owner will develop a multi-use path along the top of the bank protection on this property. Trails that are developed on the site will be connected to this multi-use path.

3. Describe the proposed ownership of natural and modified open space within the development.

A minimum of 30% of the gross site area shall be provided as open space, consisting of both undisturbed natural open space and improved open space. The natural and modified open space within this project will be owned and maintained by La Posada.

4. Park.

This project will provide a park, intended for use by the residents of the project and for the public. The exact amenities in the park, and those to be made available to the public, will be determined at the Conceptual Site Plan (CSP) stage and will be based on input that will be sought from members of the community of Oro Valley. The owner will also meet with the Oro Valley Parks and Recreation Advisory Board (PRAB) to seek their consultation and input on the types of recreational facilities in the park that may be most appropriate for public use.

La Posada makes it a practice to establish their own process where they engage the community members to determine the types of recreational facilities and amenities are desired. They will hold one meeting with Town of Oro Valley officials at the time of the initial CSP submittal to discuss the park and determine the types of recreational facilities and amenities that will be made available to the general public. There will be on-site parking for the park and this parking area will have spaces that are designated for campus and public use. The exact number will be determined at the CSP stage. This park will provide a paved connection to the Canada del Oro Wash. The park may contain some or all of the following amenities: gardens, small outdoor amphitheater, sitting areas, gazebo, ramadas and barbecue areas, dog park, and vehicle and bicycle parking.

5. Recreational Facilities and Amenities.

This project proposes to provide an extensive system of recreational facilities and amenities for its residents. Facilities will be handicapped accessible, where appropriate. It is an important part of the health and wellness of this continuing care retirement community. There will be a variety of recreational facilities and amenities, both active and passive, situated throughout the community. Recreational facilities and amenities will be owned and maintained by La Posada and will include the following:

- Walking paths, trails and sidewalks, shaded where possible, throughout the site, connecting all the Development Areas (where appropriate and considering such physical site elements as topography, washes or other environmentally sensitive areas).
- Sitting areas, some shaded, within each of the Development Areas as identified on *Exhibit Q: Development Areas.*
- Pools and spas.
- Gardens.
- Landscaped plazas and courtyards.
- Putting green.
- Pedestrian and cyclist amenities along the interior paths and sidewalks.
- Fitness center.
- Shared use paths, where appropriate.
- Natural turf (limited to a maximum of 15% of the total park area).
- Labyrinth.
- Columbarium.
- Splash pad.

The recreational amenities and facilities provided within this project shall meet the standards of Section 26.5 Provision of Recreational Area of the Oro Valley Zoning Code. Representative imagery for the park is shown in the appendices of this document. The project, however, will not be limited to the number of recreational amenities and facilities as described in Section 26.5.D.2.c of the Oro Valley Zoning Code.

NAKOMA SKY

PATH & TRAILS NETWORK

Exhibit X

LEGEND

- 1ST AVE. STREET SIDE WALKS
- CAMPUS DESERT PARKWAY PATH *(LOOP .5 mi.)*
- MOUNTAIN VIEW HOMES LINK
- SOUTH TRAIL CONNECTION *(LOOP .25 mi.)*
- COMMUNITY PARK
- WALKABILITY RADIUS

NOTE: Bike lane incorporated into the Desert Parkway.

II-L. Schools

The demographic makeup of this development consist of residents who are 62 years and older. As such, this development will not generate any students and will have no effect on the number of students attending the various schools within the school district.

II-M. Water

1. Indicate additional domestic water demand that this rezoning will generate.

The subject property is within the service area of Oro Valley Water Utility, and for its domestic and fire flow demands will be served by the existing 12" line located along 1st Avenue.

2. Indicate water service capacity and current demand (percentage of existing capacity) from applicable water company.

This project will meet all of the requirements of the Town of Oro Valley Water. The Water Utility indicates that it has the water capacity to serve this project.

3. Water Conservation.

The owners of this project will consult with the Oro Valley Water Conservation Specialist to discuss water conservation measures that may be feasible and appropriate for this project. This project may employ the use of the following water conservation measures and others that may be recommended by the Oro Valley Water Conservation Specialist:

- Grading of areas onsite to direct water to landscape areas.
- Rain water harvesting.
- Restrictions on natural turf to no more than 15% of the total park area.
- Where appropriate, artificial turf will be used.
- The potential collection of water from roofs and possible collection in tanks or cisterns.
- The use of low flow plumbing fixtures.
- The potential use of greywater (from wash basins, showers and baths) to provide irrigation for landscape areas.
- Recreational amenities that use water, such as water splash playground, shall recycle and filter water.
- Reclaimed water may be used on this site, if such a time arrives when a reclaimed water line would be installed in 1st Avenue. At the time of the writing of this PAD, no reclaimed water lines were located in the vicinity of the site.

II-N. Wastewater

Wastewater service will be provided by the Pima County Regional Wastewater Reclamation Department. Gravity sewer lines will be constructed on site to convey wastewater into the 18-

inch PVC public sewer main that exists within the site. The design of all sewer infrastructure will be in conformance with the design standards of the Pima County Regional Wastewater Reclamation Department.

II-O. Buffer Yards

1. **Map of buffer areas, if used, and techniques used to mitigate sound, visibility, exterior lighting, and traffic impacts.**

   This project will provide the following buffers:

   Western Portion of the Site: Minimum 40-foot natural buffers where open space abuts the western property line. In areas where the proposed Development Parcels are located adjacent to the western boundary of the site, a 15-foot enhanced landscape buffer will be installed. Refer to *Exhibit Z: Buffer Yards* for the proposed buffer yards along 1st Avenue.

   Northern Portion of the Site: Minimum 40-foot natural buffers where open space is located adjacent to the northern boundary. A 15-foot natural buffer will be provided in areas where a Development Parcel is adjacent to the northern property line. The property to the north is planned as a traditional single-family residential development. The layout of that project is such that there is only one residential lot that lies adjacent to the northern boundary of this project. The 15-foot natural bufferyard, coupled with a 32-foot building setback from the north property line will provide an adequate buffer between this site and the proposed residential community to the north.

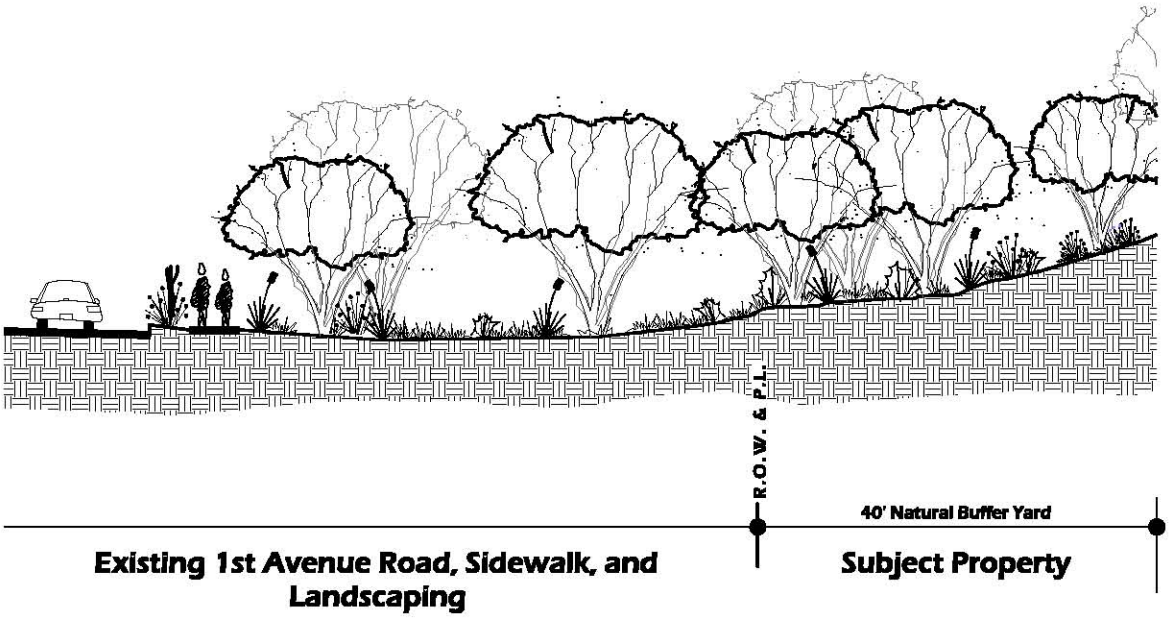
   Eastern Portion of the Site: The natural topography of the site will serve as a buffer in this portion of the site. The eastern boundary of the site lies adjacent to property owned by Pima County and it will not be developed, other than for perhaps flood control improvements related to the Canada del Oro Wash. A minimum 40-foot natural buffer will be provided where open space is located adjacent to the eastern boundary. A 15-foot natural buffer will be provided along the eastern boundary of the site adjacent to the areas that will be developed with residential uses.

   Southern Portion of the Site: The presence of the Canada del Oro Wash adjacent to the southern boundary of the site provides a natural buffer. The property across the wash consist of existing commercial uses and the loading areas of those commercial uses back onto the wash. As such, there is not need for buffering. However, if bank protection is constructed along the Canada del Oro Wash, then a 50-foot open space area will be provided which will include a 10-foot enhanced landscape buffer to be provided in this area where development is proposed. A minimum 50-foot natural buffer will be provided where open space is located adjacent to the southern boundary. This 50-foot natural buffer will include a trail or multi-use path.

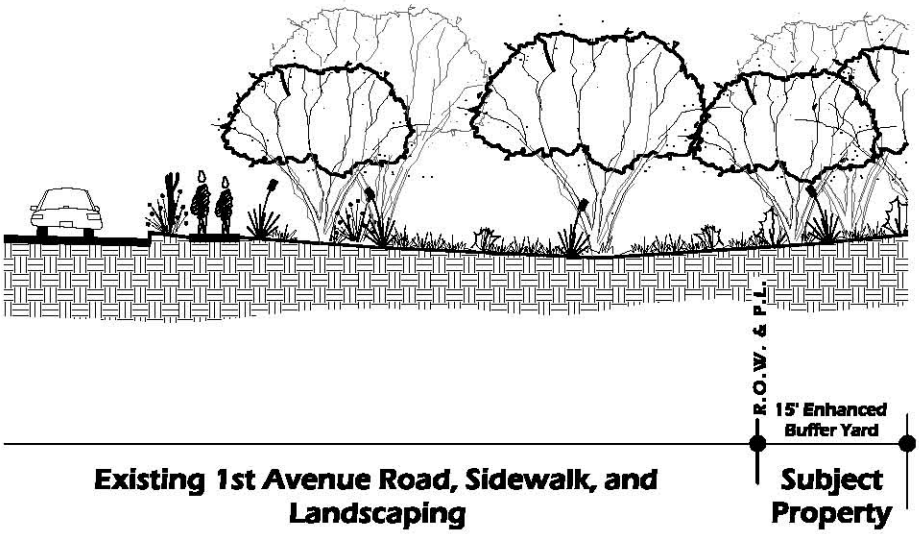
   See *Exhibit Y: 1st Avenue Buffer Yard Cross-Sections* and *Exhibit Z: Buffer Yards.*

II-P. Signs

A Master Sign Program will be developed for the project and will comply with Chapter 28 of the Oro Valley Zoning Code. The Master Sign Program will be submitted and approved prior to obtaining any sign permits for the property. Representative images for monuments and signage is shown in *Appendix C* of this document.



Section A: 40' Natural Buffer Yard



Proposed Plants Per 100 Lineal Feet:
- 4 Trees
- 4 Shrubs or Cactus
- 8 Accents or Cactus

Section B: 15' Enhanced Buffer Yard

NOTE:
REFER TO EXHIBIT R: TDP FOR PROPOSED LOCATIONS OF BUFFER YARDS ALONG 1st AVENUE.

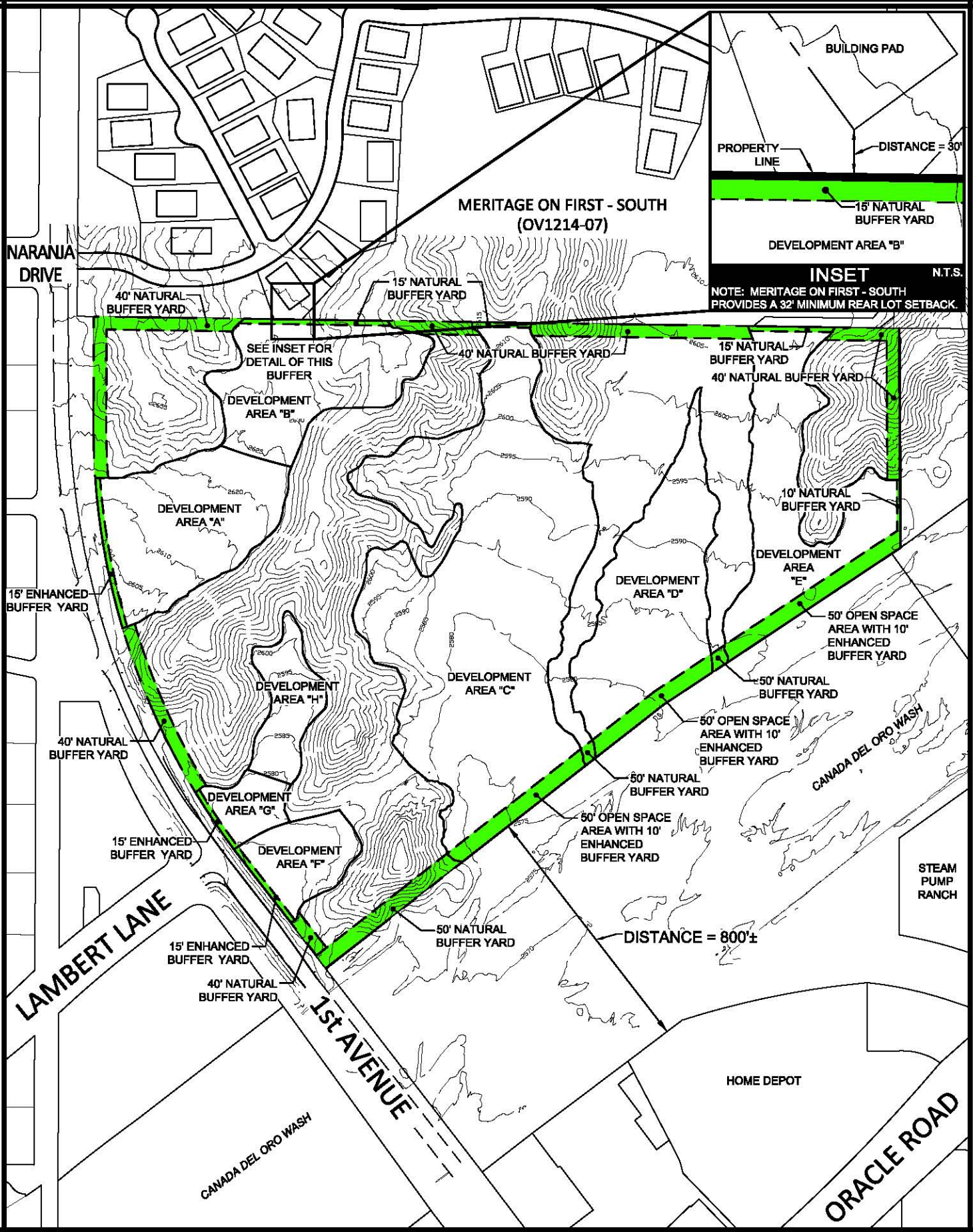
The WLB Group WLB

EXHIBIT Y
1st AVENUE BUFFER YARD CROSS-SECTIONS

12.17.2014
WLB No. 181057-Y-002

N.T.S.

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\Y - First Ave Cross-Sections.dwg Plotted: Dec. 19, 2014



The WLB Group WLB

EXHIBIT Z
BUFFER YARDS

12.17.2014
Contour Interval = 1 Ft.
WLB No. 181057-Y-002

0' 400'

L:\181057\Y-002 Rooney Z La Posada\PAD Amendment\Exhibits\Z - Buffer Yard.dwg Plotted: Dec. 18, 2014

II-Q. Lighting

Lighting shall be in conformance with Section 27.5 Outdoor Lighting of the Oro Valley Zoning Code.

II-R. Parking

The parking standards in the Design Standards for the Town of Oro Valley (Addendum A, Adopted by Ordinance #11-20 on July 6, 2011) shall apply to this project.

The following are the specific minimum parking requirements for this project:

- Commercial/Retail: Minimum 1 space per 500 square feet of building area.
- Professional office: Minimum 1 space per 500 square feet of building area.
- Detached residential unit: Minimum of 1 space per unit to be contained within garage or on driveway. Minimum 1 space per every four units for guest parking (guest parking is permitted on driveways).
- Attached residential unit: Minimum of 1 space per unit to be contained within garage or on driveway. Minimum 1 space per every four units for guest parking (guest parking is permitted on driveways).
- Apartment unit: Minimum of 1 space per unit.
- Long term care facility and assisted living facility: Minimum 0.25 per bed or unit and 2 spaces per every three employees.
- Community park: Minimum 5 spaces per acre.
- Shared parking shall be permitted as per the Oro Valley Zoning Code.

II-S. Water Features

A limited use of water features is allowed on this property. Prior to the installation of any water feature, plans and specifications shall be submitted to the Planning and Zoning Administrator for review and approval. The intent of this review is not to approve or deny the water feature itself. The intent is to assess the water usage and if it constitutes a limited and careful use of water. If it does, then the water feature shall be approved.

The imagery contained in the appendices to this document represent the design intent and aspirations for incorporating water features into the overall design setting for the project. All such water features will be designed with the upmost sensitivity to water conservation and will focus on sound and visual features with minimal pool areas. All water feature designs will be engineered to rely on re-circulation systems and other associated techniques that minimize water usage.

II-T. Noise

All uses on the site shall be regulated by the noise regulations contained within Chapter 25 of the Oro Valley Zoning Code.

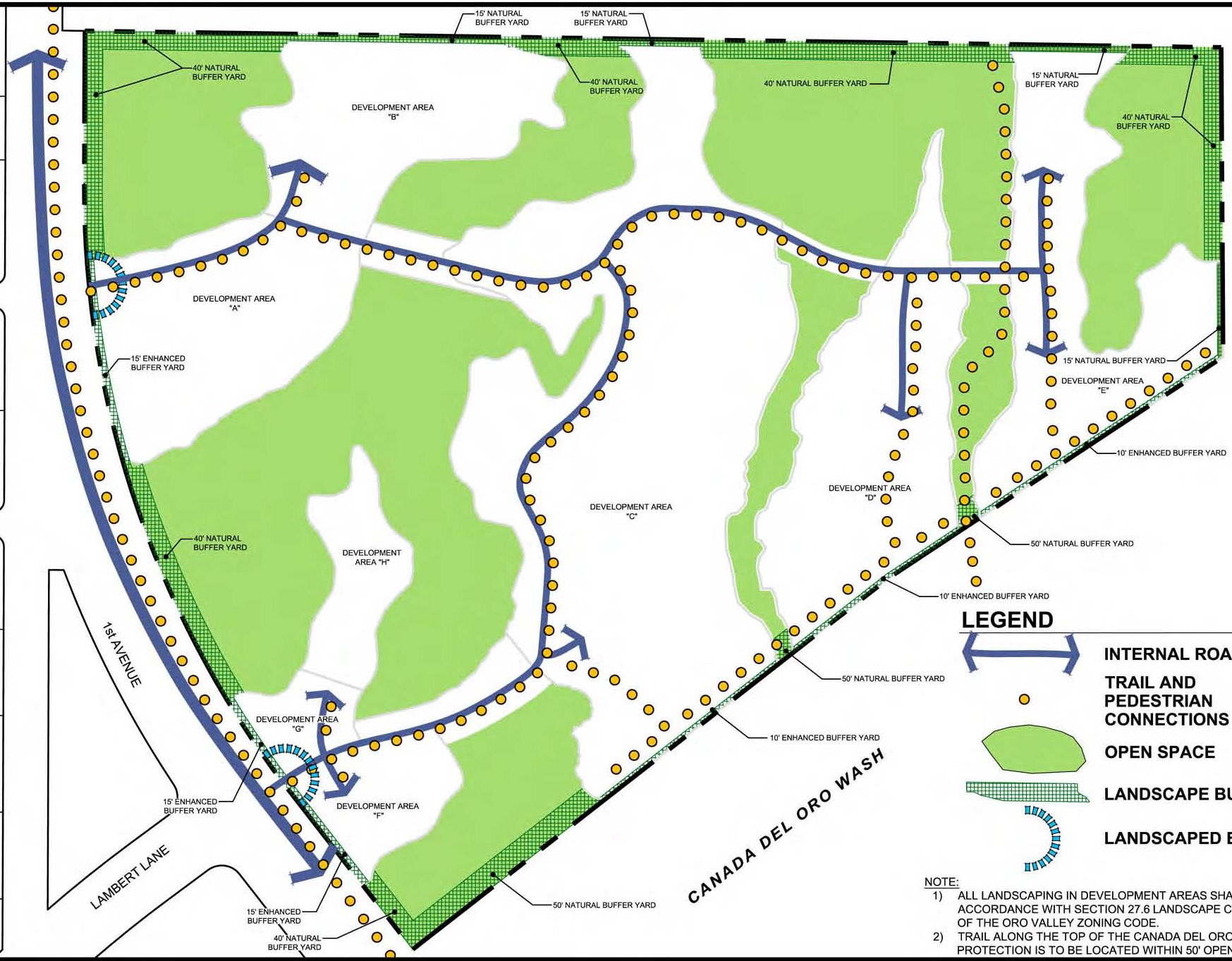
II-U. Landscaping and Native Plant Preservation

This project shall conform to Section 27.6 Landscape Conservation of the Oro Valley Zoning Code, with the exception that all plants from the Arizona Department of Water Resources Low Water Use Drought Tolerant Plant List for the Tucson Active Management Area be permitted for use in this PAD, except that no palms are permitted. Plants from the Oro Valley Zoning Code Addendum C: Approved Native Plant List are also permitted in this PAD, and may be used anywhere within the PAD.

Refer to *Exhibit AA: Landscape Concept Plan*.

II-V. Energy

Where aesthetically appropriate and functionally viable, solar energy collection devices are encouraged.



NOTE:

1) ALL LANDSCAPING IN DEVELOPMENT AREAS SHALL BE IN ACCORDANCE WITH SECTION 27.6 LANDSCAPE CONSERVATION OF THE ORO VALLEY ZONING CODE.
2) TRAIL ALONG THE TOP OF THE CANADA DEL ORO WASH BANK PROTECTION IS TO BE LOCATED WITHIN 50' OPEN SPACE AREA.

The WLB Group INC. **WLB**

EXHIBIT AA
LANDSCAPE CONCEPT PLAN

12.19.2014
WLB No. 181057-Y-002

0' 300'

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DEVELOPMENT AREA "B"

DEVELOPMENT AREA "A"

DEVELOPMENT AREA "C"

DEVELOPMENT AREA "D"

DEVELOPMENT AREA "E"

DEVELOPMENT AREA "H"

DEVELOPMENT AREA "G"

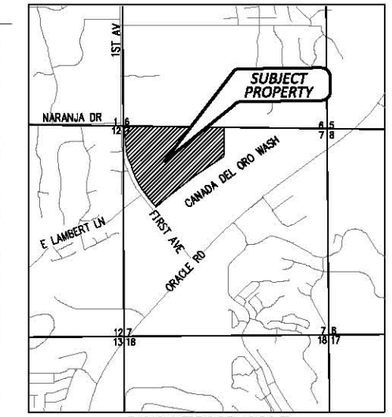
DEVELOPMENT AREA "F"

1st AVENUE

LAMBERT LANE

CANADA del ORO WASH

PROPERTY BOUNDARY



LOCATION MAP

A PORTION OF SECTION 7,
TOWNSHIP 12 SOUTH, RANGE 14 EAST,
GILA & SALT RIVER MERIDIAN
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SCALE: 3" = 1 MILE

Legend of Symbols

- Property Boundary
- Internal Roadway
- Proposed Critical Resource Area (to be conserved except for roads, paths, trails, and other open space amenities as permitted by Oro Valley Zoning Code).
- E.S.L. Hillside Conservation Areas
- Areas to Remain Undisturbed / Ungraded
- Areas to be Disturbed / Graded (including highly visible areas)
- Highly Visible Areas from Off-Site

The WLB Group Inc. WLB
TUCSON - PHOENIX - LAS VEGAS - FLAGSTAFF

Exhibit BB: Composite Map #2

12.18.2014
WLB No. 181057-Y-002

0' 100' 200' 300'

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II-V. Phasing

The primary intent of building the project in phases is to relate infrastructure requirements to site development, market demand and project financing. It is anticipated that the project will be constructed in phases and the area that is anticipated to be constructed in the first phase is shown on *Exhibit CC: Phase 1 Area.* Only the infrastructure that is required to serve the development areas in this first phase would be constructed. As the development areas are constructed, the roads, utilities, recreational elements, etc. would be simultaneously built.

II-W. General PAD Administration

1. This PAD is the controlling document for the development of this project. Any existing or future Town of Oro Valley ordinances or regulations (including any design guidelines) that conflict with this PAD shall either not apply or shall be interpreted to allow the PAD regulations to govern.

2. Any proposed changes to this PAD and Tentative Development Plan (TDP) shall be submitted to the Planning and Zoning Administrator, who shall review the item and ascertain whether or not the change is significant. If any change proposed is determined by the Planning and Development Administrator to be not significant, then the Planning and Development Administrator has the authority to approve such a change on his/her own and will approve this change in written correspondence. If a change is determined to be significant by the Planning and Development Administrator, the proposed change shall be submitted for reconsideration by both the Planning Commission and Town Council.

   A significant change shall be determined by, but not limited to, the following criteria:

   a. Any change to the permitted use or uses. Permitted uses shall mean the primary and alternative uses as set forth in the Tentative Development Plan, this PAD and conditions attached to the approved rezoning.

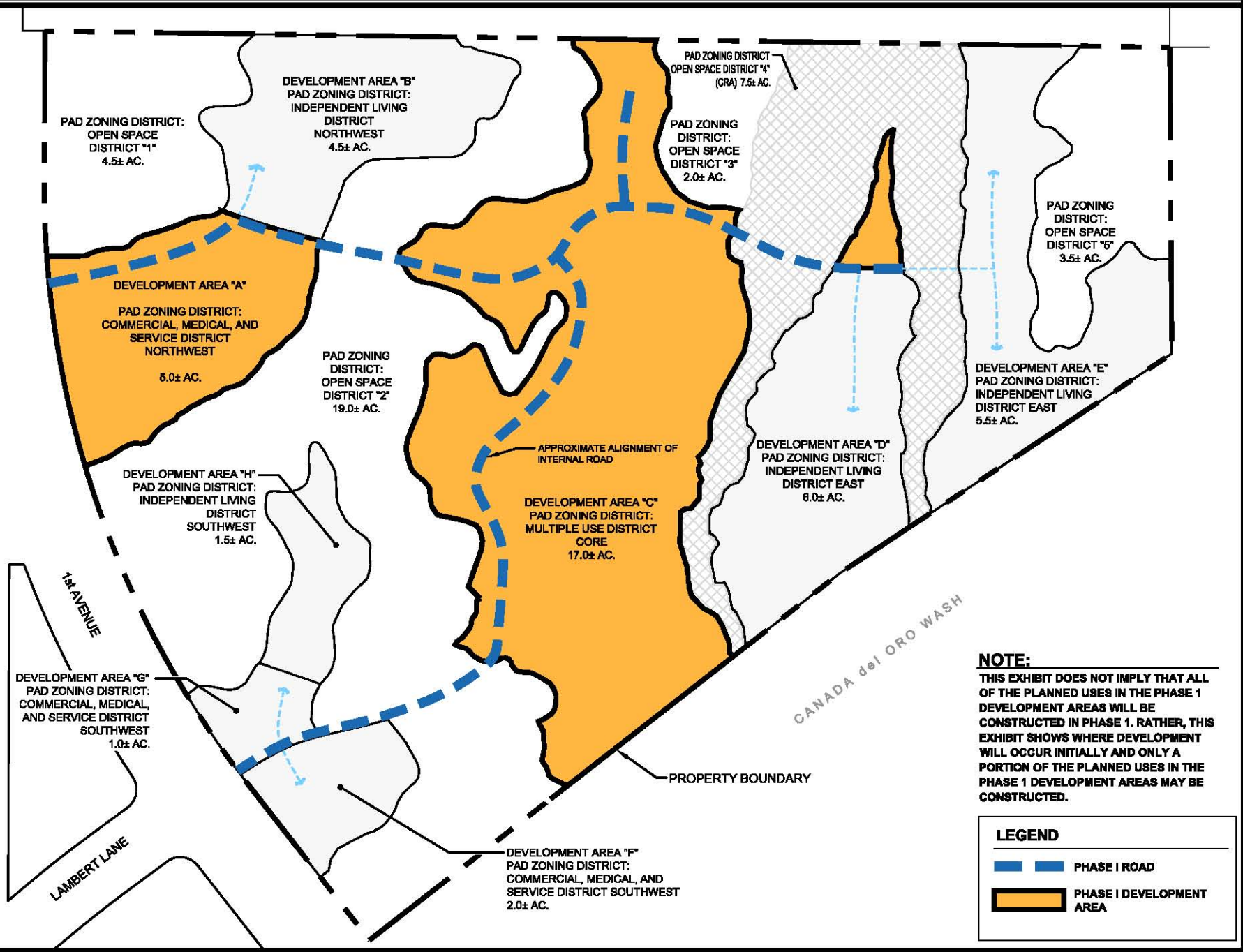
   b. Any change to the development standards or zoning conditions relating to building heights, setbacks, open space requirements, any reduction in open space, parking standards (as defined herein), floor area ratios and density.

   c. Any change to the Tentative Development Plan (TDP) associated with this rezoning which would vary any material terms or conditions of the rezoning, which would modify any proposed density standards, any kinds of street or land improvements proposed, affecting the standards and layout for vehicular circulation, signs and nuisance controls intended for the development.

   d. Nothing in this section shall be deemed to authorize the Planning and Zoning Administrator to modify or approve any aspects of development reserved to the Conceptual Design Review Board pursuant to Section 22.5 of the Oro Valley Zoning Code.

3. Administrative Interpretations. On occasion, it may be necessary to request an interpretation from the Planning and Development Administrator related to the language contained within this PUD. These circumstances may relate to the interpretation of the project intent, permitted uses, development standards or any other language contained within this PAD. The Planning and Development Administrator shall have the authority to make interpretations of the intent of this PAD and the language contained herein. Any such interpretations shall be provided by the Planning and Development Administrator in written form upon the request of the owner, developer or its assigns.

4. Where the PAD document is silent, the Oro Valley Zoning Code shall prevail.



The WLB Group WLB

EXHIBIT CC
PHASE I AREA

12.19.2014
WLB No. 181057-Y-002

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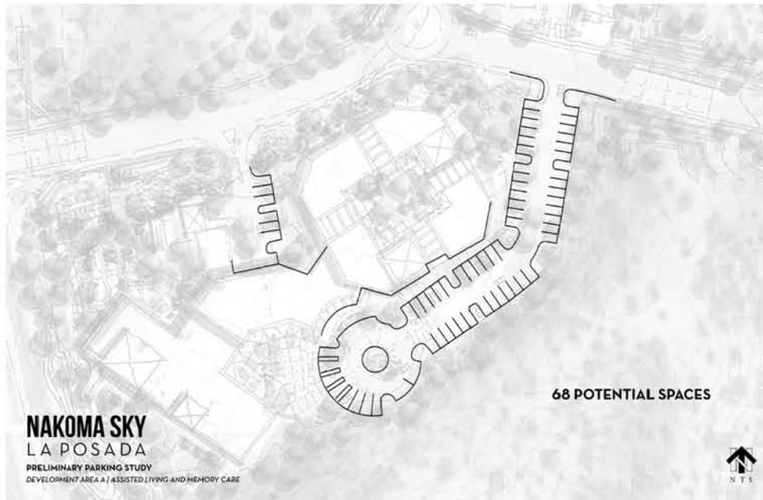
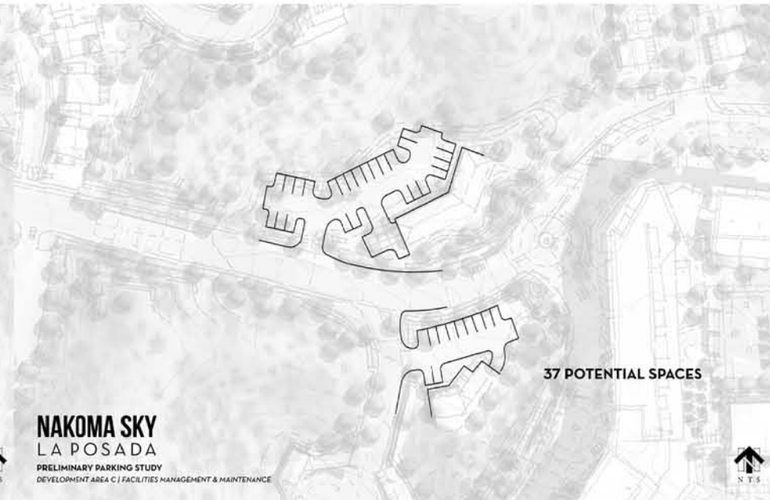
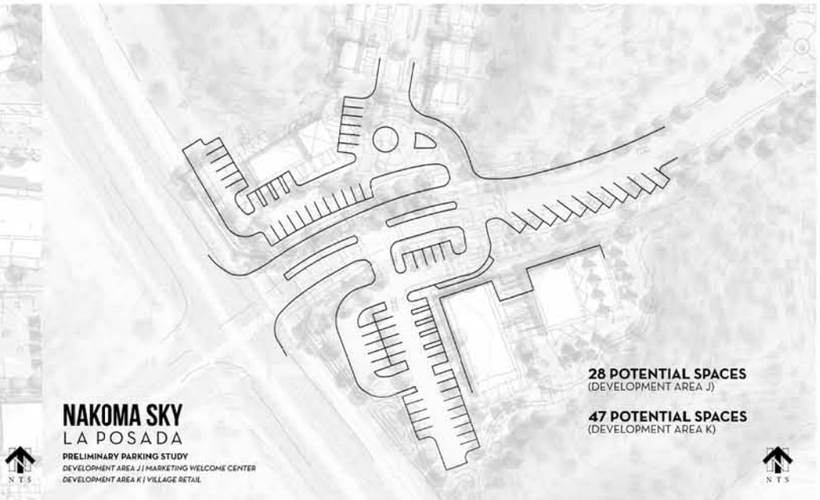
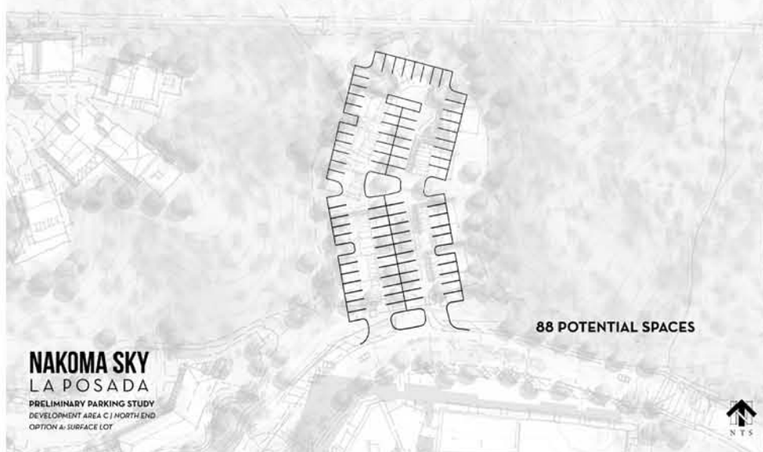
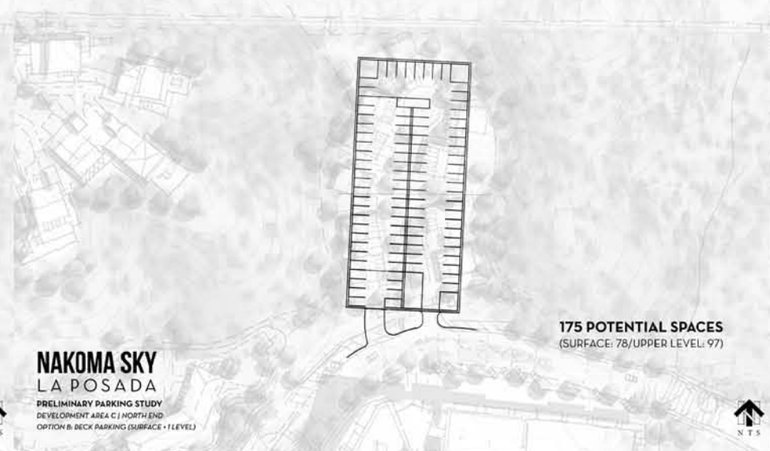
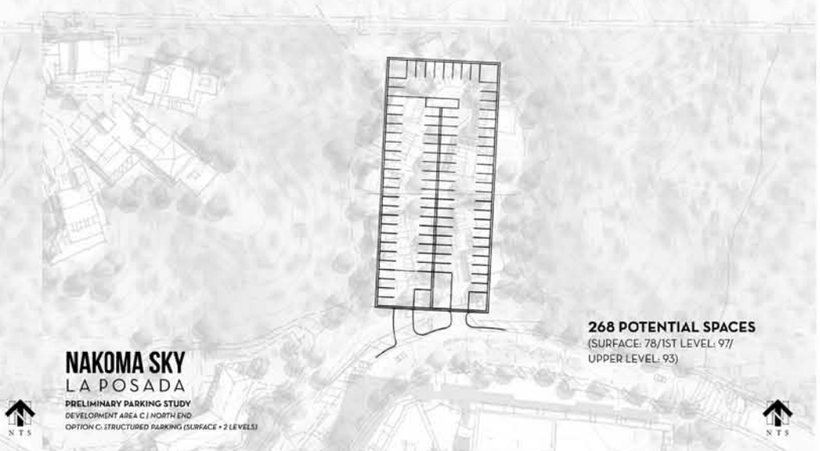


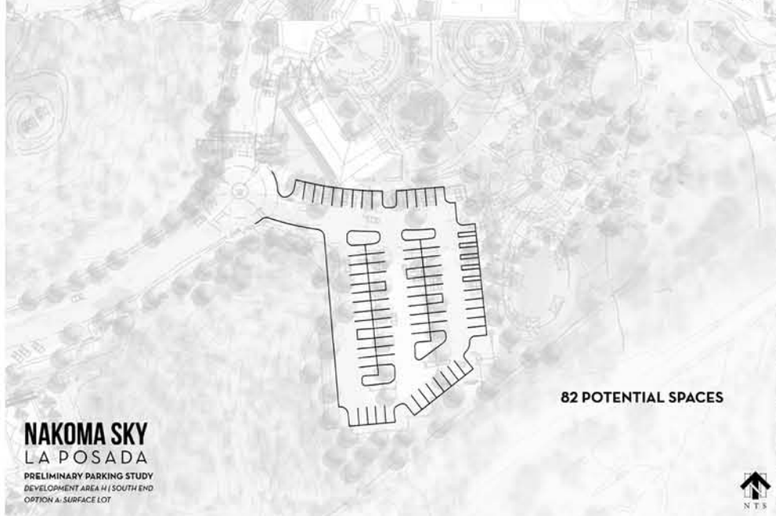


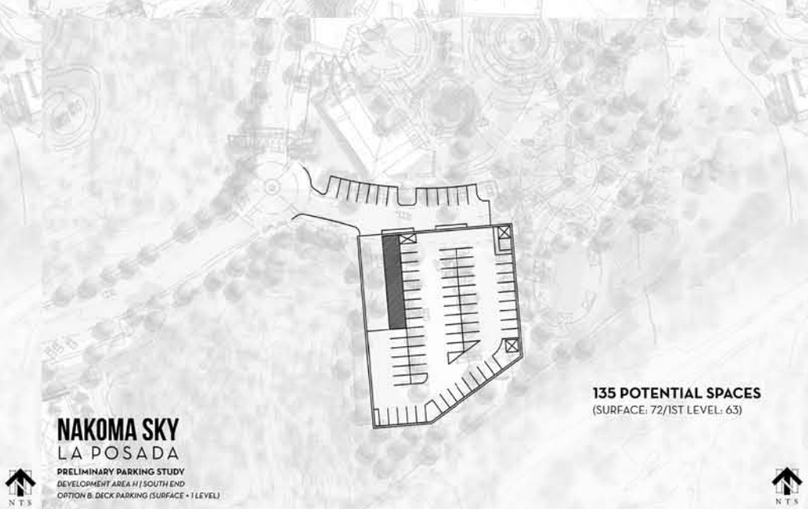












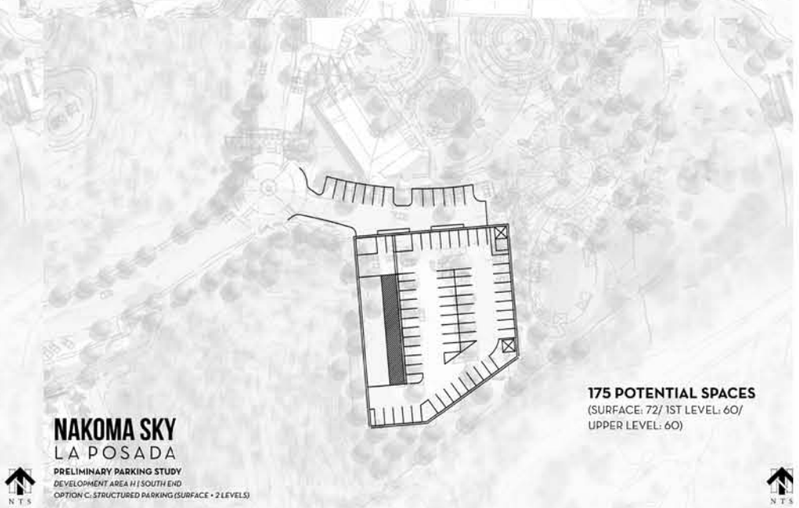
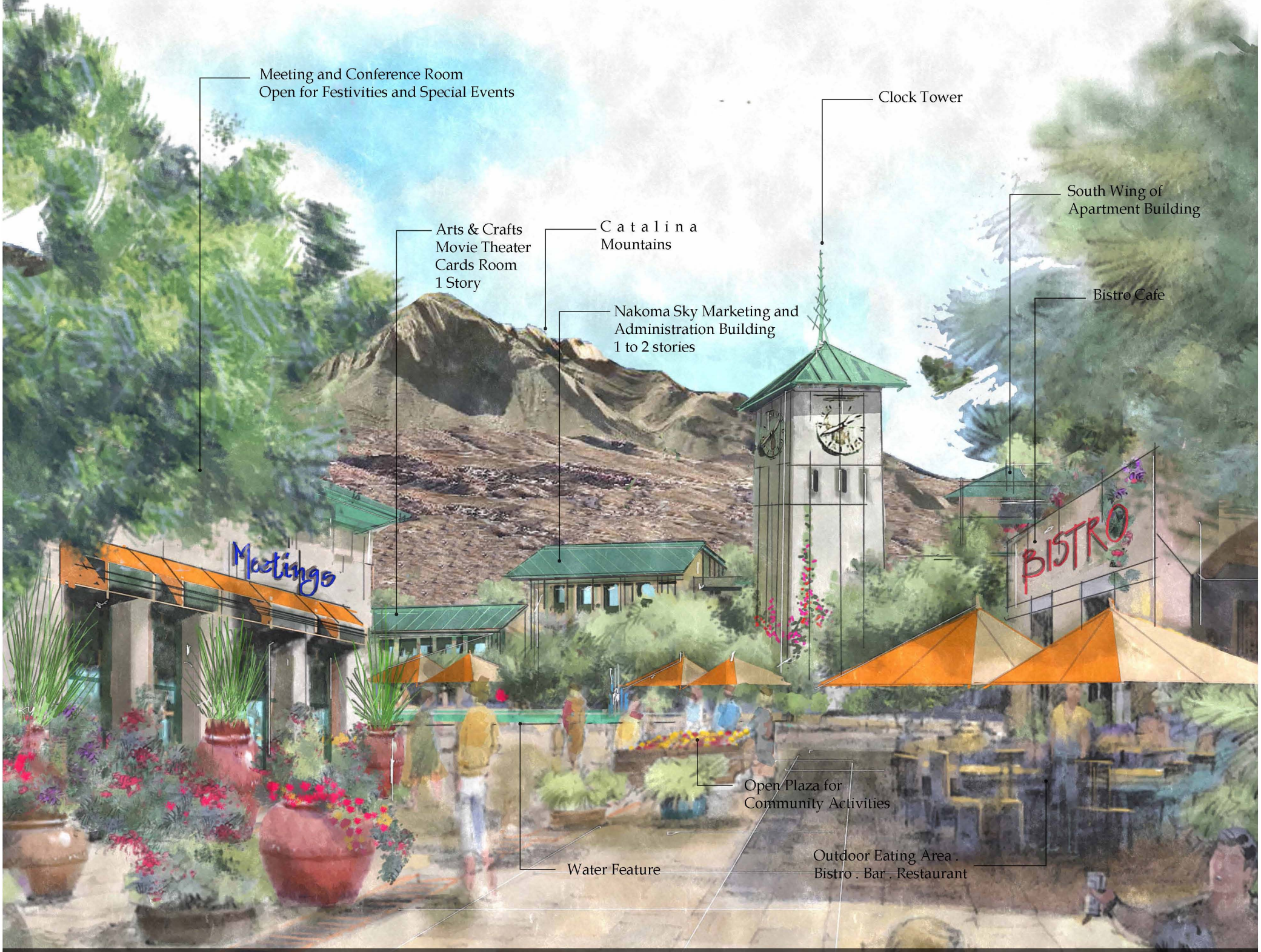


EXHIBIT DD: OPTIONAL SURFACE PARKING LOCATIONS

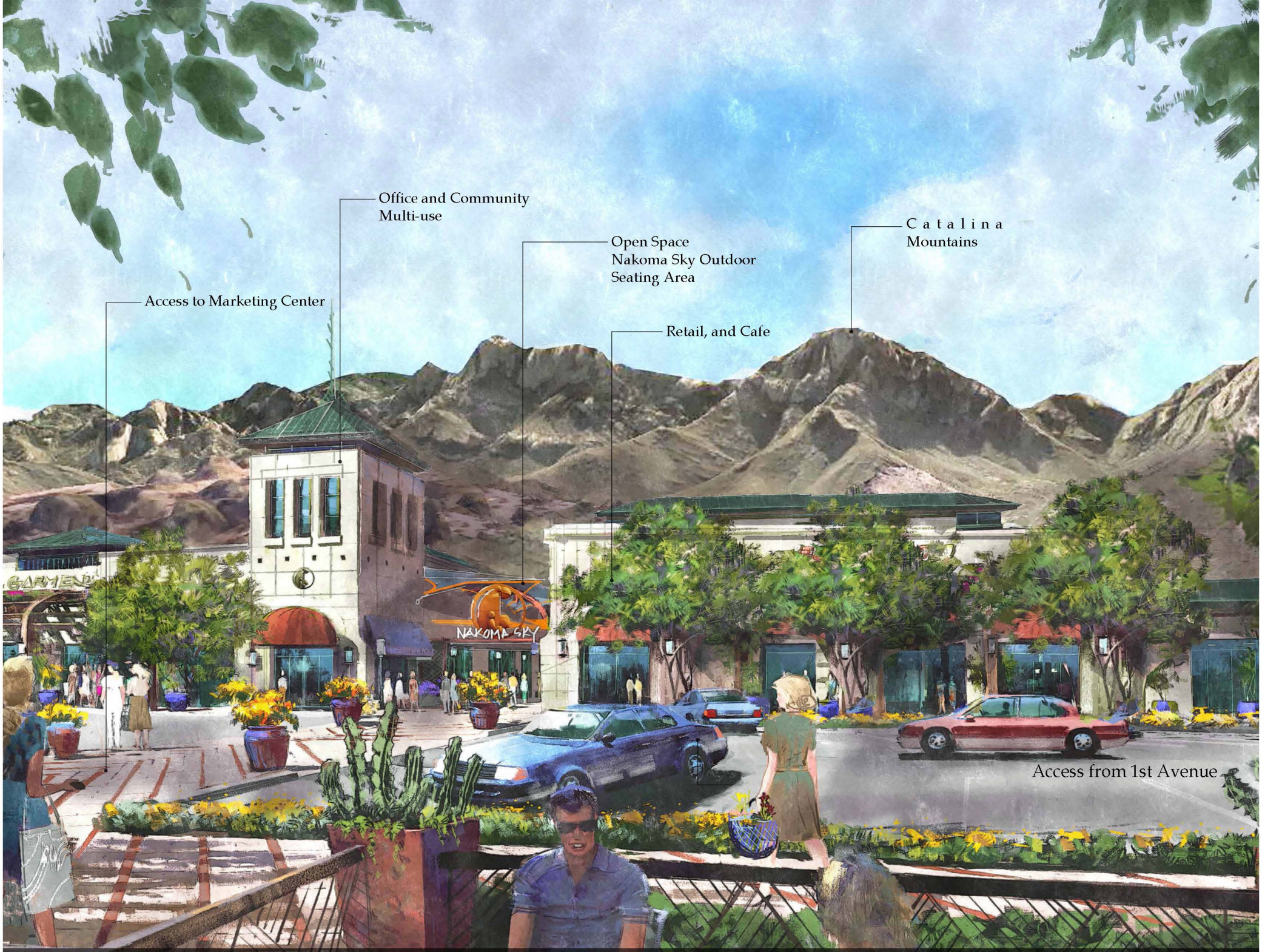
APPENDIX A

Representative Site Perspectives and Elevations

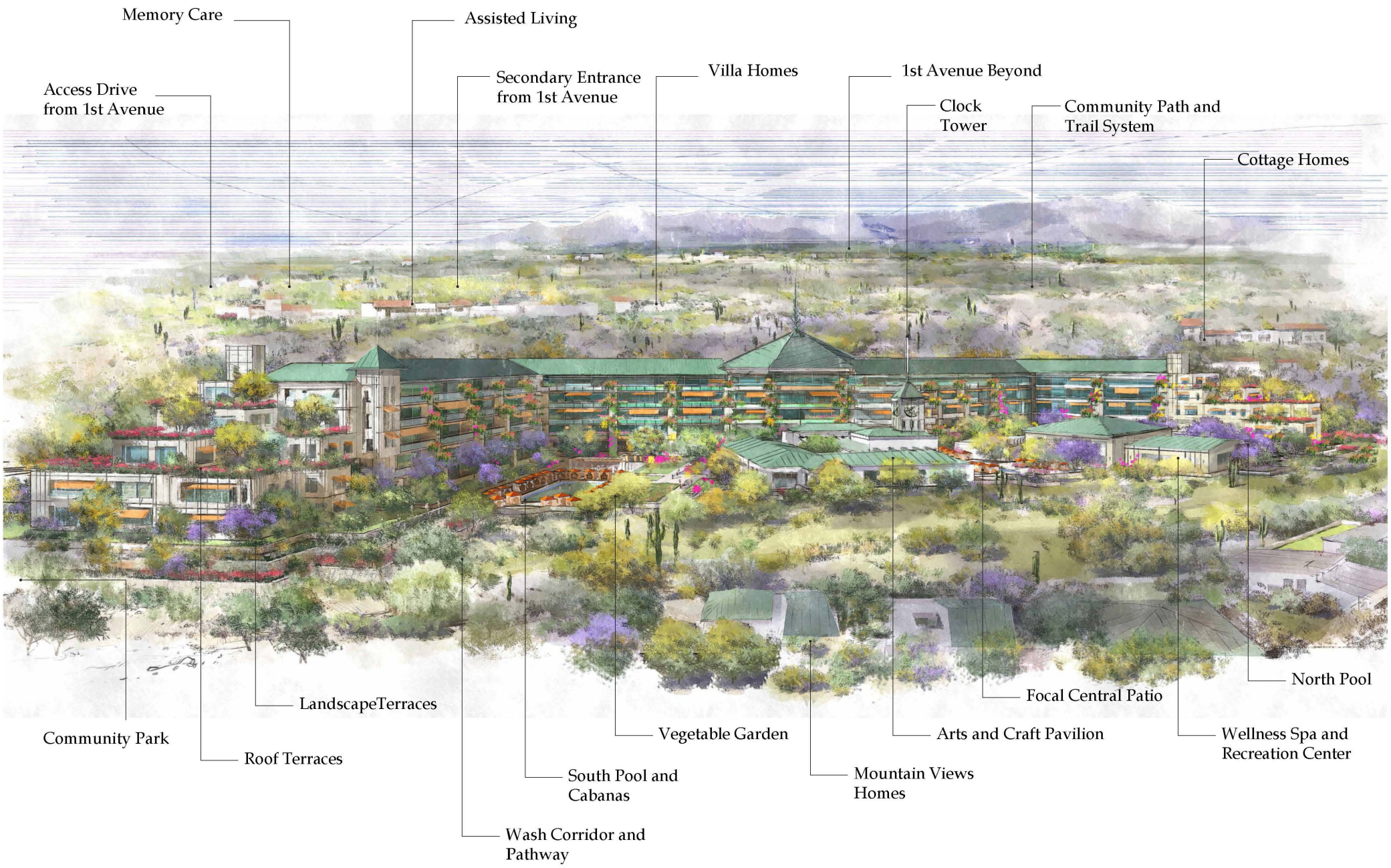
Note: The representative site perspectives and elevations in this appendix are intended to provide an illustration of the character and flavor of the various constructed elements of the project. The final constructed elements may not look exactly like the images contained herein.



Village Plaza between the Bistro Cafe and Meeting Conference Room - Looking South



Looking East From Marketing Center to the Village Retail Cafe - Main Entrance Road



Orchestrated Land Uses at the Core Village - Looking NorthWest

ARTS

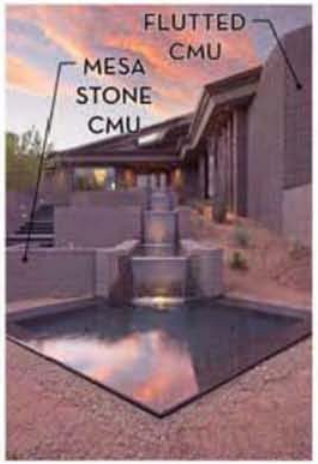
APPENDIX B

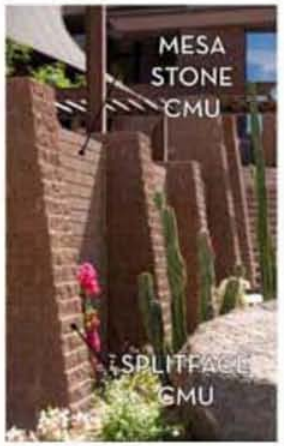
Representative Building and Roof Materials

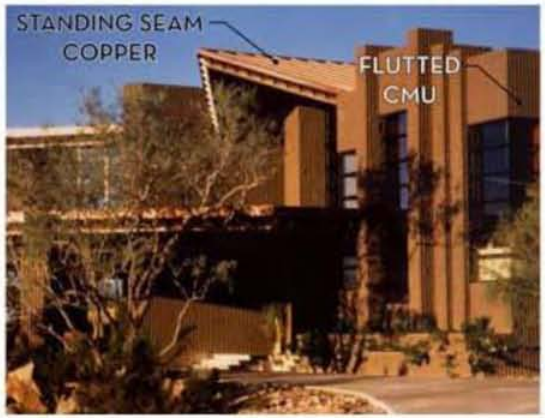
Note: The representative building and rood materials in this appendix are intended to provide an illustration of the character and flavor of the various constructed elements of the project. The final constructed elements may not look exactly like the images contained herein.

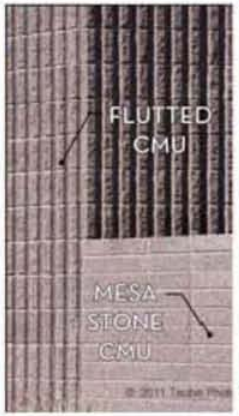
EXTERIOR MATERIALS

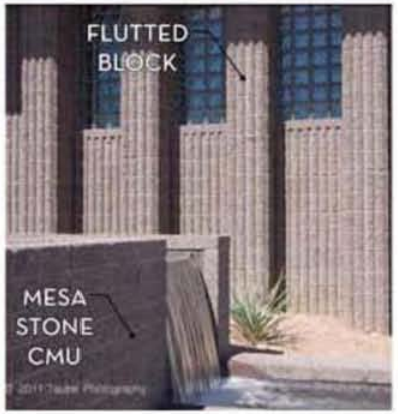
WILL INCLUDE MASONRY VENEER AND STUCCO





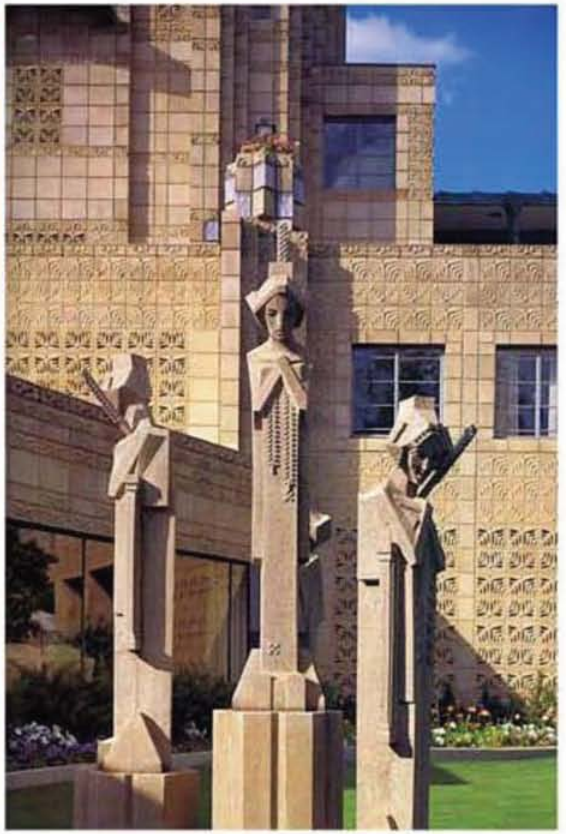






Posada Inn

FLUTTED
CMU



BILTMORE LIKE
CAST BLOCK
FLUTTED
CMU

BILTMORE LIKE
CAST BLOCK
SMOOTH CAST
BLOCK

ROOFS AND FLAT ROOFS WITH PARAPETS

APPENDIX C

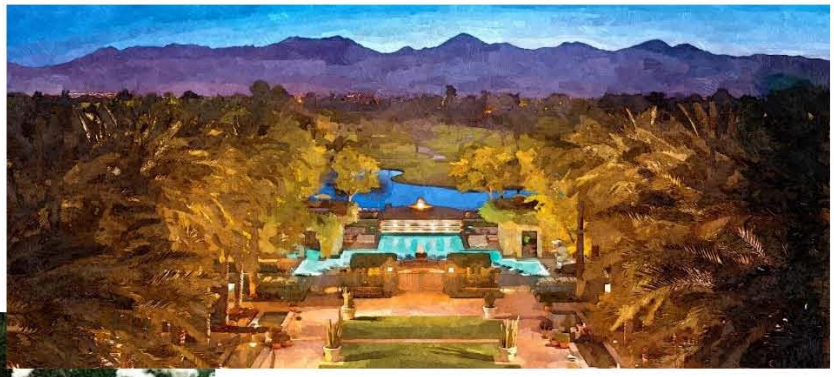
Representative Site Imagery

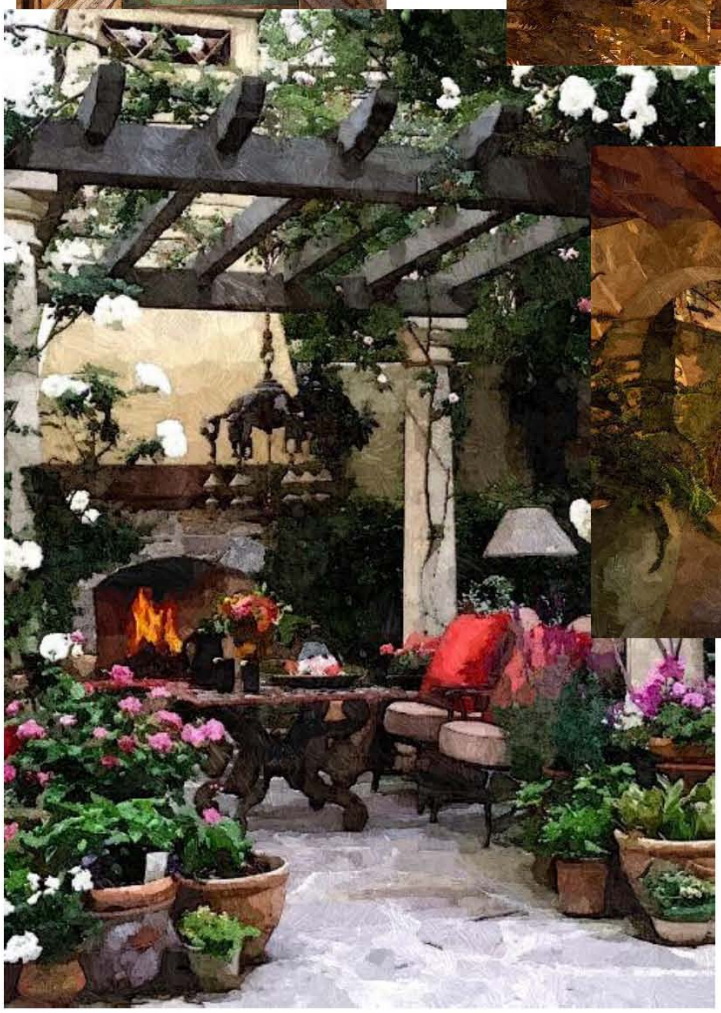
- **Architectural and Architectural Finishes Imagery**
- **Monuments and Signage Imagery**
- **Park Design Imagery**
- **Water Feature Imagery**

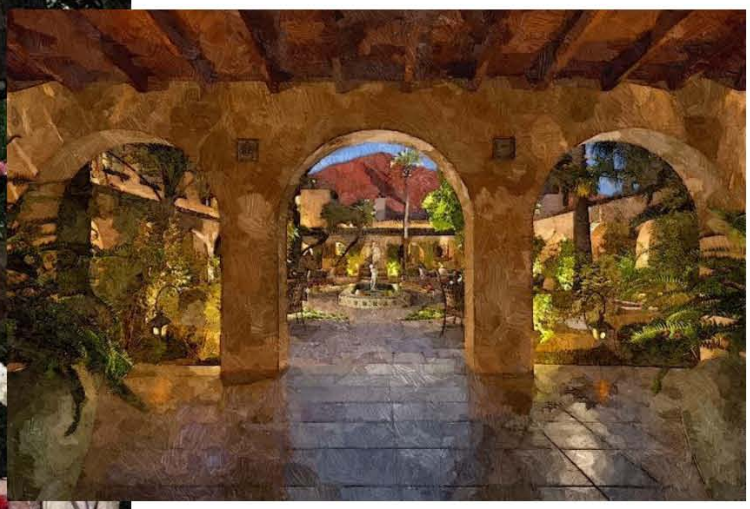
Note: The representative site imagery in this appendix is intended to supplement the imagery shown in Appendices A and B and provide additional illustration of the character and flavor of the various constructed elements of the project. The final constructed elements may not look exactly like the images contained herein.

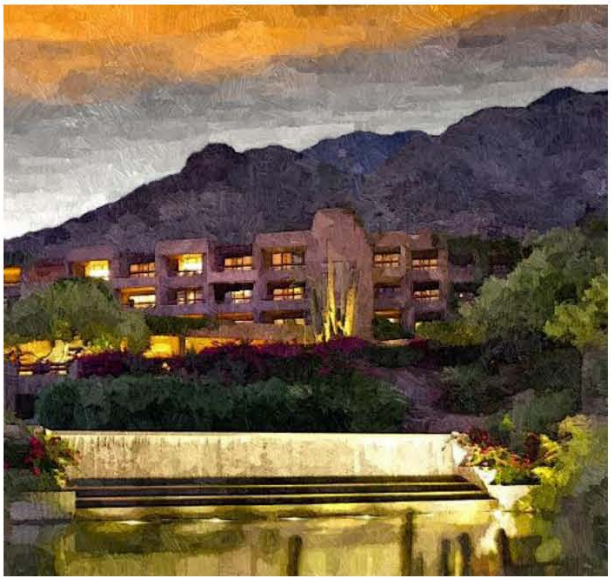
Architectural and Architectural Finishes Imagery

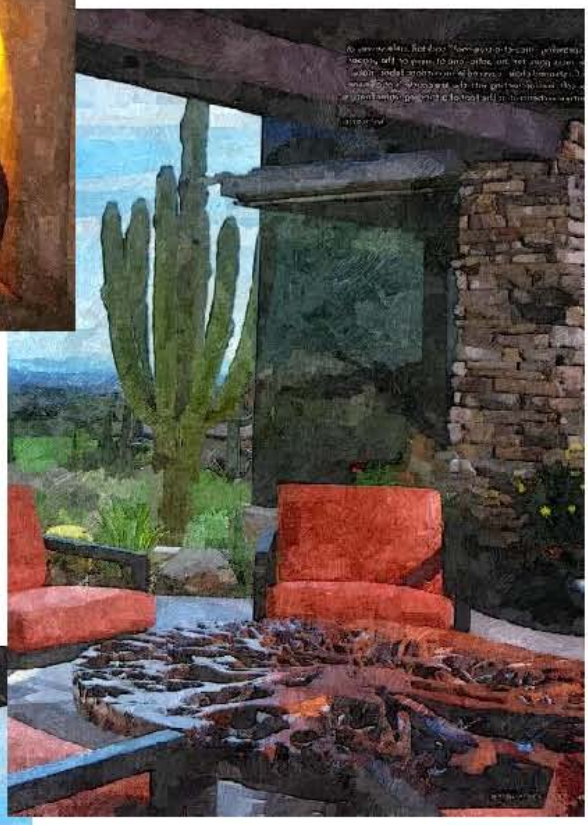
ARCHITECTURAL AND ARCHITECTURAL FINISHES IMAGERY

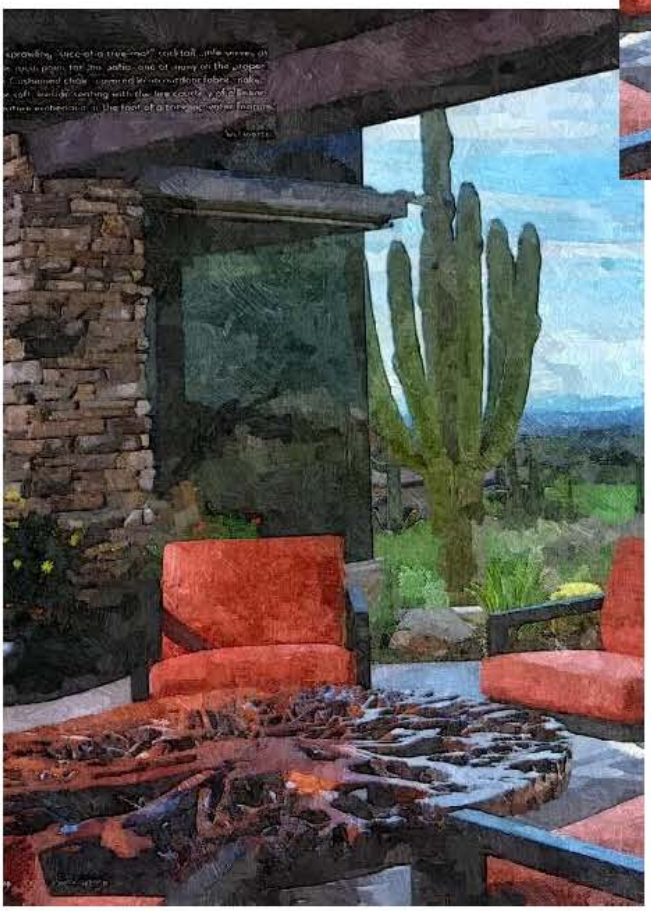


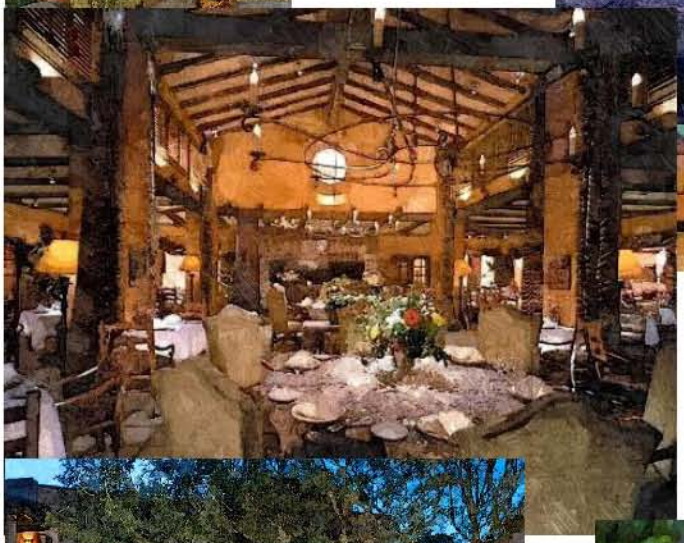


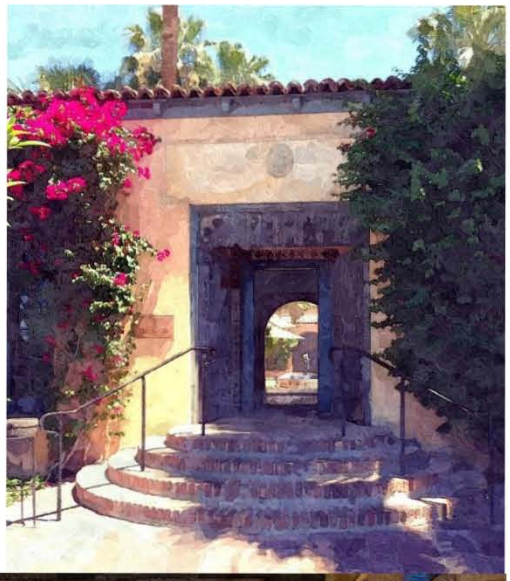


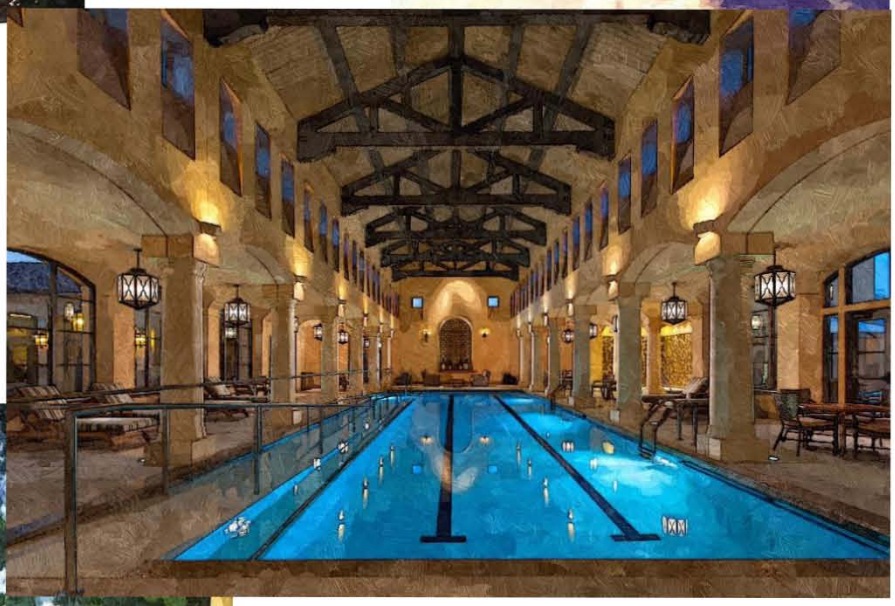


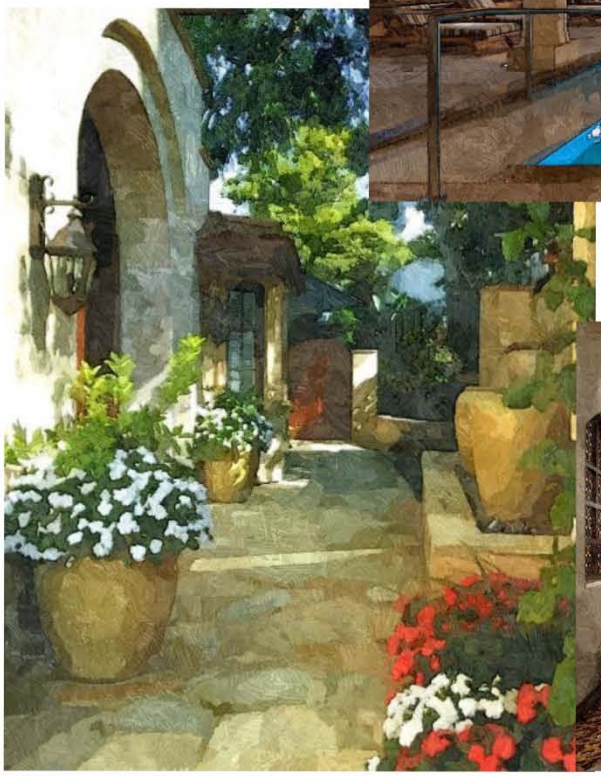


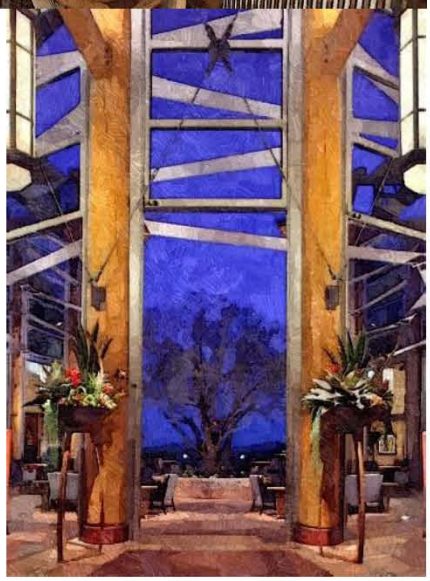


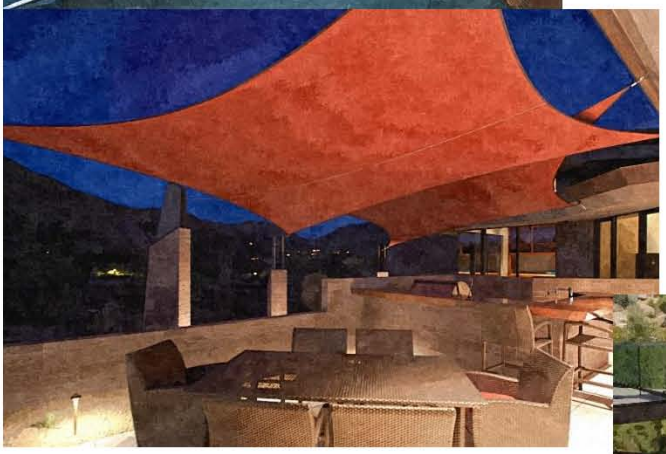


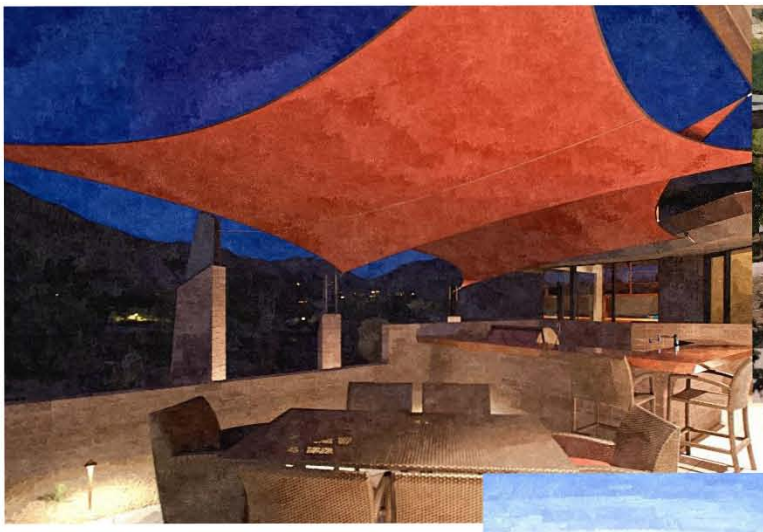


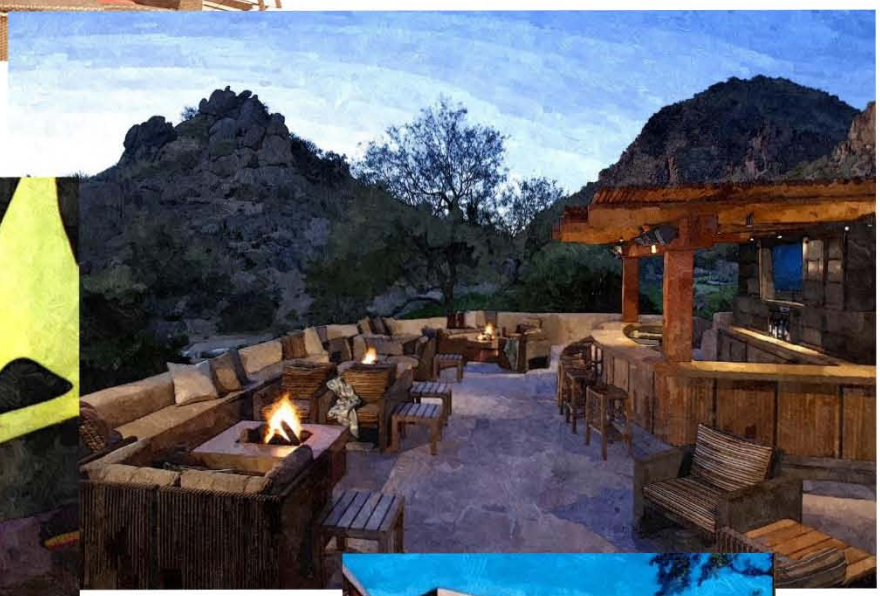


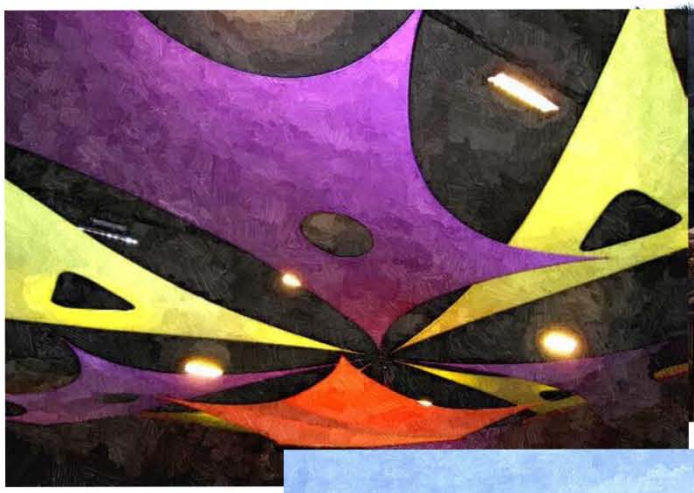


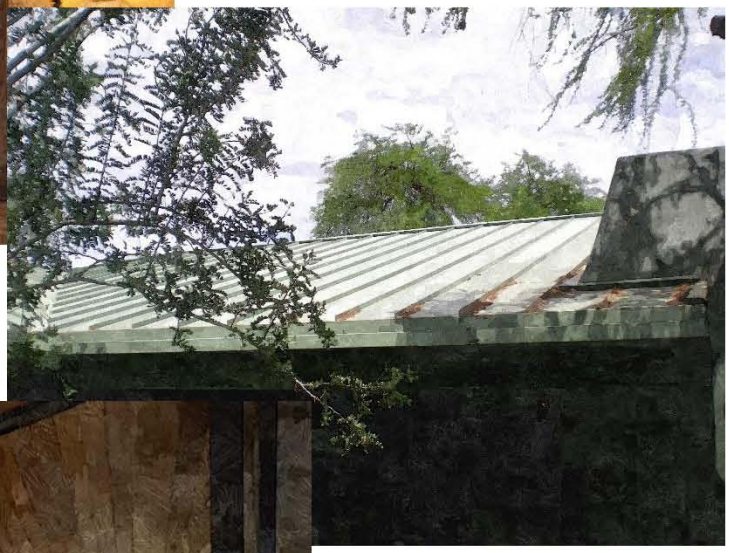






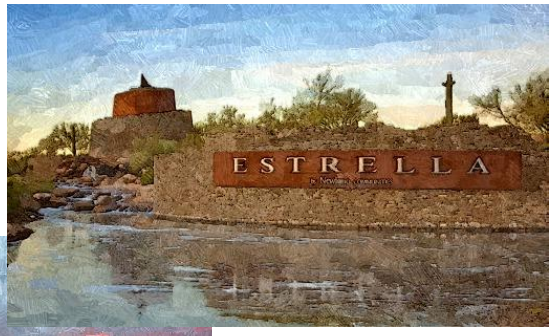






Monuments and Signage Imagery

MONUMENTS AND SIGNAGE IMAGERY



MONTE SERENO

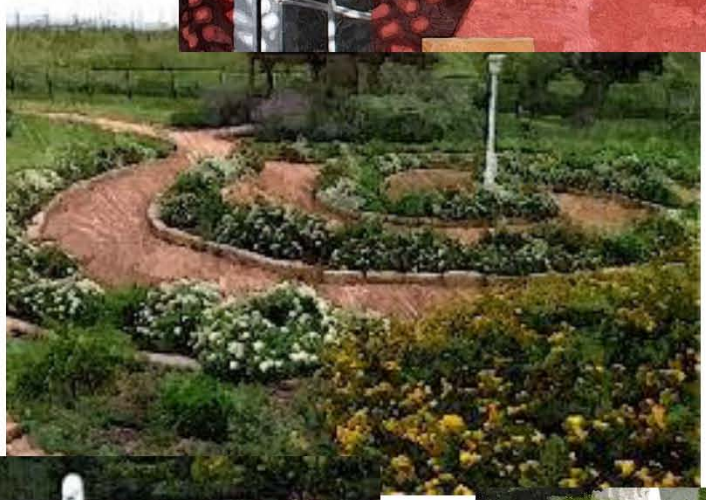
SaddleBrooke Ranch
A ROBSON RESORT COMMUNITY

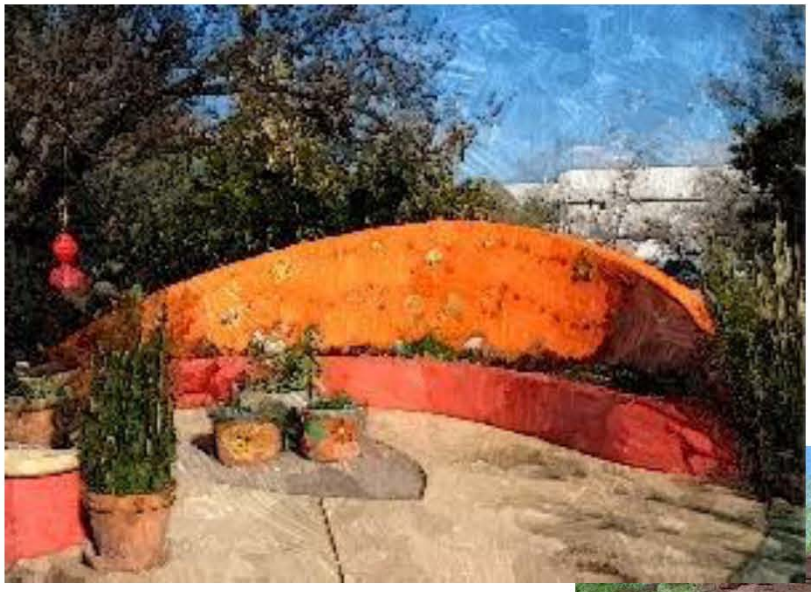
SERENO CANYON

Park Design Imagery

PARK DESIGN IMAGERY

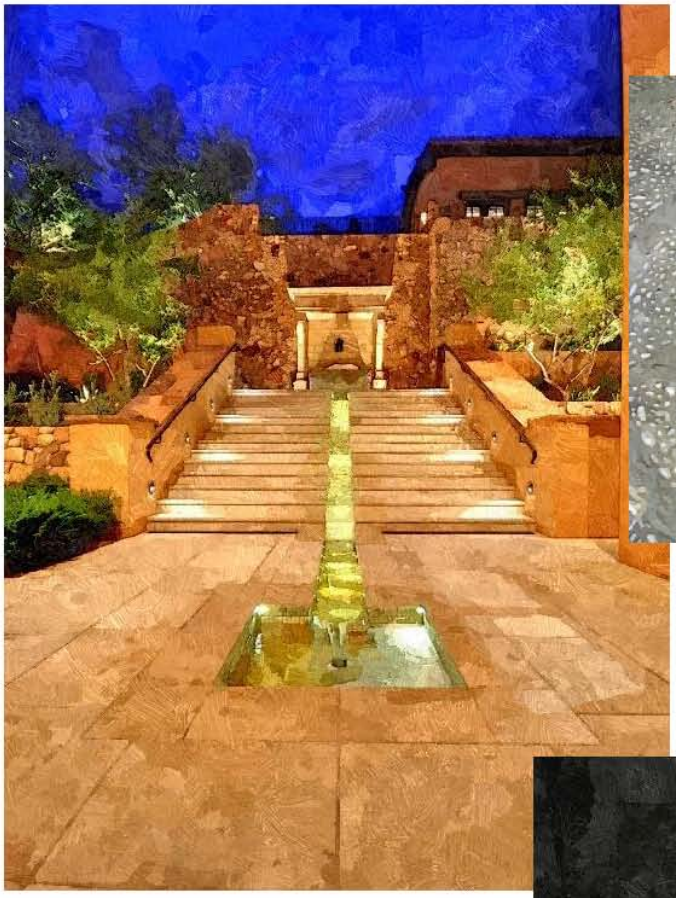
The
Artists'
Studio

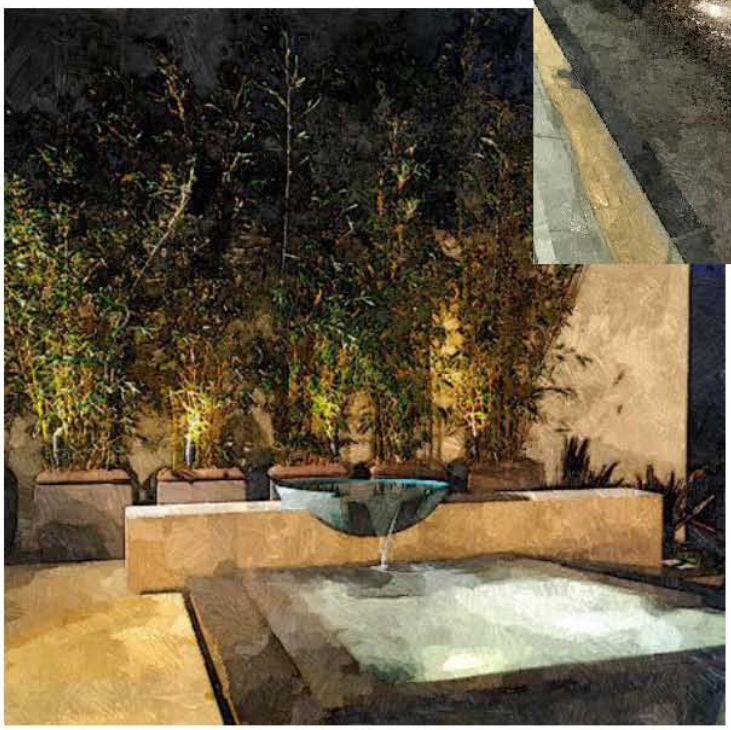


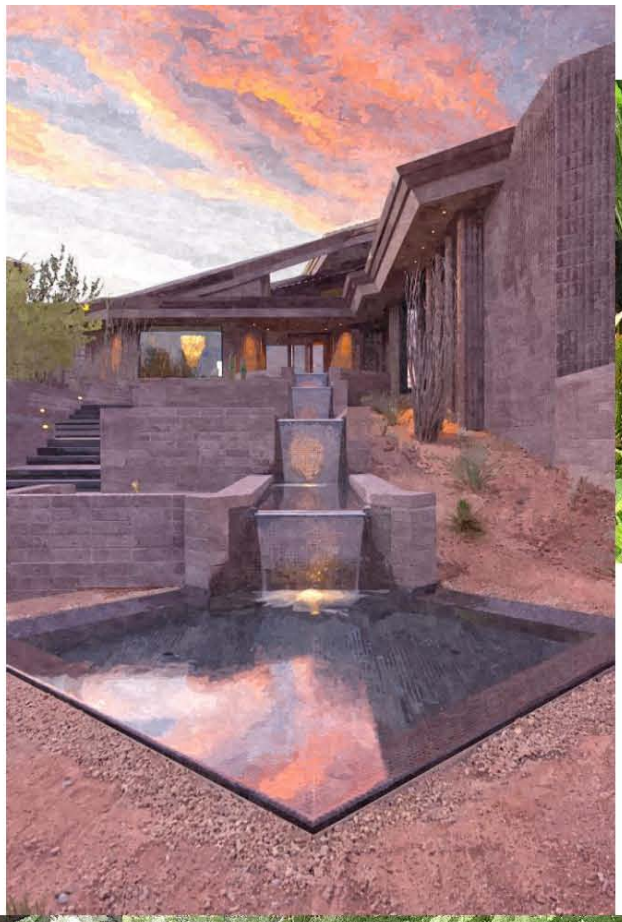


Water Feature Imagery

WATER FEATURE IMAGERY







APPENDIX D

Building Height Exhibit

N 1st Avenue
Canada del Oro River
LEGEND
1st Level
2nd Level
3rd Level
5th Level
NTS

APPENDIX E

Pre and Post Development Viewsheds

La Posada

Reference Map

View #1 Existing

See reference map.

La Posada

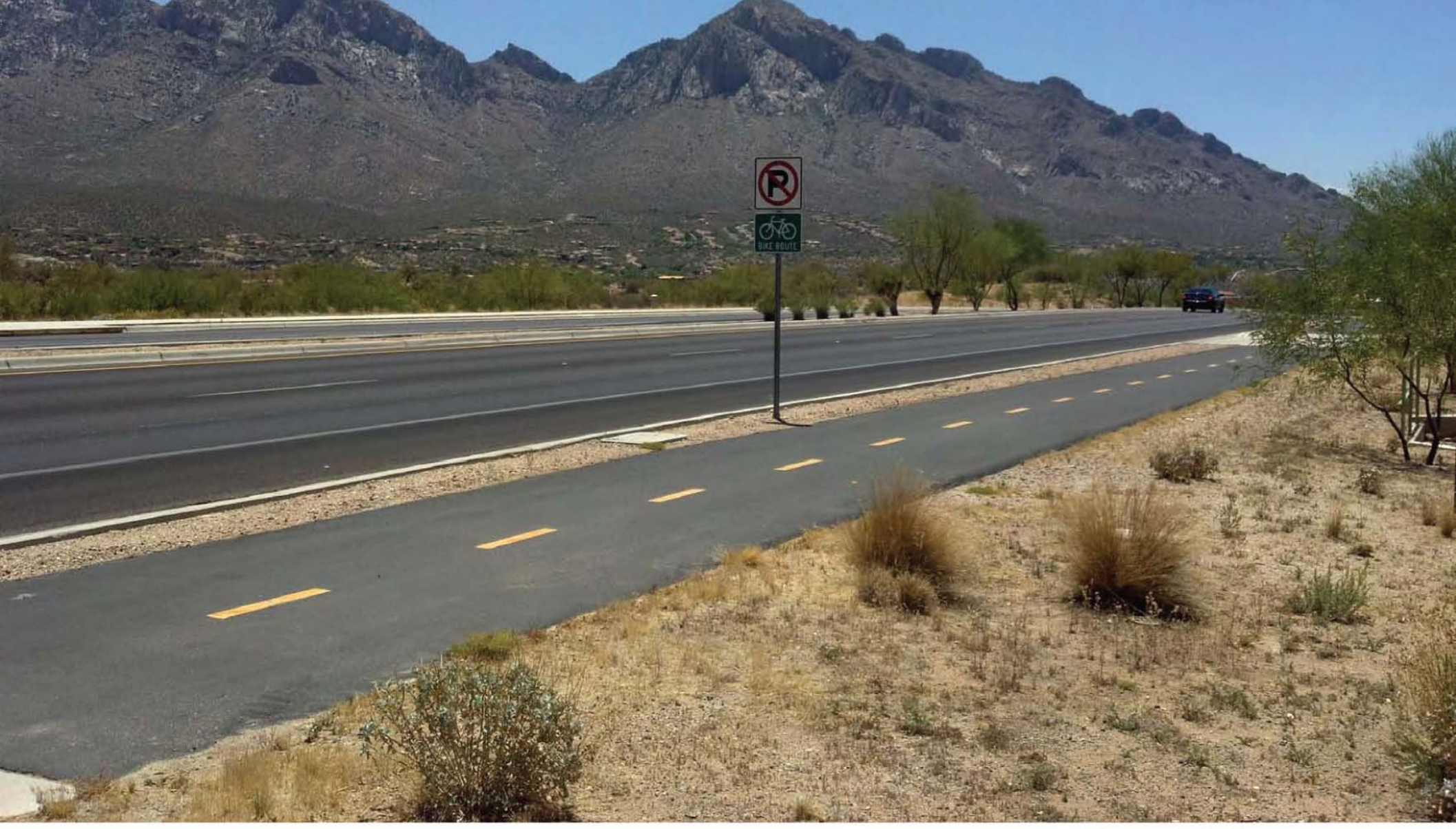
Model Visual Simulation

View #1 Proposed

See reference map.

La Posada

Model Visual Simulation

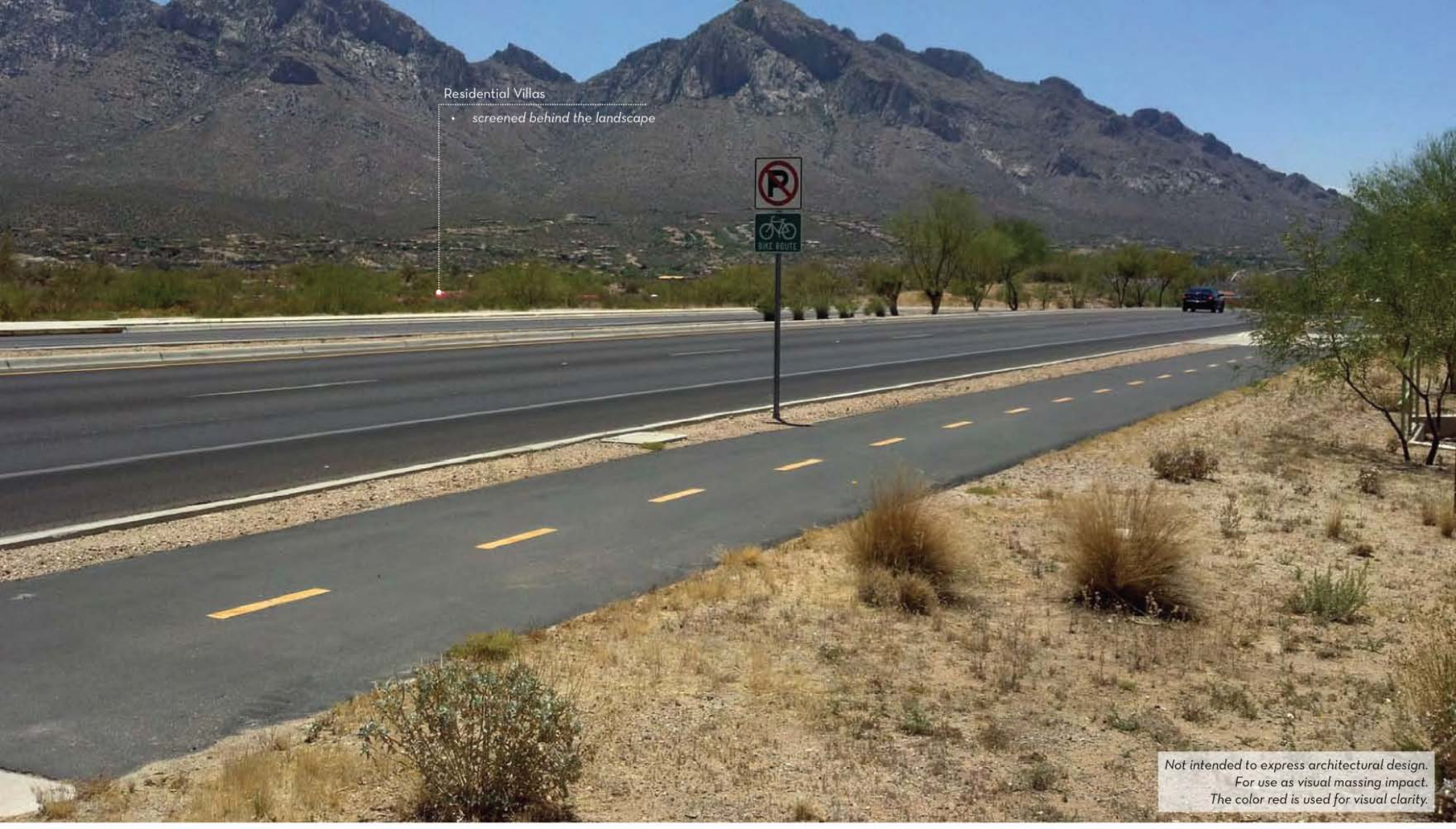


View #2 Existing

See reference map.

La Posada

Model Visual Simulation



View #2 Proposed

See reference map.

La Posada

Model Visual Simulation

View #3 Existing

See reference map.

La Posada

Model Visual Simulation

View #3 Proposed

See reference map.

La Posada

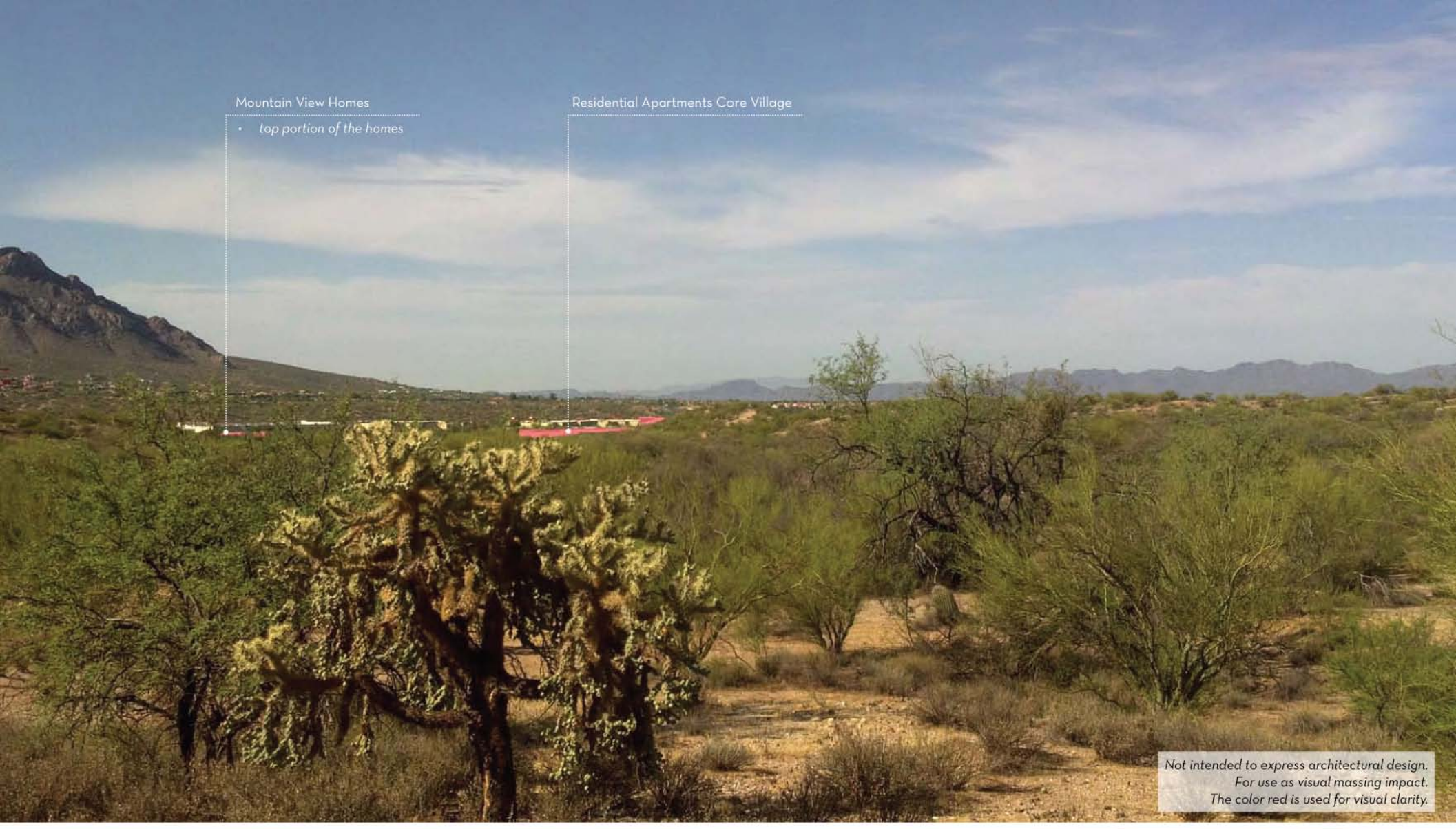
Model Visual Simulation

View #4 Existing

La Posada

Model Visual Simulation

See reference map.



View #4 Proposed

La Posada

Model Visual Simulation

See reference map.

View #5 Existing

La Posada

Model Visual Simulation

See reference map.

View #5 Proposed

La Posada

Model Visual Simulation

See reference map.

View #6 Existing

La Posada

Model Visual Simulation

See reference map.

View #6 Proposed

La Posada

Model Visual Simulation

See reference map.

View #7 Existing

La Posada

Model Visual Simulation

See reference map.

View #7 Proposed

La Posada

Model Visual Simulation

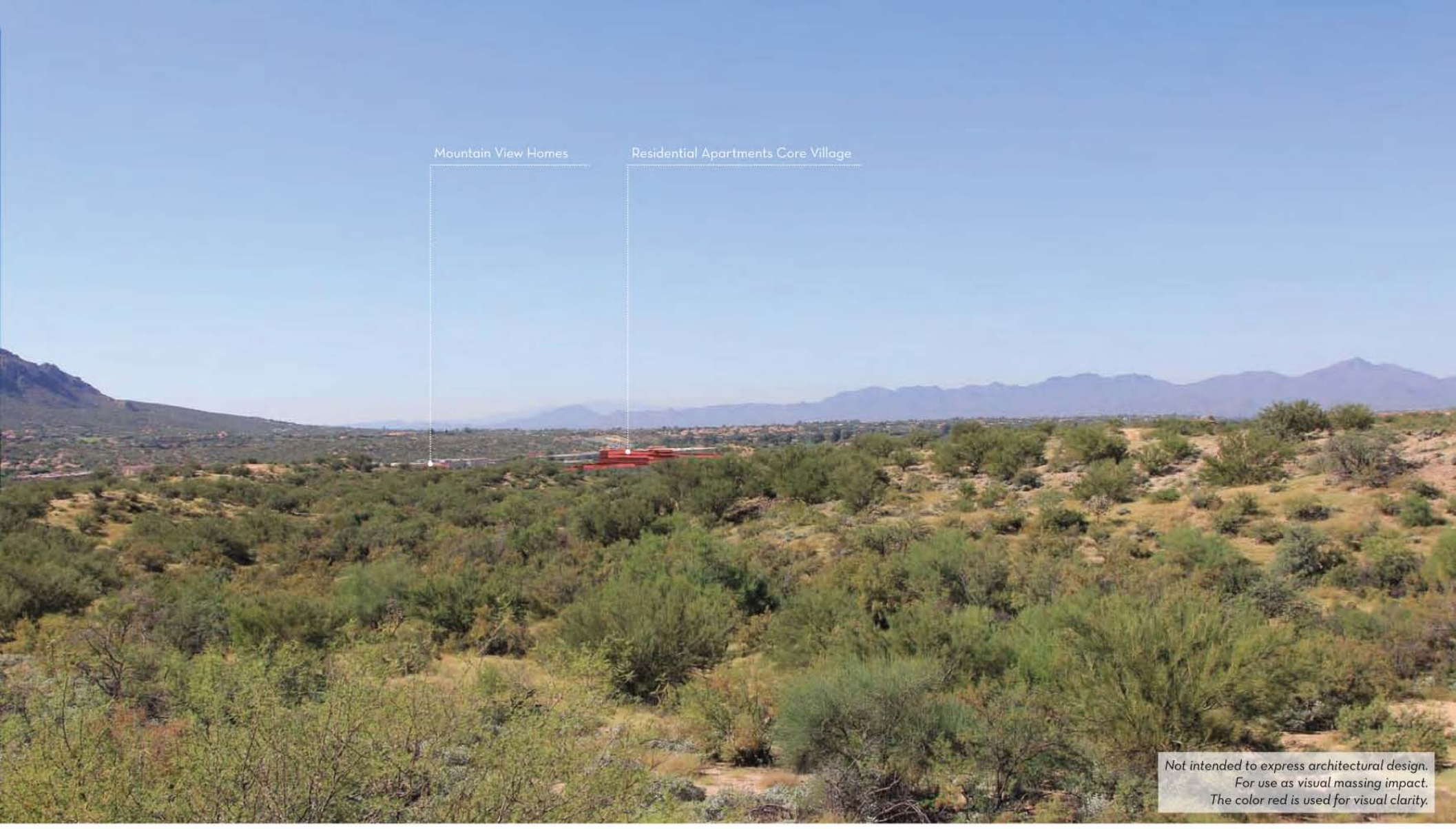
See reference map.

View #8 Existing

La Posada

Model Visual Simulation

See reference map.



View #8 Proposed

La Posada

Model Visual Simulation

See reference map.

View #9 Existing

La Posada

Model Visual Simulation

See reference map.

View #9 Proposed

La Posada

Model Visual Simulation

See reference map.

View #10 Existing

La Posada

Model Visual Simulation

See reference map.

View #10 Proposed

La Posada

Model Visual Simulation

See reference map.

View #11 Existing

La Posada

Model Visual Simulation

See reference map.

View #11 Proposed

La Posada

Model Visual Simulation

See reference map.

View #12 Existing

La Posada

Model Visual Simulation

See reference map.

View #12 Proposed

La Posada

Model Visual Simulation

See reference map.

View #13 Existing

La Posada

Model Visual Simulation

See reference map.

View #13 Proposed

La Posada

Model Visual Simulation

See reference map.

View #14 Existing

La Posada

Model Visual Simulation

See reference map.

View #14 Proposed

La Posada

Model Visual Simulation

See reference map.

View #15 Existing

La Posada

Model Visual Simulation

See reference map.

View #15 Proposed

La Posada

Model Visual Simulation

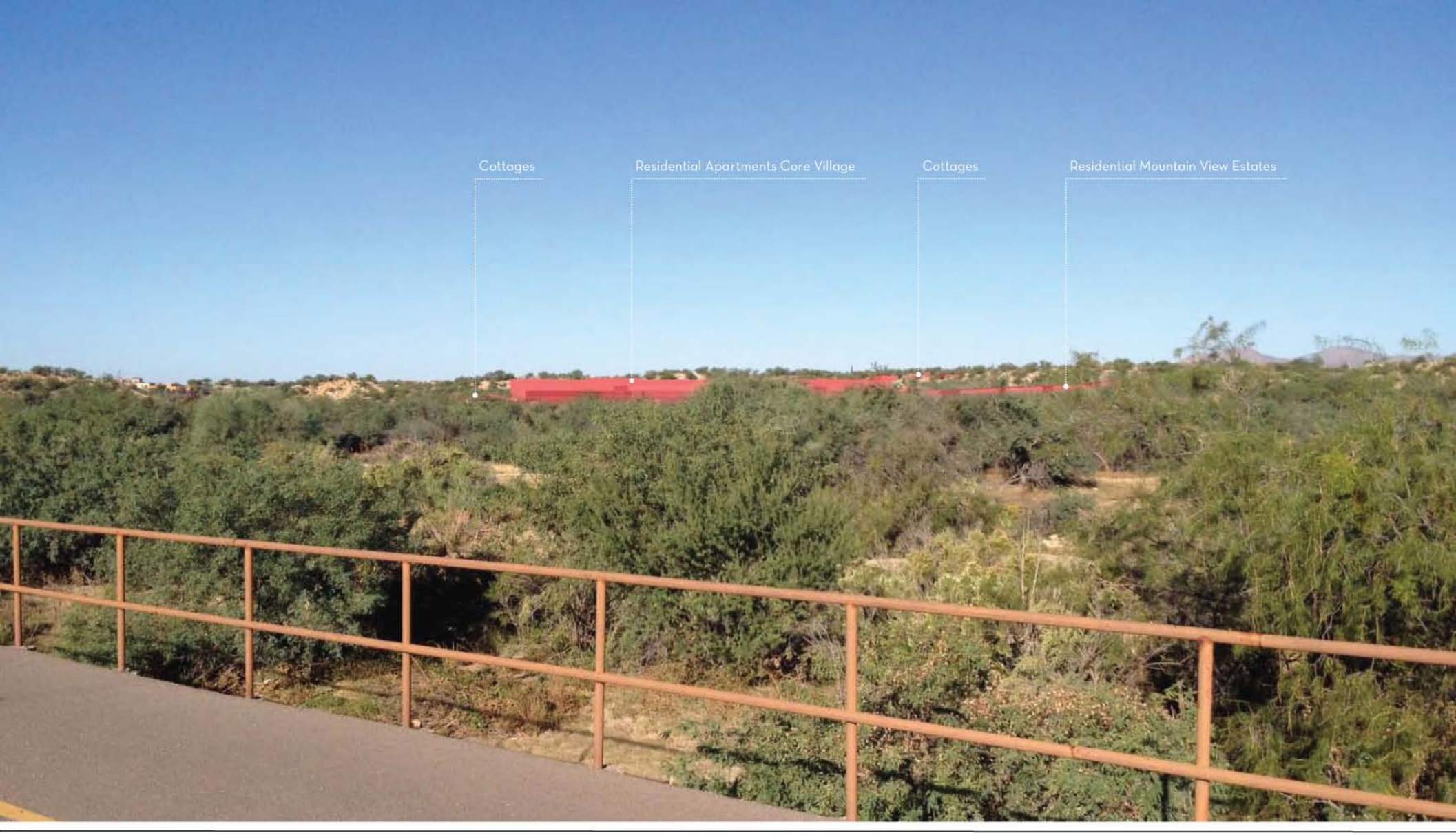
See reference map.

View #16 Existing

La Posada

Model Visual Simulation

See reference map.



View #16 Proposed

La Posada

Model Visual Simulation

See reference map.

APPENDIX F

Tentative Development Plan (24” x 36”)

APPENDIX G

ESL Flexible Development Standards

ESL Incentives Request:

ZONING INCENTIVES (SECTION 27.10(F)(2)(C)(III)	
*	(a) Building Setbacks
*	(b) Landscape Buffer Yards
*	(c) Minimum Lot Size
*	(d) Off-Street Parking
*	(e) Building Height
--	(f) Open Space
--	(g) Mixed Use
--	(h) Modified Review Process
--	(i) Recreation Area Credit
--	(j) Native Vegetation Preservation

*Items a thru e are being addressed in this PAD as permitted by Section 24.4 of the Oro Valley Zoning Code.

Items f thru j are incentives that either do not apply to this PAD or are not being requested at this time.

Attachment 1
Conditions of Approval
Nakoma Sky Rezoning
OV914-007

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

<u>Engineering</u>

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.

<u>Oro Valley Water Utility</u>

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.

ORO VALLEY ARIZONA
FOUNDED 1974

LOCATION MAP

NARANJA DR. AND 1ST AVE REZONING AND ESL MAP AMENDMENT (OV914-007/008)

Attachment 2

Rezoning, ESL Map Amendment, and Minor General Plan Amendment
Planning and Zoning Commission Study Session Staff Report

CASE NUMBERS:	OV1114-005, OV914-008 and OV914-007
MEETING DATE:	January 6, 2015
AGENDA ITEMS:	2A, 2B and 2C
STAFF CONTACT:	Chad Daines, AICP, Principal Planner cdaines@orovalleyaz.gov (520) 229-4896

Applicant:	Robert Longacre III, The WLB Group	
Requests:	Item 2A.	Minor General Plan Amendment (OV1114-005)
	Item 2B.	Amendment to Environmentally Sensitive Lands (ESL) zoning map (OV914-008)
	Item 2C.	Rezoning from Rooney Ranch "Z" Planned Area Development (PAD) to "Nakoma Sky" PAD (OV914-007)
Location:	Southeast of 1st Avenue and Naranja Drive intersection	
Recommendation:	Recommend approval of Items Minor General Plan Amendment (Item 2A) and Amendment to ESL zoning map (Item 2B) to Town Council subject to the conditions in Attachment 1. Recommend continuance of Rezoning (Item 2C).	

SUMMARY

The applicant proposes to rezone the 79.5-acre property to Nakoma Sky Planned Area Development (PAD) to develop a 400-unit senior living and care campus, located southeast of the 1st Avenue and Naranja Drive intersection (Attachment 2). The proposed project contains a variety of senior living and associated uses as depicted on the applicant's Tentative Development Plan, including:

- Independent living, assisted living and memory care
- Entertainment, arts and cultural facilities
- Retail and office uses
- Restaurants and dining facilities
- Trails, paths, and recreational facilities

According to the applicant, the project will be constructed in several phases over a 20 year period, beginning with the village core area (Development Area C). Given the long lifespan of the project, it is vital that the PAD document include sufficient design detail and development standards to ensure that the vision presented to the community is achieved.

As provided in the Zoning Code, the use of PAD zoning is intended to result in means to achieve a project that is superior to what could be constructed under standard Town zoning. In exchange for

additional development flexibility for the applicant, the Town expects a higher level of integrated, cohesive design with specific and enforceable development standards. A primary focus of staff's review is to identify areas that are not well defined or for which specific standards have not been included in the PAD.

The applicant also proposes to amend the Environmentally Sensitive Lands zoning map to refine the boundaries of the riparian corridor lying on the east side of the property consistent with existing drainage and vegetative conditions.

Further, the applicant requests a Minor General Plan text amendment to address a Special Area Policy applicable to the property that states, *"The area designated as Master Planned Community may be developed at up to three units per acre".* The Zoning Code permits General Plan text changes, *"that clarify any portion of an element, policy, objective or goal without substantially altering the intent."*

This policy is interpreted to apply to residential subdivision development on the property, and was not intended to limit the type of development to single family residential or apply to the proposed senior living campus. Additional language is proposed to include this clarification within the Special Area Policy.

Although not an element of the Commission's consideration, the proposed development will entail grading that exceeds the Town Zoning Code grading limits (6 feet cut or fill; 8 feet with terracing). An exception to the Town's grading limits will be required, which is subject to Conceptual Design Review Board (CDRB) approval. This request is anticipated to be received in early 2015.

The proposal is consistent with the Master Planned Community General Plan land use designation, which envisions a range of land uses on the property developed in a comprehensive manner.

Several issues have been raised by staff, including:

- Proposed height of 5-story (75' + 10' additional for architectural features) apartment building in village core
- Building design and architectural theming of project
- Traffic/site access
- Environmental impacts of development, including grading impacts and conservation of Environmentally Sensitive Lands
- Water conservation, including proposed use of ornamental water features
- Provision of parking
- Public use of recreation areas, facilities and amenities
- Lack of regulatory force and effect of Tentative Development Plan (PAD Exhibit R; PAD Section II-A.7)

Based on the number and significance of unresolved issues, staff recommends continuance of the rezoning request to provide the opportunity for the applicant to address them in the PAD.

The applicant's proposal is attached for your reference, as follows:

- Nakoma Sky PAD (Attachment 3)
- Revised cultural resources survey (Attachment 4)
- Environmentally Sensitive Lands (ESL) map amendment (Attachment 5)
- Minor General Plan Amendment (Attachment 6)

Please note that a separate motion is provided for each submittal at the end of this report.

BACKGROUND

Site Characteristics

The 79.5-acre property is characterized by:

- Rolling topography
- Areas of steep slopes
- Prominent ridgelines in the western and central portions of the property. A prominent ridgeline lies across the western portion of the property that generally obstructs views into the central and eastern portions of the site when viewed from 1st Avenue (see Attachment 7)
- The central and eastern portions of the property are generally flat
- The property slopes generally from north to south, with over 80 feet of vertical relief from the northwest corner of the property to the southern property boundary
- The site is bounded on the south by the CDO wash, and a riparian area is located on the eastern side of the property
- A 500-foot erosion hazard setback exists on the southern portion of the property in proximity to the CDO Wash. Development will be permitted in this area if bank protection is built consistent with Pima County requirements and is certified by the Federal Emergency Management Administration (FEMA).

Zoning/Land Use Context (Attachment 8)

LOCATION	EXISTING LAND USE	ZONING
SUBJECT PROPERTY	Vacant	Rooney Ranch Planned Area Development
NORTH	Vacant	R1-144
SOUTH	Commercial	Rooney Ranch Planned Area Development
EAST	Vacant	R1-144
WEST	Single-family residential	R1-144

Approvals to Date

- 1989: Rezoning from R1-144 to Rooney Ranch Planned Area Development (PAD). A mix of uses, including office, retail, multi-family residential and single-family residential, were envisioned for the Nakoma Sky property
- 2003: Amendment to the PAD by rezoning the site to permit single-family residential development (see Attachment 9)
- 2005: Final plat approved for 68-lot single-family home subdivision for Pepper-Viner Homes
- 2005: Grading exception for Pepper-Viner Homes subdivision (up to 12' cut and fill; OV1205-25A)

Existing General Plan Land Use Designations (Attachment 10)

- Master Planned Community: This designation refers to areas where large multi-use developments should be planned and developed in a comprehensive manner.

- Special Area Policy: According to the policy, residential subdivision development is limited to no more than 3 units/acre. This policy was applied in 2005 after approval of a single family residential development.

- Significant Resource Area (SRA): This designation, which preceded the Town's adoption of the Environmentally Sensitive Lands (ESL) regulations in 2011, identifies areas that contain key historic or archeological sites or other environmentally sensitive lands. The proposed development will comply with all ESL regulations and development is not proposed on any identified areas of historic, archaeological or environmentally significance.

Environmentally Sensitive Lands (ESL) Conservation Categories (Attachment 5)
The property contains the following ESL conservation categories:

- Critical Resource Area (CRA): Resources including washes and riparian areas with a 95% open space requirement. The applicant proposes to amend the ESL map to

- Resource Management Area (RMA) Tier 2: Lower resource value lands with lower intensity growth expectations in the General Plan, such as Medium-Density residential, and includes a 25% open space requirement

A detailed discussion of the ESL map amendment is provided later in this report.

DISCUSSION/ANALYSIS:

Rezoning Analysis (Attachment 3)

Overview of Proposal

The 79.5-acre property is proposed to be rezoned from Rooney "Z" Planned Area Development, which allows single-family detached residential development (see Attachment 9) to "Nakoma Sky" Planned Area Development.

The development proposal includes 42.5 acres of development area, or approximately 53% of the property (see PAD Exhibit "Q"). Two points of ingress and egress are proposed along 1st Avenue.

The proposal includes a variety of uses associated with a senior living campus, including:

- Senior living and care uses
    - Independent living, assisted living and memory care is proposed in all Development Areas (A through K; see PAD Exhibit "Q")
    - A proposed 5-story (75' maximum building height + 10' additional height for architectural features) senior apartment building is proposed in Development Area C.
    - Attached and detached independent living units (25' maximum building height; no more than 2 stories) are proposed in Development Areas B, C, D, E and H.
    - Assisted living and memory care (36' maximum building height) is proposed in Development Area A
    - Development Area C is the "campus core" with the highest concentration of residences, amenities and services
    -

- Entertainment, arts and cultural facilities
  - A theater and classrooms are depicted in Development Area C
  - Proposed maximum building height is 36'

- Retail and office uses
  - Development Areas F and G are the primary office and retail areas, located adjacent to the 1st Avenue and Lambert Lane entrance
  - Proposed maximum building height is 36'

- Restaurants and dining facilities
  - Dining options will be provided for residents throughout the development. The applicant has indicated that the restaurant in the apartment building in the village core may be open to the public.

- Trails, Paths and Recreational facilities
  - A number of recreational areas and facilities, including a community park, pools, and a dog park are proposed, primarily in Development Area C.
  - Small pocket parks/informal gathering spaces will be required in each housing node.
  - Applicant has discussed possibility of public access and parking for some facilities, but has not committed to specific public access to recreational facilities and amenities
  - Shared use paths and trails will be provided between development areas (see PAD Exhibit X)
  - An equestrian easement will be provided in the wash area on the eastern side of the property to allow horse owners to access the CDO Wash
  - Water conservation is a primary issue given the proposed water features and the extent of turf and landscaping.

- Parking
  - The proposed Tentative Development Plan (TDP, Exhibit "R" of the PAD) depicts underground parking below the apartment building in Development Area C. In addition, this feature has been represented at each neighborhood meeting.
  - The PAD does not contain a requirement for underground parking. Location of the parking above ground will require significant modification to the TDP as additional above ground parking will occupy a large land area, which may require reduction in recreation facilities or other buildings or amenities.
  - Additional parking for residents, visitors and public is provided throughout the site in proximity to housing and recreation areas
  - Parking standards are provided in Section II-R of the PAD

The TDP is provided in Exhibit "R" of the PAD. The proposed development is comprised of the following proposed districts, which are derived from underlying Town zoning districts (per Zoning Code Section 24.4.C.3), as follows:

Proposed PAD District	Underlying Town Zoning District
Multiple Use District - Core	R-6, Multi-Family Residential
Commercial, Medical and Service District –NW and SW	C-N, Neighborhood Commercial
Residential District – E and NW	R-4, Townhouse
Open Space District	Parks and Open Space

The proposed PAD standards are generally consistent with the underlying Town zoning districts of R-4, Townhouse Residential, C-N, Neighborhood Commercial, and R-6, Multi-Family Residential, with the primary exception being building height, which is proposed to be up to 75' (85' with architectural elements) in Development Area C (see PAD Exhibit Q). Area "C is the main campus core that includes the residential apartment building (see Zoning District Comparison Table on Page 38 of the PAD).

Significant Issues

Proposed Building Height
As discussed, the proposed height of 5-story (75' + 10' additional for architectural features) apartment building in the Multiple Use District (Development Area C) is a primary staff concern based on consistency with the following General Plan Policies and Zoning Code sections. The proposed building height does not conform to several General Plan policies, including:

- Policy 1.1.4, *The Town shall commit to preserve, protect, and enhance the visual qualities of visually significant areas, such as ridgelines…*

  Portions of the building project above the adjacent ridgeline, which diminishes the visual qualities of the view shed.

- Policy 11.3.2, *The Town shall continue to require all new development and improvements to existing development, both public and private, to maintain and/or enhance the character and quality of views from and along scenic corridors and public parks.*

  The proposed 5 story apartment building will be significantly visible from the Oracle Road Scenic Corridor, including the historic Steam Pump Ranch, the CDO river trail, and 1st Avenue.

- Policy 2.1.1, which states that, *the Town shall continue to promote architectural themes and project site design that blends the built environment with natural surroundings. Project design should adhere to the following guidelines:*

  Building height and bulk should be moderate to low intensity, in harmony with individual site attributes …

  Oro Valley is characterized by low rise, low intensity development that blends and harmonizes with its surroundings. The visual impact of such as a large building will be greater than any other building in the vicinity, especially from the Oracle Road Scenic Corridor and Steam Pump Ranch.

- Zoning Code Design Standards Section 2.1.A.2, *Building Height and scale shall be used to reduce visual impact*

- Zoning Code Design Standards Section 2.1.B.2.b, *Significant view corridors, including Oracle Road and Tangerine Road, shall be considered through the use of building orientation, building height reduction and grade transitions.*

In summary, the proposed building height remains the primary concern, primarily due to the visual impact of the building mass from the Oracle Road Scenic Corridor, 1st Avenue, and certain view windows along Palisades Road. While staff supports the applicant's desire to achieve 400 units to create an economically viable project, staff has recommended that the applicant explore the viability of placing 3 story (approx. 40') buildings built adjacent to hillsides or placed in a "u" shape. To date, no definitive analysis of this option has been submitted.

Further, elimination of the 10' additional height proposed in the Multiple Use District is recommended, at a minimum to reduce visual impacts.

The applicant has shown a building height exhibit at neighborhood meetings that depicts building heights throughout the project. Statements have also been made at neighborhood meetings that certain buildings, including the apartment building in Development Area C will be "stair stepped" with reduced building height at the ends of the buildings, and the assisted living/memory care building in Development Area A will have reduced (one story) building height on the western side along 1st Avenue. This exhibit has not been included in the PAD. The PAD should be amended to include the aforementioned exhibit and specific standards for building design to stair step the buildings as represented to the public.

Water features (PAD Section II-S)
Section 27.5.D of the Zoning Code prohibits water features, such as fountains, for ornamental purposes as it is inconsistent with Code as well as the Town's well-established water conservation values and image. Staff has requested deletion of the PAD imagery and inclusion of a statement that water features will not be permitted in Nakoma Sky. The PAD resubmittal did not contain the requested amendments.

Building design and architectural theming of project
Throughout the process, the applicant's team has shown renderings and vignettes depicting the proposed architectural style and theming for the buildings and thematic elements of the project, including bell towers and street furniture. These renderings have been incorporated into the PAD (see PAD Appendix A) and will be used to evaluate future architectural submittals. While it is understood that the renderings are conceptual, substantial consistency with the primary design themes and elements shown in the PAD will be required.

In addition, the applicant has stated at neighborhood meetings that specific materials, including patterned block and standing seam metal roofs, would be utilized. No specific standards for materials are provided in the PAD. Staff recommends inclusion of these materials as required elements in the PAD.

Members of the public have raised concerns regarding the need for four-sided architecture, including the building roof, to ensure that each building façade is afforded equal architectural consideration and detailing. No specific standards are provided in the PAD. Staff supports specific PAD language to address this concern.

Traffic/site access
As discussed, staff has strongly encouraged providing an access point from 1st Avenue at Naranja Drive, which is a signalized intersection, to provide direct access onto Naranja Drive, which is an important east-west arterial used to access services such as the library. However, negotiations with the property owner and the developer of the adjacent property have not been successful. However, Engineering has reviewed the Traffic Impact Analysis (TIA) for this project and finds that the two proposed access points will provide safe and efficient access onto 1st Avenue.

Parking
The proposed Tentative Development Plan (TDP, Exhibit R of the PAD) depicts underground parking below the apartment building in Development Area C. In addition, underground parking has been represented as a feature of the development at each neighborhood meeting. Staff has requested inclusion of a requirement for underground parking in the PAD, consistent with representations made at each neighborhood meeting. The PAD resubmittal does not contain the requested requirement.

Placement of additional parking above ground would require substantial modification to the TDP and would result in loss of other elements, such as recreation area.

Public use of recreation areas, facilities and amenities
At each neighborhood meeting in meetings with staff and Town officials, the applicant has indicated the certain recreation areas and facilities, including the park and meeting rooms, would be accessible to the public for specific uses and events. However, no standards or requirements are provided in the PAD to ensure that public access is provided as represented to the community. Staff recommends that specific language be included in the PAD to define and secure public access.

Lack of regulatory force and effect of Tentative Development Plan (PAD Exhibit R; PAD Section II-A.7)
While a degree of flexibility is appropriate for the PAD, the TDP is intended to provide a predictable blueprint for future development, including site access, circulation, delineation of development areas, and basic locations for buildings and amenities. The proposed language in PAD Section II-A.7 states that, *"future Conceptual Site Plans (CSP) may differ from that which is shown on these plans. However, provided that the development is consistent with the development areas shown on the Tentative Development Plan (bubble format) … no amendment to this PAD will be required to allow such plans".*

This language is inconsistent with the intent of the TDP, which is to provide the community with a high degree of certainty that the project will be developed as represented in the PAD. Staff has requested inclusion of specific PAD language to require substantial conformance to the PAD. However, the PAD resubmittal did not contain the requested language. Therefore, staff recommends that the PAD be amended to require substantial conformance with the TDP (PAD Exhibit R), and that only minor modifications, such as changes to building footprints, orientation, and other minor changes, be permitted without a formal PAD amendment approved through the Planning and Zoning Commission and Town Council.

General Plan Conformance Analysis
The proposal has been evaluated for consistency with the vision, goals and policies of the General Plan. An analysis of the proposal is provided in Attachment 11.

Environmentally Sensitive Lands (ESL) Conformance Analysis
The property is subject to all ESL requirements, including conservation of environmentally sensitive lands consistent with mapped conservation categories. An analysis of conformance is provided in Attachment 12.

ESL Map Amendment Analysis (Attachment 5)
The applicant proposes to revise the ESL map to reflect changes to the Critical Resource Area (CRA; aka riparian area) located on the east side of the property. RECON Environmental was hired by the applicant to conduct field surveys (in June and October, 2014) to quantify the volume and condition of existing riparian vegetation and to evaluate the function of the wash corridor, including locations of surface flow and channel braiding.

The biologists determined, through measurement of vegetation volume, that the area between the two channels in the southern portion of the CRA does not meet the ESL-defined xeroriparian habitat criteria (Zoning Code Appendix G, Sections 2 and 3) associated with the CRA designation, and recommends removal of the area from the CRA designation. RECON's report, including riparian mapping, findings and evaluation are provided as Attachment 5.

Minor General Plan Amendment Analysis (Attachment 6)
The General Plan Special Area Policy for the *Rooney Ranch North* area (Rooney Ranch Area Z) states, *"The area designated as Master Planned Community may be developed at up to three units per acre".* It has been interpreted to apply to single-family residential subdivisions in order to regulate the number

of single family homes to no more than 3 per acre (which equate to 238 homes on the Nakoma Sky property).

Since the Nakoma Sky project is not a typical residential subdivision, the applicant wishes to modify the policy to include language that the policy only applies to single-family residential subdivisions and that the the proposed senior living campus is not subject to the policy. For purposes of the PAD, units will be counted as any bed, room, or living unit (apartment or any other single or multi-family housing type).

A condition has been added to Attachment 1 to indicate the policy only applies to residential subdivisions and does not apply to the proposed senior living campus.

Grading Exception
The applicant is currently engineering the site to determine required grading amounts and anticipates making a request for an exception to the Town Zoning Code grading limits in early 2015. An exception to the grading limits is required to allow grading beyond the Zoning Code limitation of 6 feet cut or fill (8' with terracing), and is subject to CDRB approval. The grading exception allowing up to 12 feet of cut or fill was approved for a single-family residential project on the property does not apply to the current development proposal.

Engineering
The Site Analysis addresses issues related to drainage and traffic. The proposed rezoning request acknowledges that the development may seek a detention waiver given the close proximity of the site to the Canyon Del Oro Wash. It must be demonstrated during the analysis of the drainage that there will be no impact downstream as a result of the detention waiver.

The request also acknowledges that the project will comply with the requirements of the Town of Oro Valley Drainage Criteria. Furthermore, a traffic impact analysis was provided with the Site Analysis to evaluate the effect of additional traffic on surrounding roadways.

Two points of ingress/egress are proposed onto 1st Avenue. One that connects at the existing signalized intersection at Lambert Lane and a second that connects across from the existing unnamed residential intersection about ¼ mile to the north of Lambert Lane. The anticipated volume of traffic generated by a Continuing Care Retirement Community of this size is moderate, however, considering direct access onto 1st Avenue with a signalized intersection and the capacities of the surrounding streets, the development would not have a large impact on the surrounding roadway system. If the rezoning request is approved, the final analysis of drainage and traffic impacts will be evaluated during the site plan review process.

If bank protection is constructed along the Canyon Del Oro Wash, a multi-use path will be required, similar to what is existing on the south side of the wash. The path will be required to meet the requirements of the Town of Oro Valley and *Pima County Regional Trail System Master Plan* standards shall be provided. Also, a 50' wide area shall be reserved along the top of the bank protection for the purpose of a future linear park.

PUBLIC PARTICIPATION

Neighborhood Issues
In addition to the primary issues discussed previously in the report, several issues have been raised by residents at neighborhood meetings, including:

- Visual impacts, including height of the proposed residential apartment building
- Grading impacts
- Need for context sensitive, consistent building design and architecture

- Environmental impacts, including proposed amendment to ESL map
- Traffic impacts
- On-site circulation and provision of multi-modal (bicycle, pedestrian, golf cart, equestrian and auto) connectivity
- Water conservation
- Public access to recreational and cultural amenities
- Appropriate amenities for senior care

As discussed, a number of these issues have not been addressed in the PAD. For this reason, staff recommends continuance of the rezoning in order to address these issues.

Summary of Public Notice
Public notice has been provided consistent with Town requirements, which includes:

- Notification of all property owners within 600 feet
- Notification to additional interested parties who signed in at neighborhood meetings
- Homeowners Association mailing
- Advertisement in The Daily Territorial newspaper
- Post on property
- Post at Town Hall and on Town website

Public Outreach
Three neighborhood meetings were held, as follows:

- Neighborhood meeting #1: June 25th, 2014.
- Neighborhood meeting #2: September 29th, 2014
- Neighborhood meeting #3: December 15th, 201

The summary notes from the three neighborhood meetings are attached for your reference (Attachment 13). An email from a constituent regarding project lighting is included as Attachment 14. Staff supports design standards and strategies that ensure that lighting of the buildings, especially any building over two (2) stories, does not create adverse impacts.

In addition, a site tour was held on November 15th, 2014 in order to gain a better understanding of site conditions and the visual impact of the proposed 5-story apartment building. The applicant placed 26 balloons at different locations to simulate the proposed building heights. The majority of the balloons were placed at the corners of the 5-story apartment to depict the height and mass, including the proposed 10-foot additional architectural features (85' total).

The site tour was attended by a majority of the Town Council as well as Planning and Zoning Commission Conceptual Design Review Board members, and the public. The site tour agenda and packet is provided as Attachment 15.

SUMMARY

The proposed submittals have been evaluated for consistency with the General Plan and Zoning Code requirements as well as neighborhood and outside agency input. Following is a summary of the factors for and against the proposal:

Factors For:

1. The proposal is consistent with General Plan Master Planned Community designation as well as many General Plan vision and applicable goals and policies, with the exception of the proposed building height.
2. The proposed uses are generally compatible with surrounding residential and commercial development.
3. The Low Density area, open space and one-story residential building height restriction will provide compatibility with the lower density area to the south and east
4. The proposed development provides neighborhood-scale commercial services, recreational opportunities and employment to area residents.
5. The applicant has addressed the primary concerns of the neighborhood.
6. The amendment will provide for the efficient use of existing infrastructure, including 1st Avenue and existing utility services to the site.

Factors Against:

1. There are a number of unresolved issues related to the rezoning that have been brought up through the process in correspondence as well as at neighborhood meetings.
2. The proposed 5 story apartment building will have adverse visual impacts when viewed from adjacent properties and roadways, including the Oracle Road Scenic Corridor, and is inconsistent with General Plan policies and Zoning Code Design Standards.
3. The proposed use of water features in inconsistent with Town Code and the Town's conservation values.
4. The PAD lacks specific detail and standards in certain areas, including design themes and requirements for facilities and amenities.
5. The PAD lacks sufficient detail to achieve the project represented to the community at public meetings.
6. There is no requirement for underground parking, which is depicted as part of the design program on the TDP. Location of the proposed parking above ground would require significant modification to the TDP.
7. The PAD lacks specific standards to define public access to facilities as represented at public meetings.
8. The Tentative Development Plan (PAD Exhibit R; PAD Section II-A.7) lacks regulatory force and effect to ensure the project will be developed as represented in the PAD and to the community
9. Graphics presented to the community at neighborhood meetings and during meetings with Town officials, including an exhibit depicting building heights, are omitted from the PAD.

RECOMMENDATION

Based on the findings that the Minor General Plan and Amendment to the ESL zoning map requests are consistent with General Plan vision, goals and policies, with the conditions in Attachment 1, it is recommended that the Planning and Zoning Commission take the following action:

Recommend approval to the Town Council of the requested applications under case numbers OV914-008 and OV1114-005.

Based on the finding that the rezoning request is not consistent with several General Plan goals and policies, and does not address a number of substantive issues, it is recommended that the Planning and Zoning Commission take the following action:

Continue the requested application under case number OV914-007.

SUGGESTED MOTIONS

Agenda Item 2A

I move to recommend approval of the Minor General Plan Amendment requested under case OV1114-005, based on the findings contained in the staff report, subject to the conditions in Attachment 1.

OR

I move to recommend denial of the Minor General Plan Amendment requested under case OV1114-005, based on the finding that _____.

Agenda Item 2B

I move to recommend approval of the ESL zoning map amendment requested under case OV914-008, based on the findings contained in the staff report.

OR

I move to recommend denial of the ESL zoning map amendment requested under case OV914-008, based on the finding that _____.

Agenda Item 2C

I move to recommend continuance of the rezoning requested under case OV1114-005, based on the findings contained in the staff report.

OR

I move to recommend denial of the rezoning requested under case OV1114-005, based on the finding that _____.

OR

I move to recommend approval of the rezoning requested under case OV1114-005, based on the finding that _____.

ATTACHMENTS

1. Conditions of approval
2. Location map
3. Nakoma Sky PAD
4. Updated cultural resources survey
5. ESL map amendment submittal
6. Minor General Plan Amendment
7. Slope map
8. Zoning map
9. Approved Rooney "Z" Tentative Development Plan
10. General Plan land use map
11. General Plan conformance analysis
12. ESL conformance analysis

13. Neighborhood meeting summary notes
14. Interested party letter
15. 11/15/14 site tour agenda and packet

for

Bayer Vella, AICP, Interim Planning Division Manager

UPDATE AND SUPPLEMENTAL ARCHAEOLOGICAL SURVEY OF THE LAMBERT/1ST AVENUE PROJECT NEAR ORO VALLEY, PIMA COUNTY, ARIZONA

Submitted to:

The WLB Group
4444 E. Broadway
Tucson, AZ 85711

Submitted by

Professional Archaeological Services of Tucson
5036 Golder Ranch Rd.
Tucson, AZ 85739-4265

VERSIONS OF THE REPORT ARE REDACTED FOR THIRD PARTY DISTRIBUTION
(see page 14)

Prepared by
David V.M. Stephen Ph.D.
Principal Investigator
State Antiquities Permit No. 2014-043bl

P.A.S.T. Cultural Resources Report No. 142039

11/4/2014

ATTACHMENT 4

MANAGEMENT SUMMARY & TABLE OF CONTENTS

REPORT TITLE:

Update and Supplemental Archaeological Survey Of The **Lambert/1st Avenue** Project Near Oro Valley, Pima County, Arizona

REPORT DATE: 11/4/2014

INSTITUTION/CONSULTANT:

Professional Archaeological Services of Tucson (PAST)
with David V. M. Stephen, Ph.D. as principal investigator

AGENCY/LAND OWNERSHIP: Private

PERMIT NUMBER: ASM 2014-043bl

PROJECT TITLE:

Lambert/1st Avenue Archaeological Survey, PAST No. 142039

PROJECT DESCRIPTION:

Systematic survey to determine the extent of cultural resources on lands that had either not undergone a complete, intensive archaeological survey or sufficient time had passed since an earlier study suggesting cultural resources may now be exposed that would not have been documented by the initial field work. This project updated a survey from 2003.

PROJECT LOCATION:

Within NW4 section 7 T12S R14E G&SRB&M near, Oro Valley, AZ. 80 acres

DATES OF FIELDWORK/PERSON-DAYS EXPENDED:

October 3 - 5, 2014, 3 person-field days

REGISTER-ELIGIBLE SITES: NONE **INELIGIBLE SITES:** AZ BB:9:1447 & 448 **CURATION FACILITY:** NA

(Please See Following Form For Additional Information Keyed to ASM/SHPO Report Sections (D1 through D11)

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P.A.S.T. ABSTRACT & PROJECT SUMMARY FORM

P.A.S.T. JOB NO. 142039

SUMMARY. An on-foot archaeological survey of private property (80 acres) near Oro Valley in Pima County identified cultural resources AZ BB:9:1447 and AZ BB:9:1448. Based on the fieldwork and archival documentation, further cultural resource studies do not appear to be warranted on the property because the information potential of the sites have been exhausted through the recording of the sites. This project updated a prior survey from 2003 (Stephen).

INTRODUCTION			
(D1)	Update and Supplemental Archaeological Survey Of Lambert/1st Avenue Project Near Oro Valley, Pima County, AZ.		(D2) 11/4/2014
(D3) Agency Name:	Town of Oro Valley		
(D4) ASM Permit No.	2014-043bl	Other Permits:	NA
(D5) Project Description:	The land is slated for mixed residential and commercial development.		
(D6) Agency Reference:			
Project Sponsor:	The WLB Group		

(D7) **PROJECT LOCATION INFORMATION** (see also attached copy of USGS map)				
County:	Pima	Vicinity of	Oro Valley	AZ
Legal:	NW4 Sec. 7 T12S R14E G&SRB&M			

AZ QUAD	**USGS MAP NAME**	**MAP SCALE**
1. BB:9 NW	Oro Valley	7.5'

(D8) **SURVEY INFORMATION**			
Type:	Non-collection on-foot survey with systematic 20m transects or equal	Person-days	3
80 acres **AND/OR** 0 miles long BY 0 foot wide right-of-way		Percent surveyed	100%
Land Ownership	Private		
Field Crew	D. Stephen & M. Stephen	Project Director:	David Stephen
Field Work Dates	October 3 - 5, 2014	Ground visibility was effected	moderately
Additional Survey Records Submitted:	None	Artifact Collections Submitted to ASM:	None

(D9-10) **CULTURAL RESOURCES WITHIN PROJECT AREA** (see report narrative for additional information)					
Archives Researched:	ASM/AZSITE ☒	GLO ☒	SHPO ☐	MNA ☐	Other:
Numbers of eligible sites	NA	Numbers of ineligible sites		AZ BB:9:1447 & 1448	
Previously recorded sites	NONE	New sites found this project		AZ BB:9:1447 & 1448	
Artifact scatters	2	Total sites		2	
Sites within 160 meters	NONE	Isolate density/total artifacts		<2 per acre	26
Sites in 1.6 km radius	31 recorded sites are in the general vicinity (see Table A-2)				
Ref. No. of Prior Surveys	Full coverage: Slawson 1988 and Stephen 2003				

(D11) **RECOMMENDATIONS FOR FURTHER WORK** (see also comments below)							
FURTHER WORK RECOMMENDED	NONE ☐	OR					
SITE RECORDING	☒	MONITORING	☐	SUB-SURFACE TESTING	☐	DATA RECOVERY	☐

COMMENTS (see report narrative additional information)

The quantity of artifacts within the subject property and data about known sites suggests the undertaking will impact no important cultural resources. The information potential of the cultural resources encountered have been exhausted through the recordation activities. The project sponsor should be allowed to develop the subject property without further cultural resource studies.

Form Completed By	David Stephen	Form Rev. 1/02	Date	11/4/2014

Update and Supplemental Archaeological Survey Of The Lambert/1st Avenue Project Near Oro Valley, Pima County, Arizona

PAST No. 142039

Introduction.

Personnel from P.A.S.T. reviewed field and archival information for a 3 person-day, survey of the Lambert/1st Avenue property conducted on October 3 - 5, 2014 located in Pima County near Oro Valley in anticipation of mixed residential and commercial development. The purpose of the project was to determine whether any significant cultural resources that might be adversely impacted by construction were present. The project sponsor (The WLB Group) initiated this study in accordance with municipal requirements. P.A.S.T. holds permit 2014-043bl issued under the Arizona Antiquities Act through the Arizona State Museum. This field work updated a prior archaeological survey from 2003 (Stephen) and 1988 (Slawson).

Project Location.

The approximately 80 acre project area is located in the northwestern portion of the Tucson Basin (Figure 1). The location with respect to the Public Land Survey is within the NW4 of Section 7 T12S R14E G&SRB&M. The project area is located on the Oro Valley United States Geological Survey 7.5' map. The UTM values for selected boundary points are shown on the map to indicate the extent of the parcel. The boundary shown on the map is reasonably accurate given the limitations of a 1:24,000 scale map. It is based on data and maps provided by the client as well as field observations but it is not intended to represent the precise legal extent of the parcel. Unless otherwise noted, land ownership coincides with the parcel and survey boundary shown in Figure 1. The fieldwork was conducted on private lands.

Base Maps Included In Report

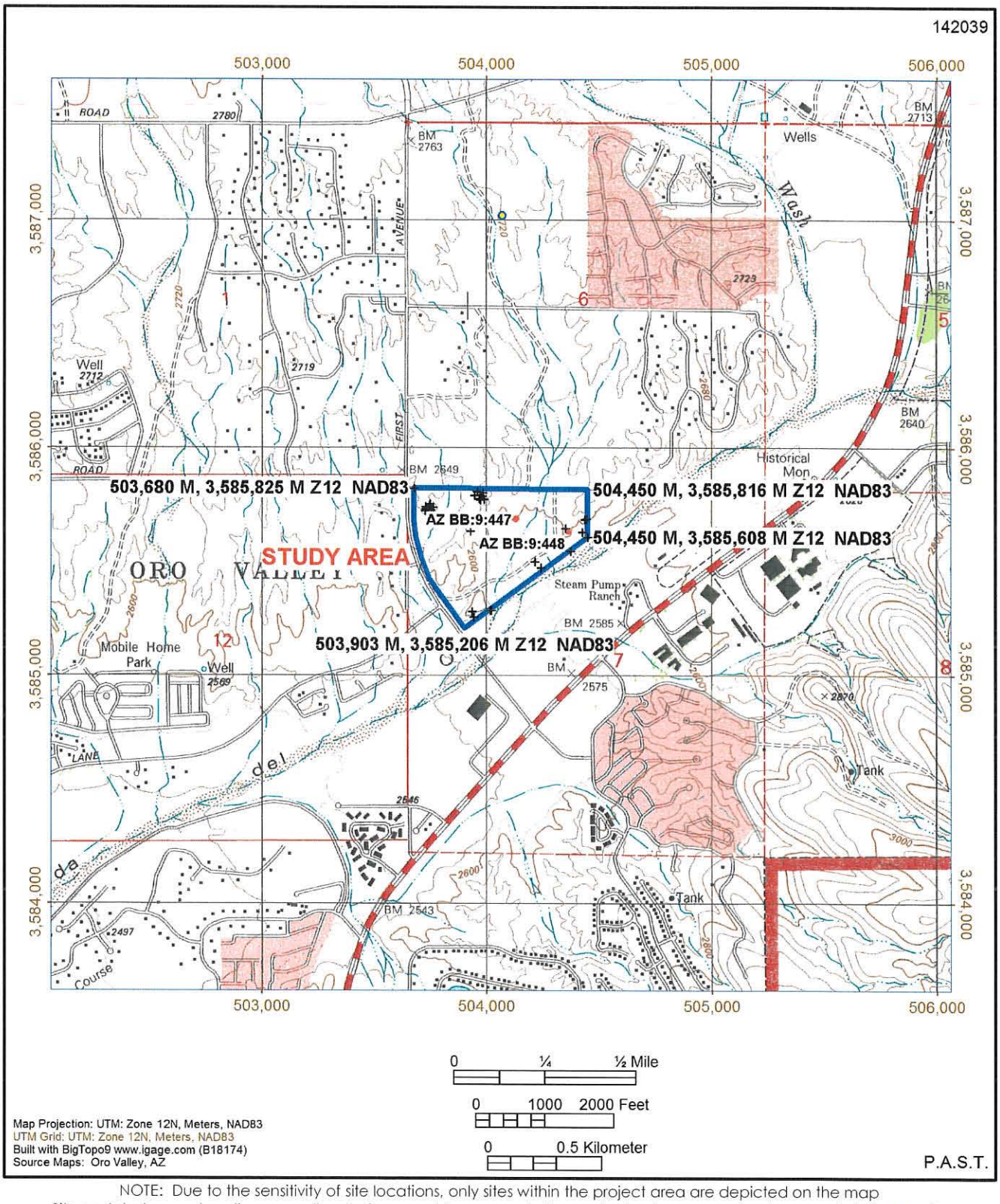
Figure 1 is a copy of a portion of the U.S.G.S. Oro Valley 7.5-minute topographic map that shows the project boundaries, archaeological sites within the project area, and all isolated artifacts and features found during the survey. Table A-1, located at the end of the report, provides coordinate and other information for these isolates. Projects with boundaries extending across multiple U.S.G.S. maps are so noted on page ii and in the lower left of Figure 1. Figures 5 and 6 are site maps depicting the site boundary, natural features and major elements of each site as appropriate.

BACKGROUND TO STUDY AREA:

Effective Environment.

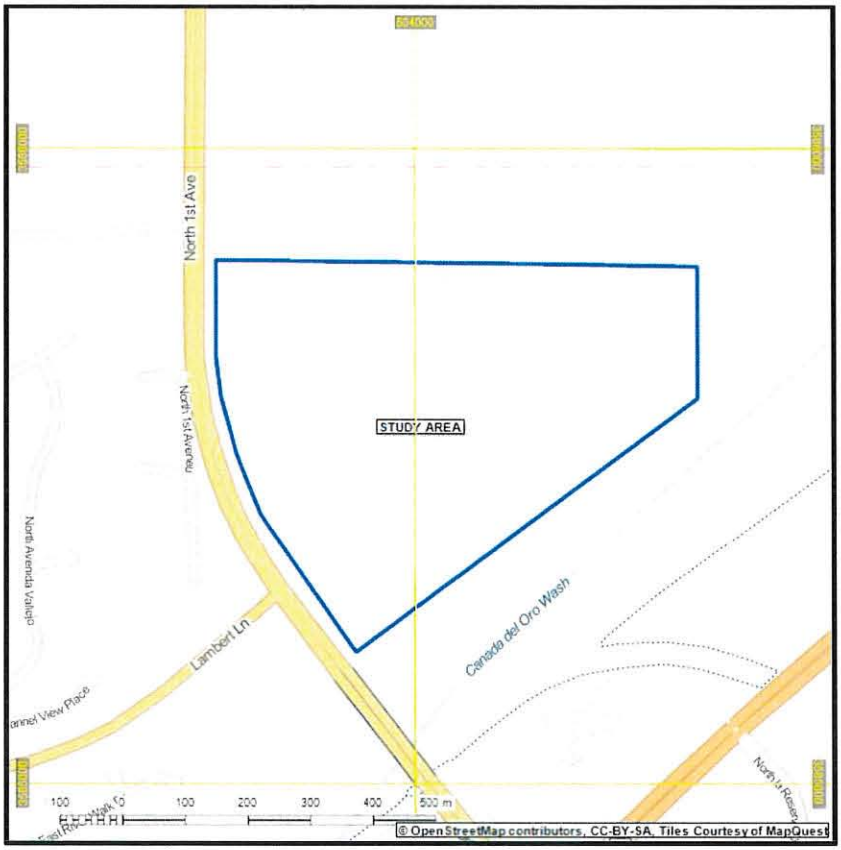
The study area is within the Basin and Range physiographic province at an approximate elevation of 2,640 feet. Project area vegetation is typical of the Arizona Upland subdivision of the Sonoran Desertscrub biotic province (Turner and Brown 1982) predominately comprised of palo verde, mesquite, annual grasses, prickly pear, bursage and semi-shrubs.

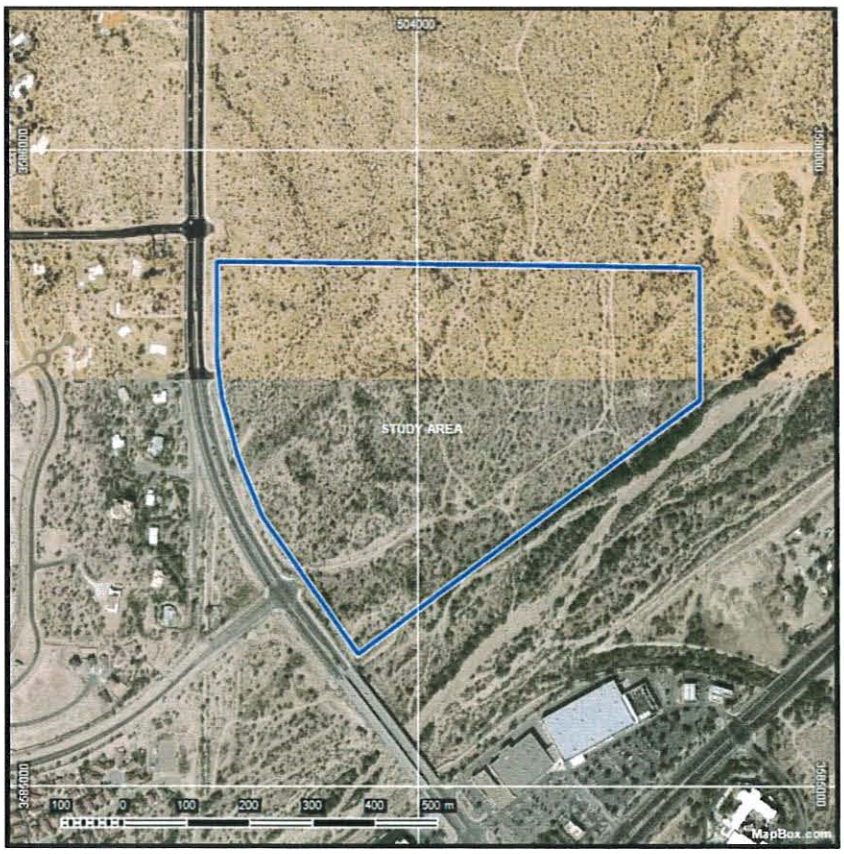
Figure 1A. Oro Valley U.S.G.S. 7.5' MAP (T12S R14E)



NOTE: Due to the sensitivity of site locations, only sites within the project area are depicted on the map
Site and study area locations as well as their geometric representation and extent are approximate. + = isolate. • = site

Figures 1B & 1C. Street & Aerial Location Maps





Culture History.

The antiquity laws apply to human cultural remains in excess of 50 years of age and require them to be assessed as to their potential for yielding important information. Consequently, sites and artifacts dating from the mid twentieth century and earlier must be evaluated.

The Historical Period. This period commenced in roughly 1700 is comprised of the Spanish, Mexican and Anglo occupations. Cultural resources from this period can include sites associated with homesteads, ranching, transportation, mining and refuse disposal among others.

Protohistoric. Some researchers recognize the protohistoric as a transitional culture from the earlier prehistoric occupations. The prehistoric peoples who lived in this region include the Hohokam, Archaic and Paleoindian cultures.

The Hohokam (A.D. 450 - 1450). The Hohokam were a sedentary, agriculture-based people who produced both plain and decorated pottery, along with numerous other crafts of shell, stone and clay. They were skillful agriculturists who lived in houses built in shallow pits and constructed extensive irrigation canal systems. In some of the larger villages, they built ballcourts that probably served as focal points for ceremonial or recreational activities. Whether the Hohokam migrated into the region from Mexico or developed from indigenous Archaic populations is still hotly debated. The Hohokam cultural sequence was established in the 1930s based on the decorated pottery types unearthed at the Snaketown Site in the Phoenix Basin. Shortly thereafter, Isabel Kelly modified this chronology to fit the Tucson Basin sequence after her excavations at the Hodges Ruin in Tucson. Since that time, the continual acquisition of new archaeological data has brought about many refinements in the chronology.

Archaic Era (7500 B.C. - A.D. 450). The Archaic era has traditionally been characterized by assemblages of chipped stone artifacts along with ground stone tools for processing plant materials, and a lack of ceramics. Recent research in the Tucson Basin and elsewhere has demonstrated the presence of pit house villages, agriculture and some ceramics in the Late Archaic. The shift from a hunting-based economy to a reliance on plant foraging and small-game hunting that characterized the Archaic sites was caused by the extinction of Pleistocene mammals favored by the Paleoindians.

Paleo-Indian Era (ca. 10,000 - 7500 B.C.). Eleven thousand years ago, the climate in the Southwestern United States was considerably wetter and cooler than it is today, and much of the terrain consisted of lush grasslands that supported herds of mammoth, bison and other large grazing animals. Many of the earliest occupants of the area, known as Paleoindians, were hunters who subsisted on these large, late Pleistocene mammals. The belief that many of the Paleoindians were primarily big-game hunters is supported by the fact that most of the Paleo-Indian sites that have been excavated have been kill and butchering sites. The artifact assemblages from these sites are made up of projectile points and other stone tools suitable for skinning animals and cutting meat and bone. The earliest Paleo-Indian artifacts found in southern Arizona belong to the Clovis complex (9500-9000 B.C.), which is characterized by long, lanceolate, fluted Clovis points, along with other stone implements and bone artifacts.

Arizona State Museum Site Definition Standard (ASM 1993).

The determination of what constitutes an archaeological site is, to a certain extent, a matter of professional judgment. However, if certain minimal archaeological discoveries (listed below) are encountered, then an ASM site card must be completed and submitted. In other words, if the archaeological discoveries exceed the minimum criteria listed below, a site card must be filled out. Sites that do not meet the minimum standards, but which the archaeologist deems worthy of site status, may also be assigned ASM numbers

Most archaeologists define sites based on consideration of age of remains as well as density and diversity of artifacts and features and the spatial arrangements of these remains within the area under consideration. The following guidelines should be used to define archaeological sites:

All sites should contain:

1. physical remains of past human activity that are at least 50 years old.

Additionally, sites should consist of at least one of the following:

2. 30+ artifacts of a single class (i.e., 30 sherds, 30 lithics, 30 tin cans) within an area 15 meters (50 feet) in diameter, except when all pieces appear to originate from a single source (i.e., one ceramic pot, one core, one glass bottle).
3. 20+ artifacts which include at least 2 classes of artifact types (i.e., sherds, groundstone, nails, glass) within an area 15 meters (50 feet) in diameter,
4. one or more archaeological features in temporal association with any number of artifacts.
5. two or more temporally associated archaeological features without artifacts.

Non-linear, isolated features without associated artifacts may be recorded. An "isolated feature" is defined as a feature that does not have any other features within a 100 meter (325 feet) diameter. This might include isolated rock piles, mine shafts, prospecting pits or unidentified depressions without artifact associations.

Evaluation of Cultural Resources.

Although archaeological and historical sites may qualify for formal recording under state standards, they generally are not considered significant unless they are eligible for listing in the Arizona or National Register of Historic Places. According to the current standards a property must possess sufficient integrity, significance and antiquity to be listed in the Register. In addition to being at least 50 years of age a resource must meet the criteria set forth below:

> The quality of *significance* in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:
>
> A) that are associated with events that have made a significant contribution to the broad patterns of our history; or
>
> B) that are associated with the lives of persons significant in our past; or

C) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

D) that have yielded, or may be likely to yield, information important in prehistory or history (National Park Service 1986)

ARCHAEOLOGICAL SURVEY:

Survey Expectations.
This project's study area was located in a portion of southern Arizona that is conducive to prehistoric and/or historical settlement. Therefore, it was considered a reasonable likelihood that prehistoric or historical sites would be found during the survey.

Records Review.
A review of the records of the Arizona State Museum (ASM), in anticipation of the survey, revealed that the subject parcel had either not undergone a complete, intensive archaeological survey or sufficient time had passed since an earlier study suggesting heretofore undiscovered cultural resources may have been subsequently exposed that would not have been documented by any earlier field work. The ASM records, as well as the other archives indicated on the associated project form, revealed no recorded cultural resources on the inspected parcel.

There are previous surveys recorded or on file at ASM/AZSITE that encompassed the full extent of study area (Slawson 1988 & Stephen 2003). These surveys did not record any archaeological sites. Other recorded surveys that covered a portion of the study or are directly adjacent to it are listed in the relevant tables of this report. GLO surveyor's maps (Price 1903) showed unnamed road for T12S R14E G&SRB&M in the vicinity of the study area. Adjacent surveys to the north located sites that, to date, have not proved to be register eligible (Stephen 2000, Mason-Kohlmeyer 2014, Lucas 2014). Habitation sites in the vicinity are located further east and across the Canada del Oro Wash (Jones & Mason 1994, Kehres 2007, Taylor 2007, Mason-Kohlmeyer 1996)

Recorded cultural resources within a 1.6-kilometer radius of the center of the project area are listed in Table A-2a and on the project summary form. As noted in the table, ASM/AZSITE data indicates 31 site numbers have been issued within a one mile perimeter of the study area. **NOTE:** Maps and tables with resource specific location information are redacted in some version of report in accordance with the ASM Archaeological Records Use Agreement. Please see the "information disclosure notice" paragraph following the literature cited section of this report for more information.

Methods.
The current and the earlier fieldwork (Stephen 2003) consisted of intensive on-foot coverage of the property in order to identify and locate any cultural resources, historic or prehistoric, within the property boundaries. Field personnel walked transects approximately 20 meters apart and crossed the subject property in a series of contiguous corridors with any areas of extreme slope covered less intensively. Survey transects paralleled the longest dimension of the property except when prevented by the landform, vegetation density or hydrological features. Unless noted otherwise, the transect count is the quotient of the transect extent and parcel width. General

conditions were excellent for conducting the fieldwork. Ground visibility was moderately affected by the presence of trees, shrubs, semi-shrubs, succulents and grasses. The original landform was moderately disturbed by modern alterations to the ground surface.

Survey Results.

Archaeological Sites. The information derived from the fieldwork is generally in keeping with the expectations generated from archival and literature sources. Part of the project area fell within the site boundary of AZ BB:9:1447 and AZ BB:9:1448. Nominally there were sufficient surface indications of archaeological materials on the property to meet the Arizona State Museum minimum standard for recording each as an archaeological site.

Site description for AZ BB:9:1447. The site is located wholly on private land and extends over a 13 by 9 meter area. It is positioned on the end of a southerly trending finger-ridge close to the terminal end of the landform base and is situated on a small raised surface which is elevated about one meter above the floor of the wash. The raised surface has been extensively deflated by the flow of water that drains off the ridge. The artifacts are located on the western margin of this surface where they have been exposed by water erosion. It is likely that they have been transported from their original location on the adjacent higher, flatter, ground surface. The site has little, if any, depth. The assemblage includes a vesicular basalt metate fragment (10 cm. by 6 cm.), roughly 40 plainware sherds and 2 chipped stone artifacts. None of the artifacts are temporally diagnostic. There is no indication of prehistoric occupation anywhere on the upper levels of the ridge. The site boundary represents the general dispersal of the artifacts across the ground surface. There is no staining of the light tan, sandy alluvial soil or any other suggestions of sub-surface features at the site. The vegetation in the immediate vicinity of the site includes mesquite, annual grasses, prickly pear, bursage and semi-shrubs. The major impact on the site is the continuing water flow across the surface of the site and subsequent erosion. Aside from occasional foot traffic up the ridge there are no modern impacts to the site but it is in poor condition due to the extensive erosion. The likelihood of human remains being present at a site of this size and nature is very low.

Site description for AZ BB:9:1448. This site is limited to a single rock pile and less than 12 plainware sherds dispersed over an approximately 11 meter diameter area. The boundary of the site was based on the distribution of the surface artifacts. None of the sherds are temporally diagnostic. The 0.8 meter diameter deflated rock pile is comprised of roughly 30 fist or smaller sized rocks. The light tan alluvial soils show no evidence of staining or suggest the presence of sub-surface materials. The site, located on private land, is situated along the top of a narrow ridge that descends from one of the larger ridge lines on the parcel. The vegetation in the immediate vicinity of the site includes mesquite, palo verde, annual grasses, and acacia. A well established dirt track follows the ridge line and provides a means for foot and vehicular traffic to climb from the wash bottom to the upper ridgelines. The sides of the ridge line drop off sharply on either side of the dirt track contributing to ongoing erosion of the site and its poor condition. Vehicular traffic along the track has significantly degraded the site. There is little or no likelihood of human remains being present at a site of this kind.

AZ BB:9:1447 Site Overview NE

Metate Fragment

AZ BB:9:1448 Site Overview NE

Rock Pile

General Study Area Overview

Vicinity Sites, Isolates and Modern Features.

Vicinity Sites. Cultural resources that are located close to the study area (within roughly 160 meters or a 0.10 mile perimeter) are considered vicinity sites. These sites are noted in the relevant tables and discussed when appropriate in this section. Such resources could be impacted by the project and may account for the presence of isolated non-site cultural entities found on the parcel. According to AZSITE there are no sites located within the 160 meter perimeter. Recorded sites further away but in the general area (within a one-mile perimeter) are summarized in the relevant tables. Archaeological site numbers can be found in the PAST Summary Form and relevant tables in the appendix.

Isolates. The occurrence of isolated artifacts and non-site features in lower density than that required for formal recording as a cultural resource are documented below, in Figure 1 or in Table A-1 as appropriate. For this project a total of 26 isolated artifact locations or non-site features were noted and none deemed significant. Two low density artifact scatters were found on the ridge tops near the northern property line (see Figure 1) neither of which meet the ASM site definition standard nor contain significant artifacts. These materials may originate from AZ BB:9:354(ASM) a previously recorded artifact scatter located north of the study area (Mason-Kohlmeyer 2014).

Modern Features. More recent cultural manifestations identified during the survey include dirt tracks, utility infrastructure, perimeter fencing, informal trails and a light scatter of trash. All appear to be modern in origin.

Significance Assessment.

Archaeological site AZ BB:9:1447 and AZ BB:9:1448 could qualify for National Register listing under criterion "A" (cited above) based on events associable to broad patterns in history or "D" if they could provide new data important in prehistory or history . In order for a site to provide new cultural information about the cultural group who made and used it, it would need to retain some of its original integrity and be associable with a specific period of prehistory or history. Due to their topographic location, the surface of the sites have obviously been subjected to ongoing disturbances, especially from water erosion, making it unclear as to whether or not the artifacts present retain any of their original or primary context thereby making temporal associations problematic. Further, the nature of the sites and lack of depth to the deposits make it unlikely that either site retains sufficient physical integrity to yield meaningful information beyond that which was gathered during the recordation process.

In summary, archaeological sites AZ BB:9:1447 and AZ BB:9:1448 contained archaeological materials that met the A.S.M. site definition standard criteria but currently do not appear to have the potential to yield information beyond that which was derived from the original recording and documentation of these resources.

Eligibility Evaluation.

Since the sites have been recorded, and no further important information can be obtained through further studies, P.A.S.T. recommends that AZ BB:9:447 and AZ BB:9:1448 not be considered significant under Criterion D listed above.

Evaluation of Effects of the Proposed Project.
Considering the nature of the cultural resources found on the property and the work already completed, the development of the inspected parcel will not have an effect on significant cultural resources.

Recommendations.
Based on the archival information, field methods, the observable surface indications and because none of the materials observed on the subject property have potential to provide important archaeological or historical information beyond what has been already obtained for these resources, P.A.S.T. supports approving the sponsor's application. Although P.A.S.T. does not endorse additional archaeological studies for this project, ground-disturbing activities on the property should not commence without authorization by the agency archaeologist(s). Even though their appears to be little recoverable information at the site, avoiding the site remains a prudent strategy.

There remains the possibility that ground-disturbing activities could reveal the presence of heretofore undiscovered cultural resources. If such materials are discovered construction activities should stop. Consultation should be initiated with the appropriate agency archaeologist, and if applicable under ARS §41-841 *et seq*. the Arizona State Museum, to assess the potential significance of any materials unearthed. Under State law (ARS 41-§865 & §41-844) if human skeletal remains or funerary objects are discovered on either public or private lands the Arizona State Museum should be contacted immediately.

Figure 2. GLO Surveyor's Map T12S R14E (Price 1902)

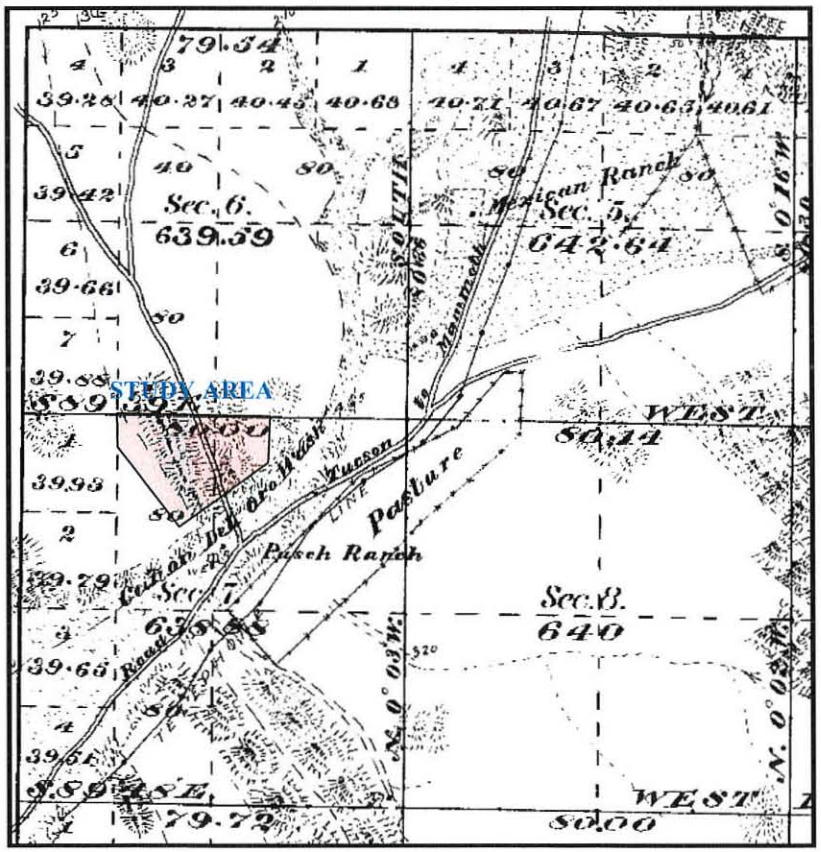


Figure 3. 1957 Mount Lemmon 15' U.S.G.S Map

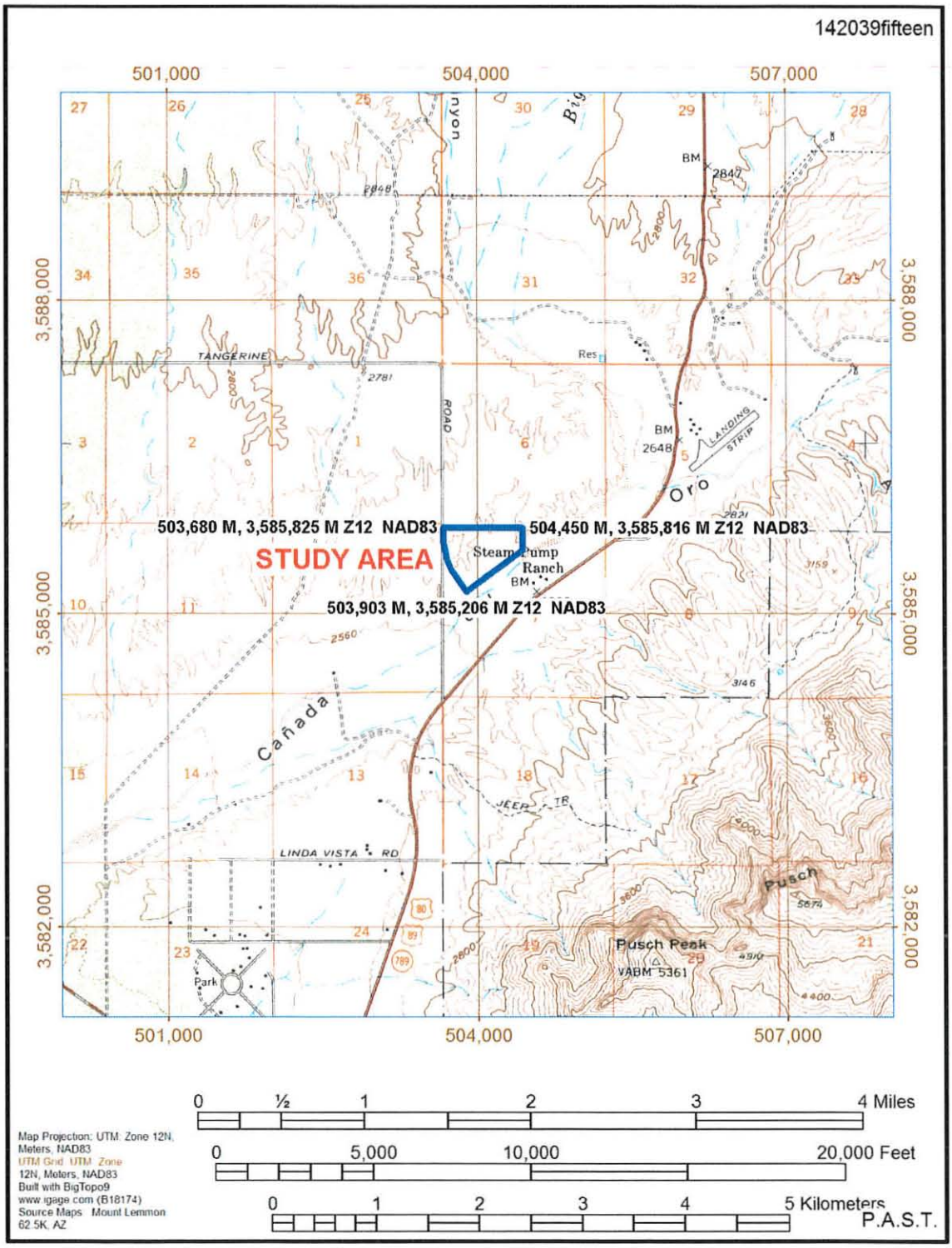
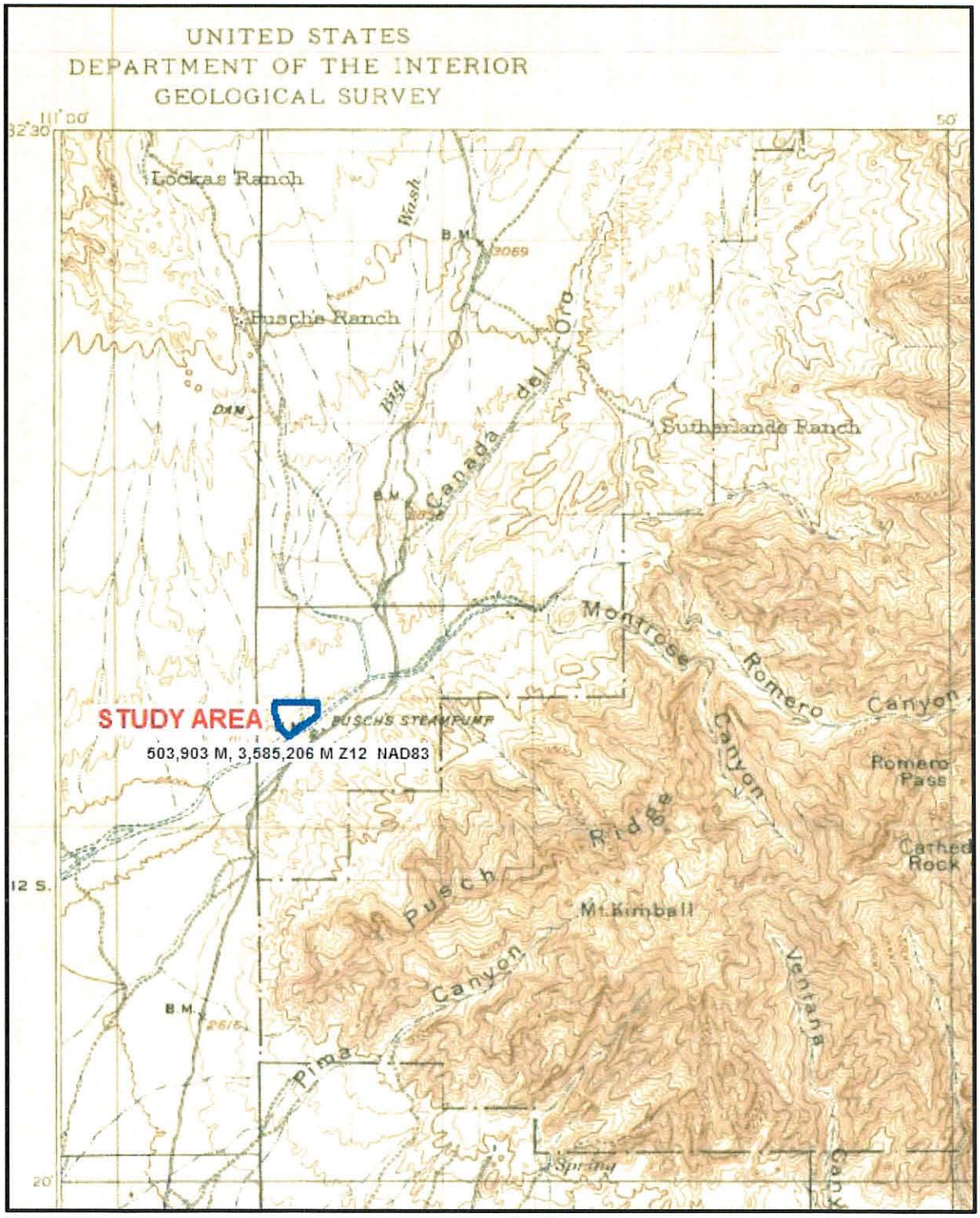


Figure 4. 1905 U.S.G.S Tucson Quadrangle



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NOTICES, DISCLOSURES AND CONFIDENTIALITY

INFORMATION DISCLOSURE NOTICE: P.A.S.T. is a holder of an Arizona Antiquity Permit and a signatory to the "ASM Archaeological Records Use Agreement" as well as the AZSITE database user rules. As such, in compliance with the associated conditions and regulations of these documents, P.A.S.T. is bound "not to distribute or disclose specific site location information in a public document or make this information available to unauthorized individuals". P.A.S.T. reports are often initiated through third parties, who are not authorized to access this information. Consequently such information is presented herein in a manner deemed appropriate not to compromise site location or divulge potentially identifying site attribute information. P.A.S.T. reports are further structured to restrict the dissemination of such information through the removal of Appendix "A" as well as any maps of archaeological sites included in the document prior to wider distribution of the report.

P.A.S.T. will readily provide further or more specific site location, eligibility or site attribute information to a qualified individual when that person makes a request in writing or via email directly to P.A.S.T. That request must be supported with written concurrence from the agency lead archaeologist and either the SHPO, Director of the Arizona State Museum or their authorized designee(s) if the requestor does not hold a valid Arizona Antiquity Permit, has not executed the aforementioned ASM records use agreement or is an not approved AZSITE user.

NOTE: Additional maps & tables follow except in redacted versions of the document distributed to third parties.

Copies of the redacted information are available to qualified individuals upon request.

1927 Fifth Avenue
San Diego, CA 92101
P 619.308.9333
F 619.308.9334

2033 East Grant Road
Tucson, AZ 85719
P 520.325.9977
F 520.293.3051

2027 Preisker Lane, Ste. G
Santa Maria, CA 93454
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F 805.928.9334

www.reconenvironmental.com

RECON

An Employee-Owned Company

October 30, 2014

Mr. Robert G. Longaker III, P.L.A, ASLA
Senior Project Manager
The WLB Group, Inc.
4444 East Broadway Boulevard
Tucson, AZ 85711

Reference: La Posada – ESL Map Amendment (RECON Number 7520)

Dear Rob:

Per your request, RECON Environmental, Inc. (RECON) evaluated the portion of the proposed La Posada parcel (Figures 1 and 2) near First Avenue and Lambert Lane currently mapped as Critical Resource Area (CRA) per the Town of Oro Valley's Environmentally Sensitive Lands (ESL) code.

General Site Conditions

The La Posada parcel is identified on the Town's General Plan as a master planned community with much of the parcel (i.e., outside the CRA) classified as Resource Management Area Tier 2. The 14.78-acre area currently mapped as CRA lies in the eastern portion of the parcel (Figure 3) and is referenced as the study area for this report (see Figure 2). The study area is between two ridges but is generally flat with a gentle drop in elevation of approximately 30 feet (2,608 to 2,578 feet) over a distance of approximately 1,400 feet from north to south. Vegetation in the study area is representative of typical Sonoran desertscrub-palo verde mixed cacti, with the dominant species being blue and foothills palo verde (*Parkinsonia* spp.), mesquite (*Prosopis velutina*), whitethorn acacia (*Acacia constricta*), barrel cactus (*Ferocactus wislizeni*), and cholla cactus (*Opuntia* spp.).

Drainage across the study area is dispersed through a system of often braided ephemeral channels, which drain into the Cañada del Oro (CDO) wash (see Figure 2), an ESL Major Wildlife Linkage and Important Riparian Area, which is immediately south of the parcel.

Methods

RECON biologists[1] Colby Henley and Kate Connor conducted an initial site visit on June 27, 2014, prior to the monsoon season, and Mr. Henley and Helen Cordier subsequently returned on October 15, 2014, five weeks after a significant precipitation event was recorded at the nearest weather station, approximately 1 mile north-northwest of the parcel. This weather station recorded 2.97 inches of precipitation over a period of about two hours on September 8, 2014[2].

We evaluated all drainage features in the study area and the extent to which they meet the ESL riparian area criteria as identified in *Town of Oro Valley Zoning Code Addendum G: ESL Resource*

---

[1] Qualified Habitat Restoration Specialists per Town of Oro Valley Code Chapter 31.

[2] http://www.wunderground.com/personal-weather-station/dashboard?ID=KAZTUCSO21#history/s20140908/e20140908/mdaily

ATTACHMENT 5

Science Specifications and Definitions. Specifically, Appendix G, paragraph A defines xeroriparian areas by the presence of both intermittent/ephemeral drainage features and representative vegetation volume of 0.500 m^3/m^2 or greater. Paragraphs D and E also indicate that upland "islands" between braided channels are included as part of the riparian area only if they are less than 200 feet wide, and that mapped riparian areas that contribute drainage connectivity, sediment and nutrient transport, etc. may include areas without representative vegetation volume. In summary, the identification of xeroriparian areas as defined in Appendix G is based on the full site context and riparian function rather than the presence of any single feature or indicator.

During the October site visit, we conducted eight transects to measure Total Vegetation Volume (TVV) adjacent drainage channels in the study area (see Figure 3). This methodology is specified in Appendix G, Paragraph H. The TVV data sheets are presented in Attachment 1. We also took representative photographs looking upstream and downstream along each transect and at other key viewpoints. Site photographs are included in Attachment 2.

Results

During our June site visit, we identified two primary drainage channels, one along the western edge and one along the eastern edge of the study area, both of which connect to the CDO wash south of the parcel. During our October site visit, we were able to identify additional tributary drainage channels in the north-central portion of the study area that were incised by the large precipitation event in September. These tributary drainage channels connect to the primary channels upstream of their (the primary channels') connection to the CDO wash (see Figure 3).

The vegetation adjacent all these drainage channels includes riparian facultative species (i.e., more abundant in but not restricted to riparian areas) such as desert hackberry (*Celits pallida*), mesquite, and blue paloverde (*Parkinsonia florida*). The results of the TVV transects, presented in Table 1, show that the total vegetation volume within all eight transects are well above the minimum 0.500 m^3/m^2 threshold for xeroriparian. Additionally, the presence of distinct channels, sediment deposits, and vegetation debris were noted to indicate hydrologic flow and connectivity, and nutrient/sediment transport.

Table 1. Total Vegetation Volume, La Posada Study Area, Oro Valley, Arizona, October 2014

Transect Number	Primary Species	Total Vegetation Volume (m^3/m^2)
1	Desert hackberry, whitethorn and catclaw acacia, wolfberry (*Lycium* spp.)	1.112
2	whitethorn acacia, wolfberry	0.720
3	Mesquite, desert hackberry	0.888
4	Whitethorn acacia	1.196
5	Blue paloverde, mesquite	1.188
6	Blue paloverde, desert hackberry, wolfberry, whitethorn acacia	0.928
7	Desert hackberry, mesquite, whitethorn and catclaw acacia, foothills paloverde	1.024
8	Desert hackberry, mesquite	0.936

The area in the southern portion of the study area between the two primary drainage channels was thoroughly examined for the presence of drainage features during the October site visit, when any indicators would have been readily apparent because of the recent significant precipitation in September. No indicators of hydrologic flow were found (see Photographs 17-23 in Attachment 2). Additionally, this area between the two primary drainage channels is greater than 200 feet wide. Because of the lack of drainage features in this area and its size, it is by definition an upland area.

No major rock outcrops/boulders or distinctive habitat resources, as defined by the ESL code, were identified within the study area.

Recommendations

As you are aware, the Town devoted a substantial effort to field verify the map components developed as part of the ESL code. However, due to the lack of visibility from public roads and private property access issues, the La Posada parcel is one location that was not field-verified and is in an area where ESL mapping was based exclusively on aerial imagery. The field investigations described above add field-verified data to the ESL mapping record. The recommendations below are based on this more complete data.

Recommendation 1. Based on our evaluation, RECON recommends a modification to the CRA as depicted in Figure 3. The northern portion of the study area does meet the criteria of xeroriparian habitat based on total vegetation volume as listed in Table 1 as well as other riparian function indicators.

Recommendation 2. RECON also recommends that the area in the southern portion of the study area between the two primary drainage channels (see Figure 3) be removed from the CRA designation because of the lack of drainage features in this area and its size. This area should revert to designation as Resource Management Area (RMA) Tier 2, like the remainder of the parcel. The RMAs in the ESL code are based on specific criteria (Appendix G, Sections 2 and 3) and merge resource science with adopted future land use designations and intensities as specified in the General Plan. Table 27.10-3 in the Zoning Code identifies the La Posada parcel (Master Planned Community Rooney) as RMA Tier 2.

Recommendation 3. RECON recommends that any impacts to CRAs be mitigated through ecological restoration efforts focused on the degraded or disturbed riparian segments within or adjacent to the CRA. Specifically, the access road along the eastern edge of the CRA could be revegetated to provide additional habitat buffer to the adjacent riparian area. Additionally, there are areas near the confluence of the two primary drainage channels that have suffered damage from off-road vehicle use and wildcat dumping. These areas could also be revegetated to provide riparian buffer and wildlife connectivity.

Thank you again for the opportunity to conduct this evaluation. Please contact us if you have any questions or need any additional information.

Sincerely,

Colby Henley

Colby Henley
Senior Biologist/Project Manager

Kate Connor

Kate Connor
Restoration Ecologist

DCH:KC:sh

Attachments

Project Location

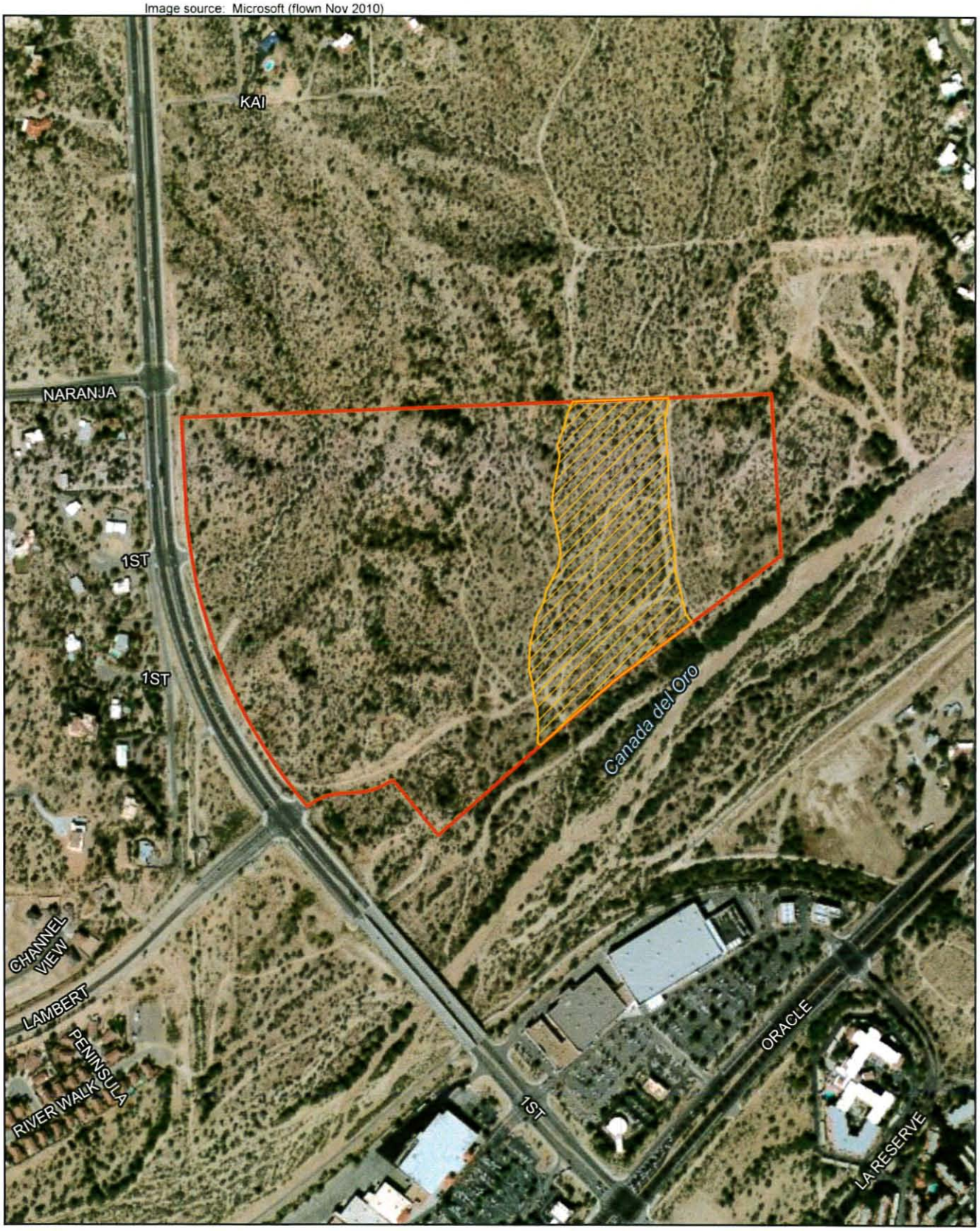
RECON

M:\JOBS4\1maptemplates\fig1.mxd 7/23/2014 sab

FIGURE 1

Regional Location

Image source: Microsoft (flown Nov 2010)



0 Feet 600

Parcel Boundary

Study Area

RECON

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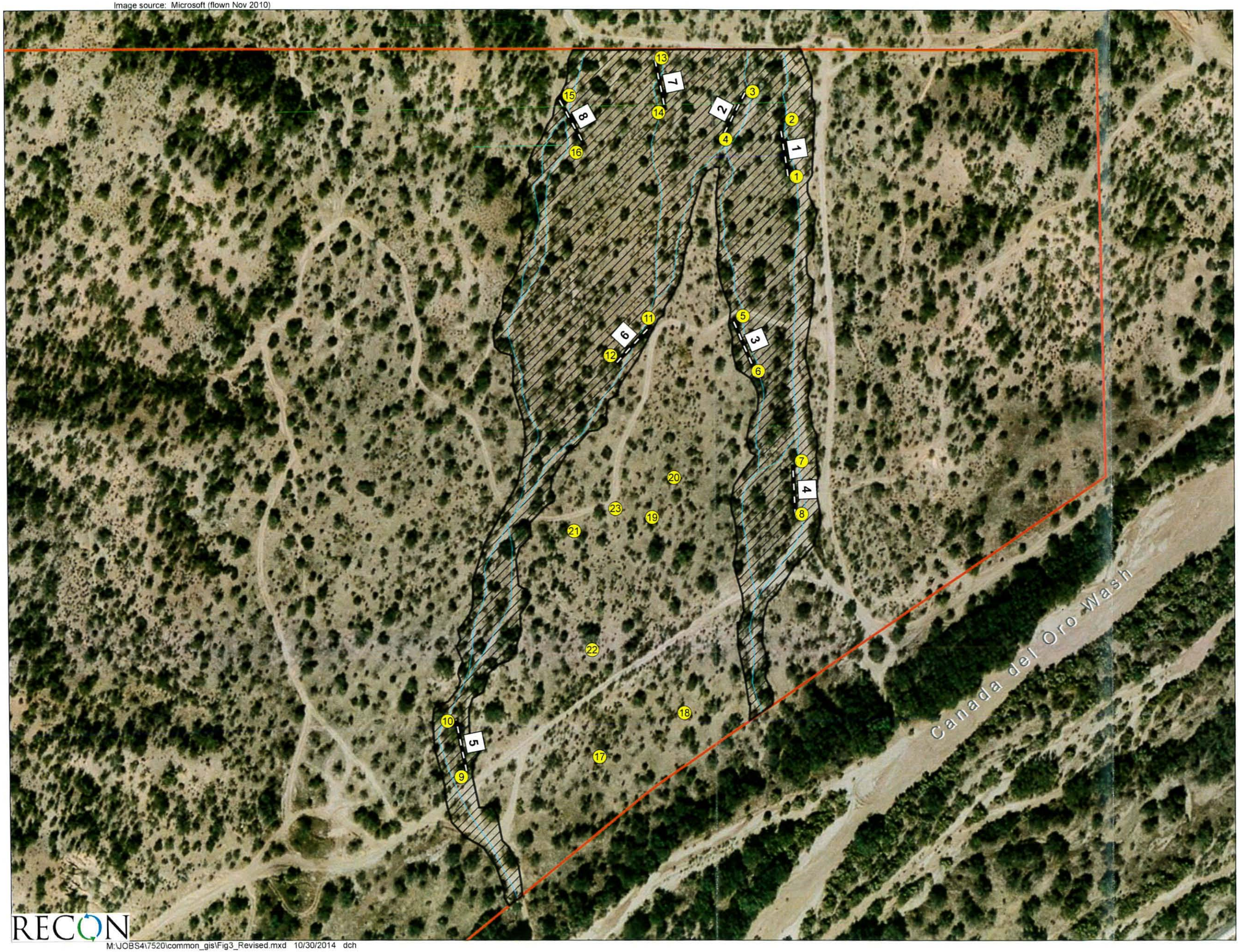
FIGURE 2

La Posada Parcel

Image source: Microsoft (flown Nov 2010)



Parcel Boundary
Proposed CRA Boundary
Drainage Channels
TVV Transects
Photo Points

0 Feet 100

RECON

M:\JOBS4\7520\common_gis\Fig3_Revised.mxd 10/30/2014 dch

FIGURE 3

Proposed Critical Resource Area

ATTACHMENT 1

TVV Data Sheets

VEGETATION VOLUME DATA SHEET

RECON

Location:
La Posada, Town of Oro Valley, AZ

Transect # 1

Date:
10/15/2014

Personnel:
Colby Henley,
Helen Cordier

	Horizontal Transect Samples (# of cubic decimeters containing vegetation within each vertical meter)																								
Vertical cubic meters	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**
1	4	1	2	0	3	8	10	10	0	1	5	10	4	0	0	0	7	10	10	6	10	3	2	6	10
2	1	0	2	1	10	8	10	10	2	3	7	10	10	2	4	0	9	6	3	6	5	2	2	6	5
3	1	4	0	0	3	2	6	0	0	0	1	0	4	8	0	2	0	0	0	1	0	0	0	0	0
4																									
5																									
6																									
7																									
8																									
9																									
10																									
11																									
12																									
13																									
14																									
15																									
TOTAL	6	5	4	1	16	18	26	20	2	4	13	20	18	10	4	2	16	16	13	13	15	5	4	12	15

TVV = 1.112
Photos 1 & 2

Other Species Present within Belt Transect

Desert hackberry, whitethorn & catclaw acacia, wolfberry, globe mallow

VEGETATION VOLUME DATA SHEET

RECON

Location:
La Posada, Town of Oro Valley, AZ

Transect #
2

Date:
10/15/2014

Personnel:
Colby Henley, Helen Cordier

	Horizontal Transect Samples (# of cubic decimeters containing vegetation within each vertical meter)																								
Vertical cubic meters	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**
1	2	4	10	5	0	0	0	0	0	0	3	4	5	7	9	10	6	3	0	0	0	7	8	10	8
2	9	0	6	5	0	0	0	0	0	0	3	6	8	7	3	4	3	0	0	0	0	0	0	2	0
3	9	0	6	1	0	0	0	0	0	0	0	1	2	2	0	2	0	0	0	0	0	0	0	0	0
4																									
5																									
6																									
7																									
8																									
9																									
10																									
11																									
12																									
13																									
14																									
15																									
TOTAL	20	4	22	11	0	0	0	0	0	0	6	11	15	16	12	16	9	3	0	0	0	7	8	12	8

TVV = 0.720
Photos 3 & 4

Other Species Present within Belt Transect

Whitethorn acacia, wolfberry, datura, morning glory

VEGETATION VOLUME DATA SHEET

RECON

Location:
La Posada, Town of Oro Valley, AZ

Transect #
3

Date:
10/15/2014

Personnel:
Colby Henley, Helen Cordier

	Horizontal Transect Samples (# of cubic decimeters containing vegetation within each vertical meter)																								
Vertical cubic meters	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**
1	4	2	2	3	5	0	4	3	0	0	0	0	0	0	0	1	2	5	7	8	5	3	3	9	8
2	4	8	4	3	2	3	1	0	0	0	0	0	0	0	4	3	0	2	10	7	8	3	0	0	8
3	0	2	8	3	8	5	3	2	0	0	0	0	0	0	0	0	9	3	5	3	2	0	0	0	0
4	0	2	7	4	4	2	4	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
5	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
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TOTAL	8	14	21	13	20	10	12	5	0	0	0	0	0	0	4	4	11	10	23	18	15	6	3	9	16

TVV = 0.888
Photos 5 & 6

Other Species Present within Belt Transect

Mesquite, hackberry, amaranth, bush muhy

VEGETATION VOLUME DATA SHEET

RECON

Location:
La Posada, Town of Oro Valley, AZ

Transect #
4

Date:
10/15/2014

Personnel:
Colby Henley, Helen Cordier

	Horizontal Transect Samples (# of cubic decimeters containing vegetation within each vertical meter)																								
Vertical cubic meters	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**
1	2	0	5	2	0	1	4	3	5	4	6	10	10	9	6	1	4	10	10	8	10	10	7	7	10
2	0	0	0	0	0	0	0	0	0	1	8	10	7	2	1	5	10	7	2	3	0	2	6	9	8
3	0	0	0	0	0	0	0	0	0	3	4	3	3	0	0	2	3	0	3	4	6	0	5	5	9
4	0	0	0	0	0	0	0	0	0	4	3	4	7	0	0	0	0	0	2	4	0	0	0	0	0
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14																									
15																									
TOTAL	2	0	5	2	0	1	4	3	5	12	21	27	27	11	7	8	17	17	17	19	16	12	18	21	27

TVV = 1.196
Photos 7 & 8

Other Species Present within Belt Transect

Whitethorn acacia, datura

VEGETATION VOLUME DATA SHEET

RECON

Location:
La Posada, Town of Oro Valley, AZ

Transect #
5

Date:
10/15/2014

Personnel:
Colby Henley, Helen Cordier

	Horizontal Transect Samples (# of cubic decimeters containing vegetation within each vertical meter)																								
Vertical cubic meters	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**
1	0	3	5	7	3	0	0	0	0	0	3	9	5	4	5	0	3	3	0	2	5	2	9	3	1
2	7	4	1	1	0	0	0	0	0	0	0	7	7	8	4	1	3	0	0	0	1	1	6	0	0
3	8	8	10	6	2	1	0	0	0	0	2	2	5	3	9	10	7	0	0	0	0	3	4	0	6
4	0	4	10	8	10	10	8	0	0	0	0	0	1	2	5	1	1	0	0	0	0	1	3	4	7
5	0	0	3	4	5	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
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TOTAL	15	19	29	26	20	12	8	0	0	0	5	18	18	17	23	12	14	3	0	2	6	7	22	7	14

TVV = 1.188
Photos 9 & 10

Other Species Present within Belt Transect

Blue paloverde, mesquite, datura, cholla, globe mallow

VEGETATION VOLUME DATA SHEET

RECON

Location:
La Posada, Town of Oro Valley, AZ

Transect # 6

Date:
10/15/2014

Personnel:
Colby Henley,
Helen Cordier

	Horizontal Transect Samples (# of cubic decimeters containing vegetation within each vertical meter)																								
Vertical cubic meters	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**
1	5	3	7	8	2	2	6	3	5	4	0	0	2	5	5	9	1	2	0	0	0	0	5	7	8
2	3	0	8	6	0	0	3	9	7	1	1	0	2	6	3	5	0	0	0	0	0	0	0	10	5
3	0	0	9	0	2	5	7	9	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
4	0	0	0	0	0	5	6	4	8	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	4
5	0	0	0	0	0	0	0	1	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
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14																									
15																									
TOTAL	8	3	24	14	4	12	22	26	24	11	1	0	4	11	8	14	1	2	0	0	0	0	5	21	17

TVV = 0.928
Photos 11 & 12

Other Species Present within Belt Transect

Whitethorn acacia, wolfberry, blue paloverde datura hackberry

VEGETATION VOLUME DATA SHEET

RECON

Location:
La Posada, Town of Oro Valley, AZ

Transect # 7

Date:
10/15/2014

Personnel:
Colby Henley,
Helen Cordier

	Horizontal Transect Samples (# of cubic decimeters containing vegetation within each vertical meter)																								
Vertical cubic meters	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**
1	4	10	9	8	0	1	0	2	5	5	2	1	0	5	1	6	10	10	1	4	7	1	1	0	3
2	4	6	8	4	5	0	0	5	8	4	0	0	0	10	8	1	10	10	10	4	6	7	0	0	0
3	0	0	0	0	0	0	0	1	9	8	5	0	0	0	0	0	3	0	0	0	5	6	4	0	0
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TOTAL	5	16	17	12	5	1	0	8	22	17	7	1	0	15	8	7	23	20	11	10	23	16	9	0	3

TVV = 1.024
Photos 13 & 14

Other Species Present within Belt Transect

Hackberry, mesquite, whitethorn & catclaw acacia, datura, foothills paloverde, burrowweed

VEGETATION VOLUME DATA SHEET

RECON

Location:
La Posada, Town of Oro Valley, AZ

Transect #
8

Date:
10/15/2014

Personnel:
Colby Henley, Helen Cordier

	Horizontal Transect Samples (# of cubic decimeters containing vegetation within each vertical meter)																								
Vertical cubic meters	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**
1	4	9	10	10	10	3	0	0	2	5	1	3	10	9	2	0	0	0	0	0	3	5	1	0	2
2	2	7	10	9	5	1	0	1	0	4	2	10	10	10	8	0	0	0	0	0	0	5	5	4	9
3	0	0	1	0	0	0	0	0	0	0	0	7	5	6	0	0	0	0	0	0	0	1	9	2	9
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	0
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13																									
14																									
15																									
TOTAL	6	16	21	19	15	4	0	1	2	9	3	20	25	25	10	0	0	0	0	0	3	11	17	7	20

TVV = 0.936
Photos 15 & 16

Other Species Present within Belt Transect

Hackberry, datura, mesquite, amaranth, globe mallow

ATTACHMENT 2

Site Photographs

PHOTOGRAPH 1
Transect 1 Looking North

PHOTOGRAPH 2
Transect 1 Looking South

RECON

M:\JOBS4\7520\bio\graphics\bioltr\photos.indd 10/27/14

PHOTOGRAPH 3
Transect 2 Looking South

PHOTOGRAPH 4
Transect 2 Looking North

RECON

PHOTOGRAPH 5
Transect 3 Looking South

PHOTOGRAPH 6
Transect 3 Looking North

RECON

PHOTOGRAPH 7
Transect 4 Looking South

PHOTOGRAPH 8
Transect 4 Looking North

RECON

PHOTOGRAPH 9
Transect 5 Looking North

PHOTOGRAPH 10
Transect 5 Looking South

PHOTOGRAPH 11
Transect 6 Looking South

PHOTOGRAPH 12
Transect 6 Looking North

RECON

PHOTOGRAPH 13
Transect 7 Looking South

PHOTOGRAPH 14
Transect 7 Looking North

PHOTOGRAPH 15
Transect 8 Looking South

PHOTOGRAPH 16
Transect 8 Looking North

RECON

PHOTOGRAPH 17
Upland Area Looking Southwest

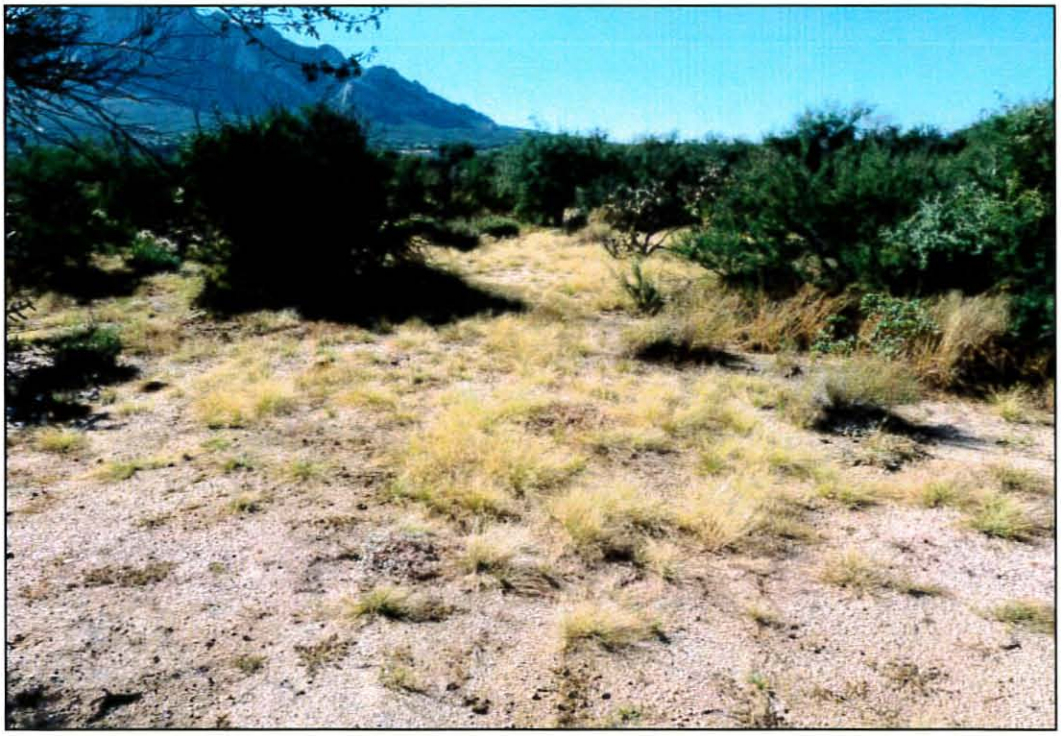
PHOTOGRAPH 18
Upland Area Looking Northeast

RECON

PHOTOGRAPH 19
Upland Area Looking Northeast

PHOTOGRAPH 20
Upland Area Looking North

RECON



PHOTOGRAPH 21
Upland Area Looking Southwest

PHOTOGRAPH 22
Upland Area Looking Southwest

RECON

PHOTOGRAPH 23
Upland Area Looking South

Development and Infrastructure Services
Planning Division
11000 N La Cañada Drive, Oro Valley, Arizona 85737 • 520-229-4815 • 520-742-1022 (Fax)

NOTICE TO APPLICANT **– It is the applicant/owner's responsibility to ensure all private rules and regulations of the subdivision are adhered to. Contact your HOA or property management company to determine all applicable requirements.** ***Initials*** _____

APPLICATION FORM

OV Case # (Office Use Only): _____

Application Type: Minor General Plan Amendment (GPA) for clarification of Special Area Policy (SAP)

A. Project Manager/Developer

Name: Rob Longaker, Senior Project Manager
Firm: The WLB Group, Inc.
Address: 4444 E Broadway Boulevard
City: Tucson **State:** Arizona **Zip:** 85711
Telephone: (520) 881-7480 **Fax:** (520) 881-7492 **Email:** rlongaker@wlbgroup.com

B. Property Owner (s), if more than one owner, attach list

Name: Lisa Israel
Firm: La Posada
Address: 350 East Morningside Road
City: Green Valley **State:** Arizona **Zip:** 85614
Telephone: (520) 648-7909 **Fax:** N/A **Email:** lisa@laposadagv.com

C. Subject Property

Parcel/Tax Code: Parcels 220-09-0300 through 220-09-1000, and 220-09-016A
Legal Description/Property Address: Rooney Ranch Area "Z" (Lots 1 through 68), and Common Areas "A","B", and "C"), and Rooney Ranch Area "A"(PTN E2 SW4 NW4 ADJ WASH 3.01 AC SEC 7-12-14).
Area of property: 79.5±
Existing Zoning: See attachment **Proposed Zoning:** PAD
Is Proposed Zoning in conformance with General Plan designation? [X] N/A [ ] Yes [ ] No
General Plan Designation: Master Planned Community
Existing Land Use: Vacant **Proposed Land Use:** Continuing care retirement community

D. Previous Applications Relating To This Property

OV8- _____ OV9- 88-6, 98-6, 03-03 OV10- _____

OV11- _____ OV12- _____ OV13- _____

E. Reason For Request

See attachment

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

11.19.2014
Date

Signature

ATTACHMENT 6

Existing Zoning:

Rooney Ranch Area "Z" PAD and Rooney Ranch Oro Valley Center PAD.

Reason for Request:

We are requesting clarification of the Special Area Policy in the Oro Valley General Plan specific to the area referred to as Rooney Ranch North. This Special Area Policy states the following:

> *"The area designated as Master Planned Community may be developed at up to three units per acre."*

First of all, it is assumed that the area referred to as Rooney Ranch North includes the 79.5+/- acre property located at the intersection of 1st Avenue and Lambert Lane. This property was recently purchased by La Posada for the purposes of developing a continuing care retirement community, and we are currently processing a PAD amendment to allow the proposed use.

It is our interpretation that this Special Area Policy does not apply to the intended use proposed by La Posada for the following reason:

> **It is our interpretation that this Special Area Policy was written to limit the density of the project previously proposed by Pepper Viner Homes for traditional residential project for the property. The proposed continuing care retirement community is not a traditional residential project. Rather, the proposed project will contain a variety of uses, only one of which is residential. As such, it is our interpretation that this Special Area Policy does not apply to the continuing care retirement community proposed by La Posada, and would only apply if the property were to be developed as a traditional residential community.**

Site Area: 80 Acres +/- . Oro Valley, Arizona

Conceptual Overall Master Plan

EXHIBIT R

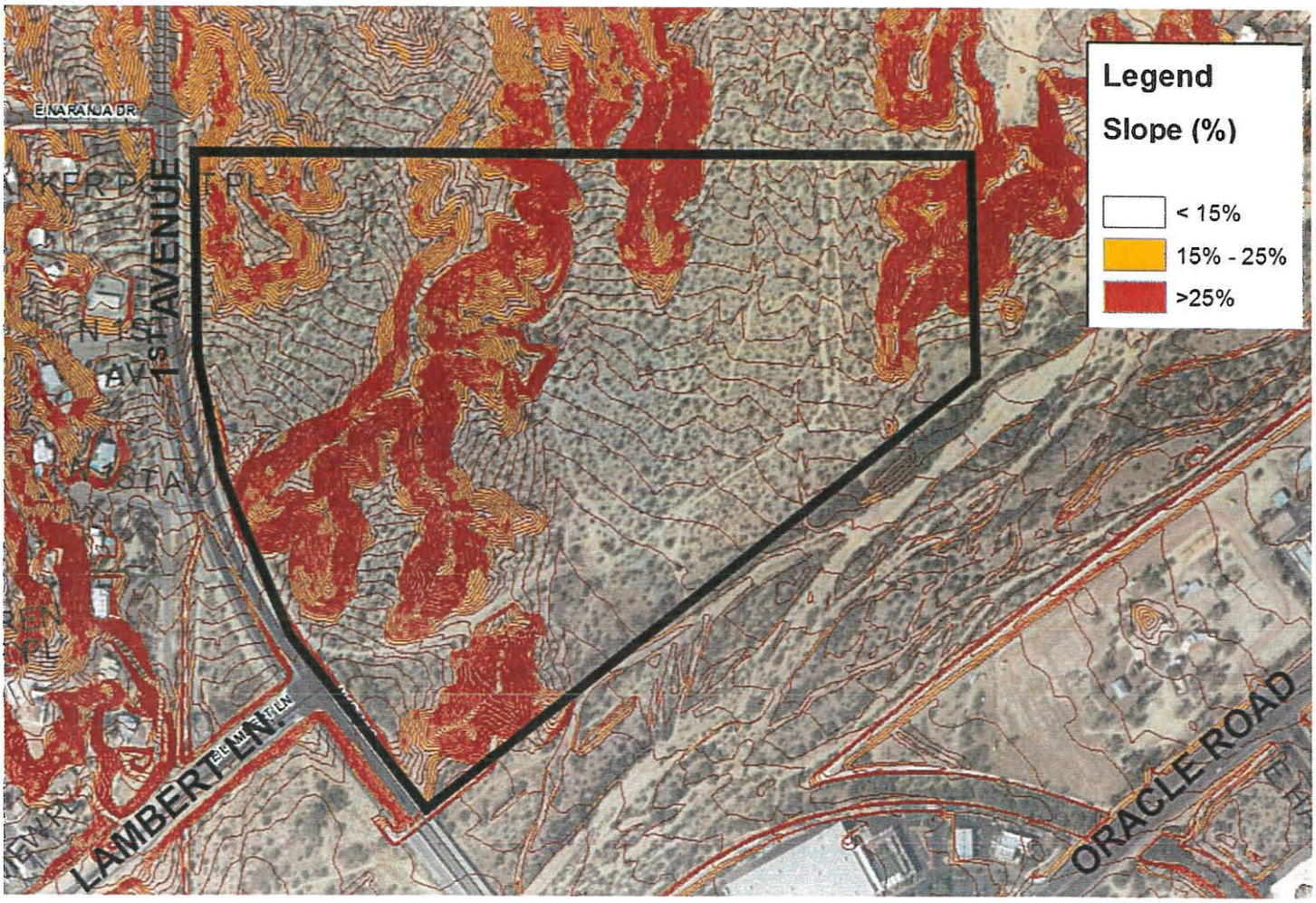
LEGEND

1. Primary Access to the Community . Signage Wall
2. Village Retail . Cafe . Store . Bar
   10,000 sf . - 40 parking spaces + 15 on street parking
3. Marketing Welcome Center . 2,500 sf. - 12 parking spaces
4. Entertainment Village - Theater, Classrooms, Day-care, Playground, Outdoor Amphitheater.
5. Residential - 17 South Cottages + 10 North Cottages
   Average Square Footage 1,400 with attached garages.
   On-street parking for visitors
6. Trail Head Access with Trellis, Water, Public Bathroom, Golf-Carts Parking, Bike racks
7. Resting Area . Mountain Views and Look Out Cabana with Telescope.
8. Access to Community Park
9. Arrival Plaza
10. Access to Underground Parking for Residents and Employees
11. Service Access Road to Underground Delivery Area . Kitchen . Garbage Pick-up Areas (Secondary PickUp areas will be located on each of the buildings) . Storage . Mechanical
12. Arrival Court . Main Access to Apartment Buildings and Core
13. Restaurants . Bar & Bistro Cafe . Chef Kitchen . Demo and Community Kitchen
14. Residential Apartments .
    Average Square Footage 1,300 with underground private garages.
    Total 220 Units +/.
15. Community Village Main Courtyard
16. Offices . Arts . Flex Rooms . Beauty . Card Room . Tech Room Compound
17. Meeting Rooms . Post Office
18. Residents Pools . Cabanas . Restrooms . Bar
19. Outdoor Patios . Fire Pits . Lounge Rooms .
20. Residential Estates Mountain View . Average Lots Square Footage 4,500
    36 Lots Total . Average Homes Square Footage 2,000
21. Wellness & Spa Village . Exercise Rooms . Yoga . Meditation . Indoor Pool . Roof Top Pool . Gardens
22. Facilities Management . Central Plan . Services . Overflow Parking + Community Trams Parking . Solar Array and related Facilities.
23. Golf Carts Parking / Charging Station
24. Northern Arrival Plaza
25. Assisted Living & Memory Care . Approximately 42 Units for Assisted Living and 30 Units for Memory Care . Plus additional Service, Recreational and Common Areas . 55 +/- Parking Spaces
26. Residential Villas . 22 Units (11 1st level + 11 2nd Level) .
    Average Square Footage 1,600
27. Residential Hill Villas . 5 Units with attached parking (one level) .
    Average Square Footage 1,600
28. Community Park . Public Bathrooms . Ramadas . Gardens . Dog Park . BBQ Areas . Water Splash Park
29. Gate / Signage Entrance to Residential Apartments Core
30. Visitors Parking (35 +/-)
31. Guest House

Note: This plan is for illustrative purposes only. Any modifications to this plan will not require an amendment to the PAD.

The Hillside SPIRIT TREE October 2014

La Posada

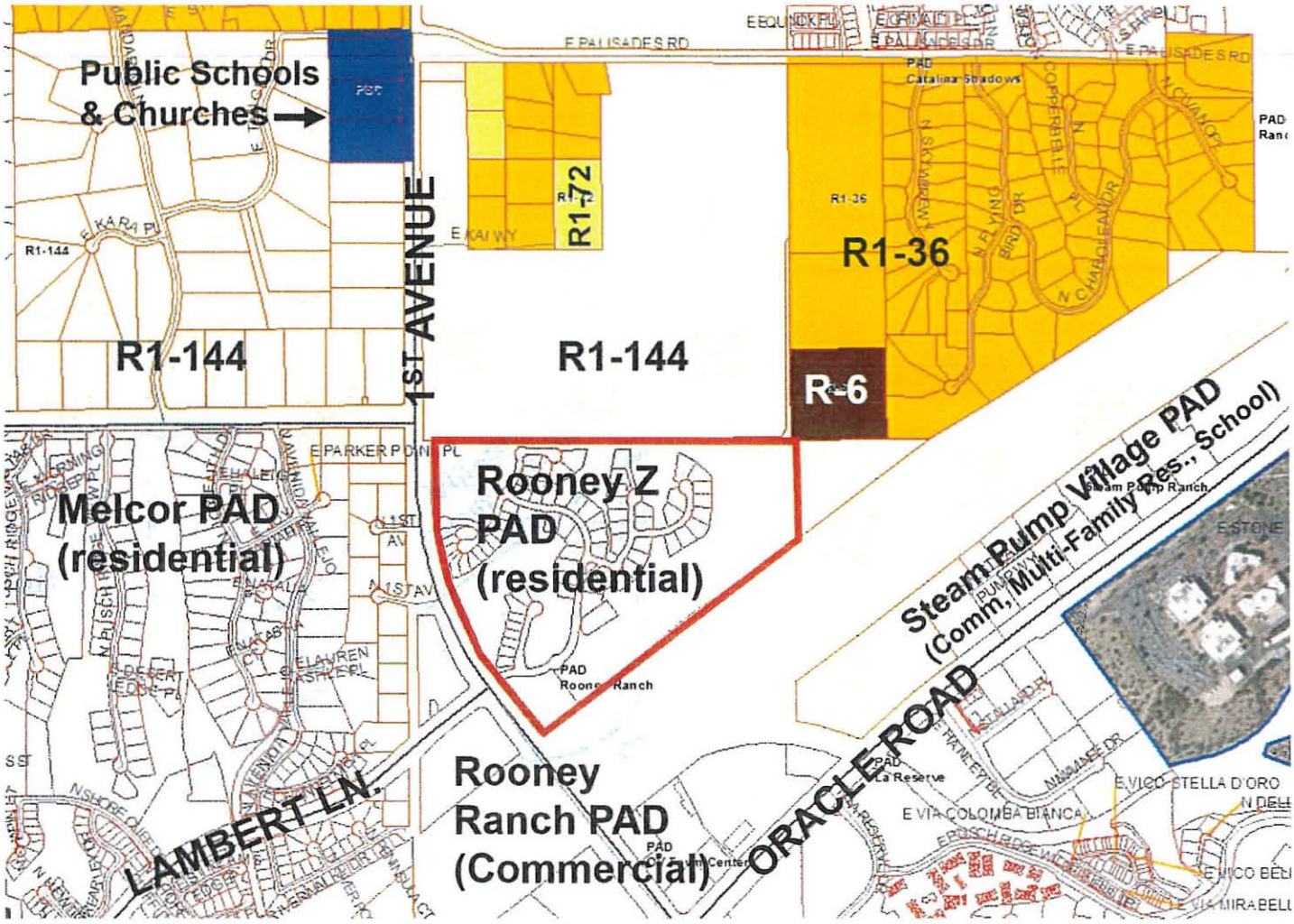


ORO VALLEY ARIZONA
FOUNDED 1974

SLOPE MAP

NARANJA DR. AND 1ST AVE REZONING AND ESL MAP AMENDMENT (OV914-007/008)

ATTACHMENT 7



ORO VALLEY ARIZONA
FOUNDED 1974

ZONING MAP

NARANJA DR. AND 1ST AVE REZONING AND ESL MAP AMENDMENT (OV914-007/008)

ATTACHMENT 8

TENTATIVE DEVELOPMENT PLAN

Rooney Ranch Area Z *(A proposed portion of Area A consisting of 76.5 acres)*

GENERAL NOTES:

1. GROSS AREA OF THE PROPERTY TO BE REZONED IS 76.5 ACRES.

2. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS PART OF THE ROONEY RANCH ORO VALLEY CENTER PAD FOR A MIXTURE OF MULTI AND SINGLE FAMILY RESIDENTIAL, COMMERCIAL AND RECREATION. THIS PROPOSED AMENDMENT IS TO CHANGE THE USE TO SINGLE FAMILY RESIDENTIAL AND RECREATION.

3. RESIDENTIAL DENSITY IS 2.0 DWELLING UNITS PER GROSS ACRE (BASED ON 152 DWELLING UNITS).

4. THE MAXIMUM NUMBER OF DWELLING UNITS ALLOWED IS 164. THE PROPOSED NUMBER OF RESIDENTIAL UNITS ON THIS PLAN IS 152.

5. SINGLE-FAMILY DWELLING UNITS SHALL NOT EXCEED 26 FEET IN HEIGHT WITH THE EXCEPTION THAT DWELLING UNITS VISIBLE FROM NORTH FIRST AVENUE, AND DWELLING UNITS LOCATED AT LOTS 19-31 AND 135-152 SHALL BE LIMITED TO ONE STORY AND A MAXIMUM HEIGHT OF 18 FEET. DWELLING UNITS LOCATED AT LOTS 126-134 ARE PERMITTED TO BE SINGLE STORY OR SPLIT LEVEL.

6. AREA Z IS REQUIRED TO PRESERVE 10% OF ITS GROSS LAND AREA AS UNDISTURBED OPEN SPACE. THE AMOUNT OF UNDISTURBED OPEN SPACE SHOW ON THIS PLAN IS 32 ACRES OR 42% OF THE SUBJECT PROPERTY.

7. FLOODPLAINS ON THIS SITE WILL BE ALTERED AND FILLED.

8. WATER SERVICE PROVIDER IS ORO VALLEY WATER UTILITY.

9. AS DETERMINED AND DELINEATED BY THE ARMY CORPS OF ENGINEERS (COE), THERE ARE 404 WASHES ON THE SUBJECT PROPERTY. THIS PROJECT WILL MOVE FORWARD USING NATIONWIDE PERMIT 39, WHICH ALLOWS FOR A TOTAL MAXIMUM LOSS OF 1/2 ACRE OF JURISDICTIONAL WATERS. THIS PLAN SHOWS LESS THAN 1/2 ACRE OF DISTURBANCE OF JURISDICTIONAL WATERS. ALL WORK IN JURISDICTIONAL WATERS WILL CONFORM TO THE GUIDELINES JOINTLY ADOPTED BY THE COE AND THE U.S. FISH AND WILDLIFE SERVICE WITH REGARD TO THE CACTUS FERRUGINOUS PYGMY-OWL.

10. MINIMUM LOT SIZE: 5,000 SQUARE FEET.

11. SETBACKS
FRONT: 10 FEET, EXCEPT THAT THERE SHALL BE A MINIMUM OF 20 FEET BETWEEN THE EDGE OF SIDEWALK CLOSEST TO THE HOUSE TO THE FRONT OF THE GARAGE TO ALLOW FOR VEHICLES TO PARK IN THE DRIVEWAY WITHOUT PROTRUDING INTO THE SIDEWALK.
REAR: 15 FEET.
SIDE: 5 FEET, EXCEPT THAT ALL BUILDINGS NOT ATTACHED SHALL BE AT LEAST 10 FEET APART.
CORNER LOTS SHALL HAVE A SIDE YARD SETBACK OF 10 FEET.
LOTS WITH REAR YARD ABUTTING SIDE YARD SHALL BE DISCOURAGED. HOWEVER, WHERE IT OCCURS, LOTS WHOSE SIDE PROPERTY LINE ABUTS THE REAR PROPERTY LINE OF ANOTHER ADJACENT LOT SHALL HAVE A SIDE YARD SETBACK OF 10 FEET. THIS SETBACK APPLIES TO ONLY THE SIDE ADJACENT TO THE REAR LOT. IN THIS INSTANCE, VEGETATION SHALL BE PLANTED TO PROVIDE FOR A CONTINUOUS SCREEN SIX FEET IN HEIGHT AND LOCATED BETWEEN THE REAR AND SIDE PROPERTY LINES.

12. OFF-STREET PARKING: THIS PROJECT PROVIDES FOR A MINIMUM OF TWO PARKING SPACES INSIDE THE GARAGES ASSOCIATED WITH EACH RESIDENTIAL DWELLING UNIT. THE FRONT SETBACKS ALLOW FOR AT LEAST TWO VEHICLES TO BE PARKED IN THE DRIVEWAY WITHOUT PROTRUDING INTO THE SIDEWALK. AS SUCH, NO VISITOR PARKING AREAS OTHER THAN THE DRIVEWAYS HAVE BEEN PROVIDED.

13. ALL SINGLE-FAMILY RESIDENTIAL DWELLING UNITS ARE TO BE SITE-BUILT UTILIZING WOOD FRAME OR BLOCK CONSTRUCTION TECHNIQUES. THE MAXIMUM BUILDING HEIGHT IS 26 FEET (EXCEPT AS DESCRIBED IN ITEM E). REFER TO THE PAD AMENDMENT TEXT FOR ADDITIONAL DISCUSSION ON BUILDINGS AND ARCHITECTURAL CHARACTER.

14. ALL SINGLE-FAMILY RESIDENTIAL DWELLING UNITS ARE TO BE LOCATED ON THE LOTS ON THE SUBJECT PROPERTY AND ARE TO CONFORM TO THE SETBACKS AS SPECIFIED HEREIN.

15. LANDSCAPE MATERIAL USED IN THIS PROJECT IS AS PERMITED BY THE ORO VALLEY ZONING CODE REVISED. LANDSCAPING AND/OR HYDROSEEDING IS TO OCCUR IN THE FOLLOWING AREAS: PROJECT ENTRIES, GRADED SLOPES, COMMON AREAS, RECREATION AREA(S), BASINS AND LOTS.

16. FEMA FIRM PANELS 04019C1040K AND 1039K INDICATE THAT A PORTION OF THE PROPERTY IS LOCATED IN ZONE AE, WHERE BASE FLOOD ELEVATIONS HAVE BEEN DETERMINED. THE BALANCE OF THE PROPERTY IS IN UNSHADED ZONE X, AND DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

17. ONCE CONSTRUCTION BEGINS, IT IS ANTICIPATED THAT FULL BUILD OUT WILL OCCUR OVER A PERIOD OF APPROXIMATELY THREE YEARS. THE COMMUNITY WILL MOST LIKELY BEGIN WITH THE CONSTRUCTION OF A MODEL HOME COMPLEX AT THE SOUTHWEST OR NORTHWEST PORTION OF THE SITE AND THEN PROCEED IN AN EASTERLY FASHION, TAKING ADVANTAGE OF EXISTING INFRASTRUCTURE.

18. THIS TDP IS INTENDED TO ENHANCE THE SITE ANALYSIS DATA AND PROVIDE GREATER DETAIL ABOUT HOW THE PROPOSED SINGLE-FAMILY RESIDENTIAL COMMUNITY WILL BE CONFIGURED. IT FURTHER SERVES TO ENSURE THAT THE PROPOSED COMMUNITY CAN BE CONSTRUCTED IN CONFORMANCE WITH THIS PAD AND THE CODES AND REQUIREMENTS OF THE TOWN OF ORO VALLEY, WHERE APPLICABLE. THIS PAD AMENDMENT HAS BEEN PREPARED WITH INFORMATION FROM NUMEROUS LOCAL HOMEBUILDER(S), BUT WITH NO SPECIFIC HOMEBUILDER IN MIND. THEREFORE, IT IS ACKNOWLEDGED THAT THE PRELIMINARY PLAT SUBMITTED FOR THIS PROPERTY MAY DIFFER FROM THE TDP WITH REGARD TO ITEMS SUCH AS THE FOLLOWING: LOT SIZE, NUMBER OF LOTS, LOCAL STREET ALIGNMENT, DRAINAGE AND LOCATION OF GRADING TREATMENTS. ANY PROPOSED CHANGES TO THE TDP TO ACCOMMODATE THE RESIDENTIAL DESIGN CRITERIA OF A SPECIFIC HOMEBUILDER SHALL BE SUBMITTED TO THE ZONING ADMINISTRATOR, WHO SHALL REVIEW THE ITEM, CONSULT WITH THE PUBLIC WORKS DEPARTMENT WHERE APPROPRIATE AND SHALL ASCERTAIN WHETHER OR NOT THE CHANGE IS SIGNIFICANT. IF A CHANGE IS DETERMINED TO BE SIGNIFICANT, REVISED PLANS SHALL BE SUBMITTED FOR RECONSIDERATION BY BOTH THE PLANNING COMMISSION AND TOWN COUNCIL.

IN DETERMINING IF A PROPOSED CHANGE IS SIGNIFICANT, THE ZONING ADMINISTRATOR SHALL USE, BUT NOT BE LIMITED TO, THE FOLLOWING CRITERIA:

THE LOT SIZE AND NUMBER OF LOTS MAY VARY FROM THAT SHOWN ON THE TDP PROVIDED THE LOTS CONFORM TO OR EXCEED THE MINIMUM DEVELOPMENT STANDARDS ESTABLISHED BY THIS PAD AS THEY RELATE TO LOT SIZE, BUILDING HEIGHTS, SETBACKS, AND OPEN SPACE REQUIREMENTS, ETC. THE NUMBER OF LOTS SHALL NOT EXCEED 175.

THE DRAINAGE SCHEME SHOWN ON THE TDP MAY VARY PROVIDED IT COMPLIES WITH THE TOWN OF ORO VALLEY FLOODPLAIN MANAGEMENT CODE AND DRAINAGE CRITERIA MANUAL.

THE TREATMENT OF GRADED SLOPES SHOWN ON THE TDP MAY VARY PROVIDED THEY COMPLY WITH THE GRADING STANDARDS ESTABLISHED HEREIN AND DO NOT EXCEED THE GRADING LIMITS ON THE TDP.

THE LAYOUT OF LOCAL STREETS SHOWN ON THE TDP MAY VARY SO THAT CIRCULATION STILL PROVIDES FOR LOGICAL AND EFFICIENT MOVEMENT OF THE VEHICLES OF THE COMMUNITY RESIDENTS, POLICE AND FIRE DEPARTMENTS AND OTHER EMERGENCY SERVICES. ANY CHANGES TO THE CIRCULATION WILL BE SUPPORTED BY A TRAFFIC IMPACT ANALYSIS.

19. THE PORTION OF THE PROPERTY LYING WITHIN THE CDO FLOODPLAIN SHALL NOT BE DEVELOPED UNITL AND UNLESS THE TOWN ENGINEER IS SATISFIED THAT THE HOMES ARE NO LONGER IN THE FLOODPLAIN AND THERE ARE SUFFICIENT MITIGATION MEASURES TO INSURE THAT THERE ARE NO ADVERSE IMPACTS TO UPSTREAM OR DOWNSTREAM WATERSHEDS OR RELATED PROPERTIES. THE CLOMR REPORT FOR ANY DEVELOPMENT OF THE PROPERTY SHALL BE SUBMITTED AND ACCEPTED BY FEMA PRIOR TO THE SUBMITTAL OF A PRELIMINARY PLAT TO THE TOWN.

20. THE DEVELOPER SHALL BE RESPONSIBLE TO MITIGATE ALL UPSTREAM AND DOWNSTREAM IMPACTS DUE TO FLOODPLAIN ENCROACHMENT INTO THE THREE LOCAL WASHES ONSITE AND CANADA DEL ORO WASH.

21. ANY MODIFICATION TO THE SITE'S WESTERN, MIDDLE AND EASTERN WASHES MUST BE DONE PURSUANT TO THE REQUIREMENTS OF THE TOWN'S FLOODPLAIN MANAGEMENT ORDINANCE.

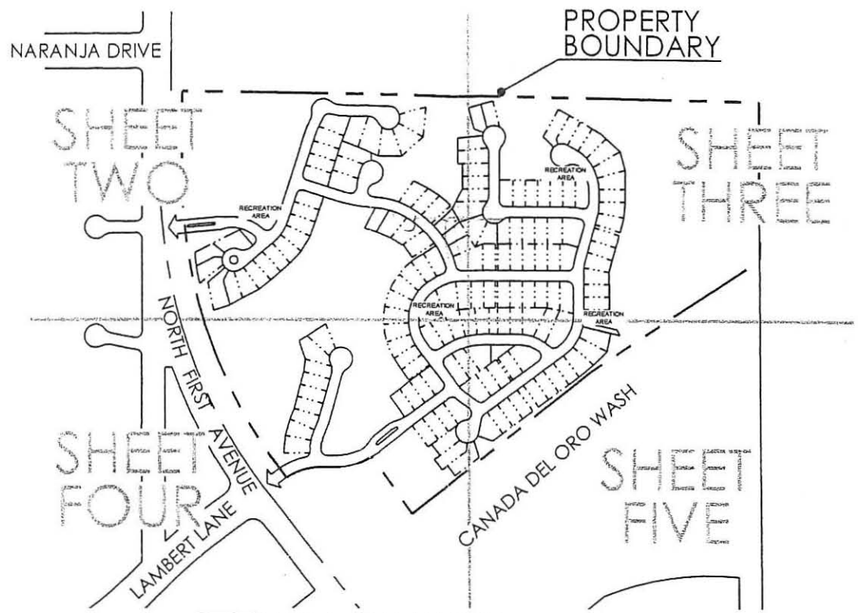
22. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MODIFICATION OF THE TRAFFIC SIGNAL AT THE INTERSECTION OF FIRST AVENUE AND LAMBERT LANE.

23. WHERE TERRACE WALLS ARE TO BE USED THEY SHALL BE LIMITED TO ONE EIGHT FOOT BENCH BEWTEEN TWO EIGHT FOOT RETAINING WALLS.

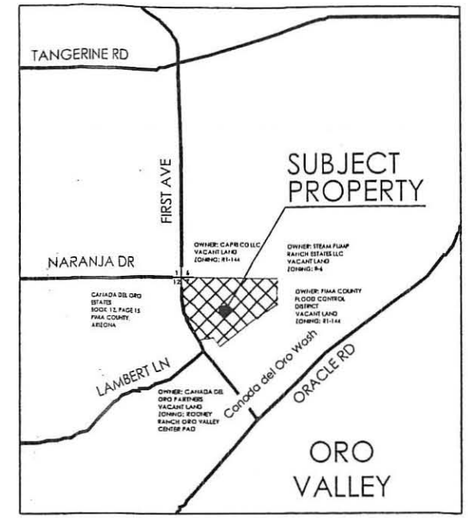
24. THE DEVELOPER SHALL COORDINATE ALL IMPROVEMENTS ON FIRST AVENUE WITH THE TOWN'S FIRST AVENUE IMPROVEMENT PROJECT.

25. THE DRIVEWAYS FOR LOTS 78 TO 88 SHALL BE PLACED ON THE HIGH SIDE OF THE LOT.

26. THE MAXIMUM DRIVEWAY SLOPE SHALL BE 14% WITHIN THE RIGHT-OF-WAY AND 20% OUTSIDE THE RIGHT-OF-WAY.



PROJECT LAYOUT
SCALE: 1" = 300'



LOCATION MAP

A PORTION OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 14 EAST, G.& S.R.M., TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA
SCALE: 3" = 1 MILE

LEGEND

- EXISTING 5' CONTOUR
- EXISTING 1' CONTOUR
- EXISTING WATERLINE AND VALVE
- EXISTING SEWER LINE AND MANHOLE
- NEW SEWER LINE AND MANHOLE
- PROPERTY BOUNDARY
- EASEMENT LINE
- 100-YEAR FLOOD PLAIN LIMIT
- 80.0 EXISTING SPOT ELEVATION
- 80.5 PROPOSED SPOT ELEVATION
- P 14 S PROPOSED PAD ELEVATION
- FLOW DIRECTION
- (2) DRAINAGE CONCENTRATION POINT
- 25% SLOPE LINE
- LIMITS OF GRADING

TABLE OF 100-YEAR DISCHARGES	
CONCENTRATION POINT	100-YEAR DISCHARGES (CFS)
1	223
2	2,150

PROPERTY OWNER/APPLICANT
Cañada del Oro Partners
401 South Boston Avenue
Suite 2400
Tulsa, Oklahoma 74103-4010
918.582.4300
Contacts: Blake Hastings
Jay Mitchell

PROJECT PLANNERS & ENGINEERS
The WLB Group, Inc.
4444 East Broadway Boulevard
Tucson, Arizona 85711
520.881.7480
Contacts: Charles Hulsey
Robert Longaker

Rooney Ranch Area Z *(A proposed portion of Area A consisting of 76.5 acres)*

An Amendment to the Rooney Ranch Oro Valley Center PAD from a Mixture of Multi and Single Family Residential and Commercial to Single Family Residential

Oro Valley Case No. OV9-03-03

Contour Interval: 1 Foot
WLB Job # 181057-N-001

5.2.2003 REV
REV

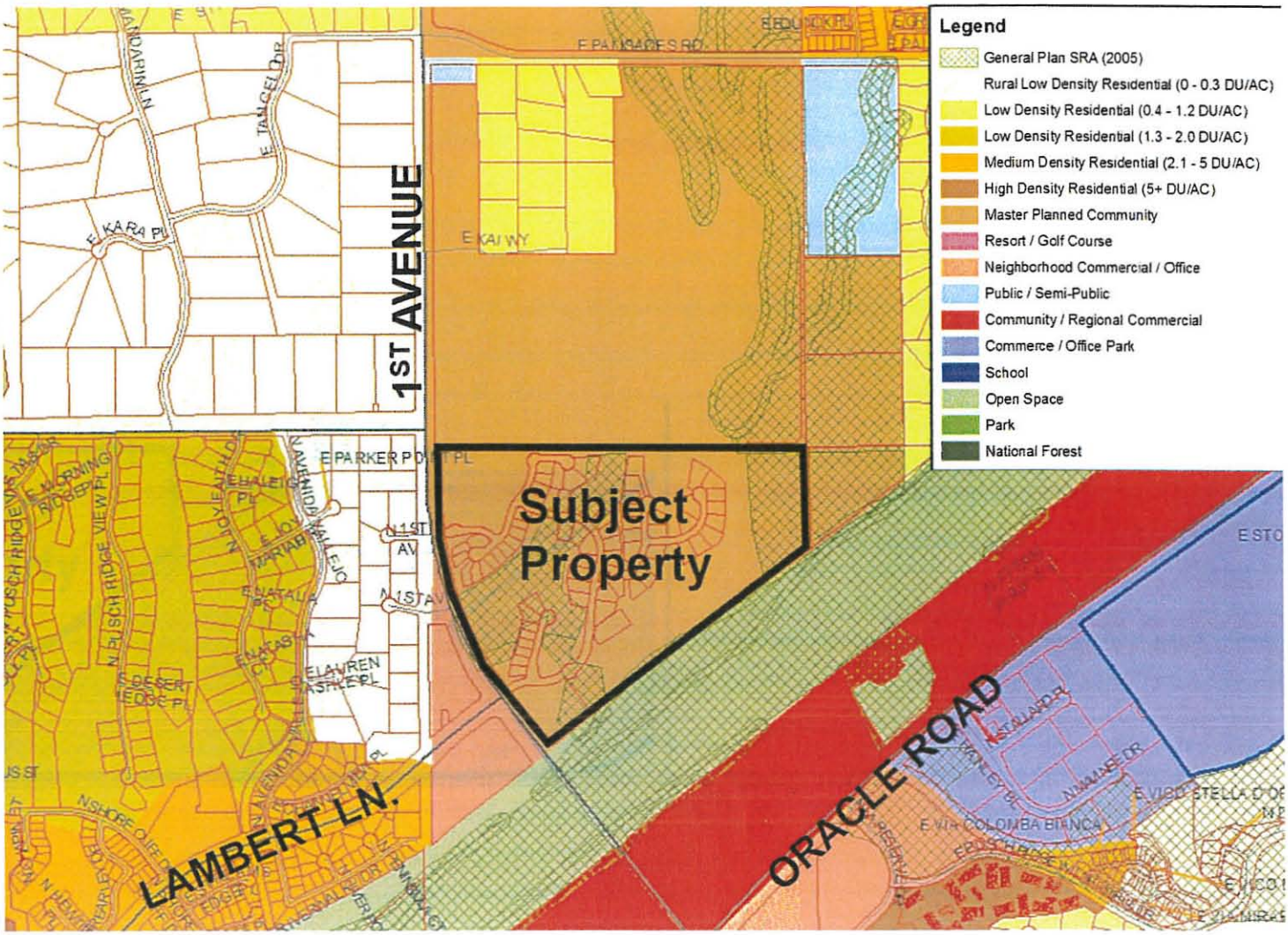
The WLB Group Inc.
Engineering Planning Surveying Landscape Architecture Urban Design
Offices located in Tucson, Phoenix and Las Vegas
4444 East Broadway Blvd.
Tucson, Arizona (520) 881-7480

0' 100' 200' 300'

Parcel AICDO Partners\Revised TDP\Rooney A TDP_Sheet 1 CDO.dwg Plotted: Apr. 16, 2004

ATTACHMENT

ATTACHMENT 9



ORO VALLEY ARIZONA
FOUNDED 1974

GENERAL PLAN LAND USE MAP

NARANJA DR. AND 1ST AVE REZONING AND ESL MAP AMENDMENT (OV914-007/008)

ATTACHMENT 10

General Plan Conformance Analysis

Rezoning proposals are evaluated for consistency with the vision, goals and policies of the General Plan. Following is an analysis of the proposal's consistency with the vision and key policies in the General Plan.

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 vision statement from the General Plan emphasizes the need to carefully balance land use decisions which respond to current conditions, against the long term impact to the community. The proposed project provides for the efficient use of infrastructure, protects sensitive environmental resources, and addresses the socio-economic goals expressed in the vision statement through the provision of a full-service senior living campus that provides services to residents and the community.

General Plan Policies

Staff has evaluated the rezoning against all General Plan policies, with notable polices identified below.

Policy 1.3.1 *The Town shall encourage the location of residential neighborhoods close to activity centers compatible with residential uses, and vice versa.*

The proposed project provides senior living uses in close proximity to activity centers, including the Target Center, Home Depot Center, San Dorado, and other retail and services along Oracle Road.

Policy 1.3.2 *The Town shall encourage new development to locate uses that depend on convenient transportation access (e.g. higher density residential and commercial) near major arterial streets.*

The proposed density/intensity of the planned development is consistent with the policy supporting higher density residential and commercial uses near major arterial streets. The proposed increase in planned intensity will promote the efficient use of existing infrastructure, in conformance with the General Plan policy.

Policy 1.3.5 *The Town shall encourage master planning that looks comprehensively at the subject properties and all adjacent areas.*

Policy 1.4.11 *The Town shall establish procedures to ensure the coordinated development of vacant areas of 40 acres or more either under multiple or single ownership by requiring the development of master plans for those areas. These master plans must consider and seek to minimize the impact of development on all adjoining properties.*

The proposed Nakoma Sky project is master planned through the use of Planned Area Development (PAD) zoning. This PAD provides coordinated access, circulation, utilities, land use, landscaping, recreational areas, community amenities and architectural standards, consistent with this policy.

Policy 3.1.6 *The Town shall require the preparation of economic impact analyses for all major development proposals (defined as commercial, employment, or multi-family developments over 20 acres or any development with over 200 residential acres) and proposed annexations to the Town.*

The applicant has conducted a market study but has not, to this juncture, provided the Town with information from the study to validate claims that the project is economically viable and will produce economic benefits to the Town.

Policy 7.2.1 *The Town shall encourage the development of a variety of types of homes to accommodate the varied needs of residents, including single-family attached and detached, townhomes, small apartments (3-4 units), condominiums, active retirement communities and congregate housing, with accessible options integrated among all types to accommodate the special needs of elderly or disabled residents.*

The proposed development is consistent with this policy by providing for the needs of a growing senior population with active retirement housing as well as residents who need assisted living or memory care services.

Policy 7.2.3 *The Town shall allow and encourage master planned communities that offer high-quality neighborhoods with a variety of residential densities and appropriately located commercial uses to serve the community. In these developments, ensure there are adequate transitions and buffers between uses.*

The proposed senior living campus is comprehensively planned to provide a mix of housing types for seniors. The project will provide neighborhood-scale retail services and is in close proximity to existing commercial centers. Adequate transitions and buffers are provided between uses.

Environmentally Sensitive Lands (ESL) Conformance Analysis

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 as CRAs. According to the ESL requirements, 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 Environmentally Sensitive Open Space (ESOS).

The proposed Tentative Development Plan (TDP) conserves 95% of the CRA area and 38% of the RMA area, which meets or exceeds ESL open space requirements. See PAD Exhibit S for the locations of the ESOS areas.

The following table summarizes these conservation requirements:

ESOS Category	Total Area on Site	ESOS Required	ESOS Provided
CRA	7.5 acres	7.1 acres	7.1 acres (95% of CRA)
RMA Tier II	72 acres	18 acres	27.5 acres (38% of RMA)
Total	79.5 acres	25.1 acres (31.6% of site)	34.6 ac (44% of site)

As shown, the ESOS provided exceeds the requirement by approximately 9.5 acres.

Conservation Categories (Non-biologically Based)

Cultural Resources

The applicant submitted a cultural resources survey prepared by P.A.S.T. Archaeology (Attachment 4), which states that the no significant cultural resources were found on the property and that no additional study is recommended.

Scenic Resources

The property lies within the Oracle Road Scenic Corridor Overlay District (ORSCOD). View protection is a top priority in the District. The applicant has submitted site photographs and view shed analysis, including a massing study, to assess the visual impact of the proposed development on primary view sheds from adjacent areas (see PAD Appendix B). This information was utilized in analyzing the visual impact of the proposed development, including the 5-story apartment building, which is discussed in the *Significant Issues* section of this report.

In order to gain a better understanding of site conditions and the visual impact of the proposed building, the applicant placed 26 balloons at different locations to simulate the proposed building heights. The majority of the balloons were placed at the corners of the 5-story apartment to depict the height and mass, including the proposed 10-foot additional architectural features (85' total).

A site tour was held on November 15th, and was attended by a majority of the Town Council as well as Planning and Zoning Commission Conceptual Design Review Board members, and the public. The site tour agenda and packet is provided as Attachment 14.

Hillside Areas

The applicant conducted a hillside analysis identifying areas of slope on the subject property. The site contains a number of areas with 15-25% slopes and a significant area of 25% or greater slopes.

The ESL regulations limit the amount of disturbance based on the steepness of the slope (in %), with 100% disturbance allowed on slopes less than 15% and less disturbance allowed on steeper slopes (see PAD Section II-D and Exhibits U and V). The allowable and proposed disturbance are as follows:

- Permitted disturbance: 54.4 acres
- Proposed disturbance: 44.6 acres

As shown, the proposed hillside disturbance is within the ESL limits. A full hillside analysis and compliance with the ESL hillside regulations are required during the subsequent site plan process.

Neighborhood Meeting Summary
La Posada. Rezoning (PAD Amendment)
June 25, 2014
6:00 – 7:30 PM
Resurrection Lutheran Church

1. Introductions and Welcome

Meeting Facilitator Bayer Vella, Interim Planning Manager, introduced the Oro Valley staff Paul Keesler, DIS Director, Chad Daines, Principal Planner, and Michael Spaeth, Project Manager. Approximately 30 residents and interested parties attended the meeting, including Council Members Hornat, Zinkin, Waters and Snyder. Also in attendance were several Planning and Zoning Commissioners as well as Board of Adjustment Chair Bill Adler.

2. Staff Presentation

Bayer Vella, Interim Planning Manager, provided a presentation that included:

- Rezoning (PAD Amendment) Review Process
- Review Tools
- Public Participation Opportunities
- Next Steps

3. Applicant Presentation

Lisa Isreal, President and CEO of La Posada, provided a presentation that included:

- Overview of La Posada retirement communities;

Vernon Swaback, Managing Partner at Swaback Partners, provided a presentation that included:

- Proposed Tentative Development Plan
- Architectural Renderings
- Environmental Impacts of proposal

4. Public Questions & Comments

<u>Process & Project Timeline</u>

- When will the next meeting occur where residents have an opportunity for input?
- What is the project schedule?
- How long will the project take?

<u>Development Standards</u>

- What is the total number of units proposed?
- Is the project going to be phased?
- Will the project maintain horse trail access?
- A comment was made asking the applicant to look at how the project will impact neighboring horse properties?
- Will your proposal be consistent with the Dark Sky's Program?

ATTACHMENT 13

- Will the proposal provide disability accessible units?
- A comment was made concerning view preservation for homes to the northwest.
- A comment was made requesting "Line-of-sight" vignettes at a future meeting.

Proposed Use

- What type of public uses will be incorporated into the design of the site?
- Will there be meeting rooms for public use?
- How big will the proposed arts center be?
- Is this going to be a rental community?
- What are the expected demographics of users?
- How many assisted living units are proposed? Independent uses?
- A question was asked why there are no proposed skilled nursing facilities.
- A comment was made concerning the overwhelming number of uses proposed.

Traffic & Circulation

- Where are the ingress and egress points from First Avenue?
- A comment was made concerning increased traffic on First Avenue.

Environmentally Sensitive Lands

- Will the proposal meet the Environmentally Sensitive Lands requirements?
- How much excavation of the hills will be required?
- Will the structures incorporate any solar panels?
- Are you expecting to request any grading exceptions?

5. Next Steps

- The next steps include:
    - Formal application
    - Staff review
    - Additional neighborhood meeting
    - Planning and Zoning Commission Public Hearing
    - Town Council Public Hearing

Meeting dates will be posted on the Town website (www.orovalleyaz.gov) and notices will be mailed to residents within the notification area and all individuals who signed the sign-in sheet at the meeting.

For more information, please contact Michael Spaeth, AICP, Senior Planner, at (520) 229-4812 or mspaeth@orovalleyaz.gov

Neighborhood Meeting Summary
La Posada Senior Care Campus Rezoning and ESL Map Amendment
September 29, 2014
6:00 – 7:30 PM
Resurrection Lutheran Church, 11575 N. 1st Avenue

1. Introductions and Welcome

Meeting Facilitator Bayer Vella introduced the Oro Valley staff, including David Laws, Permitting Manager, and Matt Michels, Senior Planner. Approximately 30 residents and interested parties attended the meeting, including Vice Mayor Waters and Council Members Zinkin and Hornat.

2. Staff Presentation

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

- Applicant's request
- Review of zoning and Planned Area Development
- Topography and slopes
- Wash Corridors and Environmentally Sensitive Lands
- Review tools and process
- Traffic and drainage information
- Zoning amendment process
- Previous neighborhood meeting issues

3. Applicant Presentation

The applicant team, including Vern Swaback of Swaback Partners, Lisa Israel of La Posada, and Rob Longacre of WLB, provided presentations that included:

- Overview of La Posada's mission and facility in Green Valley
- Overview of proposed project, including site design, design themes, and proposed amenities
- View shed analysis from various vantage points
- Proposed Environmentally Sensitive Lands (ESL) amendment
- Previous neighborhood meeting issues

4. Public Questions & Comments

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

- Who did the original ESL mapping? What has changed since the ESL maps were created?

- How much cut and fill will be required? How has it changed from the existing A.F. Sterling residential development proposal for Rooney Z?

- What is the extent of mass grading proposed?

- Is the grading waiver granted for the A.F. Sterling residential development transferrable?

- Will solar thermal heating be provided for the pool areas?

- How will open space be provided?

    - Which areas will be designated as ESL Resource Management Areas?
    - Which areas will count towards Environmentally Sensitive Open Space (ESOS)?

- What will the views be like from around the property, including:
    - CDO wash
    - Steam Pump Ranch
    - Oracle Road
    - Homes to the east of the project
    - From the west (1st Avenue)
    - The southern portion of the Kai property to the north

- Will balloons be provided to depict the proposed 5 story buildings for the site tour?

- Will the project include skilled nursing?

- Will the project be phased?

- What types of traffic improvements are proposed?

- Will a third access point at First and Naranja be provided?

- Do the development rights go with the land?

- Are ornamental water features allowed?

- Will reclaimed water be used?

- What is the maximum building height proposed?

- Will the entrances be gated?
- Does the traffic study account for public use of facilities such as parks, etc?
- Will the public use parking be underground?
- Will transportation between areas on-site be provided for residents?
- Will wheelchair access be provided throughout the project?

Neighborhood Meeting Summary
Nakoma Sky Senior Living and Care Campus
December 15th, 2014
6:00 – 7:30 PM
Resurrection Lutheran Church, 11575 N. 1st Avenue

1. Introductions and Welcome

Meeting Facilitator Matt Michels introduced the Oro Valley staff, including Paul Keesler, DIS Director, and Bayer Vella, Planning Manager. Approximately 40 residents and interested parties attended the meeting.

2. Staff Presentation

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

- Location and project history
- Applicant's request
  - Proposed rezoning
  - Proposed Environmentally Sensitive Lands (ESL) zoning map amendment
  - Proposed General Plan Special Area Policy amendment
- Review of November 15th, 2014 site tour
- Previous neighborhood meeting issues

3. Applicant Presentation

Vern Swaback of Swaback Partners provided a presentation that included:

- Overview of project
- Design themes
- Development standards, including building heights
- Features and amenities of development

4. Public Questions & Comments

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

- A resident stated that they are concerned about traffic impacts
- Will the grading exception for Nakoma Sky be similar to the grading exception approved for the Pepper-Viner homes subdivision?
- How will public art be incorporated into the project?
- How many residents will live in Nakoma Sky when completed?

- What is the primary market area for Nakoma Sky (where will new residents come from)?
- Are 2 story homes proposed?
- Where are the 10-foot additional architectural features proposed on the 5 story apartment building?
- Is the 5 story apartment building proposed as part of the first phase?
- What is the square footage range of the apartment units?
- Which amenities will be open to the public (park, theater, classrooms, restaurant)?
- A resident commented that they do not support the proposed water features.
- Why are 400 units needed?
- What is the project density?
- A resident commented that consideration should be given to all sides of the 5 story apartment building, including the roof, as the building will be viewable from many vantage points, including 1st Avenue and Oracle Road.
- How will lighting be regulated?

Michels, Matthew

From: Kevin Kaatz <kevindkaatz@[redacted]>
Sent: Friday, November 07, 2014 5:22 PM
To: Michels, Matthew
Subject: La Posada development.

Dear Matt,

I live at [redacted] N. Skywire Way and back up to the undeveloped Tucson Water Authority and Kai properties. I will be looking towards the La Posada development. Having moved from the Chicago area three years ago where I rarely saw a clear sky, if there was a cloudless night, the stars were washed out by the light pollution. Here in Tucson, I'm in awe every day of the sunrise, sunset and night sky filled with stars. My concern, which I think the developer could easily address with appropriate lighting, is how much their outside and parking lot lighting will impact the surrounding area. I'm fortunate in that the way my house sits, I don't see the lights from the CDO High School field nor do I get all the shopping center lights from the Oracle and First centers. Is it possible for them to consider not only the safety of their residents but also the impact on the surrounding area when they choose the type of lighting to install in their development?

Sincerely,

Kevin D. Kaatz
[redacted]

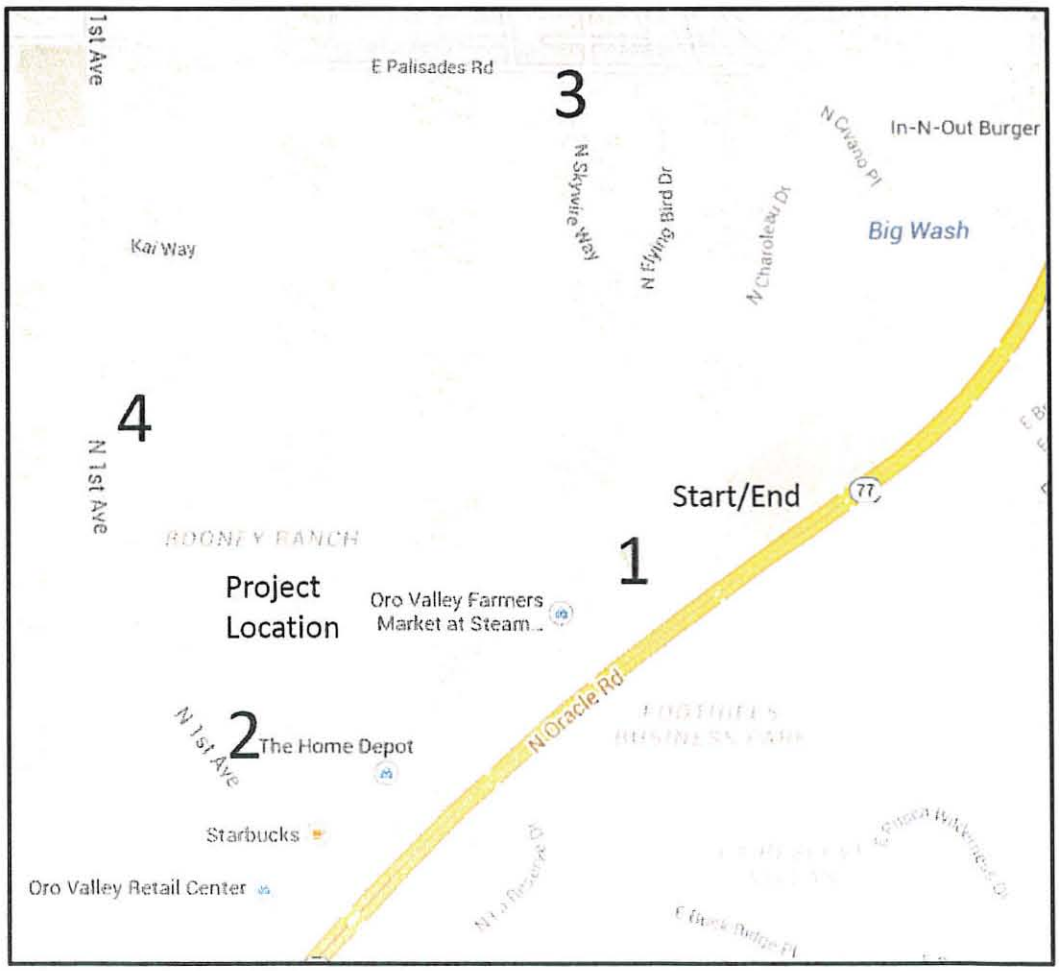
ATTACHMENT 14

La Posada Site Tour Agenda and Map
November 15, 2014, 11:00 AM – 12:30 PM

AGENDA

11:00 AM	**Meet in front of Basis Charter School (11155 N Oracle Rd)**
11:15 AM	**Stop #1: Steam Pump Village park**
11:30 AM	**Stop #2: 1st Avenue @ CDO Bridge**
11:50 AM	**Stop #3: Palisades Road and Skywire Way**
12:10 PM	**Stop #4: 1st Avenue and Naranja Drive**
12:30 PM	**Arrive back at Basis Charter School**

MAP

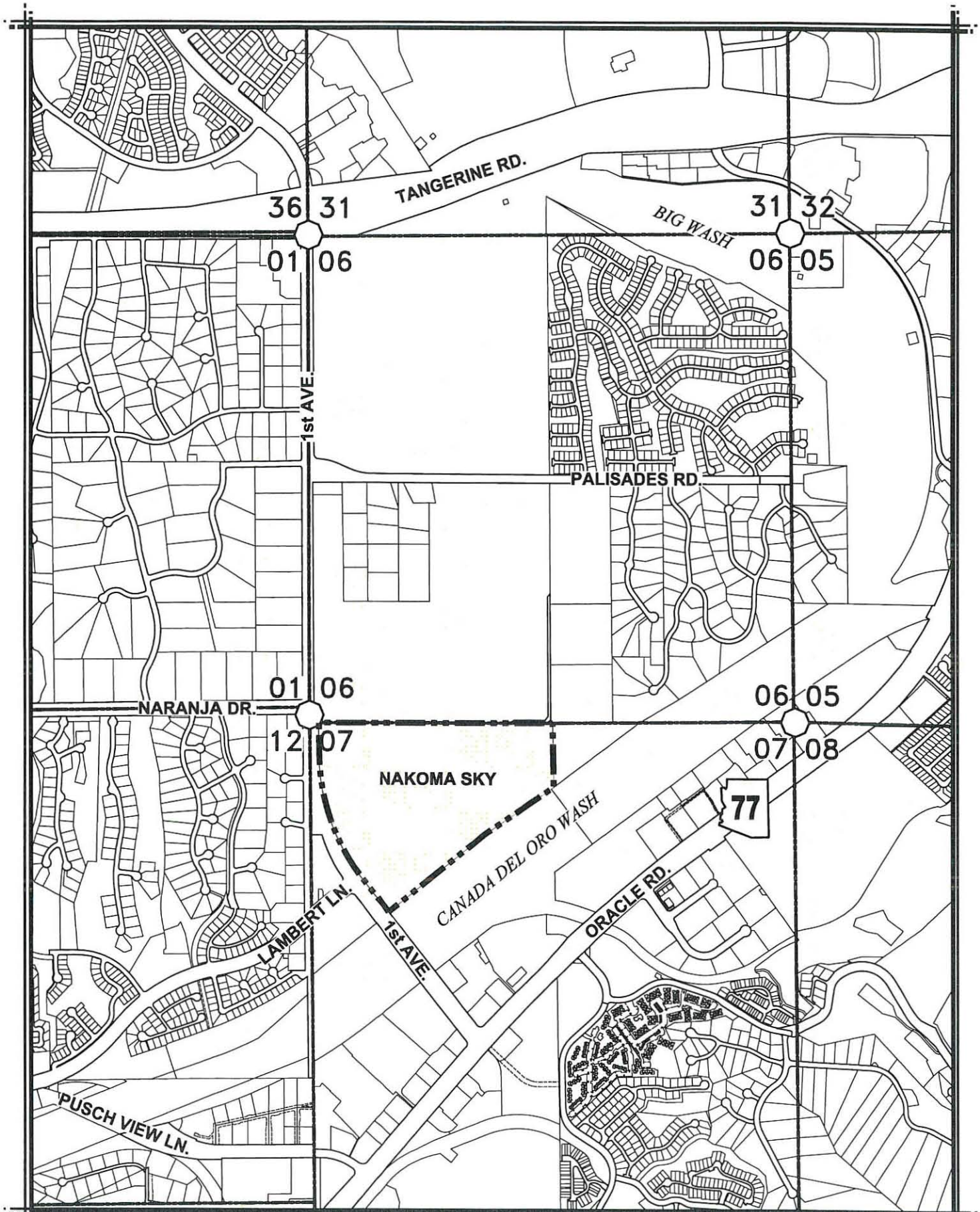


ATTACHMENT 15

NAKOMA SKY

SITE TOUR
INFORMATION PACKET

November 15, 2014



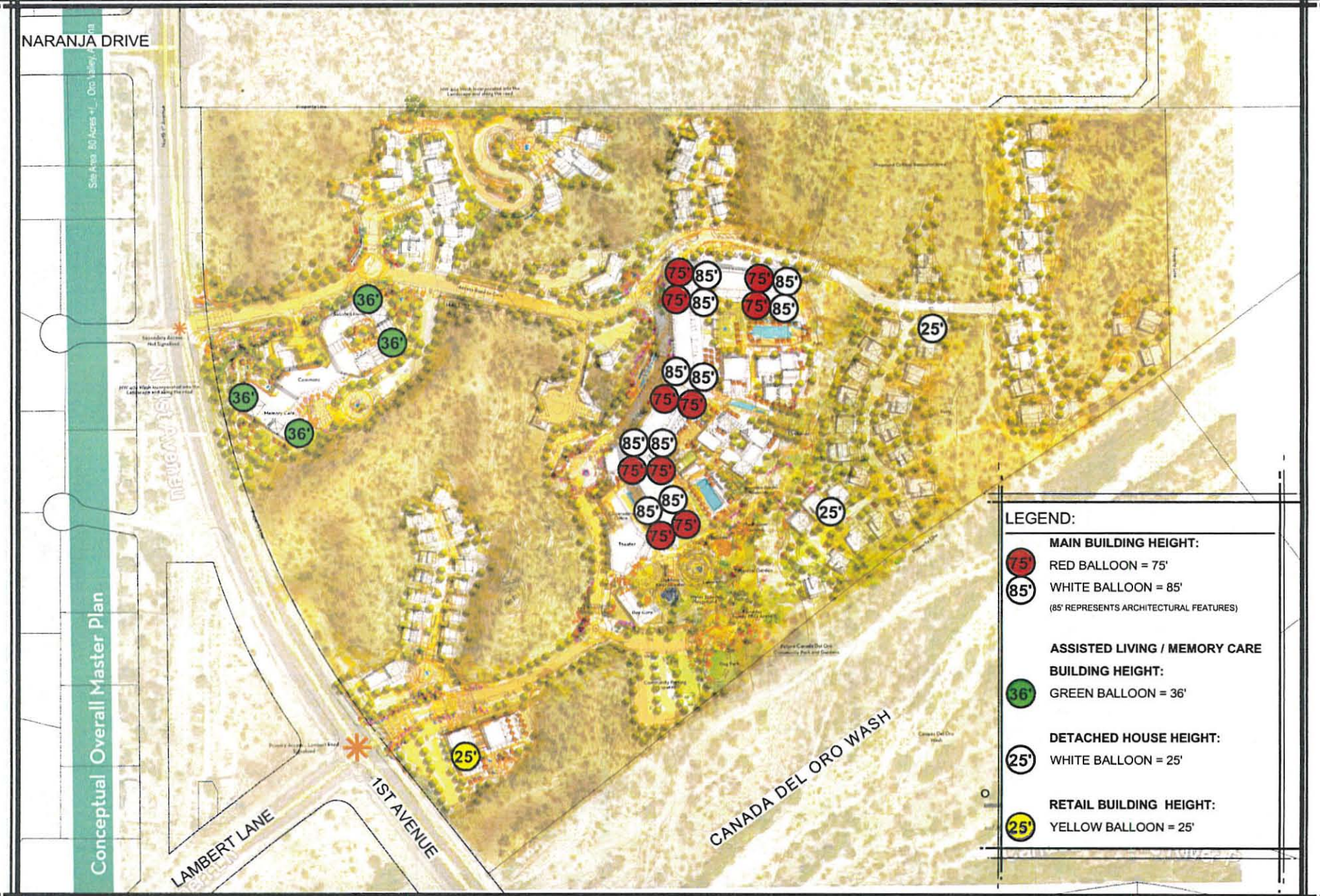
The WLB Group **WLB**

NAKOMA SKY
SITE LOCATION MAP

11.12.2014
WLB No. 181057-Y-002

0 Miles 1/4

L:\181057\Y-002 Rooney Z La Posada\Public Participation\Nov 15 2014 Site Tour\WLB Materials\Site Location Map.dwg Plotted: Nov. 12, 2014



The WLB Group **WLB**

NAKOMA SKY
BALLOON LOCATION AND HEIGHT EXHIBIT

11.13.2014
WLB No. 181057-Y-002

L:\181057\Y-002 Rooney Z La Posada\Public Participation\Nov 15 2014 Site Tour\WLB Materials\Balloon Loc and Height Exhibit.dwg Plotted: Nov. 13, 2014

EXHIBIT R

LEGEND

1. Primary Access to the Community . Signage Wall
2. Village Retail . Cafe . Store . Bar
   10,000 sf. . 40 parking spaces + 15 on street parking
3. Marketing Welcome Center . 2,500 sf. - 12 parking spaces
4. Entertainment Village Theater, Classrooms, Day care, Playground, Outdoor Amphitheater.
5. Residential . 17 South Cottages + 10 North Cottages
   Average Square Footage 1,400 with attached garages.
   On street parking for visitors
6. Trail Head Access with Trails, Water, Public Bathroom, Golf Carts Parking, Bike racks
7. Resting Area . Mountain Views and Look Out Cabana with Telescope
8. Access to Community Park
9. Arrival Plaza
10. Access to Underground Parking for Residents and Employees
11. Service Access Road to Underground Delivery Area . Kitchen . Garbage Pick up Areas (Secondary PickUp areas will be located on each of the buildings) . Storage . Mechanical
12. Arrival Court . Main Access to Apartment Buildings and Core
13. Restaurants . Bar & Bistro Cafe . Chef Kitchen . Demo and Community Kitchen
14. Residential Apartments .
    Average Square Footage 1,300 with underground private garages.
    Total 220 Units +/_
15. Community Village Main Courtyard
16. Offices . Arts . Flex Rooms . Beauty Card Room . Tech Room Compound
17. Meeting Rooms Post Office
18. Residents Pools . Cabanas . Restrooms . Bar
19. Outdoor Patios . Fire Pits . Lounge Rooms .
20. Residential Estates Mountain View . Average Lots Square Footage 4,500
    36 Lots Total . Average Homes Square Footage 2,000
21. Wellness & Spa Village . Exercise Rooms . Yoga .
    Meditation . Indoor Pool . Roof Top Pool . Gardens
22. Facilities Management . Central Plan . Services . Overflow Parking +
    Community Trams Parking . Solar Array and related Facilities.
23. Golf Carts Parking / Charging Station
24. Northern Arrival Plaza
25. Assisted Living & Memory Care . Approximately 42 Units for Assisted Living and 30 Units for Memory Care . Plus additional Service, Recreational and Common Areas . 55 +/- Parking Spaces
26. Residential Villas . 22 Units (11 1st level + 11 2nd Level) .
    Average Square Footage 1,600
27. Residential Hill Villas 5 Units with attached parking (one level) .
    Average Square Footage 1,600
28. Community Park . Public Bathrooms . Ramadas . Gardens .
    Dog Park . BBQ Areas . Water Splash Park
29. Gate / Signage Entrance to Residential Apartments Core
30. Visitors Parking (35 +/)
31. Guest House

Town Council Regular Session **Item # 5.**

Meeting Date: 01/21/2015
Submitted By: Michael Spaeth, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

DISCUSSION AND POSSIBLE ACTION TO INITIATE AN AMENDMENT TO THE ORO VALLEY ZONING CODE REVISED (OVZCR) RELATING TO INCREASED REGULATIONS FOR SIGN ILLUMINATION

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

At the October 15, 2014, Town Council meeting, Vice Mayor Waters requested staff provide information relating to the adequacy of current zoning requirements regarding sign illumination controls. A Town Council Report was provided outlining the current zoning requirements and how sign illumination is regulated in other jurisdictions (Attachment 1). Subsequently, two (2) Councilmembers have requested this item be placed on an agenda for further discussion and possible initiation of a Zoning Code amendment relating to sign illumination regulations.

BACKGROUND OR DETAILED INFORMATION:

Attachment 1 provides more detailed background on Oro Valley's current sign illumination regulations and a summary of other jurisdictions' regulations.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to direct staff to initiate an amendment to the Zoning Code to provide for more effective regulation of sign illumination.

or

I MOVE...

Attachments

Attachment 1 - Town Council Report - Sign Illumination

Town Manager's Office

TOWN COUNCIL REPORT

DATE: October 27, 2014

TO: Mayor and Councilmembers

FROM: Greg Caton, Town Manager
Paul Keesler, DIS Director

SUBJECT: Sign Illumination and Zoning Requirements

At the October 15, 2014, Town Council meeting, Vice Mayor Waters requested that staff answer the following question: Do we need to revisit the zoning standards for sign illumination? The question was triggered by a resident's concerns about the brightness of signs recently installed within the San Dorado development. Therefore, this report is intended to provide information regarding Vice Mayor Waters' question.

DISCUSSION

Overall, the Town's lighting code is similar to the codes used by all jurisdictions in the region; however, our code has not received any updates unlike our neighboring jurisdictions. In 1999 and 2000, Pima County, Tucson, and Marana jointly developed a "dark sky" compliant outdoor lighting code. The process entailed intensive work by residents, astronomers, developers, business owners, lighting experts, public safety officers, and contractors. From 2000 to 2002, jurisdictions in the region, including Oro Valley, all adopted similar standards. Since then, jurisdictions, except Oro Valley, have made significate updates to their lighting codes.

The Town's Zoning Code does not currently restrict sign brightness, as the focus is on maintaining an overall lumen (brightness) maximum for all lighting elements on a site, excluding signs. As a result, the lighting found at San Dorado and other businesses is code compliant.

As stated in the Council Report on March 26, 2014, Pima County, Tucson and Sahuarita do regulate the temperature of sign lighting, which cannot exceed 4400 Kelvin or 7460 degrees Fahrenheit. The significance of temperature is that it effects the brightness of signs.

For signage specifically, predetermining the lumen output is challenging for manufacturers since a sign may have a variety of colors and letter thickness, which impacts light transfer. However, Marana does regulate LED signs by limiting white signs to a particular luminous intensity.

Should the Town want to pursue increased regulation on sign illumination, then staff can further research these practices in determining which one is most appropriate.

RECOMMENDATION / CONCLUSION:

This report is for information only.

Town Council Regular Session **Item # 6.**

Meeting Date: 01/21/2015
Requested by: Councilmember Zinkin & Councilmember Garner
Submitted By: Julie Bower, Town Clerk's Office
Department: Town Clerk's Office

Information

SUBJECT:

DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING THE IMPLEMENTATION OF ORDINANCE (O)14-17 AMENDING THE TAX CODE OF THE TOWN OF ORO VALLEY TO INCREASE THE LOCAL TRANSACTION PRIVILEGE TAX (TPT) RATE FROM 2% TO 2.5% IN VARIOUS CATEGORIES

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

Councilmember Zinkin and Councilmember Garner have requested that this item be placed on the agenda.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to _____.