AGENDA
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
March 4, 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)(3) and 38-431.03(A)(4) in order to receive legal advice, consider its position and instruct its attorneys regarding the Arrett/Lamonna litigation

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

UPCOMING MEETING ANNOUNCEMENTS

COUNCIL REPORTS

DEPARTMENT REPORTS

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

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

INFORMATIONAL ITEMS

1. Letter of Appreciation - Oro Valley Police Department

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

CONSENT AGENDA
(Consideration and/or possible action)

A. Minutes - February 18, 2015

B. Request for approval of a final plat for Block 4 of the Maracay at Vistoso subdivision, located northeast of the intersection of Pebble Creek Drive and La Canada Drive

C. Resolution No. (R)15-17, authorizing and approving an Intergovernmental Agreement (IGA) between the City of Phoenix Police Department and the Town of Oro Valley Police Department for the Arizona Internet Crimes Against Children Task Force

D. Resolution No. (R)15-18, authorizing and approving a subgrantee agreement between the Town of Oro Valley and the Arizona Department of Homeland Security to fund the purchase of equipment under the Operation Stonegarden program

E. Resolution No. (R)15-19, authorizing and approving Town of Oro Valley projects under consideration for inclusion in a future Pima County general obligation bond election

REGULAR AGENDA

1. FISCAL YEAR 2014/15 MID-YEAR FINANCIAL UPDATE

2. DISCUSSION AND POSSIBLE APPROVAL OF A REVISED MASTER SIGN PROGRAM FOR THE ORO VALLEY MARKETPLACE TO ALLOW WALL SIGNS ON BUILDING ELEVATIONS FACING ORACLE AND TANGERINE ROADS

3. PUBLIC HEARING: ORDINANCE NO. (O)15-07, REZONING 16.3 ACRES NEAR THE NORTHWEST CORNER OF LA CAÑADA DRIVE AND TANGERINE ROAD FROM R1-144 TO R1-7 AND APPROVING ONE ESL FLEXIBLE DESIGN OPTION FOR A MODIFIED REVIEW PROCESS

4. DISCUSSION AND POSSIBLE ACTION TO AMEND THE FY 2014/15 ADOPTED BUDGET TO ACCOUNT FOR THE NEW ORO VALLEY COMMUNITY AND RECREATION CENTER AND GOLF AND TENNIS OPERATIONS ASSOCIATED WITH THE ACQUISITION OF THE EL CONQUISTADOR COUNTRY CLUB AND GOLF COURSES

5. RESOLUTION NO. (R)15-20, AMENDING THE EXISTING PARKS & RECREATION FEE SCHEDULE TO INCLUDE THE ORO VALLEY COMMUNITY & RECREATION CENTER AND EL CONQUISTADOR GOLF DAILY USAGE FEES

6. DISCUSSION AND POSSIBLE DIRECTION REGARDING THE PROCESS OF SETTING USER FEES FOR THE ORO VALLEY PARKS AND RECREATION DEPARTMENT

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: 2/25/15 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: 03/04/2015

Submitted By: Catherine Hendrix, Police Department

Information

Subject

Letter of Appreciation - Oro Valley Police Department

Attachments

Cuthbert Appreciation Letter

Received by
FEB 20 2015
Oro Valley Police Dept.

February 12, 2015

Officer Brian Marvin
Officer Kevin Peterson
Officer Roger Reynolds
Oro Valley Police K-9 Unit
Oro Valley Police Department
11000 N. La Canada Drive
Oro Valley, AZ 85737

Dear Officers:

The Sun City Gun Club would like to express our appreciation to you for the K-9 Unit Program on Wednesday, February 11, 2015 in the Sun City Auditorium. The PowerPoint slide presentation on the history, activities and mission of the K-9 Unit was very informative. Your relaxed style in presenting the program and responding to the many questions, made the program interesting and entertaining. To actually see a K-9 dog in operation was most amazing. I have received numerous positive comments from Gun Club members and non-members who were present. Several people stated that they were able to ask a question s about the K-9 Unit and police operations they "had always wanted to ask a police officer". Clearly, The Oro Valley Police is one of the premier law enforcement agencies in the country. Again, thank you for your presentation.

Sincerely,

Warren Cuthbert, President
Sun City Oro Valley Gun Club
14760 N. Wonderview Dr.
Oro Valley, AZ 85755
520-818-1282

Cc: Chief Daniel Sharp
Lt. Chris Olson

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

Meeting Date: 03/04/2015

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

Department: Town Clerk's Office

Information

SUBJECT:

Minutes - February 18, 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 February 18, 2015 minutes.

Attachments

2/18/15 Draft Minutes

MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
February 18, 2015
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
Brendan Burns, Councilmember
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

EXCUSED: Lou Waters, Vice Mayor

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 and Spotlight on Youth

Councilmember Zinkin corrected inaccurate information contained in a PowerPoint presentation regarding Police Department overtime. The PowerPoint stated that $113,000 in overtime costs were realized due to paying officers from the time they checked-in and checked-out of their take home vehicles. Councilmember Zinkin clarified that officers were not paid during their check-in and check-out times for take home vehicles so no overtime costs were incurred.

Councilmember Zinkin referenced a deed dated July 1, 2008 from Pima County regarding Steam Pump Ranch. Councilmember Zinkin said the deed stipulated that the Town shall, at all times, maintain each building and the respective facades, as well as

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the site, to reduce deterioration. Councilmember Zinkin said the structures at Steam Pump Ranch needed to be stabilized in order to prevent further deterioration.

On behalf of Vice Mayor Lou Waters, Councilmember Snider reported that new and expanded Bio Sciences were coming to Oro Valley which meant more high-end jobs and enhanced recognition of Oro Valley as the Bio Science hub of Southern Arizona. LCMS Laboratories of La Jolla California was expanding to the Foothills Business Park. LCMS was a Clinical Laboratory Improvement Amendments (CLIA) certified laboratory meaning an advanced class of mass spectrometry technologies that would create high-paying laboratory and administrative jobs in the region. At the same time, Roche Ventana was expanding its operations at Innovation Parkway by 28,000 sq. feet on thirty acres adjacent to the main facility.

Councilmember Snider recognized students from Ironwood Ridge High School who were a part of the SMART Team (Students Modeling a Research Topic). Each year, the team worked with local researchers to develop a 3-D printed model of a protein of interest. This year's group partnered with the laboratory of Dr. James Hazzard at the University of Arizona Chemistry and Biochemistry Department. They worked to develop a computer-generated model of streptavidin (a bacterial protein) which is used in biotechnology.

Ironwood Ridge High School teacher Liane Futch, introduced the following members of the SMART Team:

Tiffany Pham
Bennett Adamson
Joe Montoya
Jason Kronenfeld
Martin Inostroza
Savanah Fraijo
Ryan Chavez
Bianca Reilly
Bennett Adamson

DEPARTMENT REPORTS

No reports were received.

ORDER OF BUSINESS

Mayor Hiremath reviewed the order of business and said Regular Agenda item #3 regarding Personnel Policy 14 - Overtime, would be continued to the March 18, 2015 Council meeting.

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INFORMATIONAL ITEMS

1. Letter of Appreciation for Shop OV

CALL TO AUDIENCE

Oro Valley resident Marty Waters and volunteer for the Youth Advisory Committee (YAC), spoke about a recent youth-outreach opportunity in which the YAC members visited seniors at the Catalina Springs Memory Care facility and played basketball with the male residents, assisted residents with preparations for their senior prom, decorated cards, made cookies and sang to the residents on Valentine's Day.

Ani Ehramjian, Youth Advisory Council Member and Oro Valley resident, thanked Mike Delgado, Manager of Fry's Food & Drug, for his generous donation of beautiful flowers for their visit with the seniors at Catalina Springs Memory Care facility.

Oro Valley resident Shirl Lamonna spoke about the elimination of Coyote Run in 2011 and the closure of the recreation center across the street from Town Hall in FY 2012/13.

Dave Perry, President and CEO of the Greater Oro Valley Chamber of Commerce and Oro Valley resident was excited about LCMS Laboratories coming to Oro Valley and the Chamber had reached out to them to offer any kind of assistance as needed. Mr. Perry thanked Economic Development Manager Amanda Jacobs for her efforts in attracting LCMS to Oro Valley. The Golf Club at Vistoso would host a Mixer event on Thursday, February 19th from 5:00 p.m. to 7:00 p.m. The Oro Valley Country Club would host a breakfast on Thursday, February 26th. The Grand Opening and Open House at Copper Health Oro Valley would be held on February 26th from 4:00 p.m. to 6:00 p.m. The ribbon cutting would be at 4:30 p.m. The Off the Vine Wine Festival would be held this Saturday, February 21st from 12:00 p.m. to 5:00 p.m. at Steam Pump Ranch.

The Greater Oro Valley Chamber of Commerce was working to find 1,500 meals to serve volunteers at the State Fast Swim Meet at the Aquatics Facility from March 5th through the 8th.

Oro Valley resident Stan Winetrobe was concerned with the misleading content, insinuations, opinions and incorrect facts that were contained within a letter and PowerPoint presentation that were drafted by Councilmember Zinkin and Councilmember Garner. Mr. Winetrobe inquired as to why Councilmember Burns, Councilmember Garner and Councilmember Zinkin had not attended the Study Session last April at which the Police Department budget was discussed.

Councilmember Burns said he was not able to attend the Budget Study Session last April because he was on annual military duty.

Councilmember Zinkin said he was not able to attend the Budget Study Session last April because he was celebrating his 20th wedding anniversary.

Councilmember Garner said he was not able to attend the Budget Study Session last April because he was out of Town for business.

CONSENT AGENDA

Councilmember Zinkin requested to remove items (C) and (F) from the Consent Agenda for discussion.

A. Minutes - February 4, 2015

B. Greater Oro Valley Chamber of Commerce Quarterly Report: October 1, 2014 - December 31, 2014

D. Council approval of M3S Sports' request for in-kind support for the Arizona Distance Classic

E. Resolution No. (R)15-15, authorizing and approving vacation of a portion of a one (1) foot No Access Easement along Innovation Park Drive

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

MOTION carried, 6-0.

C. Visit Tucson Quarterly Report: October 1, 2014 - December 31, 2014

Councilmember Zinkin asked why Ms. Jacobs attended the Las Vegas Rock "n" Roll Marathon expo.

Ms. Jacobs said the main purpose for the trip was to promote the upcoming Arizona Distance Classic and to meet with other event coordinators to attract additional endurance events to Oro Valley.

Councilmember Zinkin asked if Visit Tucson was rebating the Town $8,750 for costs incurred for promotion activities.

Ms. Jacobs said that was correct.

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

MOTION carried, 6-0.

F. Resolution No. (R)15-16, adopting the Town of Oro Valley Strategic Plan 2015

Councilmember Zinkin said he could not support the Strategic Plan because it was too bureaucratic, generic and non-directional.

Mayor Hiremath said the Strategic Plan provided direction and helped the Town prioritize activities.

Councilmember Snider said the Strategic Plan was a guiding document and was used by departments to help stay on track and work towards common goals.

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

MOTION carried, 4-2 with Councilmember Garner and Councilmember Zinkin opposed.

REGULAR AGENDA

1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 11 (HOTEL/MOTEL) LIQUOR LICENSE FOR THE HILTON TUCSON EL CONQUISTADOR GOLF & TENNIS RESORT LOCATED AT 10000 N. ORACLE ROAD

Town Clerk Julie Bower presented item #1.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Hornat to recommend approval of the issuance of a Series 11 Liquor License to the Arizona Department of Liquor Licenses and Control for Kevin Kramber for the Hilton Tucson El Conquistador Golf & Tennis Resort located at 10000 N. Oracle Road.

MOTION carried, 6-0.

2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION FOR A SERIES 6 (BAR) LIQUOR LICENSE FOR THE EL CONQUISTADOR COUNTRY CLUB LOCATED AT 10555 N. LA CANADA DRIVE

Ms. Bower presented item #2.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

MOTION: A motion was made by Councilmember Burns and seconded by Councilmember Hornat to recommend approval of the issuance of a Series 6 Liquor License to the Arizona Department of Liquor Licenses and Control for Kevin Kramber for the El Conquistador Country Club located at 10555 N. La Canada Drive.

MOTION carried, 6-0.

3. DISCUSSION AND POSSIBLE DIRECTION REGARDING PERSONNEL POLICY 14 - OVERTIME

Item #3 was continued to the March 18, 2015 regular Town Council meeting.

4. DISCUSSION AND POSSIBLE ACTION TO INITIATE A ZONING CODE AMENDMENT TO SECTION 28.1 (SIGNS) FOR WINDOW SIGN AND BALLOON STANDARDS

Economic Development Manager Amanda Jacobs presented item #4.

Discussion ensued amongst Council and staff regarding item #4.

MOTION: A motion was made by Councilmember Snider and seconded by Councilmember Burns to initiate a zoning code amendment to Section 28.1 (Signs) to consider changes to window sign and balloon standards.

MOTION carried, 6-0.

5. 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

Discussion ensued amongst Council and staff regarding item #5.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Garner to suspend the implementation of the .5% sales tax increase until such time that all litigation currently under way referencing the Hilton El Conquistador has been settled.

MOTION failed, 2-3 with Mayor Hiremath, Councilmember Hornat, and Councilmember Snider opposed.

6. DISCUSSION AND POSSIBLE DIRECTION REGARDING POSTPONEMENT OF THE FINAL PURCHASE OF THE EL CONQUISTADOR GOLF AND

COUNTRY CLUB AND ASSOCIATED PROPERTIES

MOTION: A motion was made by Councilmember Garner and seconded by Councilmember Zinkin to postpone the final purchase of the El Conquistador Golf & Country Club and associated properties until such notice that the legal proceedings have been concluded.

MOTION failed, 3-3 with Mayor Hiremath, Councilmember Hornat, and Councilmember Snider opposed.

7. DISCUSSION AND POSSIBLE DIRECTION REGARDING APPROVAL OF PURCHASE AND OPERATOR CONTRACTS RELATING TO THE EL CONQUISTADOR COUNTRY CLUB AND GOLF COURSE

Councilmember Garner presented item #7.

Discussion ensued amongst Council and staff regarding item #7.

MOTION: A motion was made by Councilmember Garner and seconded by Councilmember Zinkin to direct staff, regarding any purchase or operator contracts related to the El Conquistador Country Club and golf course, to have the contracts come before Council as a Consent Agenda item.

MOTION failed, 3-3 with Mayor Hiremath, Councilmember Hornat, and Councilmember Snider opposed.

FUTURE AGENDA ITEMS

No future agenda items were requested.

CALL TO AUDIENCE

No comments were received.

ADJOURNMENT

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Snider to adjourn the meeting at 7:24 p.m.

MOTION carried, 5-1 with Councilmember Hornat opposed.

Prepared by:

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_____
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 18th day of February, 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

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

Meeting Date: 03/04/2015
Requested by: Bayer Vella
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

Request for approval of a final plat for Block 4 of the Maracay at Vistoso subdivision, located northeast of the intersection of Pebble Creek Drive and La Canada Drive

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The applicant requests approval of a Final Plat for one (1) of six (6) communities in the Maracay at Vistoso subdivision (Attachment 1). The plat features 75 lots, private streets, common areas and a model home complex. The Final Plat has been reviewed in light of the approved Conceptual Site Plan and meets Town requirements.

BACKGROUND OR DETAILED INFORMATION:

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

In June 2013, the Town Council approved the Conceptual Site Plan with the condition that lots along the west side of the property be limited to one-story homes. The Final Plat depicts a community in the northeast portion of the property, which is not subject to the one-story condition. The Final Plat is in substantial conformance with the design components (i.e. site layout, access, pedestrian connectivity, common areas, etc.) approved as part of the Conceptual Site Plan. Lots have been changed to accommodate a model home complex as described below:

- A model home complex is an area designated to showcase each type of home the builder provides.
- Applicant proposes to divide three (3) lots shown on the approved Conceptual Site Plan into four (4) lots to accommodate the model home complex.
- Homes will be consolidated into one (1) section (Lots 16 - 18) of the neighborhood for marketing purposes.
- Model home complex includes two 4,700 and two 8,000 sq. ft. lots.
- The following is information related to the 4,700 and 8,000 sq. ft. lots:
    - Consistent with the design components (i.e. street configuration, lot access, and pedestrian connectivity) approved as part of the Conceptual Site Plan.
    - The approved Conceptual Site Plan depicted 345 lots for the overall development and the proposed plat would create a total of 343 lots.
- The property's underlying zoning district permits the proposed lot sizes ranging from 4,700 to 21,000 sq. ft.

- On February 10, 2015, the Conceptual Design Review Board approved model home architecture for the proposed model home complex, based on the finding that the request meets the Town's design standards and principles.

Proposed Improvements:

- 34.35 acres subdivided into 75 lots
- Lot sizes ranging from 4,700 to 21,000 sq. ft.
- Average lot size: 12,624 sq. ft.
- Building height: 30' feet, 2-story
- Common areas throughout the site

Previous Approvals:

- September 2013: Conceptual Site Plan
- June 2014: Block Plat for entire Maracay at Vistoso subdivision
- July 2014: Block 2 Final Plat
- October 2014: Block 1 Final Plat

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to APPROVE the Final Plat for Block 4 of the Maracay at Vistoso subdivision as depicted in Attachment 1, finding that it meets Town requirements.

OR

I MOVE to DENY the Final Plat for Block 4 of the Maracay at Vistoso subdivision, finding that _____.

Attachments

Attachment 1 - Final Plat

APPROVALS

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

_____ _____
CLERK, TOWN OF ORO VALLEY DATE

_____ _____
PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT DATE

_____ _____
TOWN ENGINEER DATE

_____ _____
PLANNING MANAGER DATE

_____ _____
WATER UTILITY DIRECTOR DATE

ASSURANCES

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

BY:_____ _____
MAYOR – TOWN OF ORO VALLEY DATE

ASSURANCES IN THE FORM OF A _____ FROM, _____HAVE BEEN PROVIDED TO GUARANTEE THE RESEEDING OF THIS SUBDIVISION IN THE EVENT THE PROJECT IS ABANDONED.

WATER ADEQUACY

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

BY:_____
WATER UTILITY DIRECTOR

RECORDING DATA

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

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

F. ANN RODRIGUEZ, PIMA COUNTY RECORDER

BY: _____
DEPUTY FOR PIMA COUNTY RECORDER

CERTIFICATION

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

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

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
44121
PETER D.
COTE
Date Signed 12-29-14
ARIZONA U.S.A.

EXPIRES 3/31/2015

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

_____
DAVID W. LITTLE, P.E. 36234

Registered Professional Engineer (Civil)
CERTIFICATE NO.
36234
DAVID W.
LITTLE
Date Signed 12.29.14
ARIZONA U.S.A.

EXPIRES 6/30/2016

The WLB Group **WLB**

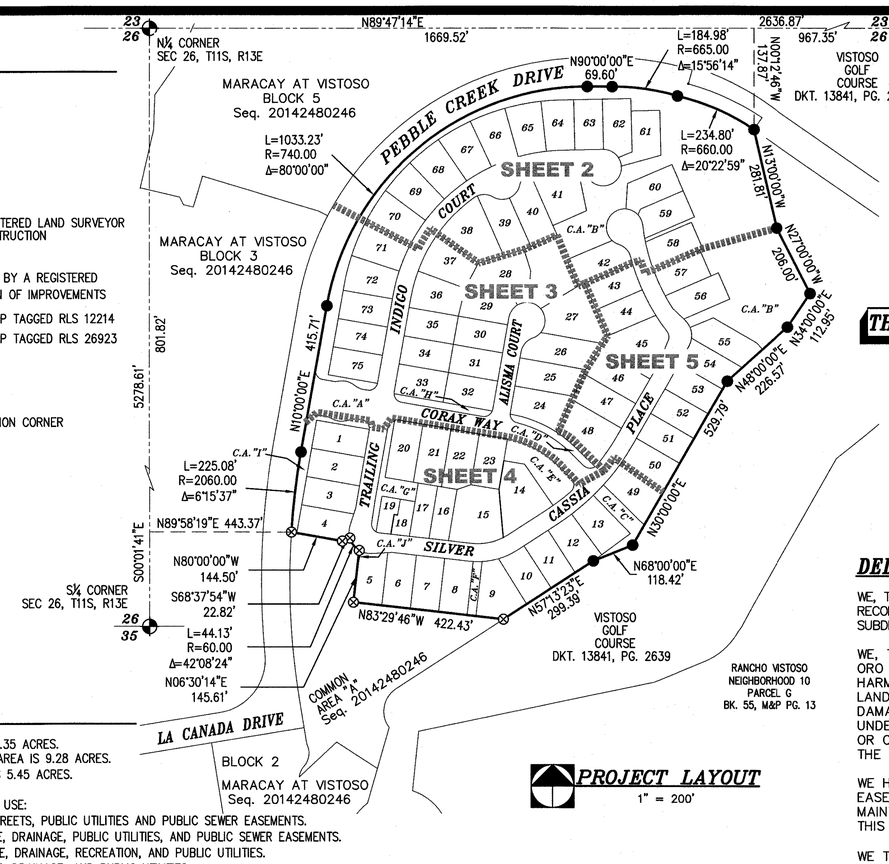
Engineering · Planning · Surveying
Landscape Architecture · Urban Design
Offices located in Tucson, Phoenix, Flagstaff, AZ. and Las Vegas, NV.
4444 East Broadway
Tucson, Arizona (520) 881–7480

LEGEND

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

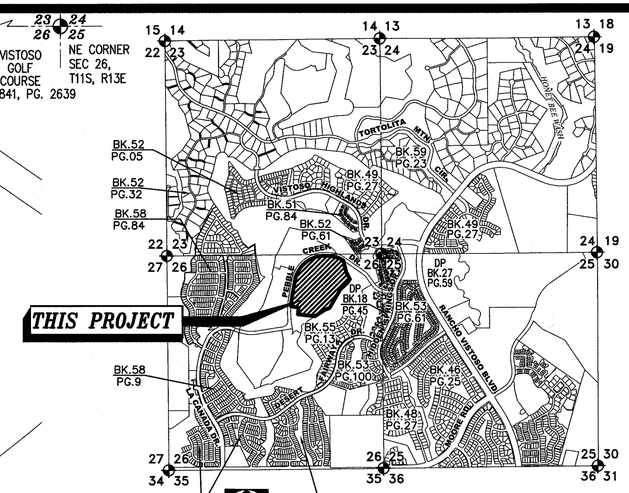
SHEET INDEX

SHEET 1	COVER SHEET
SHEETS 2 – 5	PLAN SHEETS



PROJECT LAYOUT

1" = 200'



LOCATION MAP

A PORTION OF SECTION 26
T11S, R13E, G & S.R.M., TOWN OF ORO VALLEY,
PIMA COUNTY, ARIZONA

GENERAL NOTES

1. THE GROSS AREA OF THIS SUBDIVISION IS 34.35 ACRES. THE DENSITY IS 2.09 UNITS PER ACRE. LOT AREA IS 9.28 ACRES. THE AREA OF PRIVATE STREETS (C.A. "A") IS 5.45 ACRES.
2. TOTAL NUMBER OF RESIDENTIAL LOTS IS 75.
3. COMMON AREA SIZE (ACRES) USE:

C.A. "A"	5.45	PRIVATE STREETS, PUBLIC UTILITIES AND PUBLIC SEWER EASEMENTS.
C.A. "B"	5.80	OPEN SPACE, DRAINAGE, PUBLIC UTILITIES, AND PUBLIC SEWER EASEMENTS.
C.A. "C"	0.21	OPEN SPACE, DRAINAGE, RECREATION, AND PUBLIC UTILITIES.
C.A. "D"	0.12	OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
C.A. "E"	0.34	OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
C.A. "F"	0.09	OPEN SPACE, DRAINAGE, SEWER, AND PUBLIC UTILITIES.
C.A. "G"	0.23	OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
C.A. "H"	0.12	OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
C.A. "I"	0.24	OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
C.A. "J"	0.003	OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.

4. ALL STREETS ARE PRIVATE. MILES OF PRIVATE STREETS = 0.83 MILES
5. THE MINIMUM LOT SIZE FOR THIS DEVELOPMENT IS 4,717 S.F. (0.11 AC.)
6. THE MAXIMUM LOT SIZE FOR THIS DEVELOPMENT IS 20,791 S.F. (0.48 AC.)
7. THE AVERAGE LOT SIZE FOR THIS DEVELOPMENT IS 12,624 S.F. (0.31 AC.)
8. MAXIMUM PERMITTED BUILDING HEIGHT IS LIMITED TO 30 FEET, TWO (2) STORIES.
9. BUILDING SETBACK PROVISIONS: FRONT–20 FEET
   SIDE–5 OR 0 FEET
   REAR–10 FEET
10. NO ADDITIONAL ON STREET PARKING IS PROVIDED FOR THIS DEVELOPMENT.
11. EXISTING ZONING: RANCHO VISTOSO P.A.D. – MEDIUM DENSITY RESIDENTIAL AND HIGH DENSITY RESIDENTIAL.
12. NO FURTHER SUBDIVISION OF ANY LOT OR PARCEL SHOWN SHALL BE PERMITTED WITHOUT WRITTEN APPROVAL OF THE ORO VALLEY TOWN COUNCIL.
13. THE BASIS OF BEARING FOR THIS PROJECT IS THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 11 SOUTH, RANGE 13 EAST, GILA AND SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA. SAID BEARING BEING: N89°47'14"E, PER THE BLOCK PLAT SEQ. NO. 20142480246.
14. THE PROFESSIONAL ENGINEER OF RECORD SHALL CERTIFY AS TO THE FORM, LINE AND FUNCTION OF ALL PUBLIC AND PRIVATE ROADWAYS AND DRAINAGE STRUCTURES BEFORE THE RELEASE OF ASSURANCES.
15. THE PROPERTY OWNER, HIS SUCCESSORS, ASSIGNS, OR A DEDICATED HOMEOWNER'S ASSOCIATION AGREES TO 1) KEEP ALL COMMON AREAS MAINTAINED IN A WEED–FREE, TRASH–FREE CONDITION, 2) REPLACE ANY DEAD PLANT MATERIALS WITHIN 90 DAYS, AND 3) MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER.
16. THIS DEVELOPMENT WILL BE SERVED BY ORO VALLEY WATER UTILITY (OVWU) WHICH HAS BEEN DESIGNATED AS HAVING AN ASSURED 100–YEAR WATER SUPPLY BY THE DIRECTOR OF WATER RESOURCES.
17. UTILITIES WILL BE LOCATED UNDERGROUND IN CONFORMANCE WITH ARIZONA CORPORATION COMMISSION AMENDED GENERAL ORDER U–48.
18. ALL LANDSCAPING WITHIN ALL PUBLIC SEWER EASEMENTS SHOWN HEREON SHALL BE IN ACCORDANCE WITH THE LANDSCAPE PLANTING GUIDELINES PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT, ENGINEERING DESIGN STANDARDS 2012, SUBSECTION 7.7..
19. NO PERMITS FOR PERMANENT STRUCTURES (I.E. MASONRY WALLS, FENCES, ETC.) ON OR THROUGH THE PUBLIC SEWER EASEMENT WILL BE ISSUED WITHOUT SEPARATE WRITTEN CONSENT OF PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT.
20. NO FINAL INSPECTION FOR ANY LOT WITHIN THE SUBDIVISION SHALL BE APPROVED UNTIL A BUILDING CODE OFFICIAL HAS VERIFIED CONSTRUCTION ON THE LOT IS COMPLETE AND SIDEWALKS HAVE BEEN INSTALLED, PROPERTY LINE TO PROPERTY LINE.
21. A PROJECT CONSTRUCTION PERMIT MUST BE SECURED FROM PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT BEFORE BEGINNING ANY SANITARY SEWER WORK ON THIS PROJECT.
22. CONSTRUCTION AUTHORIZATION FROM PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY IS REQUIRED BEFORE BEGINNING ANY SANITARY SEWER WORK ON THIS PROJECT. APPROVAL OF THIS FINAL PLAT DOES NOT CONSTITUTE CONSTRUCTION AUTHORIZATION.
23. INTERIOR PROPERTY CORNERS AND CENTERLINE MONUMENTATION SHALL BE SET AS SOON AS COMPLETION OF THE INFRASTRUCTURE AND IMPROVEMENTS MAKE IT PRACTICAL TO DO SO. IF SUCH MONUMENTS SHOULD DIFFER FROM THE TYPE DESCRIBED ON THE FINAL PLAT, A RECORD OF SURVEY PLAT SHALL BE RECORDED SHOWING THESE DIFFERENCES.
24. THIS SUBDIVISION WILL BE SERVICED BY ORO VALLEY WATER UTILITY.
25. THE AREA BETWEEN 100 YEAR FLOOD REPRESENTS AN AREA THAT MAY BE SUBJECT TO FLOODING FROM A 100 YEAR FREQUENCY FLOOD AND ALL LAND IN THIS AREA WILL BE RESTRICTED TO USES THAT ARE COMPATIBLE WITH FLOOD PLAN MANAGEMENT AS APPROVED BY THE TOWN ENGINEER.
26. NO IMPROVEMENTS BETWEEN THIRTY (30) AND SEVENTY–TWO (72) INCHES IN HEIGHT RELATIVE TO THE ADJACENT ROADWAY WHICH MIGHT INTERFERE WITH THE PURPOSE AND INTENT OF THE SIGHT VISIBILITY TRIANGLE SHALL BE PERMITTED, PLACED OR MAINTAINED WITHIN THE SIGHT VISIBILITY TRIANGLES SHOWN ON THIS PLAT. PROPERTY OWNERS SHALL MAINTAIN PLANTINGS TO ENSURE UNOBSTRUCTED VISIBILITY TO MOTORISTS. ALL SHRUBS, ACCENTS AND GROUNDCOVERS SHALL NOT EXCEED THIRTY (30) INCHES IN HEIGHT WITHIN THE SIGHT VISIBILITY TRIANGLES. TREES WITHIN THE SIGHT VISIBILITY TRIANGLES WILL BE MAINTAINED TO ENSURE THAT BRANCHES/FOLIAGE IS NOT BELOW A HEIGHT OF SEVENTY–TWO (72) INCHES
27. GATES AND LOCKS LIMITING THE MAINTENANCE AND ACCESS THROUGH THE PUBLIC SEWER EASEMENT SHALL MEET THE REQUIREMENTS OF THE ENGINEERING DESIGN STANDARDS 2012, SUBSECTION 7.5.

NOTARY

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

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

_____ _____
MY COMMISSION EXPIRES: NOTARY PUBLIC

DEDICATION

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE ALL AND THE ONLY PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND SHOWN ON THIS PLAT AND WE CONSENT TO THE SUBDIVISION OF SAID LAND IN THE MANNER SHOWN HEREON.

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

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

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

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

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

TITLE TO THE LAND OF ALL COMMON AREAS AND DRAINAGEWAYS SHALL BE VESTED IN AN ASSOCIATION OF INDIVIDUAL LOT OWNERS AS ESTABLISHED BY COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN SEQUENCE NO._____ IN THE OFFICE OF THE PIMA COUNTY RECORDER. EACH AND EVERY LOT OWNER WITHIN THE SUBDIVISION SHALL BE A MEMBER OF THE ASSOCIATION, WHICH WILL ACCEPT ALL RESPONSIBILITY FOR THE CONTROL, MAINTENANCE, SAFETY AND LIABILITY OF ALL DRAINAGEWAYS AND COMMON AREAS WITHIN THIS SUBDIVISION AS SHOWN HEREON.

TITLE SECURITY AGENCY OF ARIZONA, LLC., A DELAWARE LIMITED LIABILITY COMPANY, DBA TITLE SECURITY AGENCY, LLC, AS TRUSTEE UNDER TRUST NUMBER 201405–T, ONLY AND NOT OTHERWISE.

_____ _____
DATE

BENEFICIARY OF TRUST 201405–T:
MARACAY 91 L.L.C.
15279 N. SCOTTSDALE RD. STE. 300
SCOTTSDALE, AZ 85254

OV1214–26
FINAL PLAT
MARACAY AT VISTOSO BLOCK 4

LOTS 1 THRU 75 AND COMMON AREAS "A" THRU "J"
BEING A RESUBDIVISION OF MARACAY HOMES AT VISTOSO, BLOCKS 1 THROUGH 5 AND COMMON AREA "A" AS RECORDED IN SEQ.# 20142480246, BEING A PORTION OF SECTION 26 TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

REF: OV1214–02 OCTOBER 2014 SHEET 1 OF 5

SEQ. #: _____

N:\185050\NEIGH10\MY01 Donut Hole Platting\FP\Block 4\BLOCK–4–SHT_01.dwg

MARACAY AT VISTOSO
BLOCK 5
Seq. 20142480246

PEBBLE CREEK DRIVE
Seq. 20142480246

L=1033.23' R=740.00' Δ=80°00'00"

L=184.98' R=665.00' Δ=15°56'14"

L=234.80' R=660.00'

L=102.52 FL TIE
L=94.22 EHS TIE
Δ=20°22'59"

DRAINAGE CONSTRUCTION SLOPE AND ACCESS ESMT
DKT. 11064, PG. 1464

TRAILING INDIGO COURT
(PRIVATE STREET)

SILVER CASSIA PLACE
(PRIVATE STREET)

C. A. "A"
237,195 SQ. FT.
5.45 acres

C. A. "B"
253,072 SQ. FT.
5.80 acres

EROSION HAZARD SETBACK

100 YEAR FLOOD LINE

VISTOSO GOLF
COURSE DKT.
13841, PG. 2639

SEE SHEET 3

SEE SHEET 5

EROSION HAZARD LINE TABLE		
LINE	LENGTH	BEARING
EHL9	9.17	S66°38'31"W
EHL10	80.98	S23°21'29"E
EHL11	17.12	S30°54'05"W
EHL12	58.26	S23°21'29"E
EHL13	63.85	N05°20'31"W
EHL14	69.13	N15°49'36"E
EHL15	67.37	N26°35'41"E
EHL16	34.64	N42°54'07"E
EHL17	20.34	N55°29'53"E
EHL18	24.32	N64°34'40"E

100 YEAR FLOOD LINE TABLE		
LINE	LENGTH	BEARING
FL1	13.06	S43°16'11"W
FL2	29.53	S58°34'50"W
FL3	48.36	S40°35'13"W
FL4	67.30	S22°38'53"W
FL5	22.33	S10°04'45"W
FL6	30.86	S60°18'59"E
FL7	11.99	S11°00'13"W
FL8	17.58	S46°48'22"W
FL9	20.29	S28°59'00"W
FL10	16.68	S06°59'02"E
FL11	15.12	S37°31'02"W
FL12	68.68	S22°12'52"E
FL13	10.09	S30°54'05"W

100 YEAR FLOOD LINE TABLE		
LINE	LENGTH	BEARING
FL14	17.03	S05°38'04"E
FL15	68.86	S22°54'40"E
FL16	9.16	S66°38'31"W
FL33	18.30	S21°06'11"E
FL34	9.98	S01°58'24"W
FL35	18.26	N36°07'02"W
FL36	19.71	N24°04'35"W
FL37	35.23	N01°27'00"W
FL38	26.93	N30°13'51"W
FL39	15.54	N00°02'42"W
FL40	10.38	N40°56'00"E
FL41	30.86	S54°53'32"E
FL42	18.83	S13°22'30"E

0' 40' 80' 120'

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

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
44121
PETER D. COTE
12-29-14
DATE SIGNED
ARIZONA U.S.A.

EXPIRES 3/31/2015

IN COMPLIANCE WITH CERTIFICATION SHOWN ON SHEET ONE

REF: OV1214-02 OCTOBER 2014

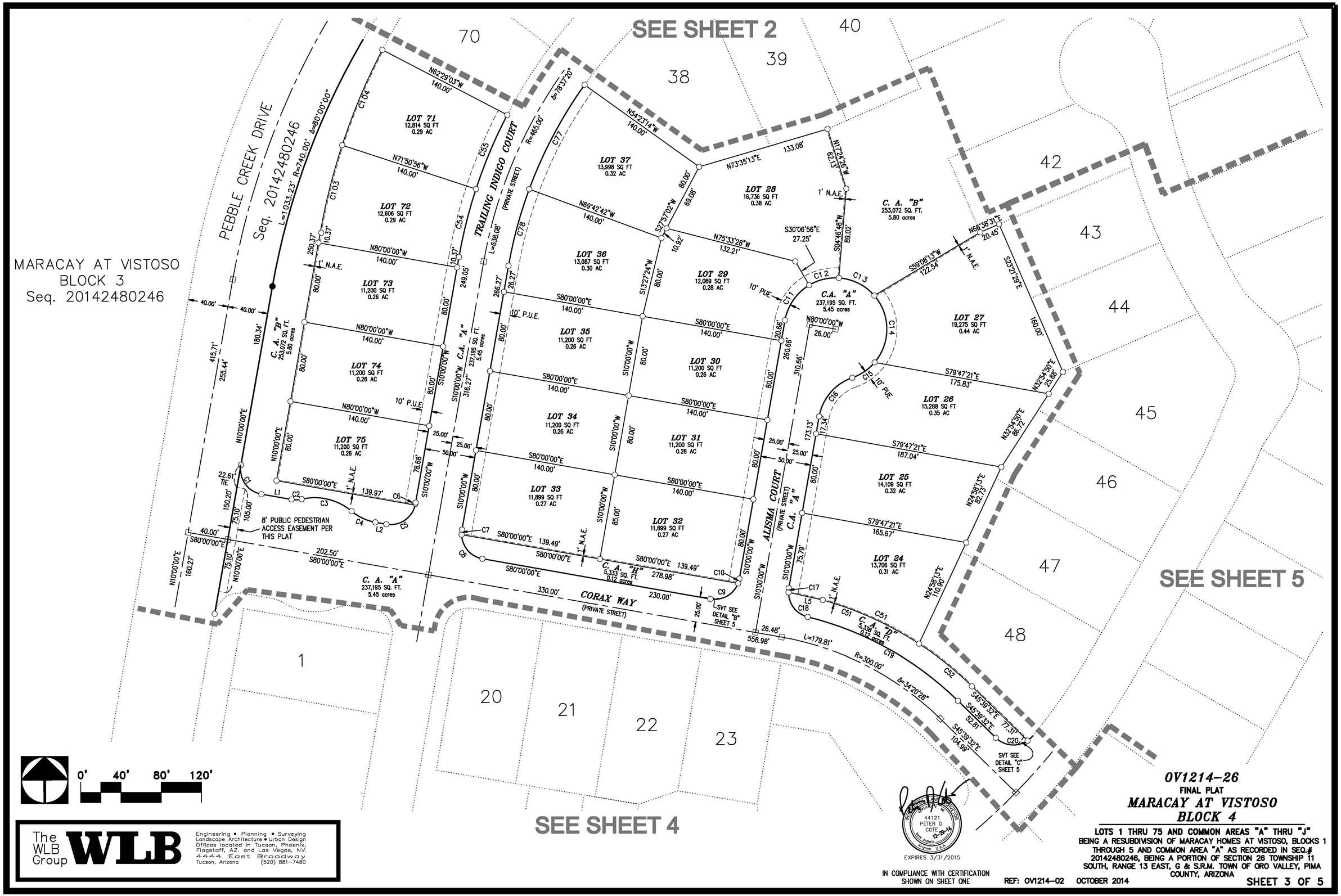
OV1214-26
FINAL PLAT
MARACAY AT VISTOSO BLOCK 4

LOTS 1 THRU 75 AND COMMON AREAS "A" THRU "J"
BEING A RESUBDIVISION OF MARACAY HOMES AT VISTOSO, BLOCKS 1 THROUGH 5 AND COMMON AREA "A" AS RECORDED IN SEQ.# 20142480246, BEING A PORTION OF SECTION 26 TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SHEET 2 OF 5

SEQ. #: _____

N:\185050\WEIGH10\MY01 Donut Hole Platting\FP\Block 4\BLOCK-4-SHT_02.dwg



OV1214-26

FINAL PLAT

MARACAY AT VISTOSO
BLOCK 4

LOTS 1 THRU 75 AND COMMON AREAS "A" THRU "J"
BEING A RESUBDIVISION OF MARACAY HOMES AT VISTOSO, BLOCKS 1 THROUGH 5 AND COMMON AREA "A" AS RECORDED IN SEQ.# 20142480246, BEING A PORTION OF SECTION 26 TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SHEET 3 OF 5

SEQ. #: _____

N:\185050\NEIGH10\M101 Donut Hole Platting\FP\Block 4\BLOCK-4-SHT_03.dwg

MARACAY AT VISTOSO
BLOCK 3
Seq. 20142480246

SEE SHEET 3

SEE SHEET 5

CORAX WAY
(PRIVATE STREET)

TRAILING INDIGO COURT
(PRIVATE STREET)

SILVER CASSIA PLACE
(PRIVATE STREET)

PEBBLE CREEK DRIVE
Seq. 20142480246

LOT 1 12,000 SQ FT 0.28 AC
LOT 2 12,000 SQ FT 0.28 AC
LOT 3 11,985 SQ FT 0.28 AC
LOT 4 11,513 SQ FT 0.26 AC
LOT 5 11,334 SQ FT 0.26 AC
LOT 6 11,989 SQ FT 0.28 AC
LOT 7 10,500 SQ FT 0.24 AC
LOT 8 13,501 SQ FT 0.31 AC
LOT 9 15,565 SQ FT 0.36 AC
LOT 10 11,529 SQ FT 0.26 AC
LOT 11 11,251 SQ FT 0.26 AC
LOT 12 11,921 SQ FT 0.27 AC
LOT 13 12,886 SQ FT 0.30 AC
LOT 14 19,274 SQ FT 0.44 AC
LOT 15 20,791 SQ FT 0.48 AC
LOT 16 8,054 SQ FT 0.18 AC
LOT 17 8,213 SQ FT 0.19 AC
LOT 18 4,717 SQ FT 0.11 AC
LOT 19 4,720 SQ FT 0.11 AC
LOT 20 13,145 SQ FT 0.30 AC
LOT 21 13,096 SQ FT 0.30 AC
LOT 22 12,691 SQ FT 0.29 AC
LOT 23 11,429 SQ FT 0.26 AC
LOT 49 13,814 SQ FT 0.32 AC

C. A. "A" 237,195 SQ. FT. 5.45 acres
C. A. "B" 3,784 SQ. FT. 0.09 acres
C. A. "C" 9,148 SQ. FT. 0.21 acres
C. A. "E" 15,021 SQ. FT. 0.34 acres
C. A. "G" 9,887 SQ. FT. 0.23 acres
C. A. "I" 10,423 SQ. FT. 0.24 acres
C. A. "J" 115 SQ. FT. 0.003 acres

SVT SEE DETAIL "A" SHEET 5
SVT SEE DETAIL "C" SHEET 5

PUBLIC SEWER EASEMENT SEQ. 20143100808

VISTOSO GOLF COURSE
DKT. 13841, PG. 2639

MARACAY AT VISTOSO
C.A. "A"
Seq. 20142480246

0' 40' 80' 120'

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Tucson, Arizona (520) 881-7480

REGISTERED LAND SURVEYOR
44121
PETER D. COTE
1-28-15
Date Signed
Arizona U.S.A.

EXPIRES 3/31/2015

IN COMPLIANCE WITH CERTIFICATION SHOWN ON SHEET ONE

REF: OV1214-02 OCTOBER 2014

OV1214-26
FINAL PLAT
MARACAY AT VISTOSO BLOCK 4

LOTS 1 THRU 75 AND COMMON AREAS "A" THRU "J"
BEING A RESUBDIVISION OF MARACAY HOMES AT VISTOSO, BLOCKS 1 THROUGH 5 AND COMMON AREA "A" AS RECORDED IN SEQ.# 20142480246, BEING A PORTION OF SECTION 26 TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SHEET 4 OF 5

SEQ. #: _____

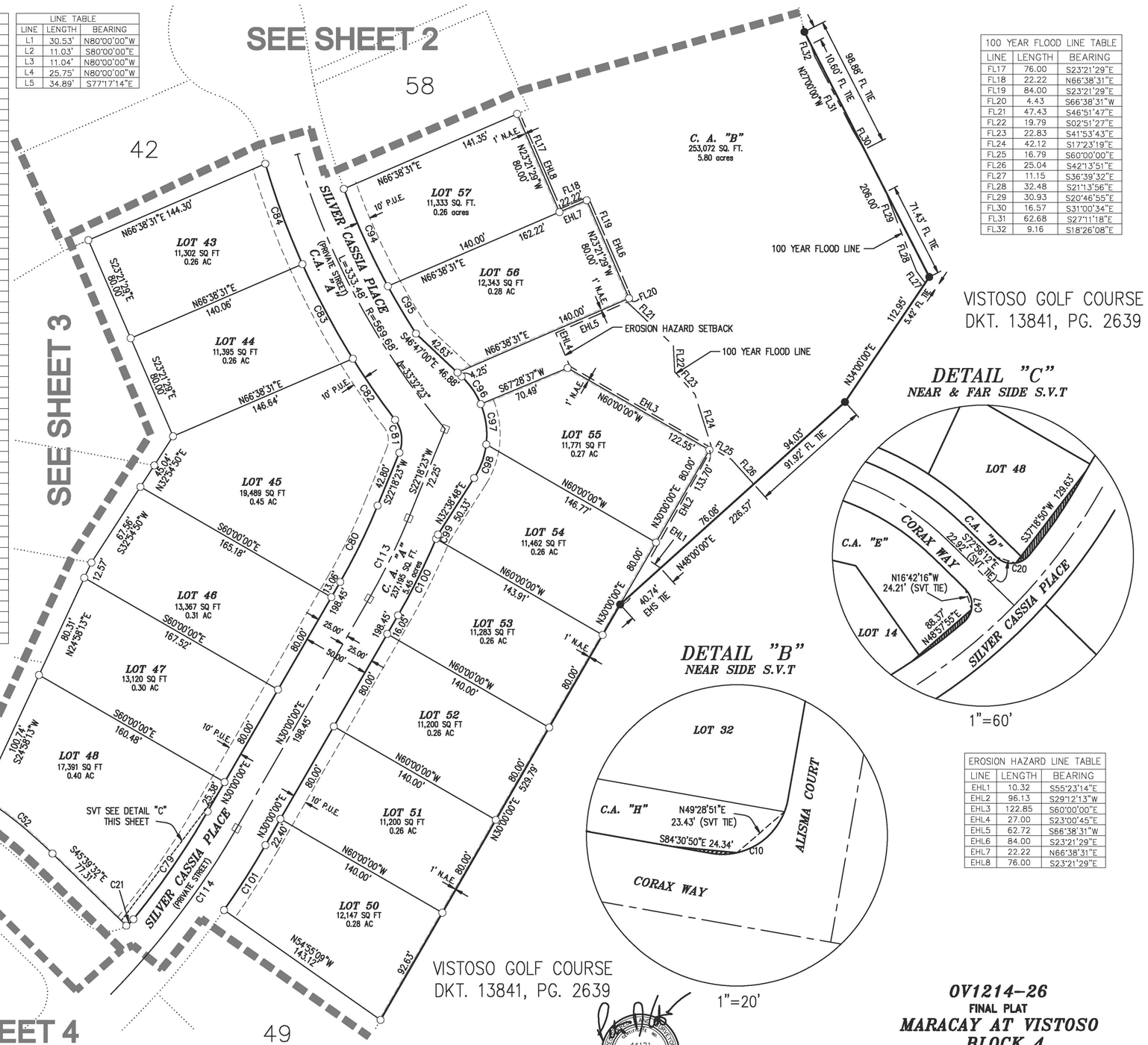
N:\185050\NEIGH10\M101 Donut Hole Platting\FP\Block 4\BLOCK-4-SHT_04.dwg

CURVE TABLE					
No.	RADIUS	LENGTH	CHORD	DIST.	DELTA
C1	25.00'	39.27'	S35°00'00"E	35.36'	90°00'00"
C2	25.00'	10.13'	N88°23'26"E	10.06'	23°13'08"
C3	56.72'	52.91'	N76°29'57"W	51.01'	53°26'22"
C4	50.00'	26.37'	S64°53'23"E	26.07'	30°13'14"
C5	25.00'	37.95'	N56°30'36"E	34.41'	86°58'48"
C6	25.00'	1.32'	N11°30'36"E	1.32'	3°01'12"
C7	25.00'	5.03'	S04°13'53"W	5.03'	11°32'13"
C8	25.00'	34.24'	S40°46'07"E	31.62'	78°27'47"
C9	25.00'	34.24'	N60°46'07"E	31.62'	78°27'47"
C10	25.00'	5.03'	N15°46'07"E	5.03'	11°32'13"
C11	51.00'	43.64'	S34°30'45"W	42.32'	49°01'30"
C12	51.00'	30.83'	S76°20'36"W	30.36'	34°38'10"
C13	51.00'	40.42'	N63°37'58"W	39.37'	45°24'42"
C14	51.00'	72.40'	N00°15'20"W	66.48'	81°20'35"
C15	51.00'	27.20'	N55°41'49"E	26.88'	30°33'42"
C16	50.00'	53.21'	S40°29'20"W	50.74'	60°58'40"
C17	25.00'	4.23'	S05°09'08"W	4.23'	9°41'44"
C18	25.00'	33.36'	S37°55'17"E	30.94'	76°27'06"
C19	325.00'	172.94'	N60°54'11"W	170.91'	30°29'18"
C20	25.00'	34.24'	S84°53'25"E	31.62'	78°27'47"
C21	25.00'	7.21'	N47°36'55"E	7.19'	16°31'32"
C22	650.00'	80.05'	N38°36'32"E	80.00'	7°03'22"
C23	650.00'	40.57'	N43°55'30"E	40.56'	3°34'33"
C24	650.00'	80.05'	N49°14'27"E	80.00'	7°03'22"
C25	650.00'	50.58'	N54°59'54"E	50.56'	4°27'30"
C26	206.00'	59.63'	N65°31'10"E	59.42'	16°35'04"
C27	206.00'	46.57'	N80°17'18"E	46.47'	12°57'12"
C28	206.00'	25.16'	S89°44'08"E	25.15'	6°59'57"
C29	206.00'	9.85'	S84°51'58"E	9.85'	2°44'23"
C30	60.00'	29.95'	S78°26'25"E	29.64'	28°35'54"
C31	60.00'	5.88'	S61°19'59"E	5.88'	5°36'59"
C32	60.00'	44.13'	S37°27'17"E	43.14'	42°08'24"
C33	60.00'	36.05'	S00°49'36"W	35.51'	34°25'23"
C34	25.00'	2.33'	N07°19'45"E	2.33'	5°20'29"
C35	25.00'	36.94'	N37°40'15"W	33.67'	84°39'31"
C36	50.00'	26.37'	S84°53'31"W	26.06'	30°12'58"
C37	56.72'	50.00'	S84°57'55"E	48.39'	50°30'04"
C38	50.00'	17.70'	N69°51'27"W	17.61'	20°17'07"
C39	25.00'	39.27'	S55°00'00"W	35.36'	90°00'00"
C40	25.00'	29.00'	S43°13'59"W	27.40'	66°27'57"
C41	1532.50'	62.35'	S08°50'04"W	62.34'	2°19'52"
C42	25.00'	29.59'	S26°14'29"E	27.89'	67°49'14"
C43	25.00'	10.19'	S71°49'26"E	10.12'	23°20'40"
C44	156.00'	91.24'	N79°44'54"E	89.95'	33°30'39"
C45	600.00'	19.55'	N56°17'37"E	19.55'	1°52'02"
C46	600.00'	63.15'	N52°20'42"E	63.12'	6°01'49"
C47	25.00'	41.45'	N01°50'08"E	36.86'	94°59'19"
C48	275.00'	161.30'	N62°27'42"W	158.99'	33°36'21"
C49	275.00'	3.53'	N79°37'56"W	3.53'	0°44'07"
C50	25.00'	10.27'	S88°13'59"W	10.20'	23°32'03"
C51	345.00'	105.51'	N65°37'40"W	105.10'	17°31'23"
C52	345.00'	67.48'	N51°15'45"W	67.38'	11°12'27"
C53	1582.50'	28.76'	S09°28'45"W	28.76'	1°02'29"
C54	490.00'	69.71'	S14°04'32"W	69.65'	8°09'04"
C55	490.00'	80.09'	S22°50'01"W	80.00'	9°21'53"
C56	490.00'	80.09'	S32°11'54"W	80.00'	9°21'53"
C57	490.00'	80.09'	S41°33'47"W	80.00'	9°21'53"

CURVE TABLE					
No.	RADIUS	LENGTH	CHORD	DIST	DELTA
C58	490.00'	80.09'	S50°55'41"W	80.00'	9°21'53"
C59	490.00'	80.09'	S60°17'34"W	80.00'	9°21'53"
C60	490.00'	80.09'	S69°39'28"W	80.00'	9°21'53"
C61	490.00'	80.09'	S79°01'21"W	80.00'	9°21'53"
C62	490.00'	42.05'	S86°09'49"W	42.04'	4°55'03"
C63	51.00'	2.17'	S89°50'19"W	2.17'	2°25'58"
C64	51.00'	49.30'	N61°15'10"W	47.40'	55°23'04"
C65	51.00'	25.35'	N19°19'23"W	25.09'	28°28'31"
C66	51.00'	137.69'	N72°15'27"E	99.52'	154°41'08"
C67	50.00'	34.88'	N50°23'07"W	34.18'	39°58'15"
C68	50.00'	18.33'	N80°52'27"W	18.23'	21°00'25"
C69	440.00'	79.56'	S83°26'32"W	79.45'	10°21'37"
C70	50.00'	11.56'	S71°38'21"W	11.53'	13°14'45"
C71	50.00'	46.19'	S38°32'54"W	44.57'	52°56'07"
C72	50.00'	47.28'	N39°10'17"E	45.54'	54°10'51"
C73	50.00'	47.28'	S86°38'52"E	45.54'	54°10'51"
C74	50.00'	46.19'	N86°01'30"W	44.57'	52°56'07"
C75	50.00'	11.56'	S60°53'04"W	11.53'	13°14'45"
C76	440.00'	143.21'	S44°56'14"W	142.58'	18°38'56"
C77	440.00'	117.68'	S27°57'02"W	117.33'	15°19'28"
C78	440.00'	79.01'	S15°08'39"W	78.90'	10°17'18"
C79	600.00'	97.94'	N34°40'35"E	97.83'	9°21'10"
C80	475.00'	63.78'	N26°09'12"E	63.73'	7°41'37"
C81	25.00'	26.00'	N07°29'27"W	24.85'	59°35'41"
C82	594.68'	55.64'	S34°36'27"E	55.62'	5°21'40"
C83	594.68'	80.33'	S28°03'26"E	80.27'	7°44'23"
C84	594.68'	80.17'	S20°19'31"E	80.11'	7°43'28"
C85	594.68'	17.67'	S15°36'43"E	17.67'	1°42'08"
C86	50.00'	49.72'	N43°14'49"W	47.69'	56°58'20"
C87	51.00'	21.99'	S59°22'58"E	21.82'	24°42'01"
C88	51.00'	125.74'	S23°35'46"W	96.23'	141°15'28"
C89	51.00'	38.13'	N64°21'19"W	37.25'	42°50'21"
C90	51.00'	32.35'	N24°45'43"W	31.81'	36°20'51"
C91	544.68'	37.58'	S08°33'52"E	37.57'	3°57'10"
C92	544.68'	10.23'	S11°04'45"E	10.23'	1°04'36"
C93	544.68'	80.76'	S15°51'55"E	80.69'	8°29'44"
C94	544.68'	80.08'	S24°19'30"E	80.01'	8°25'27"
C95	544.68'	41.24'	S30°42'21"E	41.23'	4°20'16"
C96	60.00'	25.41'	N34°39'12"W	25.22'	24°15'37"
C97	60.00'	30.79'	N07°49'13"W	30.46'	29°24'20"
C98	60.00'	26.98'	N19°45'52"E	26.75'	25°45'51"
C99	525.00'	3.42'	N22°49'01"E	3.42'	0°22'25"
C100	525.00'	64.11'	N26°30'07"E	64.07'	6°59'46"
C101	650.00'	57.64'	N32°32'25"E	57.62'	5°04'51"
C102	156.00'	15.70'	N60°06'37"E	15.69'	5°45'56"
C103	630.00'	89.63'	S14°04'32"W	89.55'	8°09'04"
C104	630.00'	102.97'	S22°50'01"W	102.86'	9°21'53"
C105	630.00'	102.97'	S32°11'54"W	102.86'	9°21'53"
C106	630.00'	102.97'	S41°33'47"W	102.86'	9°21'53"
C107	630.00'	102.97'	S50°55'41"W	102.86'	9°21'53"
C108	630.00'	102.97'	S60°17'34"W	102.86'	9°21'53"
C109	630.00'	102.97'	S69°39'28"W	102.86'	9°21'53"
C110	630.00'	102.97'	S79°01'21"W	102.86'	9°21'53"
C111	630.00'	54.07'	S86°09'49"W	54.05'	4°55'03"
C112	345.00'	67.48'	N51°15'45"W	67.38'	11°12'27"
C113	500.00'	67.14'	N26°09'12"E	67.09'	7°41'37"
C114	625.00'	156.44'	N37°10'14"E	156.03'	14°20'28"

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.53'	N80°00'00"W
L2	11.03'	S80°00'00"E
L3	11.04'	N80°00'00"W
L4	25.75'	N80°00'00"W
L5	34.89'	S77°17'14"E

100 YEAR FLOOD LINE TABLE		
LINE	LENGTH	BEARING
FL17	76.00	S23°21'29"E
FL18	22.22	N66°38'31"E
FL19	84.00	S23°21'29"E
FL20	4.43	S66°38'31"W
FL21	47.43	S46°51'47"E
FL22	19.79	S02°51'27"E
FL23	22.83	S41°53'43"E
FL24	42.12	S17°23'19"E
FL25	16.79	S60°00'00"E
FL26	25.04	S42°13'51"E
FL27	11.15	S36°39'32"E
FL28	32.48	S21°13'56"E
FL29	30.93	S20°46'55"E
FL30	16.57	S31°00'34"E
FL31	62.68	S27°11'18"E
FL32	9.16	S18°26'08"E



EROSION HAZARD LINE TABLE		
LINE	LENGTH	BEARING
EHL1	10.32	S55°23'14"E
EHL2	96.13	S29°12'13"W
EHL3	122.85	S60°00'00"E
EHL4	27.00	S23°00'45"E
EHL5	62.72	S66°38'31"W
EHL6	84.00	S23°21'29"E
EHL7	22.22	N66°38'31"E
EHL8	76.00	S23°21'29"E

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REGISTERED PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 44121
PETER D. COTE
DATE SIGNED 12-29-14
ARIZONA U.S.A.

EXPIRES 3/31/2015

IN COMPLIANCE WITH CERTIFICATION SHOWN ON SHEET ONE

REF: OV1214-02 OCTOBER 2014

OV1214-26
FINAL PLAT
MARACAY AT VISTOSO BLOCK 4

LOTS 1 THRU 75 AND COMMON AREAS "A" THRU "J"
BEING A RESUBDIVISION OF MARACAY HOMES AT VISTOSO, BLOCKS 1 THROUGH 5 AND COMMON AREA "A" AS RECORDED IN SEQ.# 20142480246, BEING A PORTION OF SECTION 26 TOWNSHIP 11 SOUTH, RANGE 13 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

SHEET 5 OF 5

SEQ. #: _____

N:\185050\NEIGH10\M101 Donut Hole Platting\FP\Block 4\BLOCK-4-SHT_05.dwg

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

Meeting Date: 03/04/2015

Requested by: John Teachout **Submitted By:** Caroline Standiford, Legal

Department: Police Department

Information

SUBJECT:

Resolution No. (R)15-17, authorizing and approving an Intergovernmental Agreement (IGA) between the City of Phoenix Police Department and the Town of Oro Valley Police Department for the Arizona Internet Crimes Against Children Task Force

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Town of Oro Valley Police Department is interested in becoming an affiliate agency with the Arizona Internet Crimes Against Children Task Force. The Phoenix Police Department is the primary recipient of the federal grant issued by the United States Department of Justice, the Office of Justice Program, and the Office of Juvenile Justice and Delinquency Prevention. The federal grant is for the purpose of administering and operating an Internet Crimes Against Children Task Force in Arizona.

BACKGROUND OR DETAILED INFORMATION:

The goals of the Arizona Internet Crimes Against Children (ICAC) Task Force are similar to the national policy objectives for the national level of ICAC, which are to: increase investigative capabilities of law enforcement officers in the detection and investigation of qualifying offenses and the apprehension of offenders; increase the number of ICAC qualifying offenses being prosecuted; create a multi-agency task force response to ICAC offenses; and develop and deliver ICAC public awareness and prevention programs. Furthermore, this task force will work to investigate, prosecute, and deter the activities surrounding the exploitation of minors and the utilization of the internet to seek child victims for the purpose of sexual crimes against children.

FISCAL IMPACT:

No fiscal impact.

SUGGESTED MOTION:

I MOVE to (approve or deny) Resolution No. (R)15-17, authorizing and approving an Intergovernmental Agreement (IGA) between the City of Phoenix Police Department and the Town of Oro Valley Police Department for the Arizona Internet Crimes Against Children Task Force.

Attachments

(R)15-17 Internet Crime Against Children Task Force

IGA

RESOLUTION NO. (R)15-17

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PHOENIX POLICE DEPARTMENT/ INTERNET CRIMES AGAINST CHILDREN TASK FORCE AND THE TOWN OF ORO VALLEY POLICE DEPARTMENT FOR THE PARTICIPATION IN THE ARIZONA INTERNET CRIMES AGAINST CHILDREN TASK FORCE

WHEREAS, pursuant to A.R.S. § 11-952, the Town of Oro Valley is authorized to enter into or renew agreements for joint and cooperative action with other public agencies and

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

WHEREAS, the Town wishes to enter into an Intergovernmental Agreement with the Phoenix Police Department assist in the Arizona Internet Crimes Against Children task force to help promote a multi-agency response to ICAC; and

WHEREAS, the Arizona Internet Crimes Against Children task force will work to investigate, prosecute, and deter the activities surrounding the exploitation of minors and the utilization of the internet to seek child victims for the purpose of sexual crimes against children; and

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

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

SECTION 1. The Intergovernmental Agreement attached hereto as Exhibit "A" and incorporated herein by this reference, between the City of Phoenix Police Department/Internet Crimes Against Children and the Town of Oro Valley Police Department for participate in the Arizona Internet Crimes Against Children Task Force is hereby authorized and approved.

SECTION 2. The Chief of Police and other administrative officials of the Town of Oro Valley are hereby authorized to take such steps as necessary to execute and implement the terms of the Agreement.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 4th day of March, 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”

ARIZONA INTERNET CRIMES AGAINST CHILDREN TASK FORCE

Intergovernmental Agreement

Between

Phoenix Police Department (Primary Grantee) / Arizona ICAC Task Force

and

Affiliate Agency

THIS INTERGOVERNMENTAL AGREEMENT ("IGA") is entered into between the City of Phoenix, through the Phoenix Police Department (" PPD"), and the _____, through the _____ ("City" or "Affiliate") on this _____ day of _____, 2015.

I. RECITALS

1.1 Whereas public agencies are authorized and empowered to enter into intergovernmental agreements for the provision of services or for joint or cooperative action pursuant to Arizona Revised Statutes (A.R.S.) § §11-952. The City of Phoenix is also authorized and empowered pursuant to Chapter 2, Section 2 (i), of the Charter of the City of Phoenix.

1.2 Whereas the Phoenix Police Department / Arizona Internet Crimes Against Children Task Force ("ICAC Task Force"), is the recipient of a United States Department of Justice ("DOJ"), Office of Justice Program ("OJP"), Office of Juvenile Justice and Delinquency Prevention ("OJJDP") grant to enforce laws regarding Internet crimes against children ("ICAC"), and utilizes this grant for the purpose of administering and operating an ICAC Task Force in Arizona. PPD is the primary grantee for the ICAC Task Force. Agencies affiliated through this Interagency Governmental Agreement ("IGA") are known as an "Affiliate" agency. Any agency entering into this IGA becomes an affiliate of the ICAC Task Force.

1.3 Whereas the PPD / ICAC Task Force agrees to work with the affiliates to support and advance the goals of Project Safe Childhood, a DOJ initiative. Phoenix PD / ICAC Task Force may be able to provide financial assistance.

1.4 Whereas OJJDP administers the ICAC Task Force Program, which is a national network of state and local law enforcement investigative units. The national ICAC program assists state and local law enforcement agencies in the development of an

effective response to cases involving images depicting the sexual exploitation of minors and the sexual assault and abuse of children facilitated by technology. Due in large part to the technological aspects of these cases, the ICAC Task Force Program promotes a multi-jurisdictional, multi-agency approach to investigating and prosecuting ICAC cases. ICAC's goals are to increase the investigations and prosecutions of Internet crimes against children offenses, and to increase public awareness and prevention of ICAC offenses.

1.5 Whereas the national policy objectives for ICACs are to:

(1) Increase the investigative capabilities, including effectiveness and efficiency, of law enforcement officers in the detection, investigation of qualifying offenses and the apprehension of offenders;
(2) Increase the number of ICAC-qualifying (state and federal) offenses being prosecuted;
(3) Create a multi-agency task force response to ICAC offenses;
(4) Enhance the nationwide response to ICAC offenses; and
(5) Develop and deliver ICAC public awareness and prevention programs.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the parties hereby agree to the following terms and conditions:

II. PURPOSE

2.1 The purpose of this IGA is to memorialize parties' agreement to work together to assist the ICAC Task Force in its efforts to investigate, prosecute, and deter the possession, production, and distribution of unlawful images depicting the sexual exploitation of minors and the utilization of the Internet to seek children as sexual victims.

2.2 Additionally, this IGA defines the responsibilities of the affiliate agency with the ICAC Task Force.

III. RESPONSIBILITIES

3.1 Affiliated ICAC Task Forces may include investigators, supervisors or prosecutors from various local state, and federal law enforcement agencies who provide assistance subject to availability.

3.2 Affiliated ICAC Task Forces should identify and investigate individuals who exploit children for sexual purposes through the use of technology and/or who obtain, distribute, and/or produce child pornography.

3.3 Affiliated ICAC Task Forces should be focused on presenting evidence of criminal activity to prosecutors which then leads to the successful prosecution of individuals who have committed coercion/enticement or unlawful image offenses.

3.4 Affiliated ICAC Task Forces may, subject to availability, sponsor community education efforts regarding the prevention of Internet crimes against children and provide ICAC training to other state and local law enforcement officials.

3.5 Affiliated ICAC Task Forces may, subject to availability:

(1) Conduct undercover ICAC investigations; and
(2) Conduct reactive investigations for which venue lies within the agency's Jurisdiction(s), including investigations of unlawful images depicting the sexual exploitation of minors, CYBERTIP referrals from the National Center of Missing and Exploited Children (NCMEC), Internet Service Provider and law enforcement referrals, other ICAC-related investigations and other sources.

3.6 The Affiliated ICAC Task Force will ensure that:

(1) Only sworn law enforcement personnel will conduct undercover ICAC investigations,
(2) Each investigator involved with undercover operations has received ICAC training prior to initiating proactive investigations, and
(3) ICAC investigations shall also be governed by the national ICAC program's Operational and Investigative Standards (attached).

3.7 Where investigations reveal that the safety of a child is at risk, it is of paramount importance that the safety and well-being of the child clearly outweigh any consideration being given to the continued investigation.

3.8 ICAC Task Forces have a substantial number of matters to investigate which requires prioritization of these matters. The affiliate agency agrees to use the guidelines in the ICAC Investigative Standards to prioritize cases.

3.9 An additional secondary role of the affiliate agency is to educate, as time and resources permit, both children and parents regarding online dangers, and empower them with information so they may visit the Internet in safety. Task force personnel may conduct education and prevention programs to foster awareness and provide practical, relevant guidance to the community about Internet child safety issues.

IV. DURATION AND TERMINATION

4.1 This IGA shall become effective upon the execution of two (2) original by the parties, and upon one (1) original recorded as required by A.R.S.§ 11-952. This IGA will remain in effect for two (2) years after the agreement becomes effective, and shall automatically renew itself for two (2) year periods not exceed three renewals, unless the agreement is terminated in writing by either party upon thirty day notice.

4.2 Violation of the ICAC operational standards is cause for cancellation of affiliate agency's affiliation with OJJDP.

V. GENERAL PROVISIONS

5.1 Conflict of Interest. This Agreement is subject to cancellation pursuant to the provisions of A.R.S. § 38-511.

5.2 Immigration law compliance and warranty. As required by A.R.S. § 41-4401, each party hereby warrants its compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A). Each party further warrants that after hiring an employee, it verifies the employment eligibility of the employee through the E-Verify program. If either party uses any subcontractors in performance of the Agreement, subcontractors shall warrant their compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A), and subcontractors shall further warrant that after hiring an employee, such subcontractor verifies the employment eligibility of the employee through the E-Verify program. A breach of this warranty shall be deemed a material breach of the Agreement subject to penalties up to and including termination. A party shall not be deemed in material breach if it and/or its subcontractors establish compliance with the employment verification provisions of Sections 274A and 274B of the federal Immigration and Nationality Act and the E Verify requirements contained in A.R.S. § 23-214(A). Each party retains the legal right to inspect the papers of the other party and/or its subcontractor engaged in performance of this Agreement to ensure that the other party and/or its subcontractor is complying with the warranty. Any inspection will be conducted after reasonable notice and at reasonable times. If state law is amended, the parties may modify this paragraph consistent with state law.

5.3 Indemnification. To the extent permitted by law, each party will indemnify and save the other party harmless, including any of the parties' departments, agencies, officers, employees, elected officials or agents, from and against all loss, expense, damage or claim of any nature whatsoever which is caused by any activity, condition or event arising out of the performance or non-performance by the indemnifying party of any of the provisions of this Agreement.

Each party, in all instances, shall be indemnified against all liability, losses and damages of any nature for or on account of any injuries or death of persons or damages to or destruction of property arising out of or in any way connected with the performance or non-performance of this Agreement by the other party, except such injury or damage as shall have been occasioned by the negligence of that other party. The damages incurred by the other party, their department, agencies, officers, employees, elected officers or agents shall include in the event of any action, court costs, expenses for litigation and reasonable attorneys' fees.
The parties are responsible and liable for the acts and omissions of their own officers, agents or employees in connection with the performance of their official duties under this IGA.

This agreement does not relieve either agency of its official duties and shall not be construed as limiting or expanding the statutory responsibilities of the parties.

5.4 Binding effect. All terms, provisions and conditions hereof shall be binding upon and inure to the benefit of all parties hereto and their respective heirs, personal representatives, successors and assigns.

5.5 Severability. In the event any term or provision of this Agreement is held to be invalid or unenforceable, the validity of the other provisions shall not be affected, and the Agreement shall be construed and enforced as if it did not contain the particular term or provision that is deemed to be invalid or unenforceable.

5.6 Governing law. This Agreement will be governed by the laws of the State of Arizona, both as to interpretation and performance.

5.7 Modification. This Agreement may be modified only by mutual written agreement of the parties.

VI. SPECIAL PROVISIONS

6.1 Goals for cases prosecuted. Various County Attorneys' Offices throughout the State of Arizona have successfully prosecuted many cases investigated by the ICAC Task Force and its' affiliated agencies. Cases investigated by the ICAC Task Force may be prosecuted in Federal or State Court.

The affiliated agency agrees that the criteria for determining whether to prosecute a particular violation in state or federal court will be determined based upon the forum in which the greatest overall benefit to the public will be achieved. The parties agree that the greatest overall benefit to the public and victims will be achieved in the forum in which the purposes of punishment will be accomplished to the greatest possible extent. The parties agree that the sentences in ICAC cases should, to the greatest possible extent:

(1) Reflect the seriousness of the offense,
(2) Promote respect for the law,
(3) Provide just punishment for the offense,
(4) Afford adequate deterrence to criminal conduct,
(5) Protect the public from further crimes of the defendant, and
(6) To provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner.

Given these goals and the research regarding the typical hands-on offense histories of those convicted as on-line predators and child pornography offenders, incarceration is a desired outcome in ICAC cases.

6.2 Reporting statistics. The affiliated agency will provide monthly reports to the Phoenix PD / ICAC Task Force on the prescribed form.

6.3 Training. The affiliated agency may make investigators available for applicable specialized training provided through the national ICAC program and other appropriate training programs.

6.4 Media. Media outreach on cases should be coordinated with the prosecutor to whom the case has been or will be referred in order to ensure compliance with applicable bar rules. All lawful efforts will be made to protect ongoing undercover operations from media publication. Member agencies will refrain from unnecessarily releasing ongoing investigative techniques and ongoing undercover identities including screen names, age, or sex of undercover personas unless authorized and mandated by public record law or when the information is revealed pursuant to lawful discovery or at trial.

6.5 Confidentiality. It is understood that any confidential information pertaining to investigations of ICAC will be held in the strictest confidence, and will only be shared with participating ICAC Task Force members or other law enforcement agencies where necessary or as otherwise permitted by federal and/or state law.

6.6 Text messaging while driving. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

6.7 Equipment. Equipment bought on a sub-grant application will remain the property of the affiliate agency and is being loaned to the affiliate agency for use in Internet crimes against children investigations. The equipment must be made available by the affiliate agency for inspection by the AZ ICAC, the Department of Justice, or a representative of the ICAC Board of Director's anytime requested.

The equipment must be maintained in accordance with the equipment inventory policies of the affiliate agency. The future disposition of the equipment will be tracked by the AZ ICAC detail in the event that there is an audit of our purchases by the Department of Justice.

If at some future time the equipment is not serviceable or no longer useful to the affiliate agency, it is requested that the affiliate agency dispose of the items in a manner consistent with official policies and/or Federal laws concerning the proper disposition of government policy.

6.8 Data protection. All data, regardless of form, including originals, images and reproductions, prepared by, obtained by, or transmitted to affiliate agencies in connection with this agreement is to be kept confidential. Except as specifically

provided in this Agreement, the affiliate agencies shall not disclose data generated in the performance of the service to any third person without the prior written consent of all affiliate agencies, unless required by law.

Personal identifying information, financial account information, or restricted information, whether electronic format or hard copy must be secured and protected at all times to avoid unauthorized access. At a minimum, affiliate agencies must encrypt and/or password protect electronic files. This includes data saved to laptop computers, computerized devices or removable storage devices.

Unless contrary to law, which includes Arizona State Records Retention statutes, when personal identifying information, financial account information, or restricted information, regardless of its format, is no longer necessary, the information must be redacted, destroyed, or secured through appropriate and secure methods that ensure the information cannot be viewed, accessed, or reconstructed.

In the event that data collected or obtained by the affiliate agencies in connection with this agreement is believed to have been compromised, affiliate agencies shall notify all other agencies in writing within ten (10) business days.

Affiliate agencies agree that the requirements of this section shall be incorporated into all relevant subcontractor/subconsultant agreements entered into by the affiliate agencies. A violation of this section may result in immediate termination of the Agreement.

The obligations of affiliate agencies under this section shall survive the termination of this agreement.

6.9 Consistency. No local agreement can be inconsistent with any provision herein or impair achievement of any provision herein.

IN WITNESS WHEREOF, the parties enter into this Agreement:

City of Phoenix (Primary Grantee)	Affiliate
_____	_____
Joseph G. Yahner Acting Police Chief Phoenix Police Department	(Authorized signature)
	_____
	Printed name, title
_____	_____
Date	Date

Approved as to form:	Attest:
_____	_____
City of Phoenix	Julie K. Bower, Town Clerk

INTERGOVERNMENTAL AGREEMENT DETERMINATION

In accordance with the requirements of A.R.S. § 11-952 (D), each of the undersigned attorneys Acknowledge: (1) that they have reviewed the above Agreement on behalf of their respective clients; and, (2) that, as to their respective clients only, each attorney has determined that this Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

City of Phoenix (Primary Grantee)	Affiliate
_____	_____
Signature	Tobin Sidles, Legal Services Director
_____	_____
Printed name, title	Date
_____	
Date	

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

Meeting Date: 03/04/2015

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

Department: Police Department

Information

SUBJECT:

Resolution No. (R)15-18, authorizing and approving a subgrantee agreement between the Town of Oro Valley and the Arizona Department of Homeland Security to fund the purchase of equipment under the Operation Stonegarden program

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

Resolution No. (R)13-69 was approved on December 4, 2013, authorizing Subgrantee Agreement 130428-02 between the Town of Oro Valley and the Arizona Department of Homeland Security (AZDOHS) to fund the purchase of hand-held thermal imaging equipment under the Operation Stonegarden program.

Since that time, additional funding has become available and the Oro Valley Police Department has been designated to receive $2,100 in funding to purchase additional equipment.

BACKGROUND OR DETAILED INFORMATION:

The original grant application was made to work in a regional partnership with other local law enforcement agencies and the U.S. Border Patrol Tucson Sector to reduce crime and improve the quality of life for the residents and visitors of Oro Valley. This reallocation of grant funding will provide equipment for officers assigned to deployments, which is intended to impact the flow of smugglers transporting humans and illegal contraband, as well as possible terrorists who intend to cause harm or commit crimes against this nation.

As a result of additional funding becoming available, AZDOHS has directed reallocated funding for the purchase of hand-held thermal imaging equipment to support officers deployed under the Operation Stonegarden program.

FISCAL IMPACT:

The approved FY 2014/15 budget includes the capacity, in the appropriate category, for this award. The fiscal impact is $2,100 received by the Town through grant funding.

SUGGESTED MOTION:

I MOVE to (approve or deny) Resolution No. (R)15-18, authorizing and approving a subgrantee agreement between the Town of Oro Valley and the Arizona Department of Homeland Security to fund the purchase of equipment under the Operation Stonegarden program.

Attachments

(R)15-18 AZDOHS Equipment Funding

AZDOHS Equipment

RESOLUTION NO. (R)15-18

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING A SUBGRANTEE AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND THE ARIZONA DEPARTMENT OF HOMELAND SECURITY TO FUND THE PURCHASE OF EQUIPMENT UNDER THE OPERATION STONEGARDEN PROGRAM

WHEREAS, the Arizona Department of Homeland Security requires participating jurisdictions to enter into a Subgrantee Agreement to receive the funds granted under the Operation Stonegarden Program; and

WHEREAS, the Town of Oro Valley's allocation under the grant is a maximum of $2,100.00 which will be used to fund the purchase of equipment under the Operation Stonegarden Program for deployments with the U.S. Department of Homeland Security Bureau of Customs and Border Protection; and

WHEREAS, it is in the best interest of the Town of Oro Valley to enter into the Subgrantee Agreement (attached hereto as Exhibit "A" and incorporated herein by this reference) in order to receive funds which will be used to fund the purchase of equipment under the Operation Stonegarden Program for deployments with the U.S. Department of Homeland Security Bureau of Customs and Border Protection.

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

1. The Subgrantee Agreement between the Town of Oro Valley, for the benefit of the Oro Valley Police Department and the Arizona Department of Homeland Security, attached hereto as Exhibit "A" and incorporated herein by this reference, to fund the purchase of equipment under the Operation Stonegarden Program for deployments with the U.S. Department of Homeland Security Bureau of Customs and Border Protection is hereby authorized and approved.

2. The Mayor and other administrative officials of the Town of Oro Valley are hereby authorized to take such steps as are necessary to execute and implement the terms of the Subgrantee Agreement.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 4th day of March, 2015.

TOWN OF ORO VALLEY, ARIZONA

_____
Dr. Satish I. Hiremath, Mayor

ATTEST:

_____
Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

_____
Tobin Sidles, Legal Services Director

Date: _____

EXHIBIT “A”

SUBGRANTEE AGREEMENT
Operation Stonegarden Grant Program - Equipment

13-AZDOHS-OPSG-130428-03

Between

The Arizona Department of Homeland Security
And

Oro Valley Police Department

WHEREAS, A.R.S. § 41-4254 charges the Arizona Department of Homeland Security (AZDOHS) with the responsibility of administering funds.

THEREFORE, it is agreed that the AZDOHS shall provide funding to the **Oro Valley Police Department** (subrecipient) for services under the terms of this Grant Agreement.

I. PURPOSE OF AGREEMENT

The purpose of this Agreement is to specify the responsibilities and procedures for the subrecipient's role in administering homeland security grant funds.

II. TERM OF AGREEMENT, TERMINATION AND AMENDMENTS

This Agreement shall become effective on **February 4, 2015** and shall terminate on **July 31, 2015**. The obligations of the subrecipient as described herein will survive termination of this agreement.

III. DESCRIPTION OF SERVICES

The subrecipient shall provide the services for the State of Arizona, Arizona Department of Homeland Security as approved in the grant application titled **"OPSG Equipment"** and funded at **$2,100** (as may have been modified by the award letter).

IV. MANNER OF FINANCING

The AZDOHS shall:

a) Provide up to **$2,100** to the subrecipient for services provided under Paragraph III.

b) Payment made by the AZDOHS to the subrecipient shall be on a reimbursement basis only and is conditioned upon receipt of proof of payment and applicable, accurate and complete reimbursement documents, as deemed necessary by the AZDOHS, to be submitted by the subrecipient. A listing of acceptable documentation can be found at *www.azdohs.gov*. Payments will be contingent upon receipt of all reporting requirements of the subrecipient under this Agreement.

V. FISCAL RESPONSBILITY

It is understood and agreed that the total amount of the funds used under this Agreement shall be used only for the project as described in the application. Any modification to quantity or scope of work must be preapproved in writing by the AZDOHS. Therefore, should the project not be completed, the subrecipient shall reimburse said funds directly to the AZDOHS immediately. If the project is completed at a lower cost than the original budget called for, the amount reimbursed

to the subrecipient shall be for only the amount of dollars actually spent by the subrecipient in accordance with the approved application. For any funds received under this Agreement for which expenditure is disallowed by an audit exemption or otherwise by the AZDOHS, the State, or Federal government, the subrecipient shall reimburse said funds directly to the AZDOHS immediately.

VI. FINANCIAL AUDIT/PROGRAMATIC MONITORING

The subrecipient agrees to terms specified in A.R.S. § 35-214 and § 35-215.

a) In addition, in compliance with the Federal Single Audit Act (31 U.S.C. par. 7501-7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104 to 156), the subrecipient must have an annual audit conducted in accordance with OMB Circular #A-133 ("Audits of States, Local Governments, and Non-profit Organizations") if the subrecipient expends more than $500,000 from Federal awards. If the subrecipient has expended more than $500,000 in Federal dollars, a copy of the subrecipient's audit report for the previous fiscal year and subsequent years within the period of performance is due annually to AZDOHS within nine (9) months of the subrecipients fiscal year end.

b) Subrecipients will be monitored periodically by the AZDOHS staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met. Monitoring will be accomplished through a combination of office-based reviews and on-site monitoring visits. Monitoring can involve aspects of the work involved under this contract including but not limited to the review and analysis of the financial, programmatic, equipment, performance, and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

VII. APPLICABLE FEDERAL REGULATIONS

The subrecipient must comply with the Funding Opportunity Announcement (FOA), Office of Management and Budget (OMB) Circulars, Code of Federal Regulations (CFR) and other Federal guidance including but not limited to:

a) 44 CFR Chapter 1, Federal Emergency Management Agency, Department of Homeland Security at *www.gpo.gov/fdsys/pkg/CFR-2007-title44-vol1/content-detail.html*

b) 2 CFR 225 Cost Principles for State, Local & Indian Tribal Governments (A-87 OMB Circular), at *www.gpo.gov/fdsys/pkg/CFR-2007-title2-vol1/content-detail.html*.
Cost Principles: 2 CFR Part 225, State and Local Governments; 2 CFR Part 220, Educational Institutions; 2 CFR Part 230, Non-Profit Organizations; Federal Acquisition Regulation Sub-part 31.2, Contracts with Commercial Organizations.OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, at *www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf.*

c) 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (formerly OMB Circular A-102), at origin *www.gpo.gov/fdsys/pkg/CFR-2010-title44-vol1/pdf/CFR-2010-title44-vol1-part13.pdf* . U.S. Department of Homeland Security Authorized Equipment List (AEL), at *www.llis.dhs.gov/knowledgebase/authorizedequipmentlist.*

d) 2 CFR Part 215, Uniformed Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations.

e) 28 CFR applicable to grants and cooperative agreements, including Part 18, Office of Justice Programs Hearing and Appeal Procedure; Part 20, Criminal Justice Information Systems; Part

22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 42, Non-discrimination; Equal Employment Opportunities; Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Part 66, Uniform Administrative Requirements for Grants and Co-operative Agreements to State and local Government. This CFR can be found at *http://www.gpo.gov/fdsys/pkg/CFR-2001-title28-vol1/content-detail.html*.

f) Where applicable and with prior written approval from AZDOHS/DHS/FEMA, program subgrantees using funds for construction projects must comply with the *Davis-Bacon Act* (40 U.S.C. 3141 *et seq.*). Subrecipients must ensure that their contractors or subcontractors for construction projects pay workers employed directly at the work-site no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor (DOL) wage determinations, is available from the following website *http://www.dol.gov/compliance/laws/comp-dbra.htm*.

Included within the above mentioned guidance documents are provisions for the following:

National Incident Management System (NIMS)
The subrecipient agrees to remain in compliance with National Incident Management System (NIMS) implementation initiatives as outlined in the applicable Funding Opportunity Announcement (FOA).

Environmental Planning and Historic Preservation
The subrecipient shall comply with all applicable Federal, State, and Local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898).Subrecipient shall not undertake any project having the potential to impact EHP resources without the prior approval of AZDOHS/FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Subrecipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the subrecipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the subrecipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Procurement and construction activities shall not be initiated prior to the full environmental and historic preservation review and approval.

Consultants/Trainers/Training Providers
Billings for consultants/trainers/training providers must include at a minimum: a description of services; dates of services; number of hours for services performed; rate charged for services; and, the total cost of services performed. Consultant/trainer/training provider costs must be within the prevailing rates; must be obtained under consistent treatment with the procurement policies of the subrecipient and 44 CFR Chapter 1, Part 13; and shall not exceed the maximum of $450 per day per consultant/trainer/training provider unless prior written approval is granted by the AZDOHS. In addition to the per day $450 maximum amount, the consultant/trainer/training provider may be reimbursed reasonable travel, lodging, and per diem not to exceed the state rate. Itemized receipts are required for lodging and travel reimbursements. The subrecipient will not be reimbursed costs other than travel, lodging, and per diem on travel days for consultants/trainers/training providers.

Contractors/Subcontractors
The subrecipient may enter into written subcontract(s) for performance of certain of its functions under the contract in accordance with terms established in the OMB Circulars, Code of Federal Regulations, DHS Guidance/FOA, and DHS Program Guidance. The subrecipient agrees and understands that no subcontract that the subrecipient enters into with respect to performance under this Agreement shall in any way relieve the subrecipient of any responsibilities for performance of its duties. The subrecipient shall give the AZDOHS immediate notice in writing by certified mail of any action or suit filed and prompt notice of any claim made against the subrecipient by any subcontractor or vendor which in the opinion of the subrecipient may result in litigation related in any way to the Agreement with the AZDOHS.

Personnel and Travel Costs
All grant funds expended for personnel, travel, lodging, and per diem must be consistent with the subrecipient's policies and procedures; and the State of Arizona Accounting Manual (SAAM); must be applied uniformly to both federally financed and other activities of the agency; and will be reimbursed at the most restrictive allowability and rate. At no time will the subrecipient's reimbursement(s) exceed the State rate established by the Arizona Department of Administration, General Accounting Office Travel Policies: *www.gao.az.gov*.

Procurement
The subrecipient shall comply with all internal agency procurement rules/policies and must also comply with Federal procurement rules/policies as outlined in section VII and all procurement must comply with Arizona State procurement code and rules. The Federal intent is that all Homeland Security Funds are awarded competitively. The subrecipient shall not enter into a Noncompetitive (Sole or Single Source) procurement agreement, unless prior written approval is granted by the AZDOHS. The Noncompetitive Procurement Request Form and instructions are located on the AZDOHS website, *www.azdohs.gov/grants/*.

Training and Exercise
The subrecipient agrees that any grant funds used for training and exercise must be in compliance with the applicable FOA. All training must be approved through the ADEM/AZDOHS training request process prior to execution of training contract(s). All exercises must utilize the FEMA Homeland Security Exercise and Evaluation Program (HSEEP) Toolkit for exercise design, development and scheduling. Subrecipient agrees to:

a) Submit the HSEEP Toolkit Exercise Summary to AZDOHS with all Exercise Reimbursement Requests.
b) Post all exercises, documentation and After Action Reports/Improvement Plans via the HSEEP Toolkit.
c) Within 60 days of completion of an exercise, or as prescribed by the most recent HSEEP guidance, the exercise host subrecipient is required to upload the AAR/IP into the HSEEP Toolkit and email the AAR/IP to the local County Emergency Manager, the FEMA Region IX Exercise POC, HSEEP@dhs.gov, the AZDOHS Strategic Planner, and the Arizona Department of Emergency Management (ADEM) Exercise Officer.

Nonsupplanting Agreement
The subrecipient shall not use funds to supplant State or Local funds or other resources that would otherwise have been made available for this program/project. Further, if a position created by a grant is filled from within, the vacancy created by this action must be filled within thirty (30) days. If the vacancy is not filled within thirty (30) days, the subrecipient must stop charging the grant for the new position. Upon filling the vacancy, the subrecipient may resume charging for the grant position.

E-Verify
Compliance requirements for A.R.S. § 41-4401—immigration laws and E-Verify requirement.

a) The subrecipient warrants compliance with all Federal immigration laws and regulations relating to employees and warrants its compliance with Section A.R.S. § 23-214, Subsection A. (That subsection reads: "After December 31, 2007, every employer, after hiring an employee, shall verify the employment eligibility of the employee through the E-Verify program).

b) A breach of a warranty regarding compliance with immigration laws and regulations shall be deemed a material breach of the contract and the subrecipient may be subject to penalties up to and including termination of the Agreement.

c) The AZDOHS retains the legal right to inspect the papers of any employee who works on the Agreement to ensure that the subrecipient is complying with the warranty under paragraph (a) above.

Property Control
Effective control and accountability must be maintained for all property. The subrecipient must adequately safeguard all such property and must assure that it is used for authorized purposes as described in the FOA, grant application, and Code of Federal Regulations (44 CFR 13.32). The subrecipient shall exercise caution in the use, maintenance, protection and preservation of such property.

a) Equipment shall be used by the subrecipient in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal grant funds. Theft, destruction, or loss of property shall be reported to the AZDOHS immediately.

b) Nonexpendable Property and Capital Assets:

   1. Nonexpendable Property is property which has a continuing use, is not consumed in use, is of a durable nature with an expected service life of one or more years, has an acquisition cost of $300 (Three Hundred Dollars) or more, and does not become a fixture or lose its identity as a component of other equipment or systems.

   2. A Capital Asset is any personal or real property, or fixture that has an acquisition cost of $5,000 (Five Thousand Dollars) or more per unit and a useful life of more than one year.

c) A Property Control Form (if applicable) shall be maintained for the entire scope of the program or project for which property was acquired through the end of its useful life and/or disposition. All Nonexpendable Property and Capital Assets must be included on the Property Control Form. The subrecipient shall provide AZDOHS a copy of the Property Control Form with the final quarterly programmatic report. A Property Control Form can be located at *www.azdohs.gov/Grants/*. The subrecipient agrees to be subject to equipment monitoring and auditing by state or federal authorized representatives to verify information.

d) A physical inventory of the Nonexpendable Property and Capital Assets must be taken and the results reconciled with the Property Control Form at least once every two years.

   1. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated and reported to AZDOHS.

2. Adequate maintenance procedures must be developed to keep the property in good condition.

e) When Nonexpendable Property and/or Capital Assets are no longer in operational use by the subgrantee, an updated Property Control Form must be submitted to AZDOHS immediately. The disposition of equipment shall be in compliance with the AZDOHS Disposition Guidance. If the subgrantee is requesting disposition of Capital Assets for reasons other than theft, destruction, or loss, the subgrantee must submit an Equipment Disposition Request Form and receive approval prior to the disposition. The Equipment Disposition Request Form can be found at *www.azdohs.gov/Grants/*.

Allowable Costs

The allowability of costs incurred under this agreement shall be determined in accordance with the general principles of allowability and standards for selected cost items as set forth in the applicable OMB Circulars, Code of Federal Regulations, authorized equipment lists and guidance documents referenced above.

a) The subrecipient agrees that grant funds are not to be expended for any indirect costs that may be incurred by the subrecipient for administering these funds.
b) The subrecipeint agrees that grant funds are not to be expended for any Management and Administrative (M&A) costs that may be incurred by the subrecipient for administering these funds unless explicitly applied for and approved in writing by the AZDOHS and shall be in compliance with the applicable FOA.

VIII. DEBARMENT CERTIFICATION

The subrecipient agrees to comply with the Federal Debarment and Suspension regulations as outlined in the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions."

IX. FUNDS MANAGEMENT

The subrecipient must maintain funds received under this Agreement in separate ledger accounts and cannot mix these funds with other sources. The subrecipient must manage funds according to applicable Federal regulations for administrative requirements, costs principles, and audits. The subrecipient must maintain adequate business systems to comply with Federal requirements. The business systems that must be maintained are:

- Financial Management
- Procurement
- Personnel
- Property
- Travel

A system is adequate if it is 1) written; 2) consistently followed – it applies in all similar circumstances; and 3) consistently applied – it applies to all sources of funds.

X. REPORTING REQUIREMENTS

Regular reports by the subrecipient shall include:

a) Programmatic Reports
The subrecipient shall provide quarterly programmatic reports to the AZDOHS within fifteen (15) working days of the last day of the quarter in which services are provided. The subrecipient shall use the form provided by the AZDOHS to submit quarterly programmatic reports. The report shall contain such information as deemed necessary by the AZDOHS. The subrecipient shall use the Quarterly Programmatic Report form, which is posted at *www.azdohs.gov/Grants/*. If the scope of the project has been fully completed and implemented, and there will be no further updates, then the quarterly programmatic report for

the quarter in which the project was completed will be sufficient as the final report. The report should be marked as final and should be inclusive of all necessary and pertinent information regarding the project as deemed necessary by the AZDOHS. Quarterly programmatic reports shall be submitted to the AZDOHS until the entire scope of the project is completed

b) Quarterly Programmatic Reports are due:
January 15 (period October 1– December 31)
April 15 (period January 1 – March 31)
July 15 (period April 1 – June 30)
October 15 (period July 1 – September 30)

c) Final Quarterly Report:
The final quarterly report is due no more than fifteen (15) days after the end of the performance period. The Property Control Form and Grant Funded Typed Resource Report are due with the final quarterly report (if applicable).

d) Property Control Form – if applicable:
The subrecipient shall provide AZDOHS a copy of the Property Control Form with the final quarterly report.

   a. In case of equipment disposition:
   The Property Control Form shall be updated and a copy provided to AZDOHS no more than forty-five (45) calendar days after equipment disposition, if applicable. The disposition of equipment must be in compliance with the AZDOHS Disposition Guidance.

e) The Grant Funded Typed Resource Report – if applicable:
The subrecipient shall email the AZDOHS Strategic Planner a copy of the Grant Funded Typed Resource Report with the final quarterly report. The Grant Funded Typed Resource Report and instructions are located at *www.azdohs.gov/Grants/*.

f) Financial Reimbursements
The subrecipient shall provide as frequently as monthly but not less than quarterly requests for reimbursement. Reimbursements requests are only required when expenses have been incurred. Reimbursements shall be submitted with the Reimbursement Form provided by the AZDOHS staff. The subrecipient shall submit a final reimbursement for expenses received and invoiced prior to the end of the termination of this Agreement no more than **forty-five (45) calendar days** after the end of the Agreement. Requests for reimbursement received later than the forty-five (45) days after the Agreement termination will not be paid. The final reimbursement request as submitted shall be marked FINAL.

The AZDOHS requires that all requests for reimbursement are submitted via U.S. mail (United States Postal Service), FedEx, UPS, etc…or in person. Reimbursements submitted via fax or by any electronic means will not be accepted.

The AZDOHS reserves the right to request and/or require any supporting documentation it feels necessary in order to process reimbursements.

All reports shall be submitted to the contact person as described in Paragraph XL, NOTICES, of this Agreement.

XI. ASSIGNMENT AND DELEGATION

The subrecipient may not assign any rights hereunder without the express, prior written consent of both parties.

XII. AMENDMENTS

Any change in this Agreement including but not limited to the Description of Services and budget described herein, whether by modification or supplementation, must be accomplished by a formal Agreement amendment signed and approved by and between the duly authorized representative of the subrecipient and the AZDOHS. The AZDOHS shall have the right to immediately amend this Agreement so that it complies with any new legislation, laws, ordinances, or rules affecting this Agreement.

Any such amendment shall specify: 1) an effective date; 2) any increases or decreases in the amount of the subrecipient's compensation if applicable; 3) be titled as an "Amendment," and 4) be signed by the parties identified in the preceding sentence. The subrecipient expressly and explicitly understands and agrees that no other method of communication, including any other document, correspondence, act, or oral communication by or from any person, shall be used or construed as an amendment or modification or supplementation to this Agreement.

XIII. US DEPARTMENT OF HOMELAND SECURITY AGREEMENT ARTICLES

Article A – Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award.

Article B - Compliance with Funding Opportunity Announcement

The recipient agrees that all allocations and use of funds under this grant will be in accordance with the applicable FOA.

Article C - DHS Specific Acknowledgements and Assurances

All recipients of financial assistance must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.

2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.

3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.

4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.

6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

   The United States has the right to seek judicial enforcement of these obligations.

Article D - Use of DHS Seal, Logo and Flags
All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article E - USA Patriot Act of 2001
All recipients must comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

Article F - Trafficking Victims Protection Act of 2000
All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007.

In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient —

1. Engages in severe forms of trafficking in persons during the period of time that the award is in effect;

2. Procures a commercial sex act during the period of time that the award is in effect; or

3. Uses forced labor in the performance of the award or subawards under the award.

Full text of the award term is provided at 2 CFR § 175.15.

Article G - Non-supplanting Requirement
All recipients must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Applicants or award recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

Article H - Lobbying Prohibitions
All recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

Article I - Hotel and Motel Fire Safety Act of 1990
In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. §2225(a), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, 15 U.S.C. §2225.

Article J - Fly America Act of 1974
All recipients must comply with Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. §41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

Article K - Federal Debt Status
All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424, item number 17 for additional information and guidance.

Article L - False Claims Act and Program Fraud Civil Remedies
All recipients must comply with the requirements of 31 U.S.C. § 3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

Article M - Duplication of Benefits
State, Local and Tribal recipients must comply with 2 CFR Part §225, Appendix A, paragraph (C)(3)(c), which provides that any cost allocable to a particular Federal award or cost objective under the principles provided for in this authority may not be charged to other Federal awards to overcome fund deficiencies.

Article N - Drug-Free Workplace Regulations
All recipients must comply with the Drug-Free Workplace Act of 1988 (412 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. These regulations are codified at 2 CFR 3001.

Article O - Debarment and Suspension
All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government.

Article P - Copyright
All recipients must affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first

produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

Article Q - Best Practices for Collection and Use of Personally Identifiable Information (PII)
All award recipients who collect PII are required to have a publicly-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments guidance and template located at:
http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf
and
http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively.

Article R - Activities Conducted Abroad
All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article S - Acknowledgement of Federal Funding from DHS
All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article T - Assurances, Administrative Requirements and Cost Principles
Recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances – Non-Construction Programs. Certain assurances in this form may not be applicable to your project or program, and the awarding agency may require applicants to certify to additional assurances. Please contact the program awarding office if you have any questions.

The administrative requirements that apply to DHS award recipients originate from two sources:

- Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"). These A-102 requirements are also located within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13.

- OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.

The cost principles that apply to DHS award recipients through a grant or cooperative agreement originate from one of the following sources:

- OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220.

- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225.

- OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.

The audit requirements for State, Local and Tribal recipients of DHS awards originate from:

- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

Article U - Age Discrimination Act of 1975
All recipients must comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article V - Americans with Disabilities Act of 1990
All recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101–12213).

Article W - Title VI of the Civil Rights Act of 1964
All recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), codified at 6 CFR Part 21 and 44 CFR Part 7, which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Article X - Civil Rights Act of 1968
All recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 CFR Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (see 24 CFR § 100.201).

Article Y - Limited English Proficiency (Civil Rights Act of 1964, Title VI)
All recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance *https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-accesspeople-limited* and additional resources on *http://www.lep.gov*.

Article Z - SAFECOM
Recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article AA - Title IX of the Education Amendments of 1975 (Equal Opportunity in Education Act)
All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.
These regulations are codified at 6 CFR Part 17 and 44 CFR Part 19.

Article AB - Rehabilitation Act of 1973
All recipients of must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

XIV. OFFSHORE PERFORMANCE OF WORK PROHIBITED

Due to security and identity protection concerns, all services under this Agreement shall be performed within the borders of the United States. All storage and processing of information shall be performed within the borders of the United States. This provision applies to work performed by subcontractors at all tiers.

XV. AGREEMENT RENEWAL

This Agreement shall not bind nor purport to bind the AZDOHS for any contractual commitment in excess of the original Agreement period.

XVI. RIGHT TO ASSURANCE

If the AZDOHS in good faith has reason to believe that the subrecipient does not intend to, or is unable to perform or continue performing under this Agreement, the AZDOHS may demand in writing that the subrecipient give a written assurance of intent to perform. If the subrecipient fails to provide written assurance within the number of days specified in the demand, the AZDOHS at its option may terminate this Agreement.

XVII. CANCELLATION FOR CONFLICT OF INTEREST

The AZDOHS may, by written notice to the subrecipient, immediately cancel this Agreement without penalty or further obligation pursuant to A.R.S. § 38-511 if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Agreement on behalf of the State or its subdivisions (unit of Local Government) is an employee or agent of any other party in any capacity or a consultant to any other party to the Agreement with respect to the subject matter of the Agreement. Such cancellation shall be effective when the parties to the Agreement receive written notice from the AZDOHS, unless the notice specifies a later time.

XVIII. THIRD PARTY ANTITRUST VIOLATIONS

The subrecipient assigns the State of Arizona any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services supplied by third parties to subrecipient toward fulfillment of this Agreement.

XIX. AVAILABILITY OF FUNDS

Every payment obligation of the AZDOHS under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligations. If the funds are not allocated and available for the continuance of this Agreement, the AZDOHS may terminate this Agreement at the end of the period for which funds are available. No liability shall accrue to the AZDOHS in the event this provision is exercised, and the AZDOHS shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph, including purchases and/or contracts entered into by the subrecipient in the execution of this Agreement.

XX. FORCE MAJEURE

If either party hereto is delayed or prevented from the performance of any act required in this Agreement by reason of acts of God, strikes, lockouts, labor disputes, civil disorder, or other causes without fault and beyond the control of the party obligated, performance of such act will be excused for the period of the delay.

XXI. PARTIAL INVALIDITY

Any term or provision of this Agreement that is hereafter declared contrary to any current or future law, order, regulation, or rule, or which is otherwise invalid, shall be deemed stricken from this Agreement without impairing the validity of the remainder of this Agreement.

XXII. ARBITRATION

In the event of any dispute arising under this Agreement, written notice of the dispute must be provided to the other party within thirty (30) days of the events giving the rise to the dispute. The subrecipient agrees to terms specified in A.R.S. § 12-1518.

XXIII. GOVERNING LAW AND CONTRACT INTERPRETATION

a) This Agreement shall be governed and interpreted in accordance with the laws of the State of Arizona.

b) This Agreement is intended by the parties as a final and complete expression of their agreement. No course of prior dealings between the parties and no usage of the trade shall supplement or explain any terms in this document.

c) Either party's failure to insist on strict performance of any term or condition of the Agreement shall not be deemed a waiver of that term or condition even if the party accepting or acquiescing in the nonconforming performance knows of the nature of the performance and fails to object.

XXIV. ENTIRE AGREEMENT

This Agreement and its Exhibits constitute the entire Agreement between the parties hereto pertaining to the subject matter hereof and may not be changed or added to except by a writing signed by all parties hereto in conformity with Paragraph XII, AMENDMENTS. The subrecipient agrees to comply with any such amendment within ten (10) business days of receipt of a fully executed amendment. All prior and contemporaneous agreements, representations, and understandings of the parties, oral, written, pertaining to the subject matter hereof, are hereby superseded or merged herein.

XXV. RESTRICTIONS ON LOBBYING

The subrecipient shall not use funds made available to it under this Agreement to pay for, influence, or seek to influence any officer or employee of a State or Federal government.

XXVI. LICENSING

The subrecipient, unless otherwise exempted by law, shall obtain and maintain all licenses, permits, and authority necessary to perform those acts it is obligated to perform under this Agreement.

XXVII. NON-DISCRIMINATION

The subrecipient shall comply with all State and Federal equal opportunity and non-discrimination requirements and conditions of employment, including the Americans with Disabilities Act, in accordance with A.R.S. title 41, Chapter 9, Article 4 and Executive Order2009-09.

XXVIII. SECTARIAN REQUESTS

Funds disbursed pursuant to this Agreement may not be expended for any sectarian purpose or activity, including sectarian worship or instruction in violation of the United States or Arizona Constitutions.

XXIX. SEVERABILITY

The provisions of this Agreement are severable. Any term or condition deemed illegal or invalid shall not affect any other term or condition of the Agreement.

XXX. ADVERTISING AND PROMOTION OF AGREEMENT

The subrecipient shall not advertise or publish information for commercial benefit concerning this Agreement without the written approval of the AZDOHS.

XXXI. OWNERSHIP OF INFORMATION, PRINTED AND PUBLISHED MATERIAL

The AZDOHS reserves the right to review and approve any publications funded or partially funded through this Agreement. All publications funded or partially funded through this Agreement shall recognize the AZDOHS and the U.S. Department of Homeland Security. The U.S. Department of Homeland Security and the AZDOHS shall have full and complete rights to reproduce, duplicate, disclose, perform, and otherwise use all materials prepared under this Agreement.

The subrecipient agrees that any report, printed matter, or publication (written, visual, or sound, but excluding press releases, newsletters, and issue analyses) issued by the subrecipient describing programs or projects funded in whole or in part with Federal funds shall contain the following statement:

> "This document was prepared under a grant from U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security."

The subrecipient also agrees that one copy of any such publication, report, printed matter, or publication shall be submitted to the AZDOHS to be placed on file and distributed as appropriate to other potential subrecipients or interested parties. The AZDOHS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the subrecipient.

The AZDOHS and the subrecipient recognize that research resulting from this Agreement has the potential to become public information. However, prior to the termination of this Agreement, the subrecipient agrees that no research-based data resulting from this Agreement shall be published or otherwise distributed in any form without express written permission from the AZDOHS and possibly the U.S. Department of Homeland Security. It is also agreed that any report or printed

matter completed as a part of this agreement is a work for hire and shall not be copyrighted by the subrecipient.

XXXII. CLOSED-CAPTIONING OF PUBLIC SERVICE ANNOUNCEMENTS

Any television public service announcement that is produced or funded in whole or in part by the subrecipient shall include closed captioning of the verbal content of such announcement.

XXXIII. INDEMNIFICATION

Each party (as "Indemnitor") agrees to defend, indemnify, and hold harmless the other party (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers. The State of Arizona, (State Agency) is self-insured per A.R.S. 41-621.

In addition, should subrecipient utilize a contractor(s) and subcontractor(s) the indemnification clause between subrecipient and contractor(s) and subcontractor(s) shall include the following:

Contractor shall defend, indemnify, and hold harmless the (insert name of other governmental entity) and the State of Arizona, and any jurisdiction or agency issuing any permits for any work arising out of this Agreement, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees (hereinafter referred to as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of the contractor or any of the directors, officers, agents, or employees or subcontractors of such contractor. This indemnity includes any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the failure of such contractor to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by such contractor from and against any and all claims. It is agreed that such contractor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. Additionally on all applicable insurance policies, contractor and its subcontractors shall name the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees as an additional insured and also include a waiver of subrogation in favor of the State.

XXXIV. TERMINATION

a) All parties reserve the right to terminate the Agreement in whole or in part due to the failure of the subrecipient or the grantor to comply with any term or condition of the Agreement, to acquire and maintain all required insurance policies, bonds, licenses, and permits or to make satisfactory progress in performing the Agreement. The staff of either party shall provide a written thirty (30) day advance notice of the termination and the reasons for it.

b) If the subrecipient chooses to terminate the contract before the grant deliverables have been met then the AZDOHS reserves the right to collect all reimbursements distributed to the subrecipient.

c) The AZDOHS may, upon termination of this Agreement, procure, on terms and in the manner that it deems appropriate, materials or services to replace those under this Agreement. The

subrecipient shall be liable to the AZDOHS for any excess costs incurred by the AZDOHS in procuring materials or services in substitution for those due from the subrecipient.

XXXV. CONTINUATION OF PERFORMANCE THROUGH TERMINATION

The subrecipient shall continue to perform, in accordance with the requirements of the Agreement, up to the date of termination, as directed in the termination notice.

XXXVI. PARAGRAPH HEADINGS

The paragraph headings in this Agreement are for convenience of reference only and do not define, limit, enlarge, or otherwise affect the scope, construction, or interpretation of this Agreement or any of its provisions.

XXXVII. COUNTERPARTS

This Agreement may be executed in any number of counterparts, copies, or duplicate originals. Each such counterpart, copy, or duplicate original shall be deemed an original, and collectively they shall constitute one agreement.

XXXVIII. AUTHORITY TO EXECUTE THIS AGREEMENT

Each individual executing this Agreement on behalf of the subrecipient represents and warrants that he or she is duly authorized to execute this Agreement.

XXXIX. SPECIAL CONDITIONS

a) The subrecipient must comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit requirements

b) The subrecipient acknowledges that the U.S. Department of Homeland Security and the AZDOHS reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: (a) the copyright in any work developed under an award or sub-award; and (2) any rights of copyright to which a subrecipient purchases ownership with Federal support. The subrecipient shall consult with the AZDOHS regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

c) The subrecipient agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: **"Purchased with funds provided by the U.S. Department of Homeland Security."**

d) The subrecipient agrees to cooperate with any assessments, state/national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.

e) The subrecipient is prohibited from transferring funds between programs (State Homeland Security Program, Urban Area Security Initiative, Citizen Corps Program, Operation Stonegarden, and Metropolitan Medical Response System).

XL. NOTICES

Any and all notices, requests, demands, or communications by either party to this Agreement, pursuant to or in connection with this Agreement shall be in writing, be delivered in person, or shall be sent to the respective parties at the following addresses:

Arizona Department of Homeland Security
1700 West Washington Street, Suite 210
Phoenix, AZ 85007

The subrecipient shall address all programmatic and reimbursement notices relative to this Agreement to the appropriate AZDOHS staff; contact information at www.azdohs.gov.

The AZDOHS shall address all notices relative to this Agreement to:

_____
Enter Title, First & Last Name above

_____
Enter Agency Name above

_____
Enter Street Address

_____
Enter City, State, ZIP

XLI. IN WITNESS WHEREOF

The parties hereto agree to execute this Agreement.

FOR AND BEHALF OF THE

_____
Enter Agency Name above

_____
Authorized Signature above

_____
Print Name & Title above

_____
Enter Date above

FOR AND BEHALF OF THE

Arizona Department of Homeland Security

_____
Gilbert M. Orrantia
Director

_____
Date

(Please be sure to complete and mail two original documents to the Arizona Department of Homeland Security.)

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

Meeting Date: 03/04/2015

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

Department: Town Clerk's Office

Information

SUBJECT:

Resolution No. (R)15-19, authorizing and approving Town of Oro Valley projects under consideration for inclusion in a future Pima County general obligation bond election

RECOMMENDATION:

Staff recommends approval of the resolution.

EXECUTIVE SUMMARY:

The Pima County Bond Advisory Committee evaluates submissions from Pima County and the incorporated jurisdictions within Pima County in order to recommend a package of projects for inclusion in general obligation bond elections. There are $30 million of capital improvement projects proposed within Oro Valley, including development of a new Oro Valley Business Accelerator at Innovation Park, new sports fields and recreational facilities at Naranja Park, upgrades to James D. Kriegh Park, restoration of additional historic buildings at Steam Pump Ranch, a new trailhead for accessing Tortolita Mountain Park, and upgrades to the Linda Vista Trailhead for better access to the Coronado National Forest.

BACKGROUND OR DETAILED INFORMATION:

The Oro Valley Business Accelerator will play a critical role in growing the bioscience sector and creating high paying jobs not only in Oro Valley, but across Southern Arizona. Investments in our parks and recreational facilities continue to support a healthy and active community of all ages.

Investments in transportation infrastructure south of Tucson and at the UA Science and Tech Park, as well as new job training facilities and land acquisition to protect Davis-Monthan Air Force base, will contribute to the retention and expansion of job opportunities regionally, including residents of Oro Valley.

Improvements to regional tourist attractions like Arizona-Sonora Desert Museum, Reid Park Zoo, and Mission San Xavier will benefit the many Oro Valley residents and tourists that visit these popular facilities.

Expansion of Tortolita Mountain Park and conservation of other important natural areas across the region will continue to provide multi-generational benefits to Oro Valley residents and visitors alike.

FISCAL IMPACT:

There is $30 million of capital improvement projects proposed within Oro Valley. If the proposed bond program is approved by voters in its entirety, the construction contracts alone would create approximately 4,350 construction jobs in the region, supporting what continues to be a depressed employment sector.

SUGGESTED MOTION:

I MOVE to (approve / deny) Resolution No. (R)15-19, authorizing and approving Town of Oro Valley projects under consideration for inclusion in a future Pima County general obligation bond election.

Attachments

(R)15-19 Pima County Bond Election 2015

RESOLUTION NO. (R)15-19

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING TOWN OF ORO VALLEY PROJECTS UNDER CONSIDERATION FOR INCLUSION IN A FUTURE PIMA COUNTY GENERAL OBLIGATION BOND ELECTION

WHEREAS, the Pima County Bond Advisory Committee evaluates submissions from Pima County and the incorporated jurisdictions within Pima County in order to recommend a package of projects for inclusion in general obligation bond elections; and

WHEREAS, $30 million of capital improvement projects are proposed within Oro Valley, including development of a new Oro Valley Business Accelerator at Innovation Park, new sports fields and recreational facilities at Naranja Park, upgrades to James D. Kriegh Park, restoration of additional historic buildings at Steam Pump Ranch, a new trailhead for accessing Tortolita Mountain Park, and upgrades to the Linda Vista Trailhead for better access to the Coronado National Forest; and

WHEREAS, the Oro Valley Business Accelerator will play a critical role in growing the bioscience sector and creating high paying jobs not only in Oro Valley, but across Southern Arizona; and

WHEREAS, investments in transportation infrastructure south of Tucson and at the UA Science and Tech Park, as well as new job training facilities and land acquisition to protect Davis-Monthan Air Force base, will contribute to the retention and expansion of job opportunities regionally, including residents of Oro Valley; and

WHEREAS, investments in our parks and recreational facilities continue to support a healthy and active community of all ages; and

WHEREAS, improvements to regional tourist attractions like Arizona-Sonora Desert Museum, Reid Park Zoo, and Mission San Xavier will benefit the many Oro Valley residents and tourists that visit these popular facilities; and

WHEREAS, expansion of Tortolita Mountain Park and conservation of other important natural areas across the region will continue to provide multi-generational benefits to Oro Valley residents and visitors alike; and

WHEREAS, if the proposed bond program is approved by voters in its entirety, the construction contracts alone would create approximately 4,350 construction jobs in the region, supporting what continues to be a depressed employment sector.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, that the Council approves the projects submitted for inclusion in the proposed Bond Election and requests that the Pima County Bond Committee take the Town's priority projects into consideration for inclusion in the recommended package of projects

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley this 4th day of March, 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: _____

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

Meeting Date: 03/04/2015

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

Department: Finance

Information

SUBJECT:

FISCAL YEAR 2014/15 MID-YEAR FINANCIAL UPDATE

RECOMMENDATION:

This item is for information only.

EXECUTIVE SUMMARY:

In the General Fund (see Attachment A), revenues collected through December totaled $15.1 million or 46.9% of the budget amount of $32.3 million. Year-to-date expenditures through December totaled $14.5 million or 44.7% of the budget amount of $32.5 million.

In the Highway Fund (see Attachment B), revenues collected through December totaled $1.5 million or 49.6% of the budget amount of $3.0 million. Year-to-date expenditures through December totaled $1.6 million or 37.1% of the budget amount of $4.4 million.

In the Bed Tax Fund (see Attachment C), revenues collected through December totaled $404,141 or 42.6% of the budget amount of $949,000. Year-to-date expenditures through December totaled $389,969 or 40.6% of the budget amount of $961,000.

In the Water Utility Fund (see Attachment D), revenues collected through December totaled $8.8 million or 50.4% of the budget amount of $17.5 million. Year-to-date expenses through December totaled $9.0 million or 48.2% of the budget amount of $18.7 million.

In the Stormwater Utility Fund (see Attachment E), revenues collected through December totaled $383,451 or 48.5% of the budget amount of $790,000. Year-to-date expenses through December totaled $553,274 or 54.7% of the budget amount of $1,012,000.

BACKGROUND OR DETAILED INFORMATION:

GENERAL FUND

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

Revenues	$31,807,280
Less:	
Expenditures	($31,859,450)
Est. Decrease in Fund Balance	($ 52,170)

General Fund Revenues

- Local sales tax collections in the General Fund total $7.4 million or 47.1% 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 retail, 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 about $180,000 or 11.2%. Of this amount, $105,000 reflects RTA reimbursements for Transit, which corresponds to estimated expenditure savings. The remaining $75,000 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 about $597,000 or 1.8% due to projected operations and maintenance (O&M) savings by departments and personnel vacancy savings. Note that these savings are estimates and are subject to change.

HIGHWAY FUND

Highway Fund Revenues

- State shared highway user funds total $1,361,124 or 49.4% of the budget amount of $2.8 million and are expected to come in on budget at year-end.

Highway Fund Expenditures

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

BED TAX FUND

Bed Tax Revenues

- Bed tax revenues total $402,581 or 42.6% of the budget amount of $945,000 and are expected to come in on budget at year-end.

Bed Tax Fund Expenditures

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

WATER UTILITY FUND

Water Utility Fund Revenues

- Charges for Services revenues are expected to come in under budget by about $89,000 or 2.8% due to a decrease in groundwater preservation fees and reduced water usage.
- Water sales are expected to come in under budget by about $179,000 or 1.5% due to reduced water usage.

Water Utility Fund Expenses

- Expenses are estimated to come in under budget by about $278,000 or 1.5% due primarily to capital expenditure savings.

STORMWATER UTILITY FUND

Stormwater Utility Fund Revenues

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

Stormwater Utility Fund Expenses

- Expenses 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. See Attachment D for the Water Utility Fund and Attachment E for the Stormwater Utility Fund. See Attachment F for a fiscal year-to-date consolidated summary of all Town Funds. See Attachment G for 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 - Water Utility Fund
Attachment E - Stormwater Utility Fund
Attachment F - Summary All Funds
Attachment G - GF Local Sales Tax

ATTACHMENT A

December YTD Financial Status

FY 2014/2015

General Fund

% Budget Completion through December --- 50%

	Actuals thru 12/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
LOCAL SALES TAX	7,379,987	15,676,905	47.1%	15,469,015	-1.3%
LICENSES & PERMITS	729,278	1,805,547	40.4%	1,573,773	-12.8%
FEDERAL GRANTS	401,102	597,365	67.1%	680,272	13.9%
STATE GRANTS	509,634	1,607,300	31.7%	1,427,155	-11.2%
STATE/COUNTY SHARED	5,054,495	10,303,762	49.1%	10,303,762	0.0%
OTHER INTERGOVERNMENTAL	-	15,000	0.0%	15,000	0.0%
CHARGES FOR SERVICES	919,468	1,688,995	54.4%	1,773,213	5.0%
FINES	65,557	180,000	36.4%	163,965	-8.9%
INTEREST INCOME	29,706	81,125	36.6%	81,125	0.0%
MISCELLANEOUS	39,515	135,000	29.3%	135,000	0.0%
TRANSFERS IN	-	185,000	0.0%	185,000	0.0%
TOTAL REVENUES	**15,128,741**	**32,275,999**	**46.9%**	**31,807,280**	**-1.5%**

	Actuals thru 12/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
COUNCIL	112,599	207,022	54.4%	207,022	0.0%
CLERK	166,469	497,102	33.5%	391,102	-21.3%
MANAGER	323,960	721,724	44.9%	721,724	0.0%
HUMAN RESOURCES	164,713	371,998	44.3%	371,998	0.0%
FINANCE	334,236	748,060	44.7%	737,182	-1.5%
INFORMATION TECHNOLOGY	677,120	1,432,374	47.3%	1,432,374	0.0%
GENERAL ADMINISTRATION	804,420	1,867,600	43.1%	1,798,600	-3.7%
LEGAL	299,075	756,855	39.5%	748,405	-1.1%
COURT	348,308	789,826	44.1%	789,826	0.0%
DEV & INFRASTRUCTURE SVCS	1,990,028	4,564,803	43.6%	4,286,487	-6.1%
PARKS & RECREATION	1,289,330	2,722,617	47.4%	2,722,617	0.0%
POLICE	6,958,454	14,885,819	46.7%	14,761,148	-0.8%
TRANSFERS OUT	1,044,298	2,890,965	36.1%	2,890,965	0.0%
TOTAL EXPENDITURES	**14,513,012**	**32,456,765**	**44.7%**	**31,859,450**	**-1.8%**
SURPLUS / (DEFICIT)	**615,729**	**(180,766)**		**(52,170)**	

BEGINNING FUND BALANCE	***11,534,023***
Plus: Surplus / (Deficit)	***(52,170)***
ENDING FUND BALANCE **	***11,481,853***

* Year-end estimates are subject to further revision

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

ATTACHMENT B

December YTD Financial Status *FY 2014/2015*

Highway Fund

% Budget Completion through December --- 50%

	Actuals thru 12/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
LICENSES & PERMITS	31,937	52,000	61.4%	58,882	13.2%
STATE/COUNTY SHARED	1,361,124	2,754,947	49.4%	2,754,947	0.0%
CHARGES FOR SERVICES	64,746	129,493	50.0%	129,493	0.0%
INTEREST INCOME	8,229	19,250	42.8%	19,250	0.0%
MISCELLANEOUS	4,039	10,000	40.4%	10,000	0.0%
TOTAL REVENUES	**1,470,075**	**2,965,690**	**49.6%**	**2,972,572**	**0.2%**

	Actuals thru 12/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
ADMINISTRATION	263,219	610,478	43.1%	610,478	0.0%
TRANSPORTATION ENGINEERING	234,476	537,275	43.6%	537,275	0.0%
PAVEMENT MANAGEMENT	390,605	1,219,002	32.0%	1,219,002	0.0%
STREET MAINTENANCE	514,998	1,053,631	48.9%	1,053,297	0.0%
TRAFFIC ENGINEERING	213,099	934,276	22.8%	934,276	0.0%
TOTAL EXPENDITURES	**1,616,397**	**4,354,662**	**37.1%**	**4,354,328**	**0.0%**
SURPLUS / (DEFICIT)	**(146,322)**	**(1,388,972)**		**(1,381,756)**	

BEGINNING FUND BALANCE	***4,175,161***
Plus: Surplus / (Deficit)	***(1,381,756)***
ENDING FUND BALANCE **	***2,793,405***

* Year-end estimates are subject to further revision

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

December YTD Financial Status *FY 2014/2015*

Bed Tax Fund

% Budget Completion through December --- 50%

	Actuals thru 12/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
BED TAXES	402,581	944,571	42.6%	944,571	0.0%
INTEREST INCOME	1,560	4,125	37.8%	4,125	0.0%
TOTAL REVENUES	**404,141**	**948,696**	**42.6%**	**948,696**	**0.0%**

	Actuals thru 12/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENDITURES:					
ECONOMIC DEVELOPMENT	222,426	608,457	36.6%	608,157	0.0%
TRANSFERS OUT	167,543	352,543	47.5%	352,543	0.0%
TOTAL EXPENDITURES	**389,969**	**961,000**	**40.6%**	**960,700**	**0.0%**
SURPLUS / (DEFICIT)	**14,172**	**(12,304)**		**(12,004)**	

BEGINNING FUND BALANCE	***425,099***
Plus: Surplus / (Deficit)	***(12,004)***
ENDING FUND BALANCE **	***413,095***

* Year-end estimates are subject to further revision

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

December YTD Financial Status

FY 2014/2015

Water Utility Fund

% Budget Completion through December --- 50%

	Actuals thru 12/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
CHARGES FOR SERVICES	1,631,476	3,189,200	51.2%	3,100,000	-2.8%
INTEREST INCOME	17,528	51,150	34.3%	51,150	0.0%
MISCELLANEOUS	17,547	-	0.0%	20,000	0.0%
WATER SALES	6,137,736	12,078,800	50.8%	11,900,000	-1.5%
OTHER FINANCING SOURCES	1,029,516	2,200,000	46.8%	2,200,000	0.0%
TOTAL REVENUES	**8,833,802**	**17,519,150**	**50.4%**	**17,271,150**	**-1.4%**

	Actuals thru 12/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENSES:					
ADMINISTRATION	6,877,808	12,886,947	53.4%	12,885,117	0.0%
ENGINEERING AND PLANNING	403,814	2,045,795	19.7%	1,751,795	-14.4%
PRODUCTION	1,284,276	2,769,296	46.4%	2,787,196	0.6%
DISTRIBUTION	463,773	1,040,485	44.6%	1,040,485	0.0%
OTHER FINANCING USES	3,119	3,119	100.0%	3,119	0.0%
TOTAL EXPENSES	**9,032,790**	**18,745,642**	**48.2%**	**18,467,712**	**-1.5%**
SURPLUS/(DEFICIT)	**(198,987)**	**(1,226,492)**		**(1,196,562)**	

Excludes non-cash outlays for depreciation & amortization

* Year-end estimates are subject to further revision

ATTACHMENT E

December YTD Financial Status *FY 2014/2015*

Stormwater Utility Fund

% Budget Completion through December -- 50%

	Actuals thru 12/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
REVENUES:					
CHARGES FOR SERVICES	383,317	789,300	48.6%	789,300	0.0%
INTEREST INCOME	134	1,000	13.4%	1,000	0.0%
MISCELLANEOUS	-	-	0.0%	-	0.0%
TOTAL REVENUES	**383,451**	**790,300**	**48.5%**	**790,300**	**0.0%**

	Actuals thru 12/2014	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
EXPENSES:					
PERSONNEL	148,271	335,320	44.2%	335,320	0.0%
OPERATIONS & MAINTENANCE	264,007	525,281	50.3%	525,281	0.0%
CAPITAL	140,996	151,250	93.2%	151,250	0.0%
TOTAL EXPENSES	**553,274**	**1,011,851**	**54.7%**	**1,011,851**	**0.0%**

SURPLUS / (DEFICIT)	**(169,824)**	**(221,551)**	**(221,551)**

Excludes non-cash outlays for depreciation

* Year-end estimates are subject to further revision

ATTACHMENT F

Consolidated Year-to-Date Financial Report through December, 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 Dec 2014
General Fund - Unassigned	9,925,988	15,128,741	-	15,128,741	1,047,560	9,808,744	3,537,444	119,264	-	-	14,513,012	10,541,717
General Fund - Assigned	1,608,035											1,608,035
Highway Fund - Restricted	4,175,161	1,470,075	-	1,470,075	-	824,432	305,883	486,082	-	-	1,616,397	4,028,839
Seizure & Forfeiture - State	526,901	93,072	-	93,072	-	-	59,972	51,009	-	-	110,981	508,992
Seizure & Forfeiture - Justice	349,724	14,837	-	14,837	-	55,516	23,990	3,465	-	-	82,971	281,590
Bed Tax Fund - Committed	425,099	404,141	-	404,141	167,543	109,184	113,242	-	-	-	389,969	439,271
Impound Fee Fund	7,346	16,800	-	16,800	-	12,237	-	-	-	-	12,237	11,909
Municipal Debt Service Fund	533,928	59,301	329,627	388,928	-	-	6,803	-	-	667,200	674,002	248,853
Oracle Road Debt Service Fund	281	156,363	2,000	158,363	-	-	695	-	-	154,356	155,051	3,593
Alternative Water Resources Dev Impact Fee Fund	3,336,099	517,241	-	517,241	-	-	39,127	67,541	-	-	106,668	3,746,673
Potable Water System Dev Impact Fee Fund	4,505,635	269,188	-	269,188	-	-	-	-	-	-	-	4,774,824
Townwide Roadway Development Impact Fee Fund	2,791,166	213,387	-	213,387	-	-	-	193,483	-	-	193,483	2,811,070
Parks & Recreation Impact Fee Fund	21,555	52,309	-	52,309	-	-	-	-	-	-	-	73,864
Library Impact Fee Fund	114,798	-	-	-	-	-	-	20,000	-	-	20,000	94,798
Police Impact Fee Fund	205,936	21,214	-	21,214	-	-	-	-	-	-	-	227,150
General Government Impact Fee Fund	3,502	2	-	2	-	-	-	-	-	-	-	3,504
Naranja Park Fund	737,056	-	-	-	-	-	-	431,322	-	-	431,322	305,734
General Government CIP Fund	1,500,000	-	883,333	883,333	-	-	-	574,764	-	-	574,764	1,808,569
Water Utility	11,823,342	7,804,286	1,029,516	8,833,802	3,119	1,291,728	2,650,102	1,757,345	-	3,330,496	9,032,790	11,624,354
Stormwater Utility	503,474	383,451	-	383,451	-	148,271	264,007	140,996	-	-	553,274	333,651
Fleet Fund	84,949	874,275	-	874,275	-	35,697	330,233	419,621	-	-	785,551	173,672
Benefit Self Insurance Fund	584,509	1,136,616	-	1,136,616	-	-	1,475,519	-	-	-	1,475,519	245,605
Recreation In-Lieu Fee Fund	6,190	-	-	-	-	-	-	-	-	-	-	6,190
Total	**43,770,674**	**28,615,300**	**2,244,476**	**30,859,776**	**1,218,222**	**12,285,809**	**8,807,017**	**4,264,892**	**-**	**4,152,052**	**30,727,992**	**43,902,457**

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	293,032							**1,964,648**
Utility Sales Tax	269,772	299,154	292,456	261,333	135,966	197,341							**1,456,022**
Retail Sales Tax	392,417	414,639	383,853	390,567	415,388	507,949							**2,504,813**
All Other Local Sales Tax *	231,603	1,026	969	450,444	285,443	347,679							**1,317,164**
TOTAL	**$1,247,049**	**$1,080,696**	**$1,020,349**	**$1,419,939**	**$1,128,613**	**$1,346,001**							**$ 7,242,647**

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

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

Meeting Date: 03/04/2015
Requested by: Patty Hayes
Submitted By: Patty Hayes, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

DISCUSSION AND POSSIBLE APPROVAL OF A REVISED MASTER SIGN PROGRAM FOR THE ORO VALLEY MARKETPLACE TO ALLOW WALL SIGNS ON BUILDING ELEVATIONS FACING ORACLE AND TANGERINE ROADS

RECOMMENDATION:

The Conceptual Design Review Board (CDRB) recommends approval of the proposed revision as depicted in Attachment 1.

EXECUTIVE SUMMARY:

The Oro Valley Marketplace has an existing Master Sign Program (MSP) that currently does not allow wall signs on building elevations facing Oracle or Tangerine roads. The proposed MSP revision (Attachment 2) is to allow wall signs on the building elevations facing Oracle or Tangerine roads. The proposal meets current zoning allowances for all commercial uses.

CDRB reviewed the proposed MSP revision on February 10, 2015, and voted to recommend approval. The CDRB reports and attachments are provided in Attachment 3.

BACKGROUND OR DETAILED INFORMATION:

Commercial developments are required to establish sign standards that define how permanent signs will be used. The sign standards for the Marketplace were created as an MSP, which did not originally permit wall signs on building elevations facing either Oracle or Tangerine Road.

When the MSP was being developed in 2006, there were new sign designs not previously seen in the Town such as the gateway signs and an expanded color palette. Due to a focus to minimize signage at that time, the Marketplace agreed to not allow wall signs on the Oracle and Tangerine Road building elevations.

General Plan Analysis

The General Plan requires a balance between a business' need to attract customers and provide the least intrusive signage.

The proposed MSP revision will improve a business' visibility with signage along arterial frontages, which is common to all other commercial developments in the Town. Not only are signs allowed on rear elevations in other commercial developments, wall signs are commonly facing the nearest major streets such as Oracle and Tangerine Road (Attachment 4). The unique situation for the Marketplace is that the buildings are facing inward to the parking lot and not the main roadways.

Zoning Code Analysis:

Signage on the rear of the buildings is enabled by the Zoning Code but is not allowed by the Oro Valley Marketplace Master Sign Program.

A comparison of the current and proposed MSP standards along with the Zoning Code is provided in the following table:

	Current MSP	Proposed MSP	Zoning Code
Quantity of building elevations allowed to have signs	2 None facing Oracle and Tangerine roads	2 Allow facing Oracle and Tangerine roads	3 May face street frontages such as Oracle and Tangerine roads
Sign Location	No signs on rear elevations	Allow on rear elevations	Not limited
Size	1.5 sq. ft. of sign per 1' of store frontage	No change	1' to 1.5' sq ft
Illumination	Internal & halo both allowed on one sign	No change	Either halo or internal

Conceptual Design Review Board review:

The CDRB recommended approval of the revised MSP on February 10, 2015. The main topics/concerns discussed include:

1. Whether allowing wall signs on the rear building elevations sets a precedence.

It was determined that this did not set a precedence. For example, attached are photos of existing developments in Oro Valley that use the rear of buildings for wall signs (Attachment 4).

In comparison, the proposed MSP allows only wall signs on only two (2) building elevations while the Oro Valley Zoning Code allows up to 3 building elevations. Furthermore, the Zoning Code allows wall signs on rear building elevations

2. Can tenants use the gateway signs for identification?

The current MSP allows tenants to place signs on the gateway signs, but there is not enough space to accommodate all tenants in the Marketplace. The gateway signs accommodate an average of 12 tenants.

3. Will there be a possible lack of uniformity if not all tenants choose to utilize the rear of the buildings for signage?

The MSP and Zoning Code do not require tenants to install any signs. As with all shopping centers, tenants may choose to install or not install wall signs.

4. Will the views from Oracle and Tangerine roads be affected?

The Marketplace is situated lower than both adjacent roadways, thus maintaining unobstructed mountain views.

For more information, the CDRB draft minutes are included as Attachment 1.

Public Notification and Comment

Public notice has been provide as follows:

- All HOAs in the Town were notified of this hearing
- Public hearing notice was posted:

- At Town Hall
- On the Town website

To date, staff has received one letter in support of the amendment (Attachment 5).

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to approve the revised Master Sign Program for the Oro Valley Marketplace as provided in Attachment 2, based on finding that it is consistent with the Zoning Code and General Plan.

OR

I MOVE to deny the revised Master Sign Program, based on a finding that _____.

Attachments

CDRB Draft Minutes

Proposed Revised Master Sign Program

CDRB Report & Attachments

Photos of Existing Rear Signs

Letter from Chamber of Commerece

MINUTES
ORO VALLEY CONCEPTUAL DESIGN REVIEW BOARD
REGULAR SESSION
FEBRUARY 10, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Eggerding called the Regular Session of the Conceptual Design Review Board at 6:00 PM.

ROLL CALL

PRESENT: Richard Eggerding, Chairman
Bruce Wyckoff, Vice Chairman
Jacob Herrington, Member
Harold Linton, Member
Kit Donley, Member

ABSENT: Sarah Chen, Member
Nathan Basken, Member

ALSO PRESENT:

Joe Hornat, Council Member
Lou Waters, Vice-Mayor
Joe Andrews - Chief Civil Deputy Attorney
Amanda Jacobs - Economic Development Manager

PLEDGE OF ALLEGIANCE

Chairman Eggerding led the Conceptual Design Review Board members and audience in the Pledge of Allegiance.

CALL TO AUDIENCE

There were no speaker request.

COUNCIL LIAISON COMMENTS

Vice Mayor, Lou Waters, distributed to the Board a hand out regarding funding public art.

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REGULAR AGENDA

1. REVIEW AND/OR APPROVAL OF THE JANUARY 13, 2015 REGULAR SESSION MEETING MINUTES

MOTION: A motion was made by Bruce Wyckoff, Vice Chairman and seconded by Kit Donley, Member to approve the January 13, 2015 regular session meeting minutes.

MOTION carried, 5-0.

2. PROPOSED REVISION TO THE MASTER SIGN PROGRAM FOR THE ORO VALLEY MARKETPLACE TO ALLOW WLL SIGNS FACING TANGERINE AND ORACLE ROADS, LOCATED AT THE SOUTHWEST CORNER OF TANGERINE ROAD AND ORACLE ROADS, OV314-004

Patty Hayes, Senior Planning Technician, presented the following.

- Applicant's Proposal
- Existing Rear Elevation
- Wall Sign
- Oro Valley Marketplace
- View from Catalina State Park
- Summary and Recommendation

Paul Bleier, Bleier Industries, signage consultants and representing the applicant, presented an overview of the proposal.

Chairman Eggerding opened the public hearing.

Dave Perry, Oro Valley resident and President and CEO for the Greater Oro Valley Chamber of Commerce, commented the Greater Oro Valley Chamber of Commerce is in support of the master sign program revision. Rear signs along Oracle and Tangerine would help this center and its tenants compete in a very difficult market place. These signs would comply with zoning regulations and be equivalent to the rights afforded to other Oro Valley retail businesses. The signs would be visible to motorists on Tangerine and Oracle Roads, but not visible from nearly all existing residences. It is his understanding that others want to lease space in the Marketplace, but they want assurances of rear-wall signage. The greatest threat to retail viability and by association to community wellbeing is empty glass. We respectfully request those permissions be granted, so that Oro Valley Marketplace can thrive.

Chairman Eggerding closed the public hearing.

MOTION: A motion was made by Kit Donley, Member and seconded by Jacob Herrington, Member to Recommend Approval of the revised Master Sign Program for

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the Oro Valley Marketplace based on the finding that the request is consistent with the Design Principles and Design Standards.

MOTION carried, 3-2 with Bruce Wyckoff, Vice Chairman, and Harold Linton, Member opposed.

3. CONCEPTUAL MODEL HOME ARCHITECTURE FOR THE ENCLAVE AT STONE CANYON LOCATED AT THE NORTHEASTERN TERMINUS OF HOHOKAM VILLAGE PLACE, OV1315-02

Patty Hayes, Senior Planning Technician, presented the following:

- Applicant's Proposal
- Vicinity Map
- Plan 1
- Plan 2
- Plan 3
- Side Elevations
- Rear Elevations
- Context: Nearby Homes
- Summary and Recommendation

MOTION: A motion was made by Bruce Wyckoff, Vice Chairman and seconded by Jacob Herrington, Member to approve the Conceptual Model Home Architecture Design for the Enclave at Stone Canyon based on the finding that the request is consistent with the Design Principles and Design Standards.

MOTION carried, 5-0.

Joe Andrews, Chief Civil Deputy Attorney left the meeting due to a conflict with item 4.

4. CONCEPTUAL MODEL HOME ARCHITECTURE FOR MARACAY AT VISTOSO FOR A MODEL HOME COMPLEX IN RANCHO VISTOSO NEIGHBORHOODS 10 AND 11 LOCATED AT THE NORTHERN TERMINUS OF LA CANADA DRIVE AT PEBBLE CREEK DRIVE, OV1315-03

Patty Hayes, Senior Planning Technician, presented the following:

- Applicant's Proposal
- Vicinity Map
- Site Plan
- Sample of Previously Approved Models
- Summary and Recommendation

Cindy Paddock, Maracay Homes, representing the applicant, presented the following:

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- Maracay at Rancho Vistoso
- Project Status
- Land Plan
- Model Complex Area Plan
- Model Complex Site Plan
- Model Streetscape Lots 5-7 (south side)
- Model Streetscape Lots 16-19 (north side)

Tom Levin, Vice President for Land Liquation Land Development for Maracay Homes, responded to the question from the Board in regards to the road extension between La Canada into Pebble Creek.

MOTION: A motion was made by Bruce Wyckoff, Vice Chairman and seconded by Kit Donley, Member to approve the Conceptual Model Home Architecture for the Model Home Complex in the Maracay at Vistoso subdivision based on the finding that the request is consistent with the Design Principles and Design Standards.

MOTION carried, 5-0.

5. YOUR VOICE, OUR FUTURE CONCEPTUAL DESIGN REVIEW BOARD LIAISON UPDATE

Member Donley gave a brief overview of the Your Voice, Our Future update:

- Getting into the boiler plate
- how we judge minor and major general plan changes

PLANNING UPDATE (INFORMATIONAL ONLY)

Michael Spaeth, Senior Planner, presented the following Planning Update:

- Town Council agenda for February 18th
- Town Council agenda for March 4th
- Conceptual Design Review Board agenda for March 10th
- Upcoming neighborhood meetings

ADJOURNMENT

MOTION: A motion was made by Bruce Wychoff, Vice Chairman and seconded by Harold Linton, Member to adjourn the February 10, 2015, Conceptual Design Review Board meeting at 6:56 PM.

MOTION carried, 5-0.

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ORO VALLEY MARKETPLACE

COMPREHENSIVE SIGN PLAN

TOWN COUNCIL SUBMITTAL
OV3-06-02 / APPROVED DECEMBER 20, 2006
REQUEST FOR MODIFICATION
NOVEMBER, 2014

Developed by:

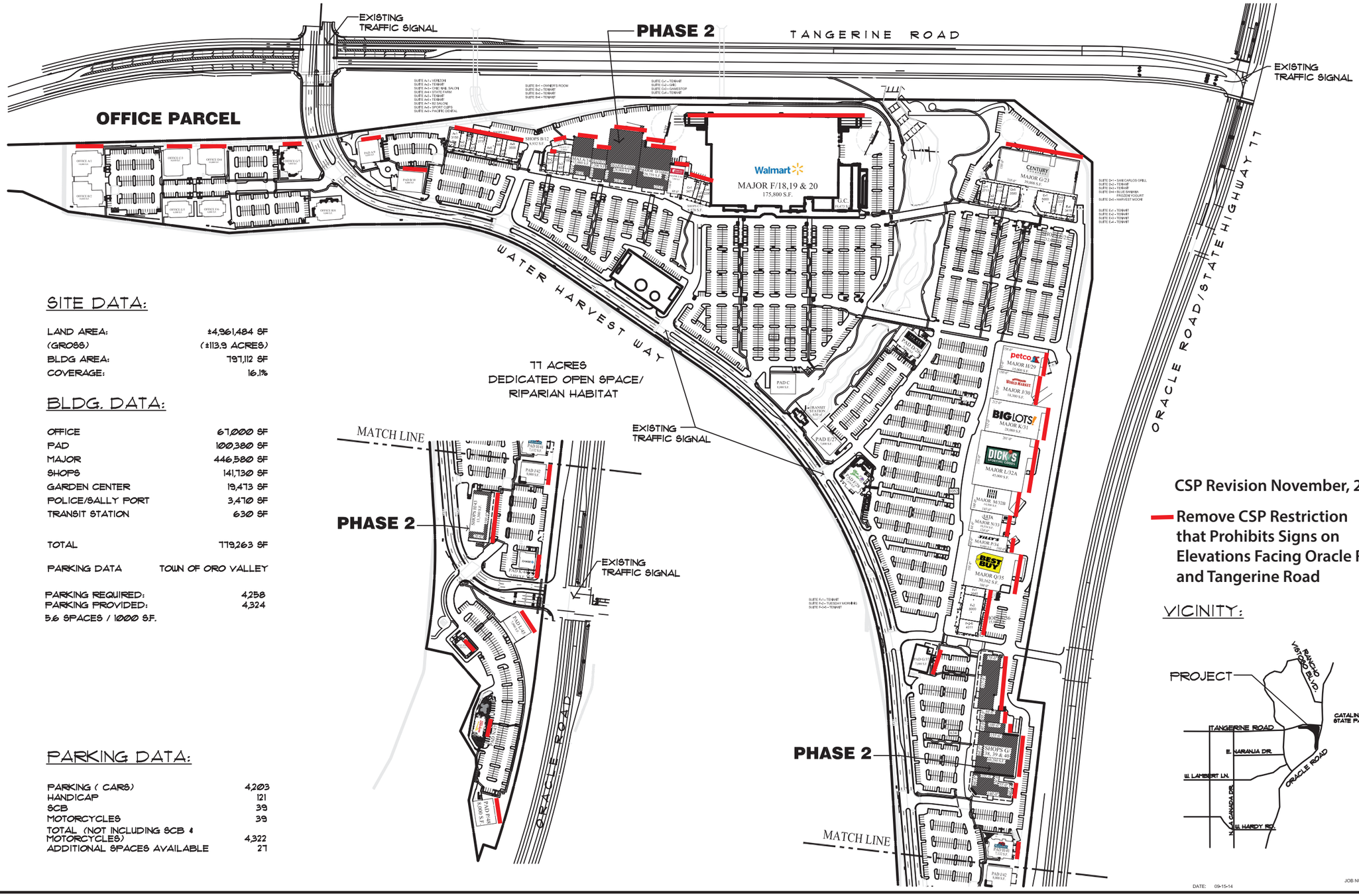
Vestar

2425 E. CAMELBACK RD.
SUITE 750
PHOENIX, AZ 85016
TEL: 602.866.0900
FAX: 602.955.2298

Signage Consutant:

bleier INDUSTRIES

9650 WEST ROOSEVELT STREET
TOLLESON, ARIZONA 85353
602-944-3117
FAX 602-395-0753
SALES@BLEIERINDUSTRIES.COM



SITE DATA:

LAND AREA:	±4,961,484 SF
(GROSS)	(±113.9 ACRES)
BLDG AREA:	797,112 SF
COVERAGE:	16.1%

BLDG. DATA:

OFFICE	67,000 SF
PAD	100,380 SF
MAJOR	446,580 SF
SHOPS	141,730 SF
GARDEN CENTER	19,473 SF
POLICE/SALLY PORT	3,470 SF
TRANSIT STATION	630 SF
TOTAL	779,263 SF

PARKING DATA TOWN OF ORO VALLEY

PARKING REQUIRED:	4,258
PARKING PROVIDED:	4,324

5.6 SPACES / 1000 S.F.

PARKING DATA:

PARKING (CARS)	4,203
HANDICAP	121
SCB	39
MOTORCYCLES	39
TOTAL (NOT INCLUDING SCB & MOTORCYCLES)	4,322
ADDITIONAL SPACES AVAILABLE	27

CSP Revision November, 2014

Remove CSP Restriction that Prohibits Signs on Elevations Facing Oracle Road and Tangerine Road

VICINITY:

DATE: 09-15-14

JOB NUMBER: 09031
09031-ST06

Vestar

ORO VALLEY MARKETPLACE

TANGERINE ROAD & ORACLE ROAD
ORO VALLEY, ARIZONA

Butler Design Group
Architects & Planners
5555 East Van Buren St.
Suite 215
Phoenix, Arizona 85008
phone 602-957-1800
fax 602-957-7722

bleier INDUSTRIES
9650 WEST ROOSEVELT STREET
TOLLESON, ARIZONA 85353
602-944-3117
FAX 602-395-0753
SALES@BLEIERINDUSTRIES.COM

ORO VALLEY MARKETPLACE

General Requirements / Building Signage

These criteria have been established by the Developer for the purpose of maintaining a continuity of quality and aesthetics throughout Oro Valley Marketplace for the mutual benefit of all Tenants, and to comply with the approved Master Sign Program for the development and regulations of the Town of Oro Valley Sign Ordinance. As used herein, the term "Developer" shall also include all future successors, assigns, and/or designated agents. ***In addition to the criteria established herein, Tenants are advised that the Developer maintains supplemental private restrictions that regulate the design, placement, and type of all Tenant signage. Tenants are required to contact and obtain from the Developer their approval prior to any sign permit submittal. As part of the Tenant's sign permit submittal, the Tenant shall provide an approval letter from the Developer and/or an approved set of design drawings signed by the Developer acknowledging that the specified signage conforms to the Developer's supplemental private restrictions regulating the design, placement, and type of Tenant signage.*** Conformance to these criteria will be strictly enforced by the Town of Oro Valley.

I. GENERAL REQUIREMENTS

A. The Town of Oro Valley shall review all signs for conformance with this criteria and the OVZCR. In the event that this criteria is silent and fails to address a specific sign type, definition, or specification pertaining to a sign installation, and/or operation and maintenance of a sign, the OVZCR shall regulate.

B. Advertising devices such as attraction boards, posters, banners and flags shall not be permitted in addition to all prohibited sign types regulated by the OVZCR except that advertising posters shall be permitted to be displayed as part of the Movie Theatre's exterior poster case displays and as part of the ST 3 Pedestrian Directory sign type.

C. All Tenant signage shall be installed in accordance with the approved Master Sign Program.

II. SPECIFICATIONS - TENANT WALL SIGNS

A. General Specifications

1. All temporary signs and their installation shall comply with OVZCR regulations of the Town of Oro Valley Zoning Code.
2. Sign installations utilizing exposed raceways, crossovers and electrical conduit shall be prohibited except for special conditions where physical conditions exist. Should this occur, the Planning and Zoning Administrator for the Town of Oro Valley shall have the sole and separate discretion in varying any provision herein.
3. All electrical cabinets, conductors, transformers and other equipment required to illuminate a sign shall be concealed.
4. Window signs and painted lettering shall be permitted in accordance with OVZCR regulations of the Town of Oro Valley Zoning Code.
5. All signs or devices advertising an individual use, business or building shall be attached to the building within the Tenant's leased premise. Where building elevations contain architectural features and/or articulation that require the Tenant's signage to be positioned beyond the Tenant's leased premise, the Planning and Zoning Administrator for the Town of Oro Valley shall have the sole and separate discretion in approving the sign placement.
6. Contrasting background building colors and/or building materials shall not be used in a manner so as to create a border or distinct background used to delineate Tenant signage. Exception to this requirement shall be the "Blue Wedge" design illustrated herein and specifically approved as part of the Master Sign Program.

III. DESIGN REQUIREMENTS

Individual illuminated letters and logos may include pan channel metal letters with acrylic sign faces, reverse pan channel "backlit" illuminated letters, or the combination of both face lit and backlit illumination methods. Letters and logos shall be mounted to building wall surfaces, architectural features and/or articulated wall sections. Electrical connections shall be concealed to remote and/or self-contained transformers and power sources wherever possible.

A. Sign Area

1. The maximum sign area per building elevation shall be calculated by multiplying one and one-half (1.50) times the length of the storefront(s) and/or elevation(s) occupied by the Tenant without limitation as to number of sign elements per building elevation. No more than two (2) elevations may be utilized for signage by a Tenant per OVZCR regulations, ~~except that no Major and/or Shop Tenant signage shall be permitted on their rear elevations facing Tangerine Road and/or Oracle Road~~. Section III.A.4 governs maximum aggregate sign area on any single elevation.
2. Pursuant to OVZCR definition, sign area shall be measured by multiplying the overall height of the tallest letter by the overall length of the total sign including the logo. The Planning and Zoning Administrator may approve the calculation of signs by measuring the sum of the smallest rectangular

ORO VALLEY MARKETPLACE

Building Sign Matrix
Major Tenants

SIGN	SIGN TYPE	FUNCTION	LOCATION	HEIGHT	SIZE	ILLUMINATION	MATERIALS
Major Tenant with occupancy of 50,000 SF or greater	Wall Mounted Signs	Tenant Identification	Two (2) Elevations Maximum ~~Signage is prohibited on Rear Elevations facing Tangerine Rd and/or Oracle Rd~~	60" Maximum Letter Height Exclusive of Logos	1.50 SF / Linear Foot of Building Frontage and/or Elevation Upon Which Signage is Placed Five Hundred (500 SF) Square Feet Maximum Aggregate Sign Area Per Elevation	Interior, Backlit or a combination thereof. Voltarc 4500° White Neon or equal for Backlit or Combination Illumination	Aluminum, Acrylic, Painted Metal, Flexface Material
Major Tenant with occupancy greater than 10,000 SF through 49,999 SF	Wall Mounted Signs	Tenant Identification	Two (2) Elevations Maximum ~~Signage is prohibited on Rear Elevations facing Tangerine Rd and/or Oracle Rd~~	60" Maximum Letter Height Exclusive of Logos	1.50 SF / Linear Foot of Building Frontage and/or Elevation Upon Which Signage is Placed Three Hundred (300 SF) Square Feet Maximum Aggregate Sign Area Per Elevation	Interior, Backlit or a combination thereof. Voltarc 4500° White Neon or equal for Backlit or Combination Illumination	Aluminum, Acrylic, Painted Metal, Flexface Material
Major Tenant with occupancy 9,999 SF or less	Wall Mounted Signs	Tenant Identification	Two (2) Elevations Maximum ~~Signage is prohibited on Rear Elevations facing Tangerine Rd and/or Oracle Rd~~	36" Maximum Letter Height Exclusive of Logos	1.50 SF / Linear Foot of Building Frontage and/or Elevation Upon Which Signage is Placed Two Hundred (200 SF) Square Feet Maximum Aggregate Sign Area Per Elevation	Interior, Backlit or a combination thereof. Voltarc 4500° White Neon or equal for Backlit or Combination Illumination	Aluminum, Acrylic, Painted Metal, Flexface Material
All Major Tenants	Under Canopy Blade Sign (Optional)	Tenant Identification	In front of tenant's leased space	Below architectural canopy. Maintain 8' Clearance AFF	6.67 SF	Non-illuminated	Aluminum, Acrylic, Painted Metal, Vinyl Graphics

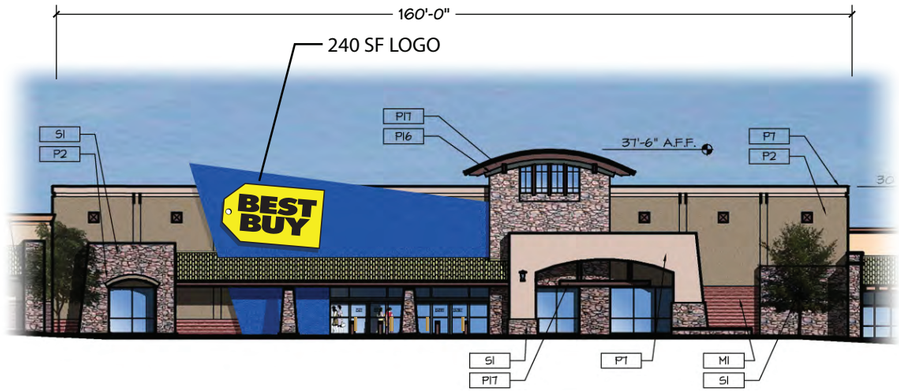
CSP Revision November, 2014

Letter Style and/or Logo Restrictions:

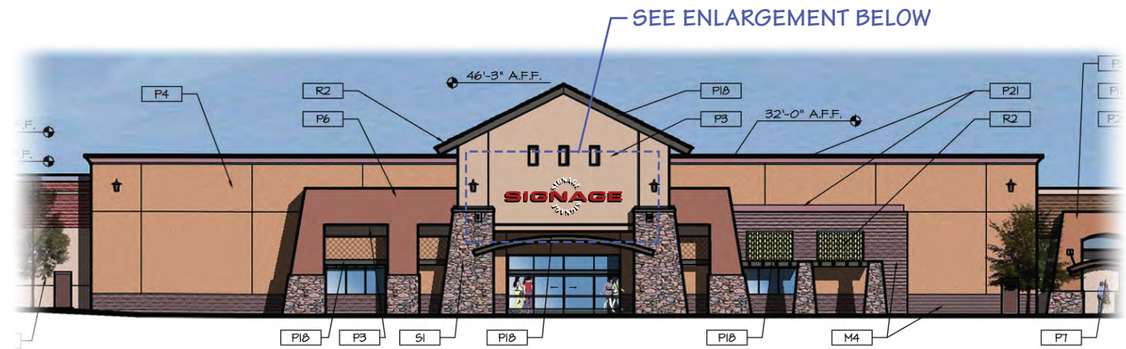
- Copy and/or logos utilized shall be Tenant's choice.
- Tenant signage shall include only the approved vinyl colors specified herein as part of the approved Master Sign Program. Tenants, whose copy and/or logos are trademarked may utilize any vinyl and/or acrylic color required to duplicate the trademarked copy and/or logo.

Illumination

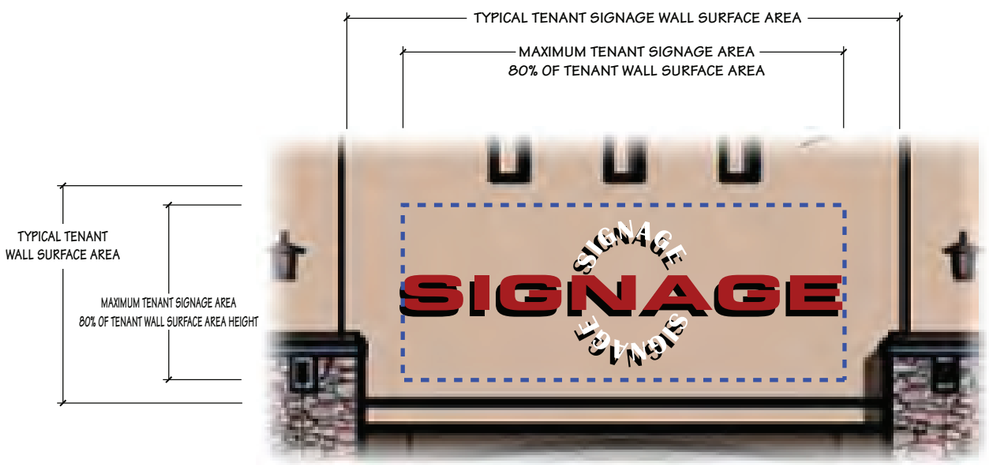
- Tenant building signage shall be internally illuminated, backlit to create a silhouette, and/or a combination of face lit and backlit lighting methods mentioned herein. For consistency of appearance and intensity, backlit illuminated letters and/or combination of face lit and backlit illuminated letters shall use Voltarc™ 4500° White Tubing or equal for the source of illumination. For internally illuminated letters and logos, colored neon tubing and/or colored LED lighting shall be utilized to illuminate vinyl and/or acrylic faces in a manner that provides a visual color consistency and continuity throughout Oro Valley Marketplace.
- Exposed neon is not permitted.
- Illuminated wall signs shall be turned off no later than one hour after the close of the business in accordance with OVZCR regulations.



MAJOR AT WEST/FRONT ELEVATION BUILDING GROUP NO. - SCALE 1" = 30'-0"



MAJOR AT WEST/FRONT ELEVATION BUILDING GROUP NO. - SCALE 1" = 30'-0"



ENLARGEMENT OF TENANT SIGN AREA - MAJOR - SCALE 1/8" = 1'-0"

III. DESIGN REQUIREMENTS

Individual illuminated letters and logos may include pan channel metal letters with acrylic sign faces, reverse pan channel "backlit" illuminated letters, or the combination of both face lit and backlit illumination methods. Letters and logos shall be mounted to building wall surfaces, architectural features and/or articulated wall sections. Electrical connections shall be concealed to remote and/or self-contained transformers and power sources wherever possible.

A. Sign Area

1. The maximum sign area per building elevation shall be calculated by multiplying one and one-half (1.50) times the length of the storefront(s) and/or elevation(s) occupied by the Tenant without limitation as to number of sign elements per building elevation. No more than two (2) elevations may be utilized for signage by a Tenant per OVZCR regulations, ~~except that no Major and/or Shop Tenant signage shall be permitted on the rear elevations facing Tangerine Road and/or Oracle Road.~~ Section III.A.4 governs maximum aggregate sign area on any single elevation.

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2. Pursuant to OVZCR definition, sign area shall be measured by multiplying the overall height of the tallest letter by the overall length of the total sign including the logo. The Planning and Zoning Administrator may approve the calculation of signs by measuring the sum of the smallest rectangular shape needed to enclose each letter or symbol if special circumstances arise that would warrant the need to calculate differently.

3. As a minimum allowance, all Shop Tenants shall be permitted a minimum of thirty-two (32) square feet of sign area per elevation upon which signage is placed.

4. Major Tenants occupying less than 9999 SF shall be limited to a maximum aggregate sign area of two hundred (200 SF) square feet per elevation upon which signage is placed subject to allowable sign area limitations established herein. Major Tenants occupying 10000 SF through 49999 shall be limited to a maximum aggregate sign area of three hundred (300 SF) square feet per elevation upon which signage is placed subject to allowable sign area limitations established herein. Major Tenants occupying greater than 50000 SF shall be limited to a maximum aggregate sign area of five hundred (500 SF) square feet per elevation upon which signage is placed subject to allowable sign area limitations established herein.

Letter Height and Placement Restrictions

1. Majors Tenants occupying less than 9999 SF shall be limited to a maximum letter height of thirty six (36") inches. Majors occupying 10000 SF through 49999 SF shall be limited to a maximum letter height of sixty (60") inches. Majors occupying greater than 50000 SF shall be limited to a maximum letter height of sixty (60") inches. Logos shall not be subject to maximum letter height restrictions herein established, however, shall be included in sign area computations. All Tenants shall be permitted to display their trademarked corporate identification and logos subject to sign area limitations and design specifications contained in the approved Master Sign Program. Signage shall be designed to be aesthetically balanced with surrounding building features, architectural embellishments and articulation developed to create the thematic design of Oro Valley Marketplace.

2. Length of Sign on Wall Surface: Signage shall not exceed eighty (80%) percent of the building elevation, architectural embellishment and/or articulation upon which it is placed.

WEST/FRONT ELEVATION BUILDING GROUP NO. 1 - SCALE 1" = 80'-0"

ORO VALLEY MARKETPLACE

ORO VALLEY, ARIZONA

Developer:

Vestar

2425 East Camelback Road • Suite 750 • Phoenix, Arizona 85016
PHONE: 602-866-0900

2030 WEST DESERT COVE AVE. • PHOENIX, ARIZONA 85029 • 602.944.3117 • FAX 602.395.0753 • SALES@BLEIERINDUSTRIES.COM

bleier INDUSTRIES

PROJECT:	DESIGN NO:	DATE:
Oro Valley Marketplace Oro Valley, Az	2005-F-012	11/15/06
TITLE: Typical Major Tenant Building Elevations	SCALE: AS NOTED	REVISIONS:
DESIGNER: Dan Horton / SALES: Paul Bleier	SHEET NO: M 1	

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ORO VALLEY MARKETPLACE

Building Sign Matrix
Shop Tenants

SIGN	SIGN TYPE	FUNCTION	LOCATION	HEIGHT	SIZE	ILLUMINATION	MATERIALS
Shop Tenants	Wall Signs	Tenant ID	Wall surfaces and architectural features designed to accommodate signage. Two (2) Elevations Maximum ~~Signage is prohibited on Rear Elevations facing Tangerine Rd and/or Oracle Rd~~	24" Maximum Letter Height Exclusive of Logos	1.5 SF / Linear Foot of Building Leased Frontage 32 SF Minimum Per Elevation Upon Which Signage is Placed	Interior, Backlit or a Combination thereof.	Aluminum, Acrylic, Painted Metal, Vinyl Graphics
Shop Tenants in Theatre District	Wall Signs	Tenant ID	Wall surfaces and architectural features designed to accommodate signage. Two (2) Elevations Maximum	24" Maximum Letter Height Exclusive of Logos	1.5 SF / Linear Foot of Building Leased Frontage 32 SF Minimum Per Elevation Upon Which Signage is Placed	Interior, Backlit, Exposed Fiber Optics or a Combination thereof.	Aluminum, Acrylic, Painted Metal, Vinyl Graphics
Shop Tenants	Under Canopy Blade Sign (Mandatory)	Tenant ID	In front of tenant's leased space	Below architectural canopy. Maintain 8' Clearance AFF	6.67 SF	Non-illuminated	Aluminum, Acrylic, Painted Metal, Vinyl Graphics

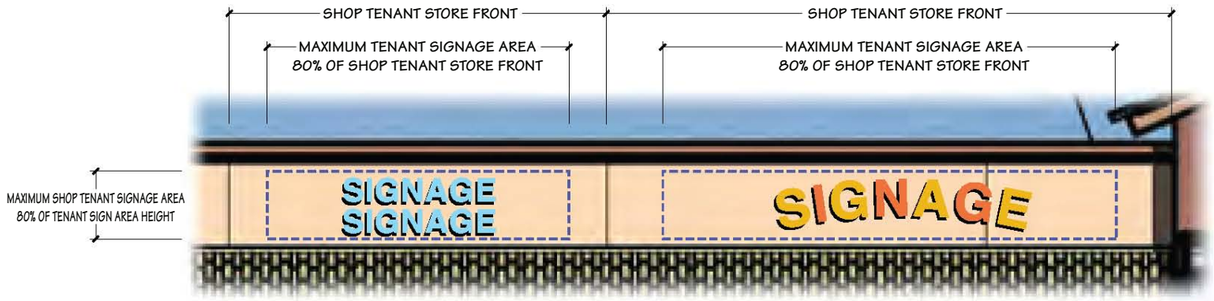
CSP Revision November, 2014

Letter Style and/or Logo Restrictions:

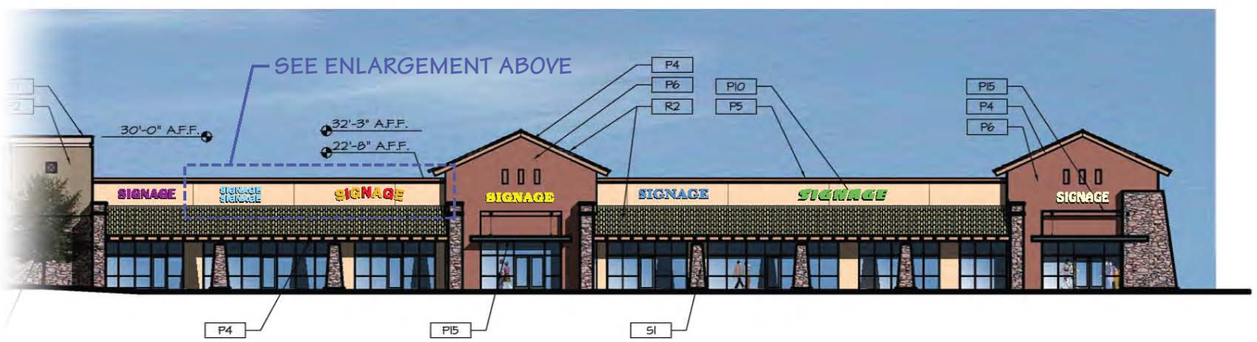
- Copy and/or logos utilized shall be Tenant's choice.
- Tenant signage shall include only the approved vinyl colors specified herein as part of the approved Master Sign Program. Tenants, whose copy and/or logos are trademarked may utilize any vinyl and/or acrylic color required to duplicate the trademarked copy and/or logo.

Illumination

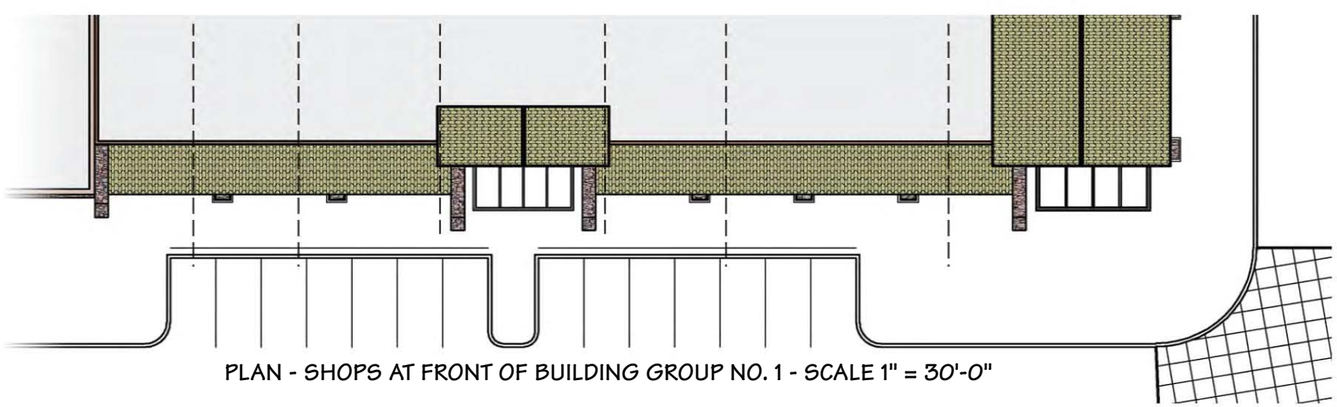
- Tenant building signage shall be internally illuminated, backlit to create a silhouette, and/or a combination of face lit and backlit lighting methods mentioned herein. For consistency of appearance and intensity, backlit illuminated letters and/or combination of face lit and backlit illuminated letters shall use Voltarc™ 4500° White Tubing or equal for the source of illumination. For internally illuminated letters and logos, colored neon tubing and/or colored LED lighting shall be utilized to illuminate vinyl and/or acrylic faces in a manner that provides a visual color consistency and continuity throughout Oro Valley Marketplace.
- Exposed neon is not permitted. Shop Tenants located in the Theatre District may utilize flexible LED tube lighting.
- Illuminated wall signs shall be turned off no later than one hour after the close of the business in accordance with OVZCR regulations.
- ***Shop Tenants in Shop Building 43 shall be limited to backlit illuminated signage on the elevation facing and/or oriented towards the riparian habitat. Other elevations may use all approved illuminated methods stated above.***



ENLARGEMENT OF TENANT SIGN AREA
SHOPS AT WEST/FRONT ELEVATION BUILDING GROUP NO. - SCALE 1/8" = 1'-0"



SHOPS AT WEST/FRONT ELEVATION BUILDING GROUP NO. 1 - SCALE 1" = 30'-0"



PLAN - SHOPS AT FRONT OF BUILDING GROUP NO. 1 - SCALE 1" = 30'-0"

III. DESIGN REQUIREMENTS

Individual illuminated letters and logos may include pan channel metal letters with acrylic sign faces, reverse pan channel "backlit" illuminated letters, or the combination of both face lit and backlit illumination methods. Letters and logos shall be mounted to building wall surfaces, architectural features and/or articulated wall sections. Electrical connections shall be concealed to remote and/or self-contained transformers and power sources wherever possible.

A. Sign Area

1. The maximum sign area per building elevation shall be calculated by multiplying one and one-half (1.50) times the length of the storefront(s) and/or elevation(s) occupied by the Tenant without limitation as to number of sign elements per building elevation. No more than two (2) elevations may be utilized for signage by a Tenant per OVZCR regulations, ~~except that no Major and/or Shop Tenant signage shall be permitted on the rear elevations facing Tangerine Road and/or Oracle Road.~~ Section III.A.4 governs maximum aggregate sign area on any single elevation.

CSP Revision November, 2014

2. Pursuant to OVZCR definition, sign area shall be measured by multiplying the overall height of the tallest letter by the overall length of the total sign including the logo. The Planning and Zoning Administrator may approve the calculation of signs by measuring the sum of the smallest rectangular shape needed to enclose each letter or symbol if special circumstances arise that would warrant the need to calculate differently.

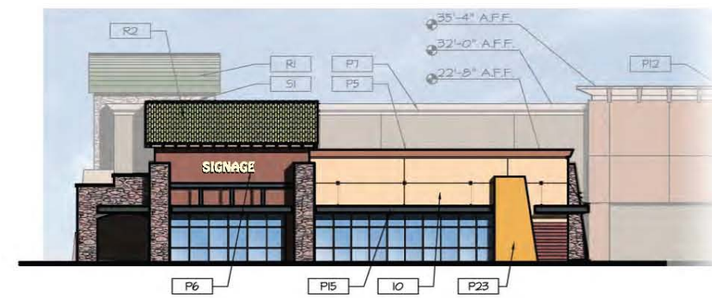
3. As a minimum allowance, all Shop Tenants shall be permitted a minimum of thirty-two (32) square feet of sign area per elevation upon which signage is placed.

Letter Height and Placement Restrictions

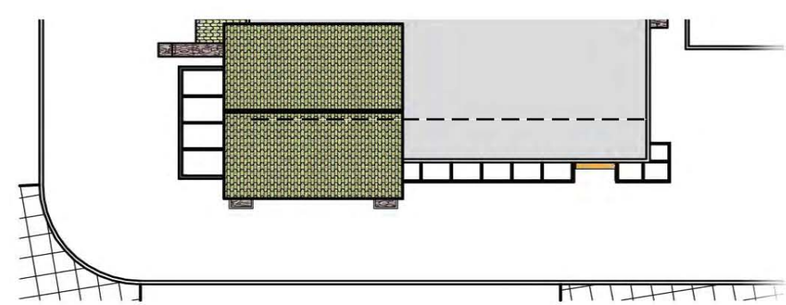
1. Shop Tenants shall be limited to a maximum letter height of twenty four (24") inches. Logos shall not be subject to maximum letter height restrictions herein established, however, shall be included in sign area computations. All Tenants shall be permitted to display their trademarked corporate identification and logos subject to sign area limitations and design specifications contained in the approved Master Sign Program. Signage shall be designed to be aesthetically balanced with surrounding building features, architectural embellishments and articulation developed to create the thematic design of Oro Valley Marketplace.

2. Length of Sign on Wall Surface: Signage shall not exceed eighty (80%) percent of the building elevation, architectural embellishment and/or articulation upon which it is placed.

3. Shop Tenant signage shall not exceed eighty (80%) percent of the Tenant's leased storefront length when placed adjacent to another shop Tenant's sign sharing a common wall background.



SHOP AT SOUTH ELEVATION BUILDING GROUP NO. 1 - SCALE 1" = 30'-0"



PLAN - SHOP AT SOUTH OF BUILDING GROUP NO. 1 - SCALE 1" = 30'-0"

ORO VALLEY MARKETPLACE
ORO VALLEY, ARIZONA

Developer:
Vestar
2425 East Camelback Road • Suite 750 • Phoenix, Arizona 85016
PHONE: 602-866-0900

2030 WEST DESERT COVE AVE. • PHOENIX, ARIZONA 85029 • 602.944.3117 • FAX 602.395.0753 • SALES@BLEIERINDUSTRIES.COM
bleier INDUSTRIES

PROJECT:	
Oro Valley Marketplace Oro Valley, Az	
TITLE:	
Typical Shop Tenant Building Elevations	
DESIGNER: Dan Horton	SALES: Paul Bleier

DESIGN NO:	DATE:
2005-F-012	11/15/06
SCALE: AS NOTED	REVISIONS:
SHEET NO: S 1	

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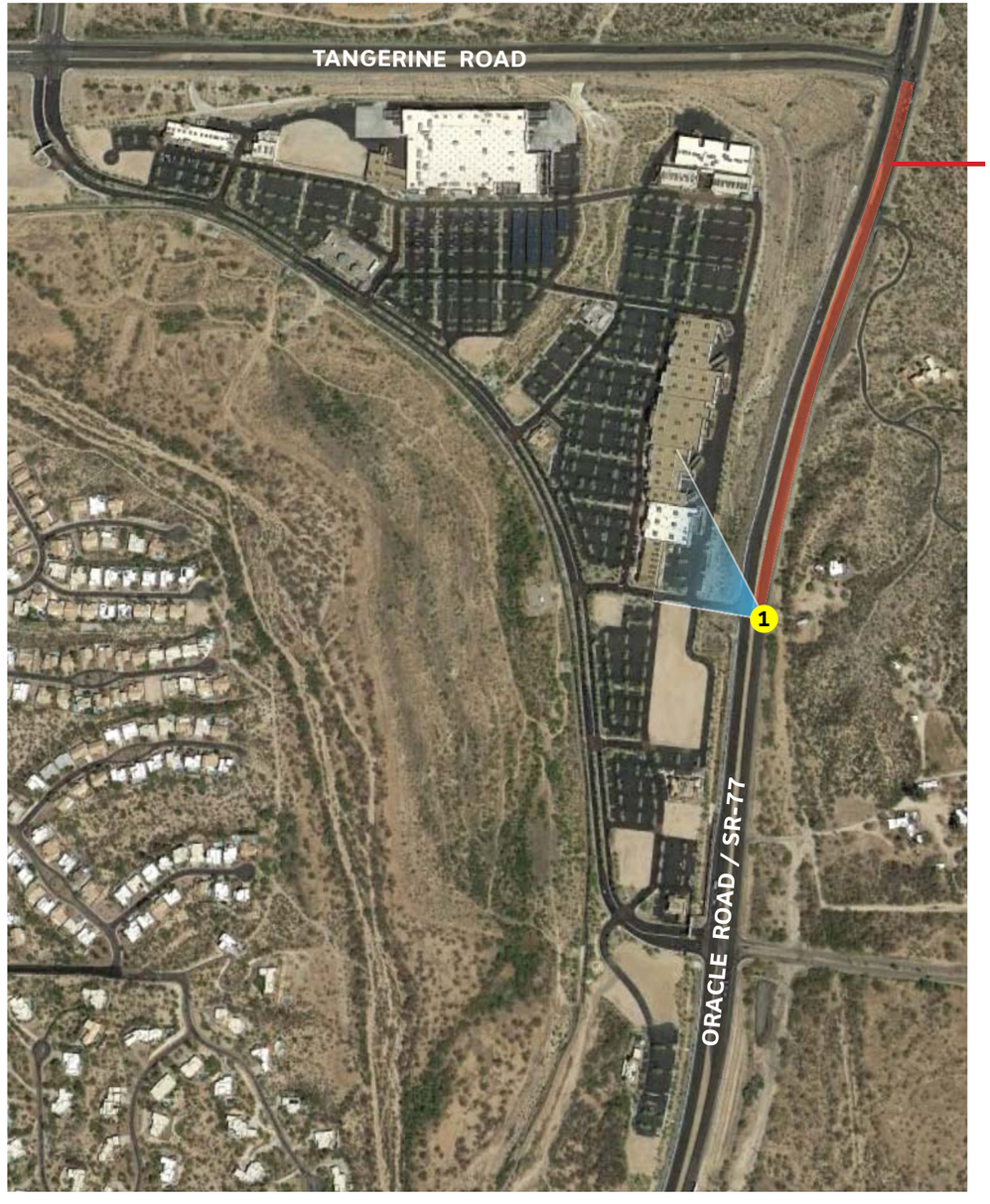
Oracle Road
Northbound Views



Oro Valley Marketplace - Site Map

NOTE: Due to topographical shifts and roadway elements/angle, northbound visibility beyond Viewpoint 1 is minimal to none.

1 Oracle Road - Northbound Viewpoint 1

bleier INDUSTRIES
9650 WEST ROOSEVELT STREET
TOLLESON, ARIZONA 85353
602-944-3117
FAX 602-395-0753
SALES@BLEIERINDUSTRIES.COM

PROJECT: Oro Valley Marketplace Tenant Signage Oro Valley, AZ	
TITLE: Tenant Signage Visibility Study	
DESIGNER: --	SALES: Paul Bleier
DESIGN No: --	DATE: 1/9/2015
SCALE: Not To Scale	REVISIONS:
SHEET No: 1	

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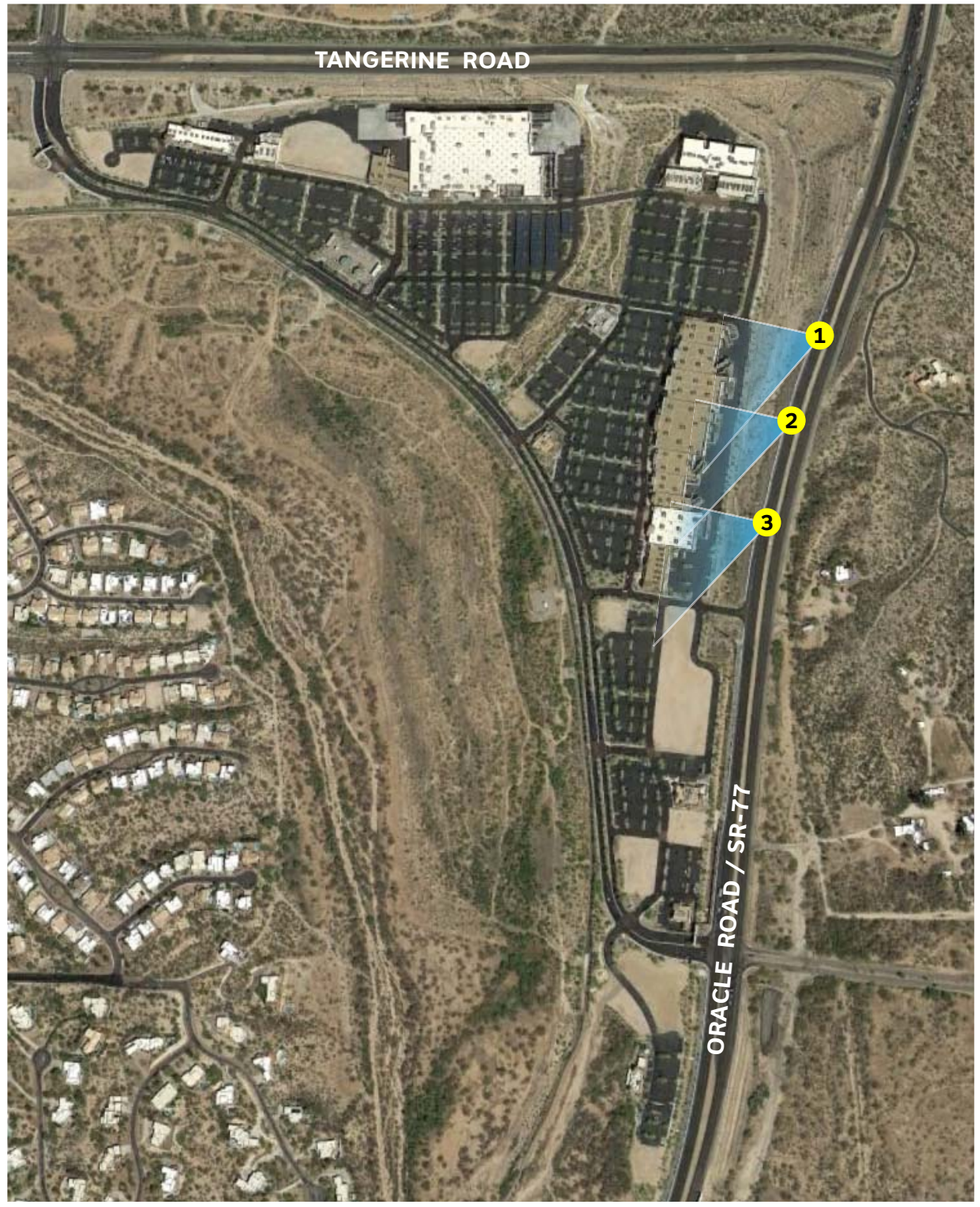
2425 East Camelback Road
Suite 750
Phoenix, Arizona 85016
PHONE: 602-866-0900

Oracle Road
Southbound Views



Oro Valley Marketplace - Site Map

1 Oracle Road - Southbound Viewpoint 1

2 Oracle Road - Southbound Viewpoint 2

3 Oracle Road - Southbound Viewpoint 3

bleier INDUSTRIES
9650 WEST ROOSEVELT STREET
TOLLESON, ARIZONA 85353
602-944-3117
FAX 602-395-0753
SALES@BLEIERINDUSTRIES.COM

PROJECT: Oro Valley Marketplace Tenant Signage Oro Valley, AZ	
TITLE: Tenant Signage Visibility Study	
DESIGNER: --	SALES: Paul Bleier
DESIGN No: --	DATE: 1/9/2015
SCALE: Not To Scale	REVISIONS:
SHEET No: 2	

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Phoenix, Arizona 85016
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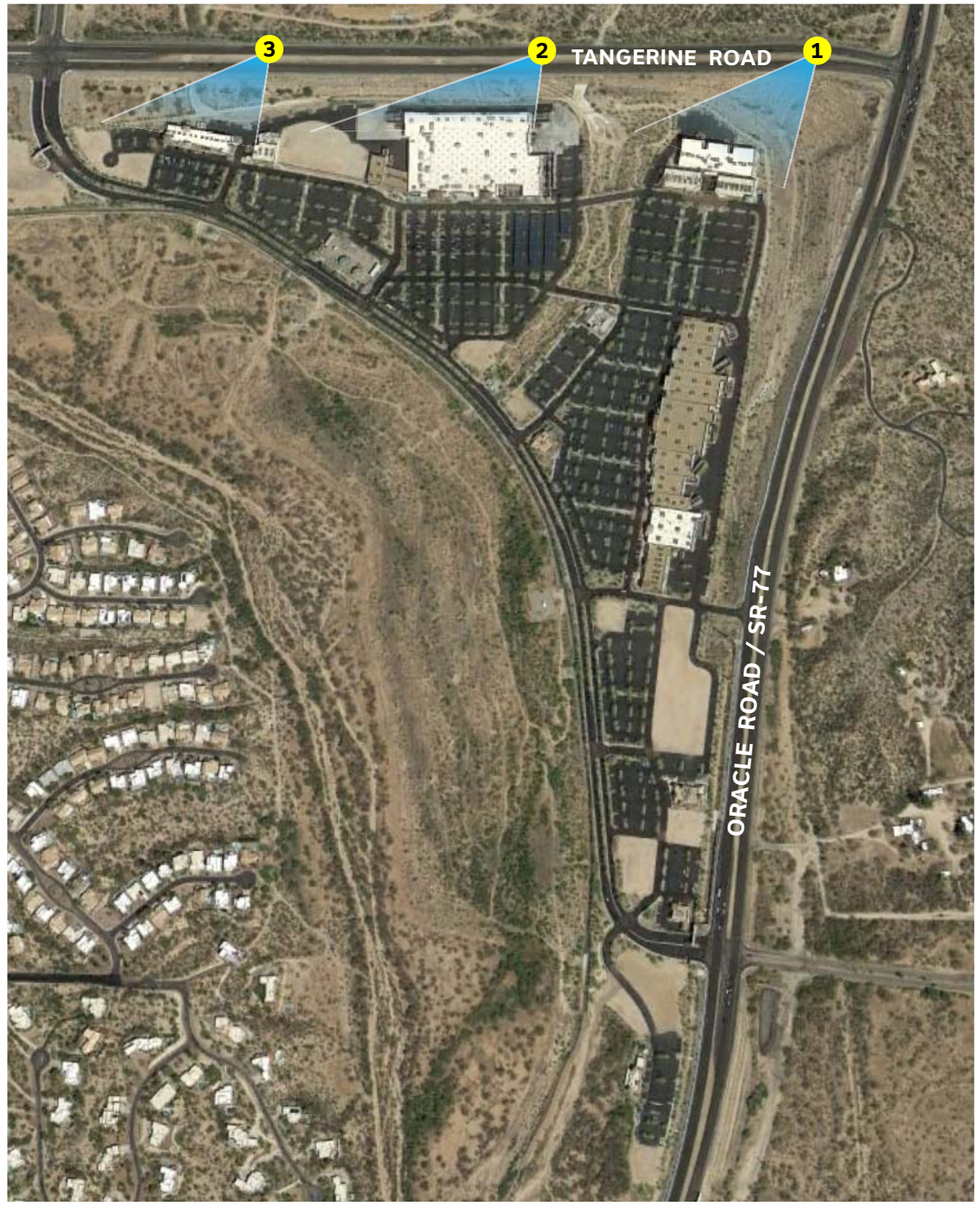
Tangerine Road
Westbound Views



Oro Valley Marketplace - Site Map

1 Tangerine Road - Westbound Viewpoint 1

2 Tangerine Road - Westbound Viewpoint 2

3 Tangerine Road - Westbound Viewpoint 3

bleier INDUSTRIES
9650 WEST ROOSEVELT STREET
TOLLESON, ARIZONA 85353
602-944-3117
FAX 602-395-0753
SALES@BLEIERINDUSTRIES.COM

PROJECT: Oro Valley Marketplace Tenant Signage Oro Valley, AZ	
TITLE: Tenant Signage Visibility Study	
DESIGNER: --	SALES: Paul Bleier
DESIGN No: --	DATE: 1/9/2015
SCALE: Not To Scale	REVISIONS:
SHEET No: 3	

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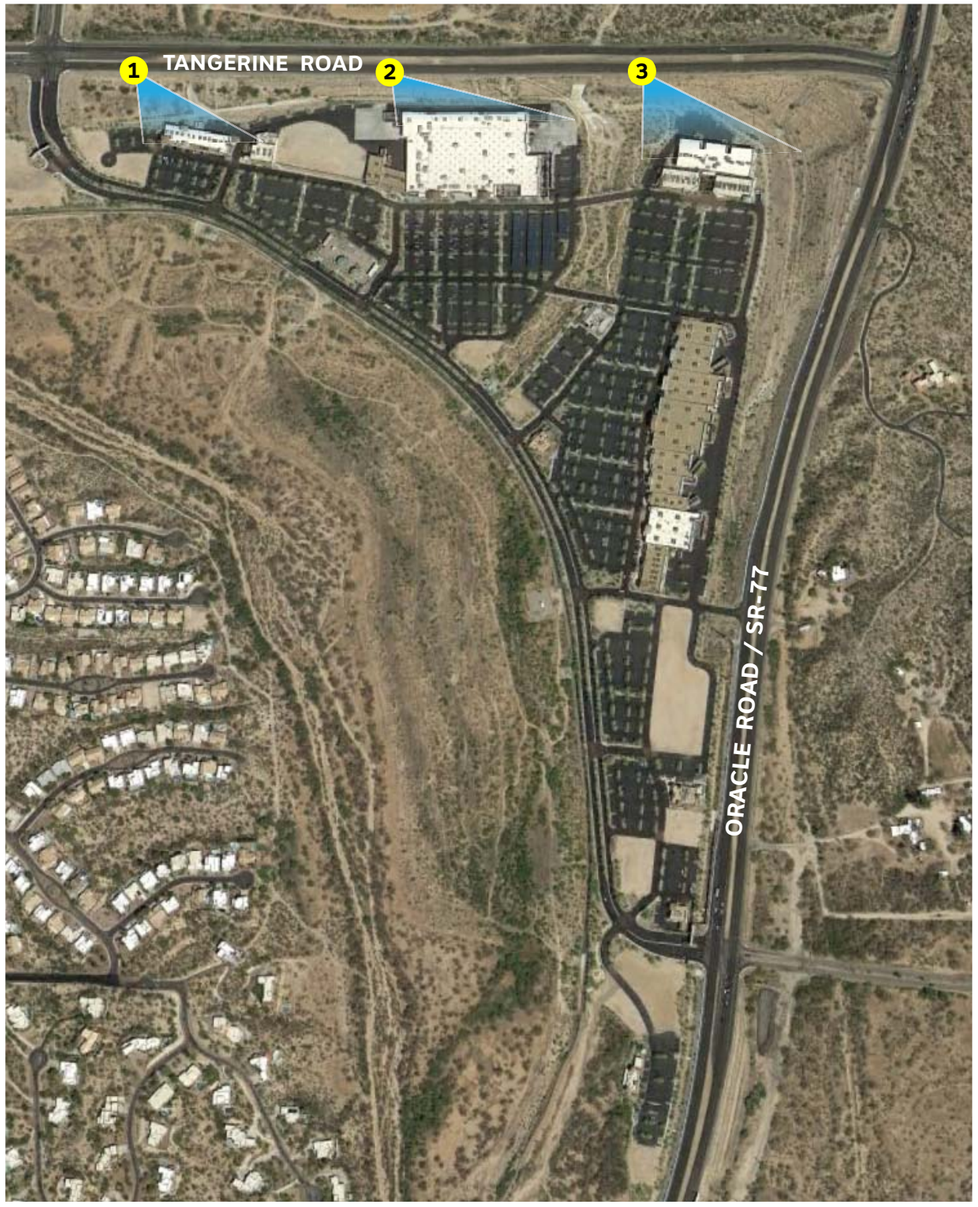
PHONE: 602-866-0900

Tangerine Road
Eastbound Views



Oro Valley Marketplace - Site Map

1 Tangerine Road - Eastbound Viewpoint 1

2 Tangerine Road - Eastbound Viewpoint 2

3 Tangerine Road - Eastbound Viewpoint 3

bleier INDUSTRIES
9650 WEST ROOSEVELT STREET
TOLLESON, ARIZONA 85353
602-944-3117
FAX 602-395-0753
SALES@BLEIERINDUSTRIES.COM

PROJECT: Oro Valley Marketplace Tenant Signage Oro Valley, AZ	
TITLE: Tenant Signage Visibility Study	
DESIGNER: --	SALES: Paul Bleier
DESIGN No: --	DATE: 1/9/2015
SCALE: Not To Scale	REVISIONS:
SHEET No: 4	

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Vestar
2425 East Camelback Road
Suite 750
Phoenix, Arizona 85016
PHONE: 602-866-0900

Master Sign Program Revision
Conceptual Design Review Board Staff Report

CASE NUMBER:	OV314-004
MEETING DATE:	February 10, 2015
AGENDA ITEM:	2
STAFF CONTACT:	Patty Hayes, Senior Planning Technician phayes@orovalleyaz.gov (520) 229-4819
Applicant:	Paul Blier
Request:	**Revise Master Sign Program**
Location:	Oro Valley Marketplace, Tangerine and Oracle Road
Recommendation:	Recommend approval of revised Master Sign Program

SUMMARY:

The proposed revision to the Oro Valley Marketplace Master Sign Program (MSP) is to allow wall signs on the rear elevations of buildings facing Oracle Road and Tangerine Road (Attachment 1). The original MSP prohibited walls signs from being placed on the rear elevations. The applicant's request meets the zoning requirements and rights afforded to other businesses in the Town.

The Conceptual Design Review Board (CDRB) reviews Master Sign Programs and makes recommendations to Town Council.

BACKGROUND:

In 2006, when the Oro Valley Marketplace was in the development stage, a Master Sign Program was established. The MSP allowed new sign designs previously not seen in the Town such as the gateway signs at the Oracle and Tangerine Road entrances along with an expanded sign color palette. The size of wall signs was also increased to 1.5' square foot of signage, similar to Zoning requirements.

The Development Review Board was not in support of signs on the rear of buildings facing Oracle and Tangerine Road due to a focus on minimizing signage. Signs on those elevations were removed from the MSP prior to the following Town Council review of the MSP in 2006. The Council motion to approve the MSP acknowledged that signs were no longer proposed for the rear of the buildings.

The DRB and Town Council staff report with minutes from 2006 are include for reference (Attachment 2).

Attachment 1

This proposed MSP revision would allow wall signs on building elevations facing Oracle and Tangerine Roads and is in compliance with the Town's Zoning Code.

Oro Valley Marketplace sign reviews:

- PAD Sign Exemption approved in 2006
- Master Sign Program approved in 2006

Existing Site Conditions

- Zoning is Rancho Vistoso Planned Area Development (RV PAD)
- Development includes completed retail and restaurant uses
- Several vacant properties remain

Proposed Improvements

The applicant proposes to revise the Master Sign Program to allow tenants in the Marketplace to install wall signs on the rear elevations of buildings that face either Oracle Road or Tangerine Road.

Signage on the rear of the buildings is enabled by the Zoning Code but is prohibited by the Master Sign Program as detailed in attached report and meeting minutes (Attachment 2).

A comparison of the current and proposed MSP standards along with the Zoning Code is provided in the following table:

	Current MSP	Proposed MSP	Zoning Code
Quantity of building elevations allowed to have signs	2 None facing Oracle or Tangerine	2 Allow facing Oracle or Tangerine	3
Sign Location	No Signs on Rear Elevations	Allow on Rear Elevations	Not Limited
Size	1.5 sq. ft. of sign per 1' of store frontage	No Change	1' to 1.5' sq ft
Illumination	Internal & halo both allowed on one sign	No Change	Either halo or internal

DISCUSSION / ANALYSIS:

The CDRB reviews Master Sign Programs for conformance with the adopted Design Principles. The Design Principles and Design Standards (*italics*) are listed below, followed by staff comments.

Design Principle Analysis
Conceptual Architectural Design Review Principles-Zoning Code Section 22.9.D.5.b

- *Section 22.9.D.5.b.iv: "Signs: Sign colors, design and placement shall be complementary and integral to the projects architecture and sign design themes."*

The buildings provide facades (Attachment 3) facing Oracle and Tangerine that could readily accommodate wall signs without changing the architecture of the buildings. The proposed MSP revision will not affect the previously approved sign color palette which meets the current Zoning Code standards.

Design Standards Analysis

Conceptual Architectural Design Review Standards Chapter 2

- Section 2.1.F, "*Building signs shall be consistent in terms of materials and construction*".

The colors and materials of the proposed wall signs would remain the same as currently allowed on the front of the buildings. No material or sign type changes are proposed in the revised MSP.

- *Section 28.B.3. Review of a Master Sign Program shall be guided by the following : Overall character of the entire development, including landscaping, architecture, topography, uses and design.*

The Oro Valley Marketplace is 114 acre commercial development positioned at the corner of two major arterial streets (Attachment 4). The site was developed with the front of the buildings facing the residential properties across a riparian area. No changes are proposed for signage on the front elevations of the buildings.

Unlike most other developments in the Town, the rear of the buildings in the Marketplace face two major arterial streets, Oracle Road and Tangerine Road. Allowing signs on the rear elevations facing arterial streets is common practice and would provide for identification of the businesses typical to developments at a major arterial street intersection.

General Plan Polices

- *The General Plan requires a balance between a businesses need to attract customers and provide the least intrusive signage.*

The proposed signage would improve businesses visibility to vehicular traffic while not impacting adjacent properties. The properties located north of the Marketplace across Tangerine Road are commercially zoned and contain their own signs facing the road. The residential properties east of the Marketplace, across Oracle Road, are screened by a large hill between the homes and Oracle Road. No changes in the MSP are proposed that would impact the Canyon Shadows and Palisades residential subdivisions west of the Marketplace (Attachment 4).

RECOMMENDATION:

Based on the finding that the proposed application is consistent with the Design Principles and Design Standards and zoning rights afforded to other businesses in the community, it is recommended that the Conceptual Design Review Board take the following action:

Recommend approval of the revised Master Sign Program, case number OV314-004.

SUGGESTED MOTIONS:

I move to recommend approval of the revised Master Sign Program for the Oro Valley Marketplace based on the finding that the request is consistent with the Design Principles and Design Standards.

OR

I move to recommend denial of the revised Master Sign Program for the Oro Valley Marketplace as it does not meet the finding that _____.

ATTACHMENTS:

1. Applicants Submittal
   a) Revised pages of Master Sign Program
   b) Example of Proposed Signs
2. DRB & Council Staff Reports with Minutes from 2006
3. Photos of the Oro Valley Marketplace
4. Site Map/Aerial Photo

Bayer Vella, Planning Manager

ORO VALLEY MARKETPLACE

COMPREHENSIVE SIGN PLAN

TOWN COUNCIL SUBMITTAL
OV3-06-02 / APPROVED DECEMBER 20, 2006
REQUEST FOR MODIFICATION
NOVEMBER, 2014

Developed by:

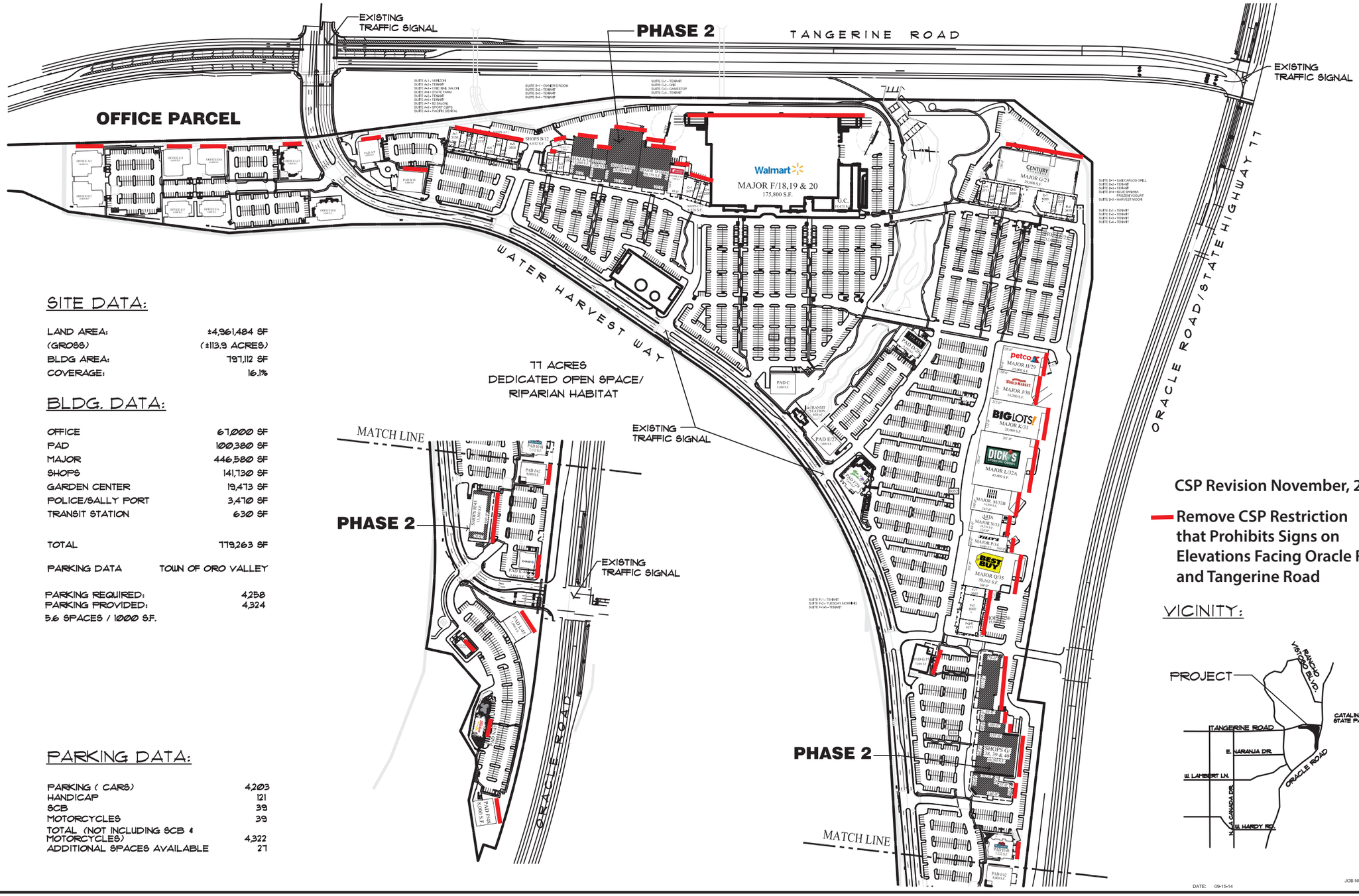
Vestar

2425 E. CAMELBACK RD.
SUITE 750
PHOENIX, AZ 85016
TEL: 602.866.0900
FAX: 602.955.2298

Signage Consutant:

bleier INDUSTRIES

9650 WEST ROOSEVELT STREET
TOLLESON, ARIZONA 85353
602-944-3117
FAX 602-395-0753
SALES@BLEIERINDUSTRIES.COM



SITE DATA:

LAND AREA:	±4,961,484 SF
(GROSS)	(±113.9 ACRES)
BLDG AREA:	797,112 SF
COVERAGE:	16.1%

BLDG. DATA:

OFFICE	67,000 SF
PAD	100,380 SF
MAJOR	446,580 SF
SHOPS	141,730 SF
GARDEN CENTER	19,473 SF
POLICE/SALLY PORT	3,470 SF
TRANSIT STATION	630 SF
TOTAL	779,263 SF

PARKING DATA TOWN OF ORO VALLEY

PARKING REQUIRED:	4,258
PARKING PROVIDED:	4,324

5.6 SPACES / 1000 S.F.

PARKING DATA:

PARKING (CARS)	4,203
HANDICAP	121
SCB	39
MOTORCYCLES	39
TOTAL (NOT INCLUDING SCB & MOTORCYCLES)	4,322
ADDITIONAL SPACES AVAILABLE	27

CSP Revision November, 2014

Remove CSP Restriction that Prohibits Signs on Elevations Facing Oracle Road and Tangerine Road

VICINITY:

DATE: 09-15-14

JOB NUMBER: 09031
09031-ST06

Vestar

ORO VALLEY MARKETPLACE

TANGERINE ROAD & ORACLE ROAD
ORO VALLEY, ARIZONA

Butler Design Group
Architects & Planners
5555 East Van Buren St.
Suite 215
Phoenix, Arizona 85008
phone 602-957-1800
fax 602-957-7722

bleier INDUSTRIES
9650 WEST ROOSEVELT STREET
TOLLESON, ARIZONA 85353
602-944-3117
FAX 602-395-0753
SALES@BLEIERINDUSTRIES.COM

ORO VALLEY MARKETPLACE

General Requirements / Building Signage

These criteria have been established by the Developer for the purpose of maintaining a continuity of quality and aesthetics throughout Oro Valley Marketplace for the mutual benefit of all Tenants, and to comply with the approved Master Sign Program for the development and regulations of the Town of Oro Valley Sign Ordinance. As used herein, the term "Developer" shall also include all future successors, assigns, and/or designated agents. ***In addition to the criteria established herein, Tenants are advised that the Developer maintains supplemental private restrictions that regulate the design, placement, and type of all Tenant signage. Tenants are required to contact and obtain from the Developer their approval prior to any sign permit submittal. As part of the Tenant's sign permit submittal, the Tenant shall provide an approval letter from the Developer and/or an approved set of design drawings signed by the Developer acknowledging that the specified signage conforms to the Developer's supplemental private restrictions regulating the design, placement, and type of Tenant signage.*** Conformance to these criteria will be strictly enforced by the Town of Oro Valley.

I. GENERAL REQUIREMENTS

A. The Town of Oro Valley shall review all signs for conformance with this criteria and the OVZCR. In the event that this criteria is silent and fails to address a specific sign type, definition, or specification pertaining to a sign installation, and/or operation and maintenance of a sign, the OVZCR shall regulate.

B. Advertising devices such as attraction boards, posters, banners and flags shall not be permitted in addition to all prohibited sign types regulated by the OVZCR except that advertising posters shall be permitted to be displayed as part of the Movie Theatre's exterior poster case displays and as part of the ST 3 Pedestrian Directory sign type.

C. All Tenant signage shall be installed in accordance with the approved Master Sign Program.

II. SPECIFICATIONS - TENANT WALL SIGNS

A. General Specifications

1. All temporary signs and their installation shall comply with OVZCR regulations of the Town of Oro Valley Zoning Code.
2. Sign installations utilizing exposed raceways, crossovers and electrical conduit shall be prohibited except for special conditions where physical conditions exist. Should this occur, the Planning and Zoning Administrator for the Town of Oro Valley shall have the sole and separate discretion in varying any provision herein.
3. All electrical cabinets, conductors, transformers and other equipment required to illuminate a sign shall be concealed.
4. Window signs and painted lettering shall be permitted in accordance with OVZCR regulations of the Town of Oro Valley Zoning Code.
5. All signs or devices advertising an individual use, business or building shall be attached to the building within the Tenant's leased premise. Where building elevations contain architectural features and/or articulation that require the Tenant's signage to be positioned beyond the Tenant's leased premise, the Planning and Zoning Administrator for the Town of Oro Valley shall have the sole and separate discretion in approving the sign placement.
6. Contrasting background building colors and/or building materials shall not be used in a manner so as to create a border or distinct background used to delineate Tenant signage. Exception to this requirement shall be the "Blue Wedge" design illustrated herein and specifically approved as part of the Master Sign Program.

III. DESIGN REQUIREMENTS

Individual illuminated letters and logos may include pan channel metal letters with acrylic sign faces, reverse pan channel "backlit" illuminated letters, or the combination of both face lit and backlit illumination methods. Letters and logos shall be mounted to building wall surfaces, architectural features and/or articulated wall sections. Electrical connections shall be concealed to remote and/or self-contained transformers and power sources wherever possible.

A. Sign Area

1. The maximum sign area per building elevation shall be calculated by multiplying one and one-half (1.50) times the length of the storefront(s) and/or elevation(s) occupied by the Tenant without limitation as to number of sign elements per building elevation. No more than two (2) elevations may be utilized for signage by a Tenant per OVZCR regulations, ~~except that no Major and/or Shop Tenant signage shall be permitted on their rear elevations facing Tangerine Road and/or Oracle Road~~. Section III.A.4 governs maximum aggregate sign area on any single elevation.
2. Pursuant to OVZCR definition, sign area shall be measured by multiplying the overall height of the tallest letter by the overall length of the total sign including the logo. The Planning and Zoning Administrator may approve the calculation of signs by measuring the sum of the smallest rectangular

ORO VALLEY MARKETPLACE

Building Sign Matrix
Major Tenants

SIGN	SIGN TYPE	FUNCTION	LOCATION	HEIGHT	SIZE	ILLUMINATION	MATERIALS
Major Tenant with occupancy of 50,000 SF or greater	Wall Mounted Signs	Tenant Identification	Two (2) Elevations Maximum ~~Signage is prohibited on Rear Elevations facing Tangerine Rd and/or Oracle Rd~~	60" Maximum Letter Height Exclusive of Logos	1.50 SF / Linear Foot of Building Frontage and/or Elevation Upon Which Signage is Placed Five Hundred (500 SF) Square Feet Maximum Aggregate Sign Area Per Elevation	Interior, Backlit or a combination thereof. Voltarc 4500° White Neon or equal for Backlit or Combination Illumination	Aluminum, Acrylic, Painted Metal, Flexface Material
Major Tenant with occupancy greater than 10,000 SF through 49,999 SF	Wall Mounted Signs	Tenant Identification	Two (2) Elevations Maximum ~~Signage is prohibited on Rear Elevations facing Tangerine Rd and/or Oracle Rd~~	60" Maximum Letter Height Exclusive of Logos	1.50 SF / Linear Foot of Building Frontage and/or Elevation Upon Which Signage is Placed Three Hundred (300 SF) Square Feet Maximum Aggregate Sign Area Per Elevation	Interior, Backlit or a combination thereof. Voltarc 4500° White Neon or equal for Backlit or Combination Illumination	Aluminum, Acrylic, Painted Metal, Flexface Material
Major Tenant with occupancy 9,999 SF or less	Wall Mounted Signs	Tenant Identification	Two (2) Elevations Maximum ~~Signage is prohibited on Rear Elevations facing Tangerine Rd and/or Oracle Rd~~	36" Maximum Letter Height Exclusive of Logos	1.50 SF / Linear Foot of Building Frontage and/or Elevation Upon Which Signage is Placed Two Hundred (200 SF) Square Feet Maximum Aggregate Sign Area Per Elevation	Interior, Backlit or a combination thereof. Voltarc 4500° White Neon or equal for Backlit or Combination Illumination	Aluminum, Acrylic, Painted Metal, Flexface Material
All Major Tenants	Under Canopy Blade Sign (Optional)	Tenant Identification	In front of tenant's leased space	Below architectural canopy. Maintain 8' Clearance AFF	6.67 SF	Non-illuminated	Aluminum, Acrylic, Painted Metal, Vinyl Graphics

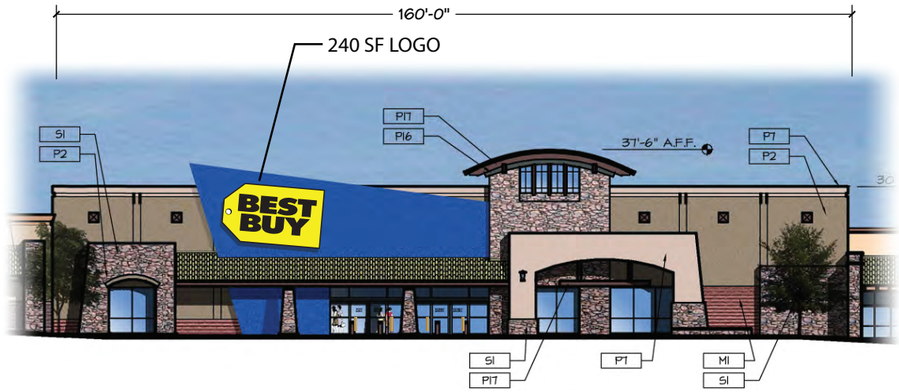
CSP Revision November, 2014

Letter Style and/or Logo Restrictions:

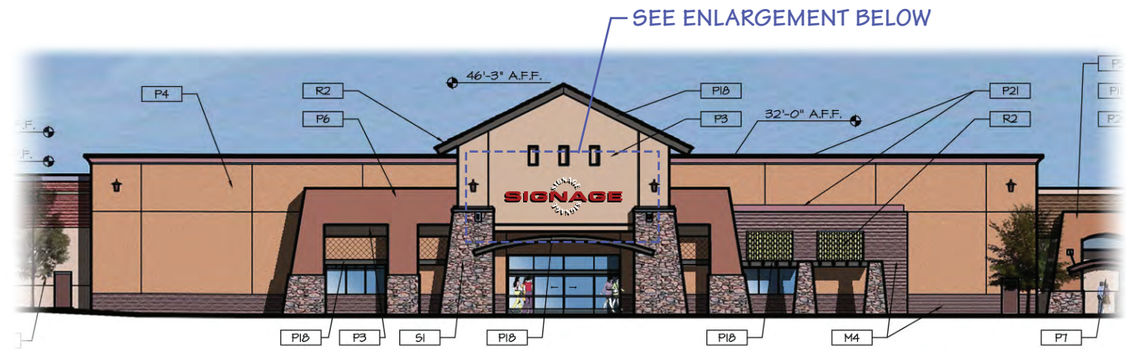
- Copy and/or logos utilized shall be Tenant's choice.
- Tenant signage shall include only the approved vinyl colors specified herein as part of the approved Master Sign Program. Tenants, whose copy and/or logos are trademarked may utilize any vinyl and/or acrylic color required to duplicate the trademarked copy and/or logo.

Illumination

- Tenant building signage shall be internally illuminated, backlit to create a silhouette, and/or a combination of face lit and backlit lighting methods mentioned herein. For consistency of appearance and intensity, backlit illuminated letters and/or combination of face lit and backlit illuminated letters shall use Voltarc™ 4500° White Tubing or equal for the source of illumination. For internally illuminated letters and logos, colored neon tubing and/or colored LED lighting shall be utilized to illuminate vinyl and/or acrylic faces in a manner that provides a visual color consistency and continuity throughout Oro Valley Marketplace.
- Exposed neon is not permitted.
- Illuminated wall signs shall be turned off no later than one hour after the close of the business in accordance with OVZCR regulations.



MAJOR AT WEST/FRONT ELEVATION BUILDING GROUP NO. - SCALE 1" = 30'-0"



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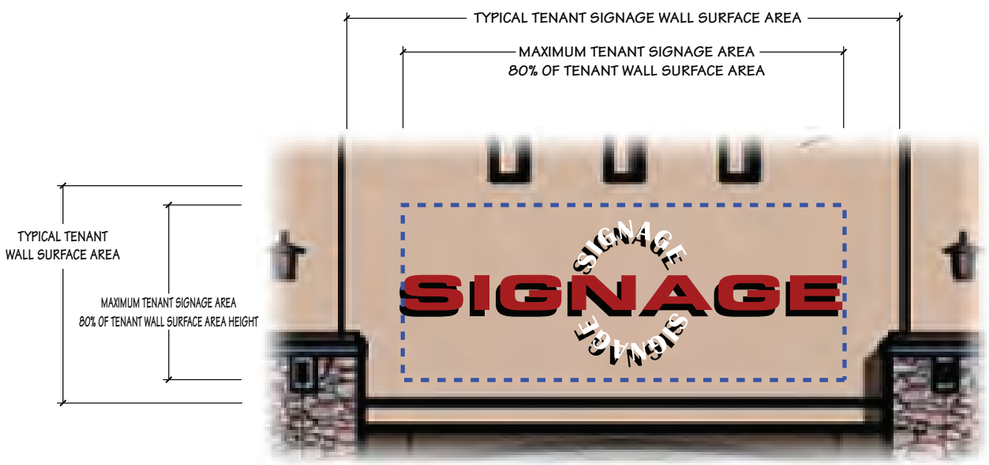

ENLARGEMENT OF TENANT SIGN AREA - MAJOR - SCALE 1/8" = 1'-0"

III. DESIGN REQUIREMENTS

Individual illuminated letters and logos may include pan channel metal letters with acrylic sign faces, reverse pan channel "backlit" illuminated letters, or the combination of both face lit and backlit illumination methods. Letters and logos shall be mounted to building wall surfaces, architectural features and/or articulated wall sections. Electrical connections shall be concealed to remote and/or self-contained transformers and power sources wherever possible.

A. Sign Area

1. The maximum sign area per building elevation shall be calculated by multiplying one and one-half (1.50) times the length of the storefront(s) and/or elevation(s) occupied by the Tenant without limitation as to number of sign elements per building elevation. No more than two (2) elevations may be utilized for signage by a Tenant per OVZCR regulations, ~~except that no Major and/or Shop Tenant signage shall be permitted on the rear elevations facing Tangerine Road and/or Oracle Road.~~ Section III.A.4 governs maximum aggregate sign area on any single elevation.

CSP Revision November, 2014

2. Pursuant to OVZCR definition, sign area shall be measured by multiplying the overall height of the tallest letter by the overall length of the total sign including the logo. The Planning and Zoning Administrator may approve the calculation of signs by measuring the sum of the smallest rectangular shape needed to enclose each letter or symbol if special circumstances arise that would warrant the need to calculate differently.

3. As a minimum allowance, all Shop Tenants shall be permitted a minimum of thirty-two (32) square feet of sign area per elevation upon which signage is placed.

4. Major Tenants occupying less than 9999 SF shall be limited to a maximum aggregate sign area of two hundred (200 SF) square feet per elevation upon which signage is placed subject to allowable sign area limitations established herein. Major Tenants occupying 10000 SF through 49999 shall be limited to a maximum aggregate sign area of three hundred (300 SF) square feet per elevation upon which signage is placed subject to allowable sign area limitations established herein. Major Tenants occupying greater than 50000 SF shall be limited to a maximum aggregate sign area of five hundred (500 SF) square feet per elevation upon which signage is placed subject to allowable sign area limitations established herein.

Letter Height and Placement Restrictions

1. Majors Tenants occupying less than 9999 SF shall be limited to a maximum letter height of thirty six (36") inches. Majors occupying 10000 SF through 49999 SF shall be limited to a maximum letter height of sixty (60") inches. Majors occupying greater than 50000 SF shall be limited to a maximum letter height of sixty (60") inches. Logos shall not be subject to maximum letter height restrictions herein established, however, shall be included in sign area computations. All Tenants shall be permitted to display their trademarked corporate identification and logos subject to sign area limitations and design specifications contained in the approved Master Sign Program. Signage shall be designed to be aesthetically balanced with surrounding building features, architectural embellishments and articulation developed to create the thematic design of Oro Valley Marketplace.

2. Length of Sign on Wall Surface: Signage shall not exceed eighty (80%) percent of the building elevation, architectural embellishment and/or articulation upon which it is placed.

WEST/FRONT ELEVATION BUILDING GROUP NO. 1 - SCALE 1" = 80'-0"

ORO VALLEY MARKETPLACE

ORO VALLEY, ARIZONA

Developer:

Vestar

2425 East Camelback Road • Suite 750 • Phoenix, Arizona 85016
PHONE: 602-866-0900

2030 WEST DESERT COVE AVE. • PHOENIX, ARIZONA 85029 • 602.944.3117 • FAX 602.395.0753 • SALES@BLEIERINDUSTRIES.COM

bleier INDUSTRIES

PROJECT:	DESIGN NO:	DATE:
Oro Valley Marketplace Oro Valley, Az	2005-F-012	11/15/06
TITLE: Typical Major Tenant Building Elevations	SCALE: AS NOTED	REVISIONS:
DESIGNER: Dan Horton / SALES: Paul Bleier	SHEET NO: M 1	

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ORO VALLEY MARKETPLACE

Building Sign Matrix
Shop Tenants

SIGN	SIGN TYPE	FUNCTION	LOCATION	HEIGHT	SIZE	ILLUMINATION	MATERIALS
Shop Tenants	Wall Signs	Tenant ID	Wall surfaces and architectural features designed to accommodate signage. Two (2) Elevations Maximum ~~Signage is prohibited on Rear Elevations facing Tangerine Rd and/or Oracle Rd~~	24" Maximum Letter Height Exclusive of Logos	1.5 SF / Linear Foot of Building Leased Frontage 32 SF Minimum Per Elevation Upon Which Signage is Placed	Interior, Backlit or a Combination thereof.	Aluminum, Acrylic, Painted Metal, Vinyl Graphics
Shop Tenants in Theatre District	Wall Signs	Tenant ID	Wall surfaces and architectural features designed to accommodate signage. Two (2) Elevations Maximum	24" Maximum Letter Height Exclusive of Logos	1.5 SF / Linear Foot of Building Leased Frontage 32 SF Minimum Per Elevation Upon Which Signage is Placed	Interior, Backlit, Exposed Fiber Optics or a Combination thereof.	Aluminum, Acrylic, Painted Metal, Vinyl Graphics
Shop Tenants	Under Canopy Blade Sign (Mandatory)	Tenant ID	In front of tenant's leased space	Below architectural canopy. Maintain 8' Clearance AFF	6.67 SF	Non-illuminated	Aluminum, Acrylic, Painted Metal, Vinyl Graphics

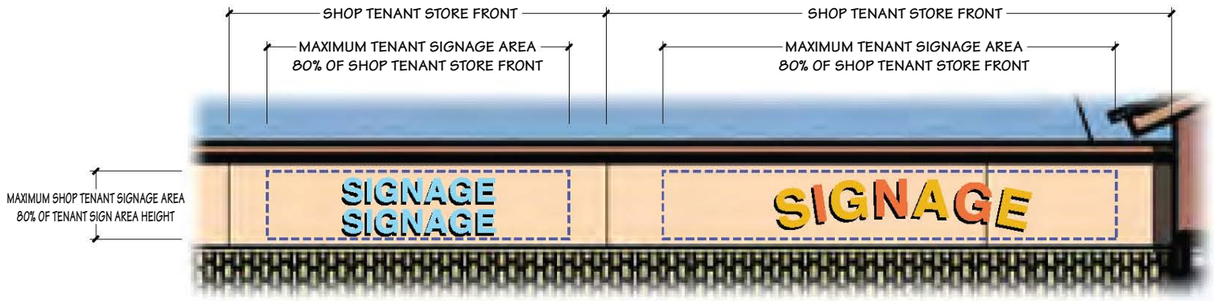
CSP Revision November, 2014

Letter Style and/or Logo Restrictions:

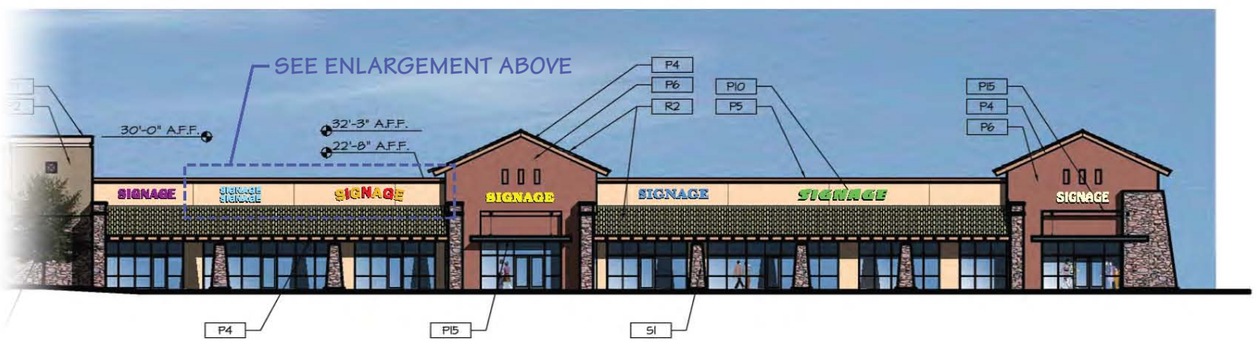
- Copy and/or logos utilized shall be Tenant's choice.
- Tenant signage shall include only the approved vinyl colors specified herein as part of the approved Master Sign Program. Tenants, whose copy and/or logos are trademarked may utilize any vinyl and/or acrylic color required to duplicate the trademarked copy and/or logo.

Illumination

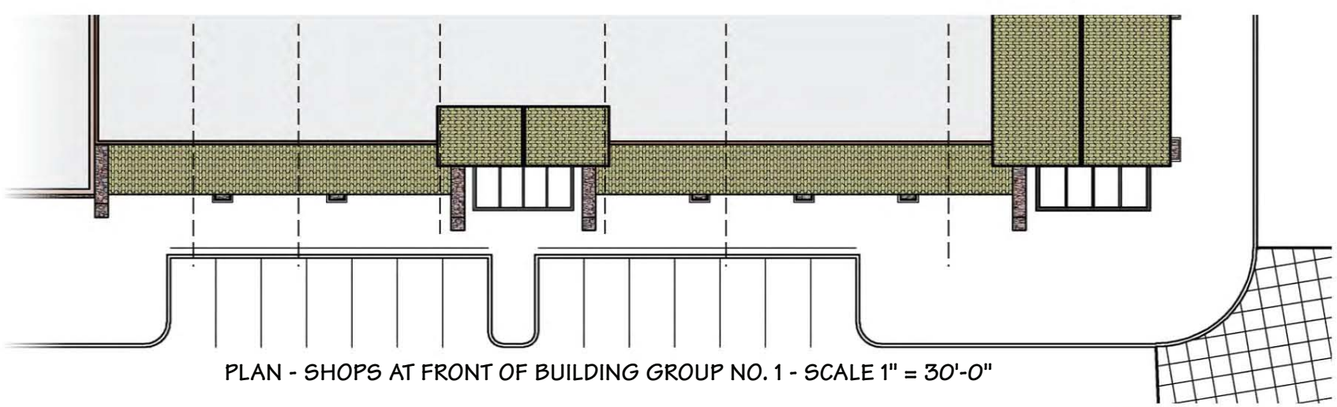
- Tenant building signage shall be internally illuminated, backlit to create a silhouette, and/or a combination of face lit and backlit lighting methods mentioned herein. For consistency of appearance and intensity, backlit illuminated letters and/or combination of face lit and backlit illuminated letters shall use Voltarc™ 4500° White Tubing or equal for the source of illumination. For internally illuminated letters and logos, colored neon tubing and/or colored LED lighting shall be utilized to illuminate vinyl and/or acrylic faces in a manner that provides a visual color consistency and continuity throughout Oro Valley Marketplace.
- Exposed neon is not permitted. Shop Tenants located in the Theatre District may utilize flexible LED tube lighting.
- Illuminated wall signs shall be turned off no later than one hour after the close of the business in accordance with OVZCR regulations.
- ***Shop Tenants in Shop Building 43 shall be limited to backlit illuminated signage on the elevation facing and/or oriented towards the riparian habitat. Other elevations may use all approved illuminated methods stated above.***



ENLARGEMENT OF TENANT SIGN AREA
SHOPS AT WEST/FRONT ELEVATION BUILDING GROUP NO. - SCALE 1/8" = 1'-0"



SHOPS AT WEST/FRONT ELEVATION BUILDING GROUP NO. 1 - SCALE 1" = 30'-0"



PLAN - SHOPS AT FRONT OF BUILDING GROUP NO. 1 - SCALE 1" = 30'-0"

III. DESIGN REQUIREMENTS

Individual illuminated letters and logos may include pan channel metal letters with acrylic sign faces, reverse pan channel "backlit" illuminated letters, or the combination of both face lit and backlit illumination methods. Letters and logos shall be mounted to building wall surfaces, architectural features and/or articulated wall sections. Electrical connections shall be concealed to remote and/or self-contained transformers and power sources wherever possible.

A. Sign Area

1. The maximum sign area per building elevation shall be calculated by multiplying one and one-half (1.50) times the length of the storefront(s) and/or elevation(s) occupied by the Tenant without limitation as to number of sign elements per building elevation. No more than two (2) elevations may be utilized for signage by a Tenant per OVZCR regulations, ~~except that no Major and/or Shop Tenant signage shall be permitted on the rear elevations facing Tangerine Road and/or Oracle Road.~~ Section III.A.4 governs maximum aggregate sign area on any single elevation.

CSP Revision November, 2014

2. Pursuant to OVZCR definition, sign area shall be measured by multiplying the overall height of the tallest letter by the overall length of the total sign including the logo. The Planning and Zoning Administrator may approve the calculation of signs by measuring the sum of the smallest rectangular shape needed to enclose each letter or symbol if special circumstances arise that would warrant the need to calculate differently.

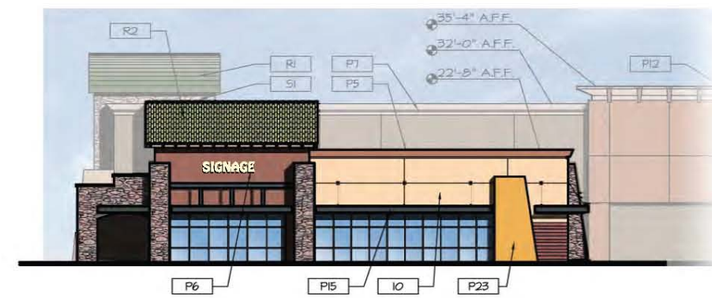
3. As a minimum allowance, all Shop Tenants shall be permitted a minimum of thirty-two (32) square feet of sign area per elevation upon which signage is placed.

Letter Height and Placement Restrictions

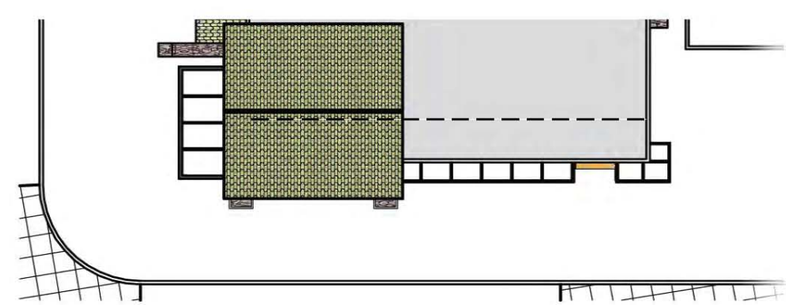
1. Shop Tenants shall be limited to a maximum letter height of twenty four (24") inches. Logos shall not be subject to maximum letter height restrictions herein established, however, shall be included in sign area computations. All Tenants shall be permitted to display their trademarked corporate identification and logos subject to sign area limitations and design specifications contained in the approved Master Sign Program. Signage shall be designed to be aesthetically balanced with surrounding building features, architectural embellishments and articulation developed to create the thematic design of Oro Valley Marketplace.

2. Length of Sign on Wall Surface: Signage shall not exceed eighty (80%) percent of the building elevation, architectural embellishment and/or articulation upon which it is placed.

3. Shop Tenant signage shall not exceed eighty (80%) percent of the Tenant's leased storefront length when placed adjacent to another shop Tenant's sign sharing a common wall background.



SHOP AT SOUTH ELEVATION BUILDING GROUP NO. 1 - SCALE 1" = 30'-0"



PLAN - SHOP AT SOUTH OF BUILDING GROUP NO. 1 - SCALE 1" = 30'-0"

ORO VALLEY MARKETPLACE
ORO VALLEY, ARIZONA

Developer:
Vestar
2425 East Camelback Road • Suite 750 • Phoenix, Arizona 85016
PHONE: 602-866-0900

2030 WEST DESERT COVE AVE. • PHOENIX, ARIZONA 85029 • 602.944.3117 • FAX 602.395.0753 • SALES@BLEIERINDUSTRIES.COM
bleier INDUSTRIES

PROJECT:	
Oro Valley Marketplace Oro Valley, Az	
TITLE:	
Typical Shop Tenant Building Elevations	
DESIGNER: Dan Horton	SALES: Paul Bleier

DESIGN NO:	DATE:
2005-F-012	11/15/06
SCALE: AS NOTED	REVISIONS:
SHEET NO: S 1	

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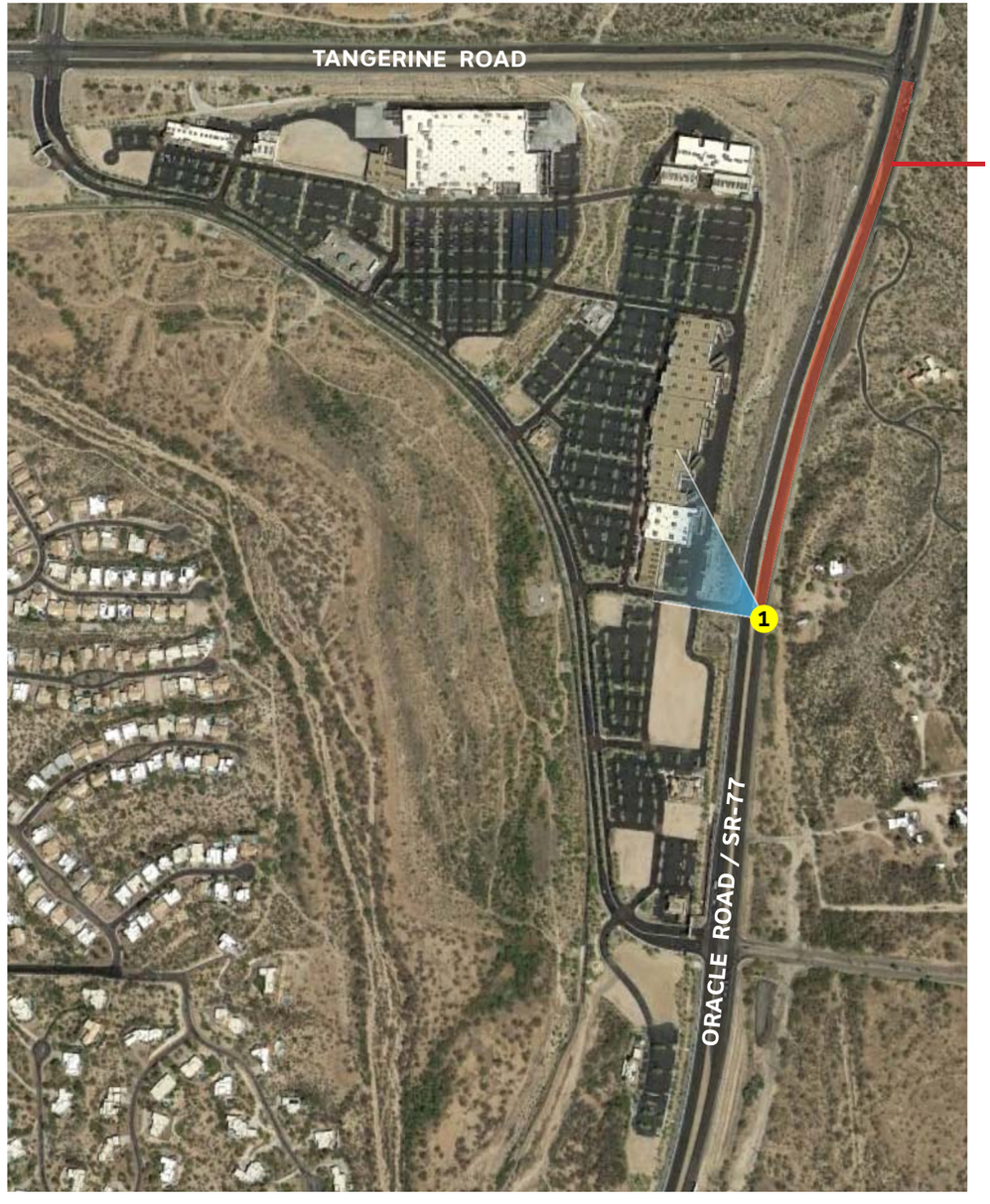
Oracle Road
Northbound Views



Oro Valley Marketplace - Site Map

NOTE: Due to topographical shifts and roadway elements/angle, northbound visibility beyond Viewpoint 1 is minimal to none.

1 Oracle Road - Northbound Viewpoint 1

bleier INDUSTRIES
9650 WEST ROOSEVELT STREET
TOLLESON, ARIZONA 85353
602-944-3117
FAX 602-395-0753
SALES@BLEIERINDUSTRIES.COM

PROJECT: Oro Valley Marketplace Tenant Signage Oro Valley, AZ	
TITLE: Tenant Signage Visibility Study	
DESIGNER: --	SALES: Paul Bleier
DESIGN No: --	DATE: 1/9/2015
SCALE: Not To Scale	REVISIONS:
SHEET No: 1	

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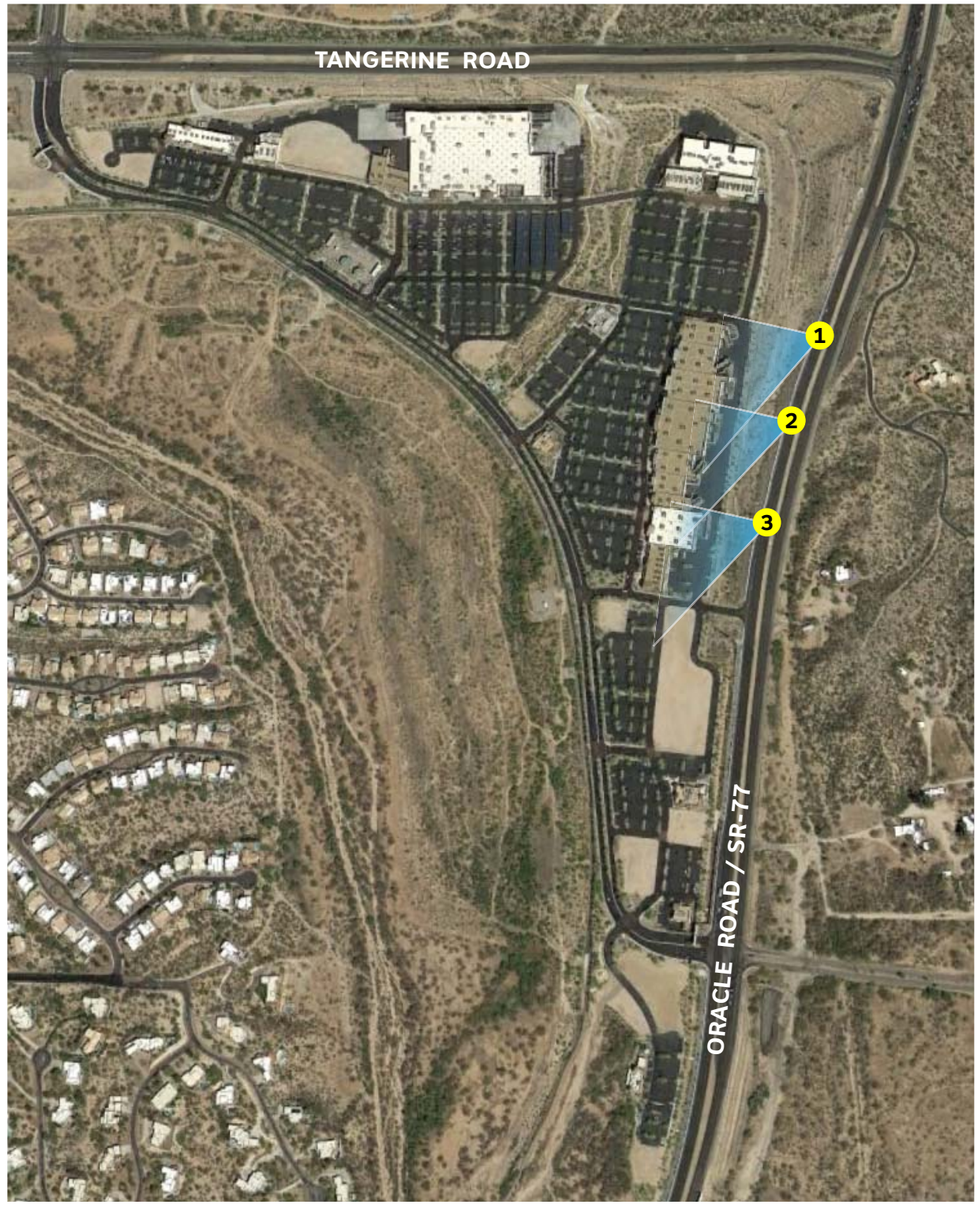
Vestar
2425 East Camelback Road
Suite 750
Phoenix, Arizona 85016
PHONE: 602-866-0900

Oracle Road
Southbound Views



Oro Valley Marketplace - Site Map

1 Oracle Road - Southbound Viewpoint 1

2 Oracle Road - Southbound Viewpoint 2

3 Oracle Road - Southbound Viewpoint 3

bleier INDUSTRIES
9650 WEST ROOSEVELT STREET
TOLLESON, ARIZONA 85353
602-944-3117
FAX 602-395-0753
SALES@BLEIERINDUSTRIES.COM

PROJECT: Oro Valley Marketplace Tenant Signage Oro Valley, AZ	
TITLE: Tenant Signage Visibility Study	
DESIGNER: --	SALES: Paul Bleier
DESIGN No: --	DATE: 1/9/2015
SCALE: Not To Scale	REVISIONS:
SHEET No: 2	

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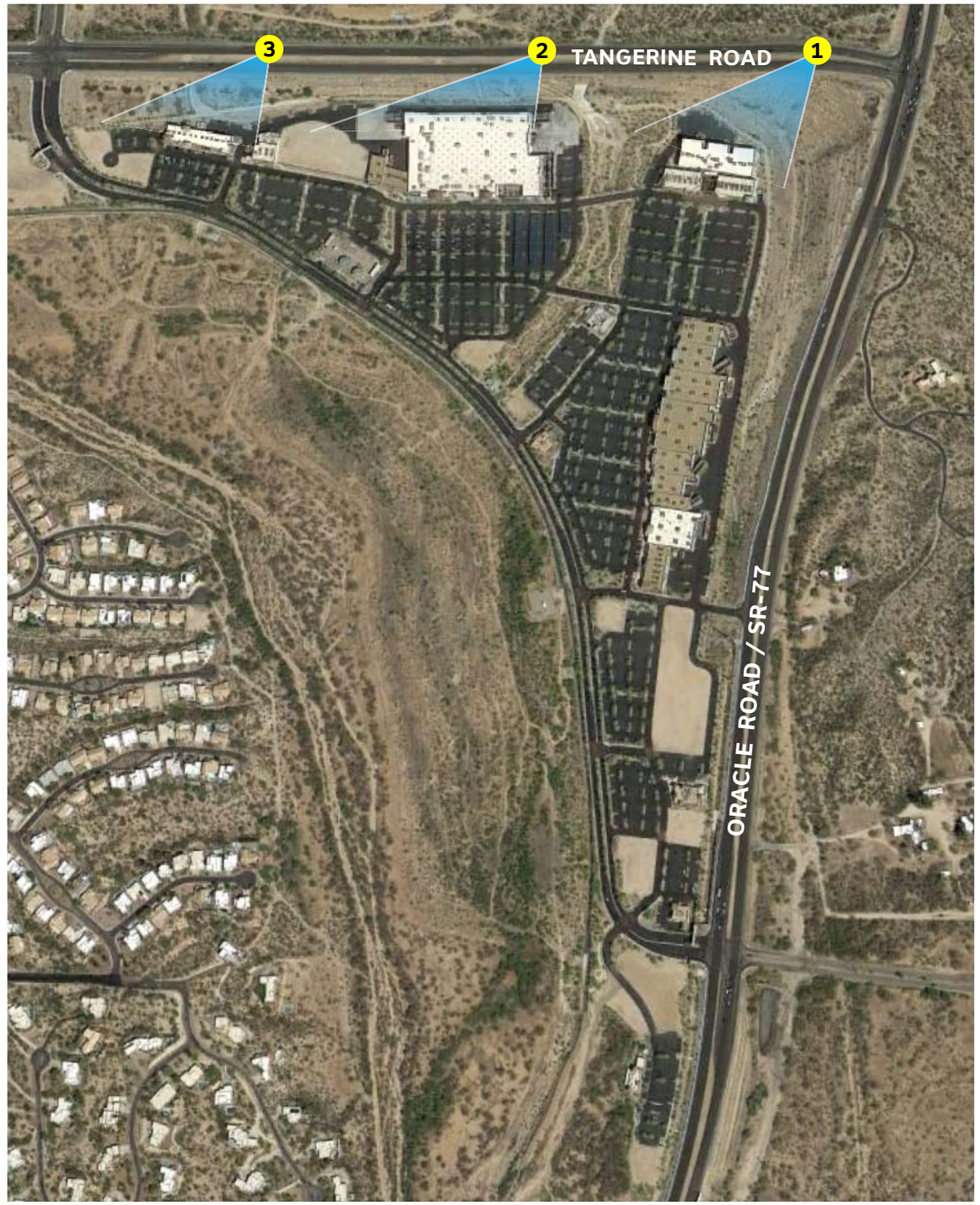
Vestar
2425 East Camelback Road
Suite 750
Phoenix, Arizona 85016
PHONE: 602-866-0900

Tangerine Road
Westbound Views



Oro Valley Marketplace - Site Map

1 Tangerine Road - Westbound Viewpoint 1

2 Tangerine Road - Westbound Viewpoint 2

3 Tangerine Road - Westbound Viewpoint 3

bleier INDUSTRIES
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TOLLESON, ARIZONA 85353
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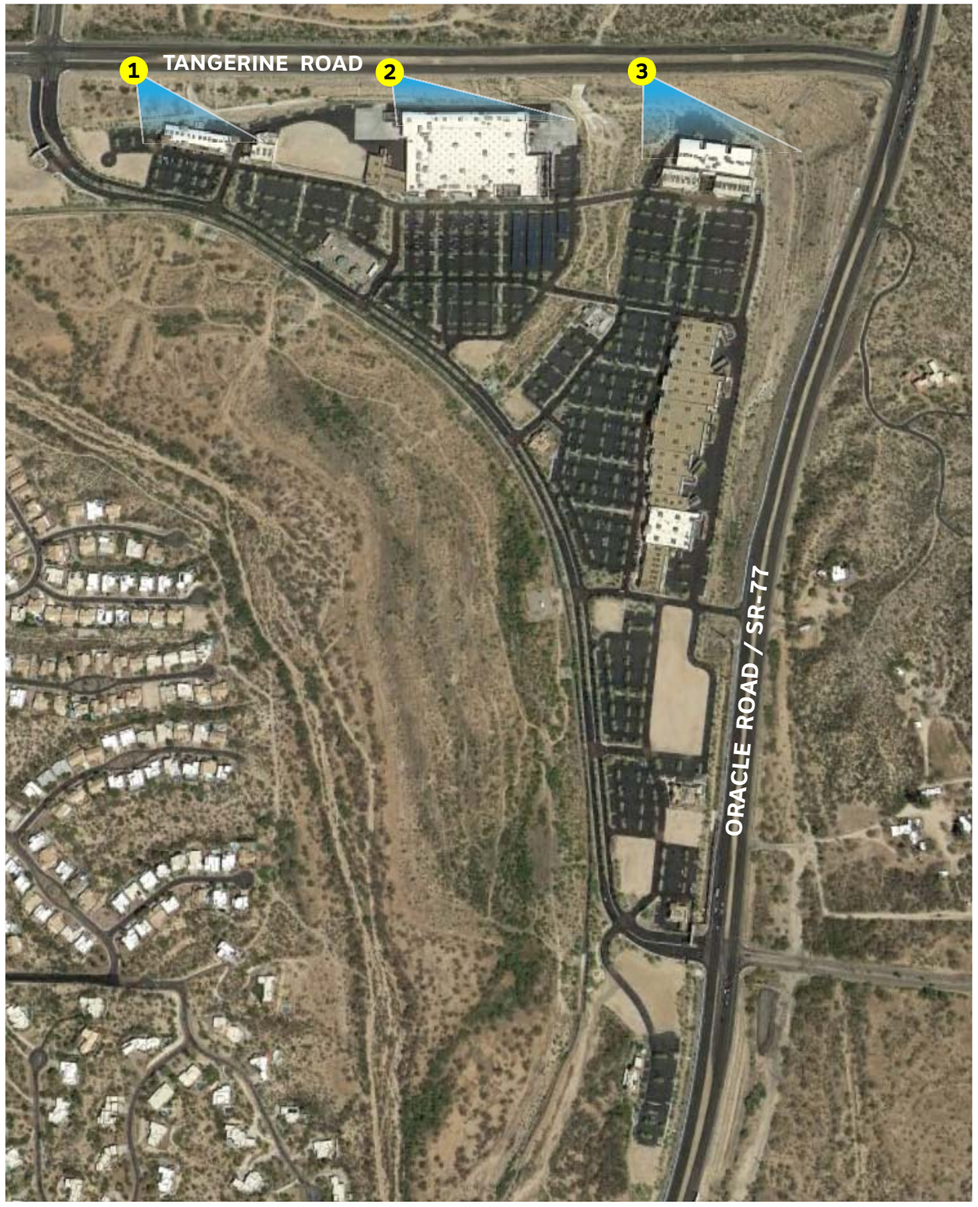
Tangerine Road
Eastbound Views



Oro Valley Marketplace - Site Map

1 Tangerine Road - Eastbound Viewpoint 1

2 Tangerine Road - Eastbound Viewpoint 2

3 Tangerine Road - Eastbound Viewpoint 3

bleier INDUSTRIES
9650 WEST ROOSEVELT STREET
TOLLESON, ARIZONA 85353
602-944-3117
FAX 602-395-0753
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TITLE: Tenant Signage Visibility Study	
DESIGNER: --	SALES: Paul Bleier
DESIGN No: --	DATE: 1/9/2015
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SHEET No: 4	

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Vestar
2425 East Camelback Road
Suite 750
Phoenix, Arizona 85016
PHONE: 602-866-0900

TOWN OF ORO VALLEY
STAFF REPORT TO DEVELOPMENT REVIEW BOARD MEETING DATE: NOVEMBER 14, 2006

TO: **DEVELOPMENT REVIEW BOARD**

FROM: Jonathan Lew, Planning Technician

SUBJECT: **OV3-06-02, David Malin, representing Vestar Development Co.**, requests approval of a Master Sign Program involving a 114 acre shopping center known as the Oro Valley Marketplace, located within Rancho Vistoso Neighborhood 4 at the southwest corner of the Tangerine and Oracle Roads intersection, parcels numbers 21920052m, 22004006f, and 22004008r.

EXECUTIVE SUMMARY OF APPLICATION:

Nature of Application:

The applicant has submitted a proposal to be exempted from the existing Rancho Vistoso Planned Area Development Sign standards (OV3-06-03). The PAD Exemption and Master Sign Program (MSP) are being reviewed concurrently; however, approval of the MSP is contingent upon approval of the PAD Exemption.

The applicant is requesting approval of a Master Sign Program (MSP). Under OVZCR Chapter 28.2.B.2, a MSP is defined as, "an alternative to the sign regulations…which provides latitude in order to achieve variety and good design…MSP requires review by the Development Review Board and approval by the Town Council."

Per the OVZCR, MSP review shall be guided by the following criteria:

- Overall presentation of the entire development, including landscaping, architecture, topography, uses and design.
- Compliance with the criteria specified in Addendum A.C.4 and the purpose statements of Chapter 28 of the OVZCR Signs.
- Any other applicable information that may be useful in the overall presentation of the proposed criteria for the development.

A Master Sign Program is a site specific design that allows the applicant a certain degree of latitude to achieve a unique design that would otherwise not be possible within the standards of OVZCR Chapter 28 Signs. The attached table provides a summary of requested exceptions to particular standards of the OVZCR. The applicant has submitted supporting documentation within the packet labeled, "Master Sign Program Outline".

Current Site Conditions:

The site is vacant. There has been considerable ground disturbance over the years due to ranching, farming, construction/expansion of Tangerine and Oracle Roads and associated drainage facilities, incorporation of onsite roads and berming intended to divert water, and municipal use (Town water facilities). The extent of ground disturbance, particularly due to farming and road construction (onsite and offsite), has significantly altered the hydrological and vegetative characteristics of the site.

Overview of Improvements:

- 48 commercial spaces divided into office, pads (retail & restaurant), majors (retail & one movie theater)
- Approximate building square footage: 868,766 s.f.
- 29 lot commercial subdivision
- 4 lane "Private Loop" road with medians adjacent to Big Wash that serves as the primary traffic route for the project. Loop Road connects Tangerine Road/Innovation Way intersection and Oracle Road
- OV Police Substation and Bus Transit Facility
- Restoration of a portion of Big Wash (owned by Pima County) that was previously disturbed and utilized as a farm field and creation of an onsite riparian area that bisects the site.

BACKGROUND

Approvals to Date

1/10/06: Development Review Board approval of the Landscape Plan
2/15/06: Town Council Approval of the Preliminary Plat and Development Plan
5/3/06: Town Council Approval to grant a Preliminary Plat extension to 2/15/08
6/29/06: Development Review Board Approval of a Master Architectural Concept Plan
9/14/06: Development Review Board Approval of Building Group #1 Architecture
11/1/06: Town Council Approval of the Final Plat

Surrounding Land Uses

Orientation	*Zoning*	*Land Use*
North	RV PAD, Campus Park Industrial	Tangerine Road Future Offices NW Medical Facility
South	R1-144	Mesquite Bosque (Town property) and Big Wash (County property)
East	State Right-of-Way County	Oracle Road Vacant & a home business
Southeast	State Right-of-Way La Reserve PAD	Oracle Road Rams Canyon Subdivisions
West	R1-144 PAD (min. lot size 8,000 s.f) R1-36 (min. lot size 36,000 s.f.)	Big Wash (County property) Catalina Shadows Palisades Pointe

ANALYSIS OF OVZCR 22.6.B DEVELOPMENT REVIEW CRITERIA

"In considering any application for development review, the Development Review Board shall be guided" by a specific list of criteria when deliberating. The following is a list of noteworthy criteria (in italics) followed by staff commentary:

1. *The Development Review Board shall examine the application to insure that all provisions of this Code and all other Codes, master plans, general plans and standards of the Town shall be complied with where applicable.*

A. General Plan

Policy 2, Signage: Increased commercial activity has added signage throughout the Town. Signage controls have to balance citizen concerns about the increasing level of signage with the needs of businesses to attract customers.

The applicant's proposal creates a unique situation where the front of the tenant spaces faces the neighborhoods to the west. To mitigate the impact of signage on the neighbors, the applicant has proposed the following mitigating steps:

- The approved building layout necessitates the placement of signage toward the loop road and the existing subdivisions.
- The parking field lighting will diminish the impact of signage; however, signage will be visible from Catalina Shadows and Palisades Pointe Subdivisions.
- Halo illumination for strategic locations (sides facing Big Wash and existing subdivisions) for Pads 10, 21, 22 27, 28, and 37 that abut the loop road.
- Signage is prohibited on Pads 46, 47, and 48 and Office Buildings 2, 5, 6, and 8 on facades facing Big Wash and the existing subdivisions.
- ST-2 signs (see sheet S-12 and S-13 of the applicant's submittal for location and design of this sign) are required to be placed perpendicular to the primary loop drive to minimize visibility from the existing subdivisions.
- Ground lighting has been prohibited for all signage internal to the project.
- Tenant wall signs lighting shall be turned off one hour after the business closes in compliance with the OVZCR.
- All internal freestanding signs will be turned off at 11:00 pm as required in the OVZCR. As a result, the sign lighting will be turned off near the same time that the parking lot lighting will be reduced. The parking lot lighting must be reduced as specified as part of Development Plan approval.
- In working with the DRB Sub-Committee on Signs, the proposed color spectrum has been reduced.
- Measures have been taken to ensure that all light sources are consistent in color and type.
- The largest buildings, which will have the largest signs, are positioned the maximum distance from the existing subdivision possible. Buildings with the smallest signs are positioned closer to the neighborhoods to the west.
- The size of the wall signs have been reduced beyond the norm utilized by Vestar in other projects. The largest wall signs are similar to the size found in the Rooney Ranch Shopping Center.
- Lower impact halo illumination and the combo of halo/internal illumination are being utilized where possible. Internal illumination will be utilized to achieve tenants' trademarked designs.
- Lighting originally proposed for the tops of the ST-2 and the ST-3 Signs (Please see sheet S-14-17 for design and potential locations) has been eliminated.
- No signage or lighting is permitted on the backs, which face the neighborhoods, of the 2-ST-1 (Please see sheet S-9-11 for design and location of this sign) signs.

- All Vestar projects have been permitted 4 sided signage for pad buildings. Vestar will comply with the request to limit signage to 2 sides, as specified in the OVZCR. This will lessen the impact of signage as the pads are closest to the adjacent subdivisions.

In sum, the mitigating measures have been incorporated to reduce the impact of signage on the nearby neighborhood communities, while also meeting the needs of the tenants. The applicant's proposal meets this General Plan policy.

B. OVZCR Compliance

2. The proposed development shall promote a desirable relationship of structures to one another, to open spaces and topography both on the site and in the surrounding neighborhood.

Justification for exceeding OVZCR Requirements

Please see the attached table for an overview of proposed exemptions. Noteworthy items are as follows:

1. Staff worked with the applicant on the design of the entryway signs (see sheets S-9, S-10 and S-11 of the applicant's proposal). The following mitigating circumstances were identified for the large signs:

- The property line along Tangerine Road is set approximately 200 feet back from the road.
- The ST-1 signs will identify the road as a private loop road for the shopping center and not a through street.
- Incorporating tenant panels will help identify the tenants within the center.

2. The applicant has proposed a greater number of Freestanding/Entryway signs (10 Proposed/3 allowed) than is permitted by the OVZCR. Staff feels this request is justifiable because of the number of tenants within the development. The impact of these signs on the surrounding neighborhoods has been mitigated by placing them perpendicular to the loop road.

3. The applicant has also proposed to increase the height of the vehicle directional signs from 3 feet (OVZCR standard) to 6 feet. The increase results in more compatible designs with ST-2 and ST-3 type signs. The increase in size is justifiable to achieve a consistent design.

4. The proposed wall sign sizes are greater than enabled by the OVZCR – as specified in the attached table. The increase is justified based on the following factors:

a. number of major tenants
b. lack of direct visibility from Tangerine and Oracle Roads
c. The proposed increase is commiserate with the area/sizes utilized in the Rooney Ranch Shopping Center

On the other hand, the need for increased signage is lessened by the following factors:

a. The speed limit on the loop road will be only 35 mph – rather than 50mph as found on Oracle Road.
b. Larger wall signs will have greater impacts on neighboring property owners

Compatibility within the development

The proposed MSP includes elements that are integrated with the proposed structures. The ST-2 signs are painted a color to match the proposed structures. The flat top of the signs further mimic the building façades.

Per the conditions of approval for the architecture, "The signage on the rear elevations must be positioned in a manner to be framed by specific architectural elements – which is subject to additional review upon submittal of the Comprehensive Master Sign Program." This condition has been added to Exhibit A and will make the applicant's proposal more compatible with the architecture.

The proposed color pallet will offer a set of contrasting colors to the building facades. Sign colors will then act as accents to the developments' architecture. The variety will reduce an overly monotonous look of the buildings, while the illumination will provide a form of consistency.

The proposed signage for Best Buy represents an exception from the rest of the MSP. The large "blue wedge" shape and color is not compatible with the approved architecture style. The applicant has made several revisions to the design that includes reducing the size of the blue background and moving the "blue wedge" to the back of the front canopy instead of having it forward. In addition, the proposed lighting utilized for the "ticket" is substantially less than the standard format.

The applicant is currently working toward reducing the area of the sign. There is an example (Scottsdale) in which Best Buy redeveloped a grocery store - and utilized a significantly smaller size and different shape of such "blue" treatment.

Surrounding Areas

Staff and the DRB Sub-Committee worked with the applicant to achieve a sign program that was sensitive to the neighbors. Please see page 3 of this report for a detailed list of mitigating measures.

Fiber Optics

In lieu of exposed neon, the applicant has requested to use fiber optics within the theater district. Exposed neon and similar applications are expressly prohibited under OVZCR Chapter 28.9. It is the Planning & Zoning Administrator's determination that the use of fiber optics is equivalent to using exposed neon. However, an alternative design recently proposed by the applicant using L.E.D.'s does conform. L.E.D. lighting is expressly authorized by OVZCR. The applicant has modified their submittal via a separate packet of information. A condition has been added to Exhibit A to incorporate this modification into the main submittal.

3. The character of the proposed design shall be in harmony with, and compatible to, those structures and signs in the neighboring environment and the design character adopted for any given area avoiding excessive variety or monotonous repetition.

The closest centers include Safeway Vistoso Plaza, the Rancho Vistoso Centers and Steampump Village. Safeway Vistoso Plaza and the Rancho Vistoso Center follow the existing Rancho Vistoso PAD Sign standards; however, these retail centers are approximately 10 acres each. The Oro Valley Marketplace is approximately

114 acres in size. Thus the Oro Valley Marketplace is about 10 times the size of these developments and will accommodate a significant number of major tenants.

Steampump Village permits a similar size of wall sign to Oro Valley Marketplace, similar number of freestanding/entryway signs, and the number of colors. In sum, the applicant's proposal is more compatible with the existing shopping centers found along Oracle Road that have a regional customer base—such as Oracle Crossings. None of the existing retail centers in Oro Valley are comparable in size, scope, and market relative to Oro Valley Marketplace.

4. In order to protect the visual serenity of the Town, design of signage should be based on trying to get the information across with the least signage possible.

The applicant's proposal will have an impact on the visual serenity of the adjacent subdivisions. The applicant has proposed several mitigating measures that are not found on any other Vestar developments. Please see page 3 for mitigating measures.

5. Promote the effectiveness of signs by preventing their over concentration, improper placement, excessive clutter, size and number.

Please see page 3 of this report for mitigating measures.

6. Signs, ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways shall be so designed as to promote safety and convenience.

The number of vehicle directional signs (see sheets S-16 and S-17) is set at 30. The design of the signs includes a reflective tape that would reduce the glare to incoming traffic. The applicant has included language in the MSP that requires site visibility triangles to be shown on all freestanding signs (see page S-4 and S-5). In sum, the applicant's proposal meets this standard.

7. Sign designs shall be in compliance with the purpose statements established in Chapter 28 All components of a development shall be in compliance with Addendum A Design Guidelines.

The applicant's proposal incorporates elements of the Addendum A, Design Guidelines. The proposal includes signage that is consistent. On the other hand, the color palette and the permitted lighting types are very broad—so there is little consistency.

DRB SUB-COMMITTEE ON SIGNS

The DRB Sub-Committee on Signs has met twice with the applicant. Consistent comments revolved around mitigating the impact of signage on the adjacent neighbors and Big Wash, the Best Buy "Blue Wedge", and signs on the back of the buildings.

The applicant has sought to address the impact of signage to the neighbors. For a list of mitigating measures, please refer to page 3 of this report.

The Sub-Committee members also wanted the applicant to reduce the impact of the "Blue Wedge" design, see page S-24 and S-26 of the applicant's submittal. Size of the "Blue Wedge" in comparison to its surrounding area was the main concern of the sub-committee members. The applicant has expressed that he is looking for an applicable compromise with the tenant and the DRB.

The Sub-Committee members also expressed their desire to have wall signs that face Oracle and Tangerine Roads be a uniform color, illumination and type font. The applicant's response is that they would prefer to keep various colors and fonts on the back of the building facing Oracle and Tangerine Roads.

SUMMARY OF FACTORS

Findings in Favor

1. Fits the type of the development and site constraints.
2. Conforms to the General Plan for balancing potential impacts on neighboring subdivisions and needs of businesses to attract customers.
3. Meets OVZCR Addendum A, Design Guidelines
4. Meets the purpose statement of OVZCR Chapter 28, Signs
5. Consistent design of Freestanding signs
6. Extensive Neighborhood mitigation.
7. Items that exceed code are justifiable due to site constraints and tenant needs.

Findings Against

1. Wall Signs will have an impact on the neighborhoods to the west
2. The color pallet and illumination types are broad and create a low level of consistency.
3. The package is not "based on trying to get the information across with the least signage possible."
4. A sign package could be utilized that complies with all OVZCR requirements.

RECOMMENDATION:

The "Finding in Favor" outweigh the "Findings Against". Staff recommends that DRB recommend approval to Town Council of the Master Sign Program for Oro Valley Marketplace subject to the conditions listed in Exhibit A.

SUGGESTED MOTIONS:

I move to recommend that Town Council Approve OV3-06-02, Master Sign Program for Oro Valley Marketplace.

OR

I move to recommend that Town Council approve OV3-06-02, Master Sign Program for Oro Valley Marketplace with the following additional condition(s):_____

OR

I move to recommend that Town Council deny OV3-06-02, Master Sign Program for Oro Valley Marketplace finding that: _____

Planning and Zoning Administrator

Attachment:

1. Applicant's Proposal
2. Table Comparing the Applicant's proposal to OVZCR and Rooney Ranch Standards
3. Exhibit A

C: TOV: Shirley Gay, Development Coordinator
Applicant: Paul Bleier, Fax (602) 395-0753
David Malin, Vestar Develepment, Fax (602) 955-2298
Mary Beth Savell, Lewis and Roca, Fax (520) 879-4724

Exhibit A
OV3-06-02
Oro Valley Marketplace Master Sign Program
Condition of Recommendation

1. The signage on the rear elevations must be positioned in a manner to be framed by specific architectural elements – which is subject to additional review upon approval of the Comprehensive Master Sign Program.
2. Remove all references to fiber optic illumination and replace with L.E.D. lighting.
3. Include the following in your final package:
    a. A Table of Contents.
    b. A composite table with all the sign types and specifications.

Comparison Table				
Sign Type	**Standard**	**Rooney Ranch**	**OVZCR Allowance**	**Oro Valley Marketplace**
Directory (Pedestrian)	Size	None	28 Square Feet	40 Square Feet
	Height	None	8 feet 8 inches	8 feet
	Illumination	None	Internal	Internal
Directional (Vehicular)	Size	4 Square Feet	5.66 SF	6 SF
	Height	3 Feet	3 feet	6 feet
	Illumination	Internal or Halo	Internal	Non-Illuminated
Entryway	Location	None	At the Main Entrance to Development.	At the entrance to the OV Marketplace
	Quantity	None	Total of Three Entryway/Freestanding	Two
	Size	None	32 square feet	300 Square Feet
	Height	None	Not to exceed the height of the entryway wall	24 Feet
	Illumination	None	Halo illuminated letter or direct lighting	Direct ground lighting and internally illuminated pan channel letters for the tenant panels. The "Oro Valley Marketplace" mounted on top of the canopy will be halo-illuminated using white L.E.D.
	# of tenant panels	None	None stated	12 tenant panels
Freestanding	Quantity	Nine	Total of Three Entryway/Freestanding	Eight Freestanding Signs
	Size	64 Square Feet	50 Square Feet	40 Square Feet
	Height	8 Feet	8 feet	8 feet

Sign Type	Standard	Rooney Ranch	OVZCR Requirements	Oro Valley Marketplace
	Illumination	Halo and internal illumination	Halo, internal or a combination	Internal illuminated with a white halo effect
	Number of Panels	Eight	6 Tenant Panels	5 Tenant Panels
Wall Signs	Quantity	No more than 2 elevations	No more than 2 elevations	No more the 2 elevations
	Illumination	White Halo, Logos may be internally Illuminated	Internal, Halo (white or amber)	Internal, Halo (white), and a combination of both internal and white halo
	Maximum Area	1.5/1 for tenants with more than 7,500 SF or more, and 1/1 for the front pads.	1/1 sign allowance for tenants less than 300 feet from the street, and 1.5/1 sign allowance for tenants greater than 300 feet from the street.	1.5/1 sign allowance
	Maximum Size	Tenants with more than 60,000 SF, 500 square feet of sign, Tenants with 15,000-59,000 SF, 300 square feet of signs Tenants with 7,500-14,999 SF, 200 square feet of signage.	150 square feet for tenants less than 300 feet from the street, and 200 square feet for tenants greater than 300 feet from the street.	Tenants with more than 50,000 SF, 500 Square Feet of signage, Tenants with 10,000-49,999 SF, 300 Square Feet of signage. Tenants with less than 9,999 SF, 200 Square Feet of Signage. Building Pads maximum size of wall signs is 200 Square feet.

MINUTES OF THE
ORO VALLEY DEVELOPMENT REVIEW BOARD
REGULAR MEETING
TUESDAY, NOVEMBER 14, 2006
ORO VALLEY COUNCIL CHAMBERS
11000 NORTH LA CANADA DRIVE

CALL TO ORDER: 6:00 p.m.

PRESENT:

Mike Zinkin, Chair
John Buette, Member
Harold Kandetzke, Member
Tom Gribb, Member
Scott Leska, Member
Shelley Solomon, Member

ALSO PRESENT:

Bayer Vella, Principal Planner
Joe Andrews, Civil Attorney
Paul Keesler, Development Review Division Manager
David Ronquillo, Senior Planner
Matt Michels, Senior Planner
Jonathan Lew, Planning Technician
Deanna Ruiz, Recording Secretary
Paul Loomis, Mayor
Terry Parrish, Vice Mayor
K. C. Carter, Councilperson
Al Kunisch, Councilperson

ABSENT: Marc Panas, Vice-Chair

MOTION: Member Gribb **MOVED** to approve OV3-06-03, Vestar Development requests approval of a PAD exemption for the sign requirements of the Rancho Vistoso Planned Area Development. Member Buette SECONDED the motion. Motion carried 6-0.

3. **OV3-06-02, David Malin, representing Vestar Development Co.**, requests approval of a Master Sign Program involving a 114 acre shopping center known as the Oro Valley Marketplace, located within Rancho Vistoso Neighborhood 4 at the southwest corner of the Tangerine and Oracle Roads intersection, parcels numbers 21920052m, 22004006f, and 22004008r.

David Malin, Vestar Development, 2425 E. Camelback Road, Phoenix, states that the timing of approvals for this project is critical.

Paul Bleiier, 2030 W. Desert Cove, Phoenix is the sign consultant for Oro Valley Market Place. Mr. Bleiier states there are 2 parts to the comprehensive sign plan. Free Standing Signage and Wall Mount signage.

Free standing signage is what you see driving around. Mr. Bleiier presents the following on Freestanding Signage:

- Color Palette
- Sign matrix
- Mitigation efforts

Mr. Bleiier continues with presentation showing location of signage through out the proposed Oro Valley Market Place.

ST 1 signs are located at the entrances of Tangerine and Oracle Roads. Mr. Bleiier shows the features of the entry ways stating that one location is 200-250 feet south of Tangerine road and is the entryway feature to the "Loop Road". This is a private road. The Loop Road feature is 5-6 lanes across going in both directions to move traffic in and out efficiently. The entry feature is an important part of our sign program. The entry way is meant to span the first entry point with a column that is anchored at the median with a matching column that provides the balance between the two. Above the top there are individual letters that will be backlit illuminated that will read Oro Valley Market Place. There is a 17 foot clearance below the canopy. Mr. Bleiier continues with slides explaining that this project is attempting to not make the roadway boring. There are no signs on the back sides and no forms of illumination will be on the back side. This should mitigate any kind of visual impact to the adjacent neighborhood across the big wash. Illumination will be turned off at 11pm or one hour after the movie theatre closes whichever is later. There would be 2 of this type of signage.

Ground illumination signs have been eliminated throughout the project except for these ST 1 signs. The fixtures will be fixed so as to not to allow the lighting to be manipulated by hand.

Mr. Bleiier defines the ST2 displays as Multi-tenant primary signage. This is meant to be placed on the private loop road adjacent to key driveway locations. This allows the developer to place the names of major tenants at the best point of entry from the driveway.

Mr. Bleiier explains the only illumination at night will be the names of the tenants with push through graphics. All lamps in these signs will be the same type. All of these signs are perpendicular to the roadway. They are located outside of the visibility triangle.
The applicant continues and reviews the mitigating efforts made by the applicant that include:

- Minimizing the viewing from the adjacent neighborhood
- All of these signs will be turned off at 11pm per town code
- No ground illumination will be added to these signs and they will only be internally illuminated.

Mr. Bleiier presents the Pedestrian Directories or ST 3. He begins by stating that locations have not been determined yet. These directories are three sided displays that will include a map, tenant listings, advertising display. The developer anticipates approximately 20 displays. These signs will turn off at 11pm, they will only be internally lit and the word Directory will be non-illuminating.

Continuing Mr. Bleiier discusses Traffic directional signage. These will be single face or double face and non-illuminated. They will utilize a reflective vinyl. These signs will be placed at traffic intersections and driveways to direct vehicular traffic throughout the project. The developer anticipates approximately 30 signs of this type.

Mr. Bleiier reviews the General Requirement section of the sign program, stating that this document is the "teeth" of the sign program. This document includes maintenance, enforcement, size regulations and notifies any applicant that Vestar has its own restrictions and any tenant must have approval of Vestar before requesting signage from the town.

Mr. Bleiier provides a variety of sign slides showing the different types of signs. Adding that the examples being shown do not reflect future tenants of the development, they are simply examples of types of signs.

The color palette is introduced by Mr. Bleiier. This color palette is for tenants that do not have trademarked signage.

Mr. Bleiier reviews the sign matrix.

The presentation continues with a review of the sign for Best Buy. Mr. Bleiier shows slides of how the size of this particular sign has been reduced. Showing slides of the sign as it appears lit at night Mr. Bleiier explains that Best Buy has agreed to use this type of backlit sign.

Mr. Bleiier presents signage at the rear elevation of the development. Stating that Sub-Committee members have requested that more tenant signs could be shifted to the rear walls and use the same color and font Mr. Bleiier expresses technical issues such as trademarks. He also states that tenants will have issue with what competitor is place on their particular wall space.

Tenant signage will be internally illuminated, backlit or a combination of both.
Building sign Matrix for shop tenants is reviewed by Mr. Bleiier as well as the shop elevations.

PAD and Office Tenant Signs are reviewed by the applicant. Locations of sign

In conclusion, Mr. Bleiier reviews the theatre signage. Explaining Building Signage, Image Panels, Posters and Electronic Informational signage that show movie times. LED lights will be used for the illumination of signage for the theatre.

Member Solomon questions the applicant on the reflectivity of the signs.

Member Leska asks if the blue background of Best Buy is a trademark and does it have to be the present size. The applicant responds that the ticket is the trademark and that the size of the blue area is dictated by Best Buy. Member Leska also states he prefers backlit lighting and has concern for the residents who live above the development. Mr. Leska expresses concern of signage that is at the entrance because of the lighting that will be used.

Chair Zinkin shares Member Leska's concerns. Stating that the only legal requirement is the Best Buy ticket and we (DRB) can only regulate size. DRB has the ability to eliminate the blue wedge of the Best Buy logo. Mr. Zinkin also requests that the reds in the color palette be negotiated away. Mr. Zinkin believes the storefronts should be similar to Rooney Ranch.

Member Buette asks the applicant what the minimum of directional signs will be. Applicant responds that there will be approximately 18-20 and possibly 24.

Applicant asks that the DRB formulate what the concerns are and the reasons behind the concerns and forward this to town council.

Member Leska, using Fry's food store at La Canada and Lambert as an example, states that national retailer has a faux look to their sign that blends with the community and desert and asks if the developer and Vestar is willing to use similar type of signage.

Applicant responds no. Applicant believes that during that time the town was requiring all signs to have a patina look. Subsequently, there have been court cases that have affirmed that trademark signs can be in their correct colors. He states that there a number of major retailers that are community members and want to be here they want to be a part of the community. The national company's will not agree to this. Applicant continues by explaining that if this is the direction that the Board is going any requests such as this must go back into the chain of schedule that Vestar is having with national retailers. If they (Major Retailers) say no, then Vestar starts making decisions.

Zinkin asks town attorney to clarify whether DRB is recommending or approving signage

Joe Andrews, Civil Attorney, responds that with regard to the sign criteria they (DRB) are only recommending approval.

Bayer Vella, Principal Planner, reports that the DRB has approval authority and the Master Sign Program is a legislative act.

Member Solomon requests that the applicant blends the culture with the commercialism and feels that it is not being addressed and challenges the national retailers to do so.

Applicant states that they will pass all concerns and comments to their clients.

Gribb states that there are two sides to this issue and that DRB has merely heard one side. He shares the concern of the member with regards to Best Buy but states he likes the rest of the plan and finds it attractive.

Jonathan Lew, Planner, introduces the staff report into record. Reviewing:

- Entryway Signage
- Freestanding Signage
- Computation of the area of the sign

Member Leska asks the applicant to explain push through graphics. Applicant explains.

Kandetzke asks for clarification on the exemption and Master Sign Program. Vestar has a written guideline for the Master Sign Program and Mr. Kandetzke asks how this conforms to the Oro Valley sign code.

Applicant responds the Master Sign Program is within the Oro Valley sign code.

Kandetzke asks if Rooney Ranch is within the code and staff says no.

Joe Andrews, Civil Attorney, says the applicant is asking for the DRB to review criteria that the applicant's signs may or may not be approved from no on into the future. They are asking for a code that the town will adopt.

Mr. Vella explains that there have been several meetings and over 120 hours of staff time and request DRB provide an approval with limited additions in Exhibit A

CALL TO THE AUDIENCE

Richard Ulmer, 1800 E. Andromeda Pl, feels that the entryway signage is going to cause an enormous traffic jam for the people turning into the market place off of Oracle Road particularly but also off of Tangerine Road. Strongly encourages doing away with these signs and use the sign that will be located in the loop road.

Brady Buckley, 11526 N. Civano Pl., Thanks Mr. Vella for taking time to go over the sign package and is in favor of the plan with the exclusion of the Best Buy sign.

Bill Adler, 10720 N. Eagle Eye Pl. believes that this plan violates the scenic corridor. He believes that this plan simply advertises. Reading the sign code section 28-45 paragraph C. There is no consistency of typeface, illumination or color. If you recommend that this complies with town council it does not. Change the architecture of the building rather than allow the sign to jut outward.

Doug McKee, 11836 Cassiopeia, I am a resident of Catalina Shadows and is in support of Mr. Ulmer and Mr. Adler. In addition requests clarification about illumination at the theatre. Is there a code on how late the thea· .an remain open? He feels that the illumination
Sign package has to be cor. .ered in combination with the parking lights. Does not understand why signs are needed after closure, as long as there is enough lighting for employees to leave.
Lastly, the signage package really does not impact the applicant's ability to start construction on this project; he recommends that DRB continue the item.

Close call to the audience.

Member Leska asks Mr. Vella to clarify Exhibit A.

Mr. Vella explains the following:

The signage on the rear elevations must be positioned in a manner to be framed by specific architectural elements.
The applicant has agreed to remove all references to fiber optic illumination and replace with L.E.D. lighting. The applicant has provided a letter that has been entered into record. Only backlit signage (halo illumination) may be utilized for wall signs – excluding the movie theatre signs.

MOTION: Member Leska **MOVED** to approve **OV3-06-02, David Malin, representing Vestar Development Co**, a Master Sign Program involving a 114 acre shopping center known as the Oro Valley Marketplace, located within Rancho Vistoso Neighborhood 4 at the southwest corner of the Tangerine and Oracle Roads intersection, parcels numbers 21920052m, 22004006f, and 22004008r, subject to conditions in Exhibit A and the following conditions, allow backlit lighting on the storefront only, excluding the theatre, and remove all store front signage facing Oracle and Tangerine Road, eliminate the blue wedge of Best Buy. Reduce the yellow tag to the smallest size possible.

Member Zinkin SECONDED the motion with a friendly amendment that the color palette eliminates Vivid Rose, Cardinal Red and Red. Member Leska accepted the friendly amendment to the original motion.

Member Kandetzke makes an additional friendly amendment to remove entryway pillar signage. Member Leska and Chair Zinkin accept the additional friendly amendment to the original motion.

The discussion continues with Member Gribb expressing concern that all shopping centers look the same in Oro Valley. He finds the signs boring.

Member Leska explains that he strongly does not want to have grotesque, loud ambient lighting.

Member Buette states that he will not support this motion.

VOTE

Member Buette	*Nay*
Member Kandetzke	*Aye*
Member Gribb	*Nay*
Chair Zinkin	*Aye*
Member Leska	*Aye*
Member Solomon	*Aye*

Motion carried 4-2

4. **Public Hearing, OV12-06-16A, Rick Engineering Company, representing Builders Land Holdings LLC.,** requests approval of a grading exception to exceed the Zoning Code cut and fill limitations, located on the northwest corner of La Canada Drive and Naranja Drive, Parcel 224-10-002B

Bruce Payton 1745 E. River Road, Rick Engineering. The applicant shows a slide presentation of the site and the current condition of the site. In addition, the slides show the following:

- Proximity to the current developments
- Site layout
- Cross sections showing east to west and north to south
- Depths of the cut and fill mapping of the site
- Proposed condition (Proposed Development Grade)

The applicant informs the DRB that the site has been previously graded and is a health hazard because of the inability of the area to drain properly.

Chair Zinkin asks if the golf cart pass will be adversely affected. The applicant responds that they are not proposing any fill within that channel. Mr. Zinkin asks the applicant who was responsible for the condition of the site and that he believed it was the town of Oro Valley.

The applicant responds that it is probably the result of the building of La Canada Road and he did not have a complete history.

TO: **HONORABLE MAYOR AND TOWN COUNCIL**

FROM: Bayer Vella, AICP and Jonathan Lew, Planning Technician

SUBJECT: **OV3-06-02, David Malin, representing Vestar Development Co.**, requests approval of a Master Sign Program for a 114 acre shopping center known as the Oro Valley Marketplace, located within Rancho Vistoso Neighborhood 4 at the southwest corner of the Tangerine and Oracle Roads intersection

EXECUTIVE SUMMARY OF APPLICATION:

Nature of Application:

The applicant has submitted a proposal to be exempt from the existing Rancho Vistoso Planned Area Development Sign standards (OV3-06-03). The PAD Exemption and Master Sign Program (MSP) are being reviewed concurrently; however, approval of the MSP is contingent upon approval of the PAD Exemption.

As defined within OVZCR Chapter 28.2.B.2, a Master Sign Program is "an alternative to the sign regulations...which provides latitude in order to achieve variety and good design..." In other words, it entails development of customized regulations that enable unique and site specific design -- not otherwise permitted by code. The attached table includes a summary of requested exceptions to particular zoning standards. The applicant has also submitted supporting documentation within the attached packet labeled, "Master Sign Program Outline".

The MSP process requires review by the Development Review Board and approval by the Town Council.

The OVZCR provides that the MSP shall be reviewed via the following criteria:

- Overall presentation of the entire development, including landscaping, architecture, topography, uses and design.
- Compliance with the criteria specified in Addendum A.C.4 and the purpose statements of Chapter 28 of the OVZCR Signs.
- Any other applicable information that may be useful in the overall presentation of the proposed criteria for the development.

Current Site Conditions:

The site is vacant. There has been considerable ground disturbance over the years due to ranching, farming, construction/expansion of Tangerine and Oracle Roads and associated drainage facilities, development of onsite roads, berming intended to divert water, and municipal use (Town water facilities).

Overview of Improvements:

- 48 commercial spaces divided into office, pads (retail & restaurant), majors (retail & one movie theater) Approximate building square footage: 868,766 s.f.
- 29 lot commercial subdivision
- 4 lane "Private Loop" road with medians adjacent to Big Wash that serves as the primary traffic route for the project. Loop Road connects Tangerine Road/Innovation Way intersection and Oracle Road

- OV Police Substation and Bus Transit Facility
- Restoration of a portion of Big Wash (owned by Pima County) that was previously disturbed and utilized as a farm field and creation of an onsite riparian area that bisects the site.

BACKGROUND

Approvals to Date

1/10/06: Development Review Board approval of the Landscape Plan
2/15/06: Town Council Approval of the Preliminary Plat and Development Plan
5/3/06: Town Council Approval to grant a Preliminary Plat extension to 2/15/08
6/29/06: Development Review Board Approval of a Master Architectural Concept Plan
9/14/06: Development Review Board Approval of Building Group #1 Architecture
11/1/06: Town Council Approval of the Final Plat
11/14/06: Development Review Board approval of Building Group #2 and #3 Architecture

Surrounding Land Uses

Orientation	*Zoning*	*Land Use*
North	RV PAD, Campus Park Industrial	Tangerine Road Future Offices NW Medical Facility
South	R1-144	Mesquite Bosque (Town property) and Big Wash (County property)
East	State Right-of-Way County	Oracle Road Vacant & a home business
Southeast	State Right-of-Way La Reserve PAD	Oracle Road Rams Canyon Subdivisions
West	R1-144 PAD (min. lot size 8,000 s.f) R1-36 (min. lot size 36,000 s.f.)	Big Wash (County property) Catalina Shadows Palisades Pointe

ANALYSIS OF OVZCR 22.6.B DEVELOPMENT REVIEW CRITERIA

"In considering any application for development review, the Development Review Board shall be guided" by a specific list of criteria when deliberating. The following is a list of noteworthy criteria (in italics) followed by staff commentary:

1. *The Development Review Board shall examine the application to insure that all provisions of this Code and all other Codes, master plans, general plans and standards of the Town shall be complied with where applicable.*

A. General Plan

Policy 2, Signage: Increased commercial activity has added signage throughout the Town. Signage controls have to balance citizen concerns about the increasing level of signage with the needs of businesses to attract customers.

To evaluate the impact of signage, the following is noteworthy:

- The size and extent of signage proposed is less than what is utilized at Vestar sites in the Phoenix area.
- The approved building layout necessitates the placement of signage toward the loop road and the existing subdivisions.
- The parking field lighting will diminish the impact of signage; however, signage will be visible from Catalina Shadows and Palisades Pointe Subdivisions.
- Halo illumination for strategic locations (sides facing Big Wash and existing subdivisions) for Pads 10, 21, 22, 27, 28, and 37 that abut the loop road has been incorporated.
- Signage is prohibited on Pads 46, 47, and 48 and Office Buildings 2, 5, 6, and 8 on facades facing Big Wash and the existing subdivisions.
- Multi-tenant monument signs (see sheets S-12 and S-13 of the applicant's submittal for location and design) are required to be placed perpendicular to the primary loop drive to minimize visibility from the existing subdivisions.
- Ground lighting has been prohibited for all signage internal to the project.
- Tenant wall signs lighting shall be turned off one hour after the business closes in compliance with the OVZCR.
- All internal freestanding signs will be turned off at 11:00 pm as required in the OVZCR. As a result, the sign lighting will be turned off near the same time that the parking lot lighting will be reduced. The parking lot lighting must be reduced as specified as part of Development Plan approval.
- In working with the DRB Sub-Committee on Signs, the proposed color spectrum has been reduced.
- Measures have been taken to ensure that all light sources are consistent in color and type.
- The largest buildings, which will have the largest signs, are positioned the maximum distance from the existing subdivision possible. Buildings with the smallest signs are positioned closer to the neighborhoods to the west.
- The size of the wall signs have been reduced beyond the norm utilized by Vestar in other projects. The largest wall signs are similar to the size found in the Rooney Ranch Shopping Center.
- Lower impact halo illumination and the combo of halo/internal illumination are being utilized where possible. Internal illumination will be utilized to achieve tenants' trademarked designs.
- Lighting originally proposed for the tops of the multi-tenant monuments and the Pedestrian Directory (Please see sheet S-14-17 for design and potential locations) has been eliminated.
- No signage or lighting is permitted on the backs, which face the neighborhoods, of the 2 entry feature signs (Please see sheet S-9-11 for design and location).
- All other Vestar projects have been permitted four-sided signage for pad buildings. Vestar will comply with the request to limit signage to two sides for this project, as specified in the OVZCR. This will lessen the impact of signage as the pads are closest to the adjacent subdivisions.

In sum, mitigating measures have been incorporated to reduce the impact of signage on the nearby neighborhood communities, while also meeting the needs of the tenants. It's a balance. The applicant's proposal meets this General Plan policy.

B. OVZCR Compliance

2. The proposed development shall promote a desirable relationship of structures to one another, to open spaces and topography both on the site and in the surrounding neighborhood.

Justification for exceeding OVZCR Requirements

Please see the attached table for an overview of proposed exemptions. Noteworthy items are as follows:

1. The entryway signs (see sheets S-9, S-10 and S-11 of the applicant's proposal) are unique. Each spans the enter opening/exit of the loop road. For this reason, they are significantly larger than the code standard (32 feet restriction versus 300 s.f. proposed). The following mitigating circumstances were identified:

- The property line along Tangerine Road is set approximately 200 feet back from the road.
- The entry way signs will clearly identify the road as a gateway to the shopping center - and not a through street.
- Tenant panels will help identify the tenants within the center.
- Halo illumination is proposed for the tenant panels and the "Oro Valley Marketplace" sign positioned over the road.

2. The applicant has proposed a greater number of freestanding/entryway signs (10 Proposed/3 allowed) than is permitted by the OVZCR. Staff feels this request is justifiable because of the number of tenants within the development. The impact of these signs on the surrounding neighborhoods has been mitigated by placing them perpendicular to the loop road.

3. The applicant has also proposed increasing the height of the vehicle directional signs from 3 feet (OVZCR standard) to 6 feet. The increase results in more compatible designs with other freestanding signs. The increase in size is justifiable to achieve readability and a consistent design.

4. The proposed wall sign sizes are greater than enabled by the OVZCR – as specified in the attached table. The increase is justified based on the following factors:

a. Number of major tenants
b. Lack of direct visibility from Tangerine and Oracle Roads (signage no longer proposed on major tenants and shops facing Tangerine or Oracle)
c. The proposed increase is consistent with the area/sizes utilized in the Rooney Ranch Shopping Center

On the other hand, the need for increased signage is lessened by the following factors:

a. The speed limit on the loop road will be only 35 mph – rather than 50 mph as found on Oracle Road.
b. Larger wall signs will have greater impacts on neighboring property owners

Compatibility within the development

Architecture:
The proposed MSP includes sign elements that are compatible with the proposed buildings. The structures supporting the signs include elements such as Vistoso Stone, architectural colors, and compatible architectural features.
The proposed signage for Best Buy represents an exception. The large "blue wedge" shape and color is not compatible with the approved architecture style. The applicant has made several revisions to the design - which includes reducing the size of the blue area - and relocating the "blue wedge" to the back of the front canopy - instead of forward. In addition, the proposed lighting utilized for the "ticket" has been substantially reduced – and does not represent the standard format as utilized at the Wetmore Road location.

Illumination:
The illumination proposed includes a variety of types: Internal (same type found at Oracle Crossings), Backlit/Halo (heavily utilized at Rooney Ranch), and combination Internal and Backlit/Halo (new concept in Oro Valley). The dominate lighting type will be internal.

The lighting types do not represent a particular theme. However, types have been organized in a manner to lessen impacts on adjacent subdivisions (southwest side of Big Wash). Buildings closest to Big Wash are restricted to halo illumination (elevation facing wash) or no signage at all (office pads to the west and restaurant pads to the very south).

Color:
The proposed color pallet does not represent a cohesive theme; however, it does strike a balance between business needs and Development Review Board desire to reduce the color spectrum.

Surrounding Areas

Please see page 3 of this report for a detailed list of neighborhood mitigation measures.

3. The character of the proposed design shall be in harmony with, and compatible to, those structures and signs in the neighboring environment and the design character adopted for any given area avoiding excessive variety or monotonous repetition.

The closest retail developments include the Safeway Vistoso Plaza, Rancho Vistoso Center, and Steampump Village. The Safeway Vistoso Plaza and Rancho Vistoso Center are regulated via the existing Rancho Vistoso PAD Sign standards; however, each is roughly 10 acres. As a regional shopping center, the Oro Valley Marketplace represents an entirely different retail commercial type. It is approximately 114 acres in size and will accommodate a significant number of major tenants.

Steampump Village is unique; however, it is similar to Oro Valley Marketplace in wall sign size, number of freestanding/entryway signs, and range of colors. In sum, the applicant's proposal is compatible with post-Rooney Ranch regional shopping centers found along Oracle Road— including Oracle Crossings. There is a significant caveat. None of the existing retail centers in Oro Valley are comparable in size, scale, and market.

4. In order to protect the visual serenity of the Town, design of signage should be based on trying to get the information across with the least signage possible.

The applicant's proposal will have an impact on the "visual serenity" of the adjacent subdivisions. The applicant has proposed mitigation measures as previously described.

Although the package doesn't represent the "least signage possible", it includes less signage than Vestar projects in the greater Phoenix area.

5. Promote the effectiveness of signs by preventing their over concentration, improper placement, excessive clutter, size and number.

Please see page 3 of this report for mitigation measures.

6. Signs, ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways shall be so designed as to promote safety and convenience.

Ample internal vehicle directional signs (see sheets S-16 and S-17) have been provided (maximum 30). The design is effective and of low impact (non-illuminated but visible due to application of reflective tape).

The applicant has included language in the MSP to insure that all site visibility triangles will be respected – so as not to impede the view of motorists.

In sum, the applicant's proposal meets this standard.

7. Sign designs shall be in compliance with the purpose statements established in Chapter 28. All components of a development shall be in compliance with Addendum A Design Guidelines.

Germane issues were previously addressed in this report. In sum, the proposal incorporates elements of the Addendum A, Design Guidelines

PUBLIC INPUT

There were comments provided by the public at the November 14, 2006, Development Review Board meeting. Issues of potential traffic congestion due to location of entryway signs, design of the Best Buy sign, general compatibility with Tangerine and Oracle overlay districts, and the times sign lighting will be turned off. Please see the attached draft minutes for additional information.

DEVELOPMENT REVIEW BOARD (DRB) ACTION

At their regularly scheduled meeting of November 14, 2006, DRB voted by a majority (4-2) to recommend conditional Town Council approval. Those who opposed the motion (Member Buette & Member Gribb) desired approval without some of the additional conditions applied by other members. The draft minutes are attached.

Member Leska moved to recommend that Town Council approve OV3-06-02, subject to the following staff conditions (#1-3) and additional conditions (#4-8, in italics and listed in the attached Exhibit A):

1. The signage on the rear elevations must be positioned in a manner to be framed by specific architectural elements – which is subject to additional review upon approval of the Comprehensive Master Sign Program.

2. Remove all references to fiber optic illumination and replace with L.E.D. lighting.
3. Include the following in your final package:
   a. A Table of Contents.
   b. A composite table with all the sign types and specifications.
4. *Only backlit signage (halo illumination) may be utilized for wall signs – excluding all movie theater signs.*
5. *Remove all storefront signage facing Oracle Road and Tangerine Road.*
6. *Reduce size or eliminate the blue face for Best Buy. Logo to be reduced as applicant suggested in the presentation – for Best Buy ticket only.*
7. *The color palette is to be revised by eliminating the following: Vivid Rose, Cardinal Red, and Red.*
8. *Remove signage from all entryway pillars.*

The applicant has addressed all staff and DRB conditions in the attached response letter. In sum, response/changes to the conditions are as follows:

- #1-#3 Compliance with all staff conditions has been achieved.
- #4 Applicant wishes to maintain the proposed lighting types. Changes were made to the entry way signs to incorporate backlit signage (halo illumination).
- #5 Signage has been removed for all major and shop tenant building facades facing Oracle and Tangerine Roads). Signage opportunities remain for pad and office buildings.
- #6 The applicant wishes to use the modified design presented to the DRB.
- #7 - The three colors specified have been deleted.
- #8 - Signage remains on the entryway pillars; however, illumination has been changed from internal to backlit (halo).

SUMMARY OF FACTORS

Findings in Favor

1. Development Review Board recommended conditional approval.
2. Fits the type of the development and site constraints.
3. Conforms to the General Plan by balancing potential impacts on neighboring subdivisions and needs of businesses to attract customers.
4. Meets OVZCR Addendum A, Design Guidelines
5. Meets the purpose statement of OVZCR Chapter 28, Signs
6. Consistent design of freestanding signs
7. Extensive neighborhood mitigation.
8. Items that exceed code are justifiable due to site constraints and tenant needs.

Findings Against

1. Wall Signs will have an impact on the neighborhoods to the west.
2. The color pallet and illumination types are broad and create a low level of consistency.
3. The package is not "based on trying to get the information across with the least signage possible."
4. A sign package could be utilized that complies with all OVZCR requirements.

SUGGESTED MOTIONS:

The Town Council may wish to consider one of the following suggested motions:

I move to [approve, approve with conditions, OR deny] **OV3-06-02, David Malin, representing Vestar Development Co,** request for an Oro Valley Marketplace Master Sign Program.

All staff conditions have been accommodated. The Development Review Board recommends any motion to approve **OV3-06-02,** be effective upon satisfaction of the conditions listed in Exhibit "A".

Planning and Zoning Administrator

Community Development Director

Acting Assistant Town Manager

Town Manager

Attachments:

1. Development Review Board Exhibit A
2. Applicant's Response to Exhibit "A"/DRB Conditions of Recommendation: 11/17/06
3. Development Review Board Minutes 11/14/06
4. Application Narrative
5. Master Sign Program
6. Table Comparing the Applicant's proposal to OVZCR and Rooney Ranch Standards

Copy: Shirley Gay, Development Coordinator
Paul Bleier, Fax (602) 395-0753
David Malin, Vestar Development, Fax (602) 955-2298
Mary Beth Savel, Lewis and Roca, Fax (520) 879-4724

Exhibit A
OV3-06-02
Oro Valley Marketplace Master Sign Program

1. ~~The signage on the rear elevations must be positioned in a manner to be framed by specific architectural elements – which is subject to additional review upon approval of the Comprehensive Master Sign Program.~~
2. ~~Remove all references to fiber optic illumination and replace with L.E.D. lighting.~~
3. ~~Include the following in your final package:~~
   a. ~~A Table of Contents.~~
   b. ~~A composite table with all the sign types and specifications.~~

4. *Only backlit signage (halo illumination) may be utilized for wall signs – excluding all movie theater signs.*
5. *Remove all storefront signage facing Oracle Road and Tangerine Road.*
6. *Reduce size or eliminate the blue face for Best Buy. Logo to be reduced as applicant suggested in the presentation – for Best Buy ticket only.*
7. ~~*The color palette is to be revised by eliminating the following: Vivid Rose, Cardinal Red, and Red.*~~
8. *Remove signage from all entryway pillars.*

Please note, conditions with strikethroughs have been fully addressed in the applicant's current submittal.

bleier INDUSTRIES

NOV 17 2006

To: Bayer Vella, AICP
Town of Oro Valley

From: Paul Bleier

Subject: Oro Valley Marketplace Master Sign Program
OV3-06-02
Response to Exhibit "A" / DRB Conditions of Recommendation

Date: 11/17/06

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1. The signage on the rear elevations must be positioned in a manner to be framed by specific architectural elements – which is subject to additional review upon approval of the Comprehensive Master Sign Program.

   Major and Shop Tenants with rear elevations facing Tangerine Road and Oracle Road will not be permitted to place wall signage on their rear elevations. We have removed drawings that illustrated signage on the rear elevations and have modified the written criteria and matrices accordingly.

2. Remove all references to fiber optic illumination and replace with L.E.D. lighting.

   Town Council (December 2006 v4.0) has been revised accordingly.

3. Include the following in your final package:

   a) A Table of Contents.
   Included as part of December 2006 v4.0 submittal.
   b) A composite table with all the sign types and specifications.
   Provided as a separate document.

4. Only backlit signage (halo illumination) may be utilized for wall signs – excluding all movie theater signs.

   No revision has been made. We respectfully ask that the Town Council consider and approve the methods of illumination specified in the DRB submittal (November 2006 v3.0).

5. Remove all storefront signage facing Oracle Road and Tangerine Road.

   See response to item 1 above.

6. Reduce size or eliminate the blue face for Best Buy. Logo to be reduced as applicant suggested in the presentation – for Best Buy ticket only.

   No revision has been made. We respectfully ask that the Town Council consider and approve one of the reduced scale versions that was presented to the DRB during the Powerpoint presentation. The options are now included as part of December 2006 v4.0 submittal.

7. The color palette is to be revised by eliminating the following: Vivid Rose, Cardinal Red, and Red.
   The color palette has been revised to comply with this recommendation.

8. Remove signage from all entryway pillars.

   No revision has been made insofar as removing the tenant copy from the ST 1 Entry features. However, revision was made in regard to the method of illumination. The DRB submittal requested pan channel, internally illuminated face lit copy. The December 2006 v4.0 submittal has been revised to permit only backlit "halo" illumination. We respectfully ask that the Town Council consider and approve the methods of illumination specified in this submittal.

Respectfully submitted,

Cc: David Malin, Vestar Development Co.

BLEIER INDUSTRIES, LTD.
2030 WEST DESERT COVE · PHOENIX, ARIZONA 85029 · (602) 944-3117 · FAX (602) 395-0753
e-mail: pbleier@bleierindustries.com

003-06-02

MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
December 20, 2006
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE

REGULAR SESSION AT OR AFTER 6:00 PM

ROLL CALL
PRESENT:

Paul Loomis, Mayor
Terry Parish, Vice Mayor
Paula Abbott, Council Member
K.C. Carter, Council Member
Helen Dankwerth, Council Member
Barry Gillaspie, Council Member
Al Kunisch, Council Member

EXECUTIVE SESSION AT OR AFTER 6:00 PM

MOTION: Council Member Dankwerth MOVED to go into Executive Session at 6:01 p.m. Motion Seconded by Council Member Kunisch. Mayor Loomis announced that in addition to the Town Manager, Town Attorney, and Town Clerk, Town Engineer Craig Civalier and Planning and Zoning Director Sarah More would attend the Executive Session. Motion carried, 5 - 0. (Vice Mayor Parish participated by telephone for a portion of the Executive Session. Council Member Abbott arrived at 6:05 p.m.)

MOTION: Vice Mayor Parish MOVED to adjourn the Executive Session at 6:25 p.m. Motion carried, 7 - 0.

RESUME REGULAR SESSION AT OR AFTER 7:00 P.M.

CALL TO ORDER
ROLL CALL
PRESENT:

Paul Loomis, Mayor
Terry Parish, Vice Mayor
Paula Abbott, Council Member
K.C. Carter, Council Member
Helen Dankwerth, Council Member
Barry Gillaspie, Council Member
Al Kunisch, Council Member

large shopping centers. She stated that the Development Review Board (DRB) voted to approve PAD exemption.

Sarah More presented the staff report explaining that approval of this item allows the consideration of a Master Sign Program (addressed in Item 6.)

Mayor Loomis opened the public hearing.

Ron Craig, 2206 E Sahuarita Wash Way -Urged the Council to not impose restrictive sign guidelines that would keep businesses from coming in to the Town, i.e. Best Buy signage. He suggested that the guidelines be flexible as the Oro Valley Marketplace will be a wonderful development for the Town's citizens and a boost to the tax base.

Lyra Done, 1554 W Carmel Point Drive- Urged everyone to continue to support the project and to work this out and get the project out of the ground.

Bill Adler, 10720 N Eagle Eye place- Stated that Rancho Vistoso PAD sign code anticipated a regional shopping center. Major differences revolve around quality not unique signage. He was supportive of Rancho Vistoso PAD sign guidelines.

Mayor Loomis closed the public hearing.

MOTION: A motion was made by Vice Mayor Terry Parish and Seconded by Council Member Helen Dankwerth to adopt Ordinance (O)06-25. MOTION carried, 5-2 with Council Member Carter and Council Member Abbott opposed.

6. **OV3-06-02 REQUEST FOR APPROVAL OF A MASTER SIGN PROGRAM INVOLVING A 114 ACRE SHOPPING CENTER KNOWN AS THE ORO VALLEY MARKETPLACE, LOCATED WITHIN RANCHO VISTOSO NEIGHBORHOOD 4 AT THE SOUTHWEST CORNER OF THE TANGERINE AND ORACLE ROADS INTERSECTION, PARCEL NUMBERS 21920052M, 22004006F, AND 22004008R**

David Malin, Vestar Development, presented the status of the Oro Valley Marketplace development and project schedule. He explained that they will be starting the tree salvage program in January and will hold a formal ground-breaking in March with the Center opening in September 2008 or sooner if possible. He then reviewed the site plan for the center and explained that the fronts of the buildings do not face the roads; therefore, signage is extremely important to the businesses that will be coming to this development.

Paul Blyer, Sign Consultant, reviewed the requested Comprehensive Master Sign Program, the entry-way feature that would serve as an identification sign to the site, mitigation efforts for lighting, elements of architecture, pedestrian and vehicular signage, site directories, building sign criteria, types of signage and

colors. He then reviewed the "Best Buy" signage and explained that the DRB recommended that the "Best Buy" blue wedge background be part of the Sign Package and not part of the building package. In order to make a concession for the blue wedge, Mr. Blyer recommended that the sign be back lit. He also presented three different sign sizes for Council's consideration.

In response to questions from the Council, Mr. Blyer stated that he expected no lighting on the back side of the theater because of the terrain. He further reviewed the site plan, distances from the road and Catalina State Park, etc.

Sarah More, Planning and Zoning Director, reviewed the staff report highlighting existing conditions with regard to setbacks, landscape buffering, entryway and freestanding signage, wall signs and the "Best Buy" blue-wedge signage. She explained that this project is unique due to the positioning of the site along Oracle Road. She then reviewed Exhibit "A" as revised. She summarized that this application has been through intense staff and DRB review and brings about a balance. DRB and staff recommend approval.

In response to Council Member Dankwerth's question regarding whether the Best Buy base's blue paint could be eliminated, Mr. Malin stated that he has never seen the wedge without it being painted blue in its entirety. He stated that it would be a big concession for Best Buy. Mr. Blyer reviewed the concessions as already agreed to by "Best Buy" and explained that they feel that the blue color under the canopy identifies their business to pedestrian traffic.

Mayor Loomis recessed the meeting at 9:28 p.m. Meeting resumed at 9:37 p.m.

Mayor Loomis opened the floor for public comment.

Ron Craig, 2206 E. Sahuarita Wash Way stated that Vestar has been very accommodating and this will be one of the most beautiful developments in southern Arizona. He stated that asking a major store to change their signage is not a good thing and Best Buy will be a major contributor.

Robyn Gerard, 37754 S. Boulder Wind Drive, Saddlebrooke, stated that residents can't wait to spend money at the Oro Valley Marketplace. She asked that the Council approve this item.

Dick Johnson, 10151 N Inverarry, stated that as we annex additional shopping areas, we will face signage issues. Signage seems to prevent retailers from coming into Oro Valley and we now need to ensure that Vestar comes into the Town. He urged Council to look at "color" issues and focus on the end result and look at what Vestar has done with the sign package.

Diane Kelly, 684 E Bridal Veil Falls, stated that the design of Oro

Valley Marketplace will directly impact her home. She urged Council to keep the special character of Oro Valley.

Kathy Pastryk, 11650 N. Europia Place, stated that she is critical of Vestar's sign package. She questioned the multi-color use at the entry way. She stated that the function of the signs can communicate with dignity without being obtrusive. She would like to see fewer colors, limit use of bright colors and stated that Oracle and Tangerine are endowed with stunning scenery and should be kept that way.

Bill Adler, 10720 N. Eagle Eye Place, stated that signage goes beyond variety and needs to be in good taste. It should be a pleasant experience and we need to use better judgment that that of a "strip mall". He stated that the Master Sign Program that is used should be in good taste. This one is not consistent in font, illumination and color.

John Musolf, 13716 N. Garland Cliff Drive, expressed concerns about "concessions" that were being offered, and stated that they were not concessions. He stated that the Council should be in control of the sign package not the developer or "Best Buy".

Gary Rieman, 1848 E Terrestrial Place, commented that it was unclear whether the building's sign lighting would be turned off at 11:00 p.m. and expressed concerns about lighting in the development.

Mayor Loomis closed the floor for public comment.

In response to questions from Council, Mr. Blyer stated that the Master Sign Package incorporates the Town's Code enforcement and signs must be turned of one hour after close of business. He also stated that all sign types not specifically modified fall back to Zoning Code guidelines. He also stated that the CC&Rs do not restrict hours of operation. Mr. Blyer further explained that the color and graphics represent particular stores and are important to the corporate world. He also reviewed color issues with regards to trademark and explained there are controls within their criteria that regulate size, etc.

MOTION: A motion was made by Vice Mayor Terry Parish and Seconded by Council Member Al Kunisch to approve OV03-06-02 Oro Valley Marketplace Master Sign Program. Agree that Items 1 - 3 are in compliance with all of the conditions; Item 4 - accept the applicant's desire to maintain proposed types of lighting; Item 5 - accept the applicant's desire that signage be removed from the backs of the buildings; Item 6-allow the modified smallest size sign for Best Buy (3 to 2 ratio); and acceptance that the three colors requested by the applicant to be deleted; and that the signage remain on the entryway pillars with backlit halo lighting; and that no signage shall be allowed on the rear of the theater.

MOTION carried, 5-2 with Council Member Paula Abbott and Council Member K.C. Carter opposed.

7. **OV12-06-14 REQUEST FOR APPROVAL OF A PRELIMINARY PLAT AND DEVELOPMENT PLAN FOR A COMMERCIAL DEVELOPMENT LOCATED WITHIN RANCHO VISTOSO NEIGHBORHOOD 3, INNOVATION CORPORATE CENTER-EAST, LOCATED NORTHEAST OF THE INTERSECTION OF INNOVATION PARK DRIVE AND TANGERINE ROAD, PARCEL NUMBER 223-02-021B**

Paul Oland, The WLB Group, 4444 E. Broadway, representing Venture West Construction LLC, reviewed the proposed site plan, Open Space trade, site vegetation, grading and drainage patterns, building setbacks, parking , bufferyard treatments, courtyard areas and proposed project architecture.

Discussion followed regarding pedestrian access (sidewalks and trails will be added), grading and parking.

Sarah More, Planning and Zoning Director reviewed the preliminary plat and development plan. She stated that the parcel is over 68 acres and is zoned C-1 and Industrial Park and the proposed uses fit into these zoning designations. She stated that some of the area that is being proposed for the Open Space trade is degraded and will be revegetated. She explained that there would be no encroachment into environmentally sensitive areas and this development is in substantial compliance with the Tangerine Overlay District. Public Works, Planning and DRB have reviewed the plan and recommend approval of the plan.

Mayor Loomis expressed concerns regarding lighting in the covered parking area and recommended shielding. Mr. Oland explained that there are very few lights in Venture West developments and they are below the allowed lumens.

Mayor Loomis recessed the meeting at 10:42. The meeting resumed at 10:48 p.m.

MOTION: A motion was made by Vice Mayor Terry Parish and Seconded by Council Member Paula Abbott to approve OV12-06-14 Preliminary Plat and Development Plan for the proposed commercial development located on proposed Lots 1 - 6, Rancho Vistoso Neighborhood 3, Innovation Corporate Center-East, accepting the open space trade, the Conditions listed in Exhibit A and the added condition that "any lighting for the covered parking shall be shielded to prevent spill over." Exhibit "A":

1. All trail alignments shall be depicted on the final plat.
2. No rip rap shall be used between the buildings.
3. The rip rap used in the channel shall be matched to natural rock on-site.
4. Provide at least 15 feet of clear zone/apron between the detention basin and the drain pipe as a scour area.

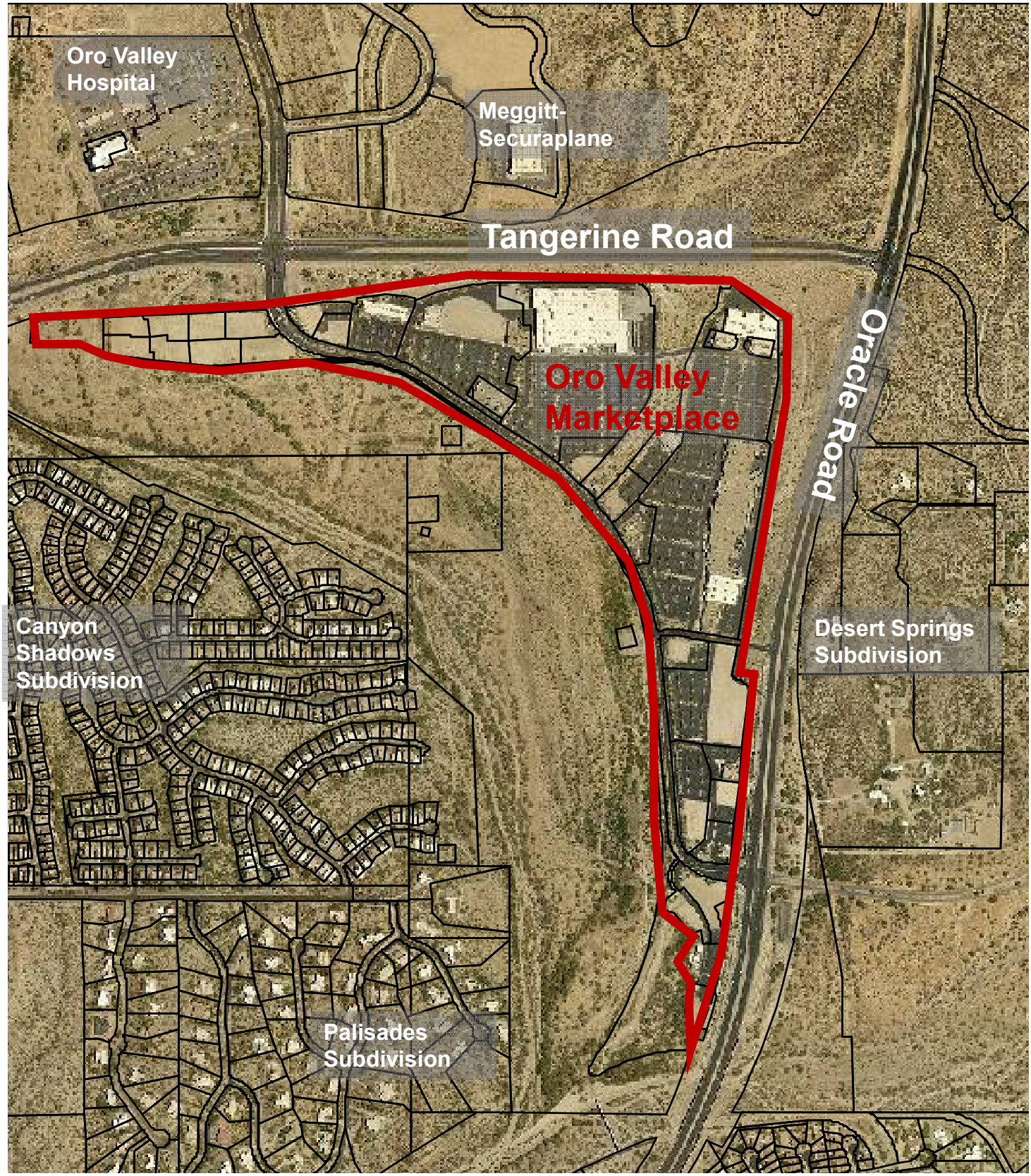
Example of front building elevation signs
(no changes proposed)

Existing rear building elevations currently void of signs

Site Photos

Existing Site Conditions
Oro Valley Marketplace (OV314-004)

Attachment 3



Location Map

Oro Valley Marketplace (OV314-004)

Attachment 4

Existing Wall Signs on
Rear Elevations of Buildings

Commercial Developments

Signs on Rear Elevations

MSP Revision for Oro Valley Marketplace (OV314-004)

TC Attachment 2

7435 N. Oracle Rd., Suite 107
Oro Valley, AZ 85704
P: 520.297.2191
F: 520.742.7960
orovalleychamber.com

Chairwoman
Cathy Workman
Workman Insurance and Investments

Chair-elect
Alan Dankwerth
Market Considerations

Secretary
Marcia Ring
Tohono Chul Park

Past chair
Sarah Ritchie

Directors

Greg Durnan
Acacia IT

Ron Janicki
Arizona Small Business Association

Mark Mitchell
Quick Mitchell and Maisch CPAs

Kay Williams
Oro Valley Community Foundation

Wendy Wise
State Farm / Wendy Wise

Mary Carter
Oro Valley Hospital

Bruce Baca
Pima Federal Credit Union

Toni Dorsey
AAA of Arizona

Randy Karrer
Golder Ranch Fire District

Amy Lee
Arizona Daily Star

Ex-officio

Amanda Jacobs
Town of Oro Valley

Feb. 9, 2015

Members of the Conceptual Design Review Board
Town of Oro Valley staff

Ladies and gentlemen,

The Greater Oro Valley Chamber of Commerce is in support of the **master sign program revision** for **Oro Valley Marketplace,** Item 2 on your agenda Tuesday evening.

In the interest of full disclosure, property owner **Vestar** is a member of our Chamber, as are tenants **Wal-Mart SuperCenter, Century Theatres, Blue Banana Frozen Yogurt, Tangerine Dental** and **State Farm / Wendy Wise.**

Allowance of signage on the rear elevations of buildings facing Oracle and Tangerine would **meet zoning requirements**, and be **equivalent to the rights** afforded other Oro Valley businesses. Rear-wall signage is a common retail practice throughout Southern Arizona. **This is in part an issue of fairness.**

Rear-wall signs would do **no harm to the general public.** Signs would be visible to motorists on Tangerine and Oracle roads, but not visible from nearly all existing residences.

Nearly 10 years ago, in 2006, current permissions were granted to Oro Valley Marketplace by town government. The competitive landscape has changed markedly in those nine years. It is a challenging environment, and becoming moreso with new retail activity south of the Marketplace, and along I-10.

The Marketplace has **shining, successful businesses**, but others that **need more traffic**. Last month, 2 Marketplace businesses closed. It is our understanding that others want to lease space in the Marketplace, but they want **assurances of rear-wall signage.**

Please remember the **greatest threat** to any shopping center, and by association to its community, is **empty glass.** Empty storefronts decay, and make business more difficult for all neighbors. Active storefronts improve life for business and community alike.

We **respectfully request those permissions be granted**, so that Oro Valley Marketplace can **step closer to its full potential.**

Thank you for your time and your service.

Dave Perry
President / CEO
Greater Oro Valley Chamber of Commerce

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

Meeting Date: 03/04/2015
Requested by: Bayer Vella
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

PUBLIC HEARING: ORDINANCE NO. (O)15-07, REZONING 16.3 ACRES NEAR THE NORTHWEST CORNER OF LA CAÑADA DRIVE AND TANGERINE ROAD FROM R1-144 TO R1-7 AND APPROVING ONE ESL FLEXIBLE DESIGN OPTION FOR A MODIFIED REVIEW PROCESS

RECOMMENDATION:

The Planning and Zoning Commission recommends denial.

EXECUTIVE SUMMARY:

This is a request to rezone a 16.3-acre property, located near the northwest corner of Tangerine Road and La Cañada Drive (see Attachment 5), from R1-144 (large lot residential) to R1-7 (medium density residential). The request includes one flexible design option enabled by the Environmentally Sensitive Lands (ESL) regulations: modified review process.

The Tentative Development Plan (contained within Attachment 2) proposes 37 lots on 16.3 acres and a minimum lot size of 8,000 sq. ft.

On February 3, 2015, the Planning and Zoning Commission considered the item and recommended denial based on the finding that the proposed development is not compatible with the larger lots to the north and west of the property. A number of adjacent residents spoke at the public hearing and the comments received focused on:

- The abrupt transition in land use that the rezoning would create with large lots to the north and west.
- The impacts the proposed development would have on existing wildlife, traffic patterns and rural characteristics of the surrounding area (i.e. equestrian uses, unimproved roadways, use of all-terrain vehicles, etc.).
- Preserving existing views from the west and locations of 2-story homes.

In response to the Commission's and residents' concerns, the applicant has proposed the following conditions of approval (Exhibit “B” in Attachment 1):

- Homes along the west property line shall be restricted to eighteen ft. in height, 1-story as depicted in Attachment 3.
- The proposed trees shown in the western landscape buffer yard on the Conceptual Landscape Plan shall be mature Velvet Mesquites. A copy of the Conceptual Landscape Plan is included as Attachment 4.

BACKGROUND OR DETAILED INFORMATION:

The applicant proposes to rezone the property to R1-7 to develop a 37 lot single-family residential subdivision on 16.3 acres.

Current Site Conditions

- 16.3 acres
- Property is vacant
- Zoning is R1-144

Land Use Context

The existing land use and zoning designations for the property and the surrounding area are summarized below and depicted in attachments 5 and 6.

	LAND USE	ZONING DESIGNATION
SUBJECT PROPERTY	Vacant	R1-144 (Large Lot Residential)
NORTH	Single-family residential 3-plus acre lots	Pima County Suburban Ranch (Large Lot Residential)
WEST	Single-family residential 3-plus acre lots	Pima County Suburban Ranch (Large Lot Residential)
EAST	Vacant (future technology/commercial park)	T-P and C-1
SOUTH	Vacant (future technology/commercial park)	C-1

Approvals-To-Date

- The property was annexed in 2004 and zoned R1-144.
- In 2014, a Major General Plan Amendment was approved for Medium Density Residential (2.1 – 5.0 du/ac.) with a maximum of 2.5 homes per acre.

General Plan Conformance

Rezoning applications must conform with the General Plan Future Land Use Map. The proposed density of 2.27 homes per acre is below the density maximum of 2.5 homes per acre established under a Major General Plan Amendment case in 2014. The application has been reviewed for consistency with the General Plan Vision, Goals and Policies and a detailed analysis is provided in the Planning and Zoning Commission staff report (Attachment 7).

Zoning Code Conformance

The applicant's request conforms to the applicable development standards (i.e. lot sizes, lot widths, building heights, etc.) of the R1-7 zoning district.

ESL Open Space Conformance

The property contains the following ESL Conservation Categories:

- Critical Resource Area: 95% open space requirement
- Resource Management Area Tier 2: 25% open space requirement

The proposed development provides the required 6.6 acres of Environmentally Sensitive Open Space (ESOS). More detail is provided in the Planning and Zoning Commission staff report (Attachment 7).

ESL Flexible Design Options

The ESL regulations enable flexible design options for conservation subdivision designs, as the intent is to encourage the preservation of 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 a developer when ESOS is applied to twenty-five (25%) or more of the property.

The applicant proposes 40% percent ESOS and has requested the use of a modified review process to allow for an administrative review and approval of a site plan, provided it conforms to the proposed Tentative Development Plan.

This request is reasonable because the current site design was represented during the General Plan Amendment process in 2013. The site design has been adequately reviewed by the neighbors and the Planning and Zoning Commission at four (4) neighborhood and three (3) Planning and Zoning Commission meetings (total for General Plan and rezoning applications). It is not apparent that the community would benefit from additional reviews at public meetings.

Planning and Zoning Commission Action

The proposed rezoning to R1-7 was heard by the Planning and Zoning Commission on February 3, 2015. The discussion at the public hearing focused on the abrupt transition (i.e. smaller lots) in land use that the rezoning would create with large lots to the north and west. The Commission reviewed the rezoning request for conformance with the Vision, Goals and Policies of the General Plan.

At the conclusion of the public hearing, the Commission recommended denial based on the finding that the proposed rezoning to R1-7 is not consistent with the Goals and Policies of the General Plan related to compatibility. The Commission felt that the proposed rezoning would create an abrupt land use transition, and therefore is not compatible with the rural areas to the north and west. The draft minutes from the Planning and Zoning Commission meeting are provided as Attachment 8.

Public Notification and Comment

Public Notice was provided by the following methods:

- Notification of all property owners within 600’ and extended area
- Homeowners Association mailing
- Advertisement in the Daily Territorial newspaper
- Posting on property
- Town Hall and website posting

Two (2) neighborhood meetings were held, the first on July 28, 2014, with three (3) residents and the second on October 29, 2014, with eight (8) residents in attendance. The main issues discussed at the meetings included: access, view preservation and the project’s compatibility with the rural areas to the north and west. The neighborhood summary notes are provided as Attachment 9.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to adopt Ordinance No. (O)15-07, rezoning 16.3 acres near the northwest corner of La Canada Drive and Tangerine Road, from R1-144 to R1-7, including the use of the ESL modified review process, 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)15-07, finding that the proposed rezoning is not consistent with the General Plan due to _____.

Attachments

Attachment 1 - (O)15-07 Miller Ranch Rezoning

Attachment 2 - Applicant's Request

Attachment 3 - 1-story Restriction Exhibit

Attachment 4 - Conceptual Landscape Plan

Attachment 5 - Location Map

Attachment 6 - Zoning Map

Attachment 7 - PZC Report

Attachment 8 - PZC Draft Meeting Minutes

Attachment 9 - Neighborhood Meeting Summary Notes

ORDINANCE NO. (O)15-07

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING A REZONING REQUEST BY STACEY WEAKS OF NORRIS DESIGN FOR A 16.3 ACRE PROPERTY LOCATED NEAR THE NORTHWEST CORNER OF TANGERINE ROAD AND LA CANADA DRIVE TO BE REZONED FROM R1-144 TO R1-7 WITH CONDITIONS AND ALLOWING A FLEXIBLE DESIGN OPTION FOR A MODIFIED REVIEW PROCESS

WHEREAS, Stacey Weaks of Norris Design (the "Applicant"), applied for a rezoning from R1-144 to R1-7 for a property located near the northwest corner of Tangerine Road and La Canada Drive, also known as Miller Ranch, see map of property as depicted on Exhibit "A" attached hereto; and

WHEREAS, the gross site of the proposed rezoning is 16.3 acres; and

WHEREAS, the current zoning of R1-144 allows one lot per 144,000 square feet; and

WHEREAS, the Applicant wishes to change the zoning to R1-7 to develop a 37 lot single-family residential subdivision with a minimum lot size of 10,000 sq. ft. along the west boundary and 8,000 sq. ft. along the east boundary; and

WHEREAS, the Application also requests a flexible design option enabled by the Environmentally Sensitive Lands regulations: 1) modified review process; 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 February 3, 2015, the Planning & Zoning Commission recommended denial for rezoning the property from R1-144 to R1-7 and one flexible design option; and

WHEREAS, the Town Council has duly considered the Applicant's request for rezoning of a 16.3 acre property located near the northwest corner of Tangerine Road and La Canada Drive.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona that the rezoning and flexible design option requested by Stacey Weaks of Norris Design to a property located near the northwest corner of Tangerine Road and La Canada Drive 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 4th day of March, 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

Applicant's Conditions

1. Homes along the west property line as depicted in Exhibit "B-1" shall be restricted to eighteen (18') in height, 1-story.

2. The proposed trees shown in the western landscape buffer yard on the Conceptual Landscape Plan as depicted in Exhibit "B-2" shall consist of 36" box or greater Velvet Mesquites trees.

Planning Conditions

3. The applicant shall provide landscaping, screen wall or berm or other acceptable method along the north right of way line of Sunkist Road to shield vehicle headlight pollution into the adjacent property to the north as shown in Exhibit "B-3."

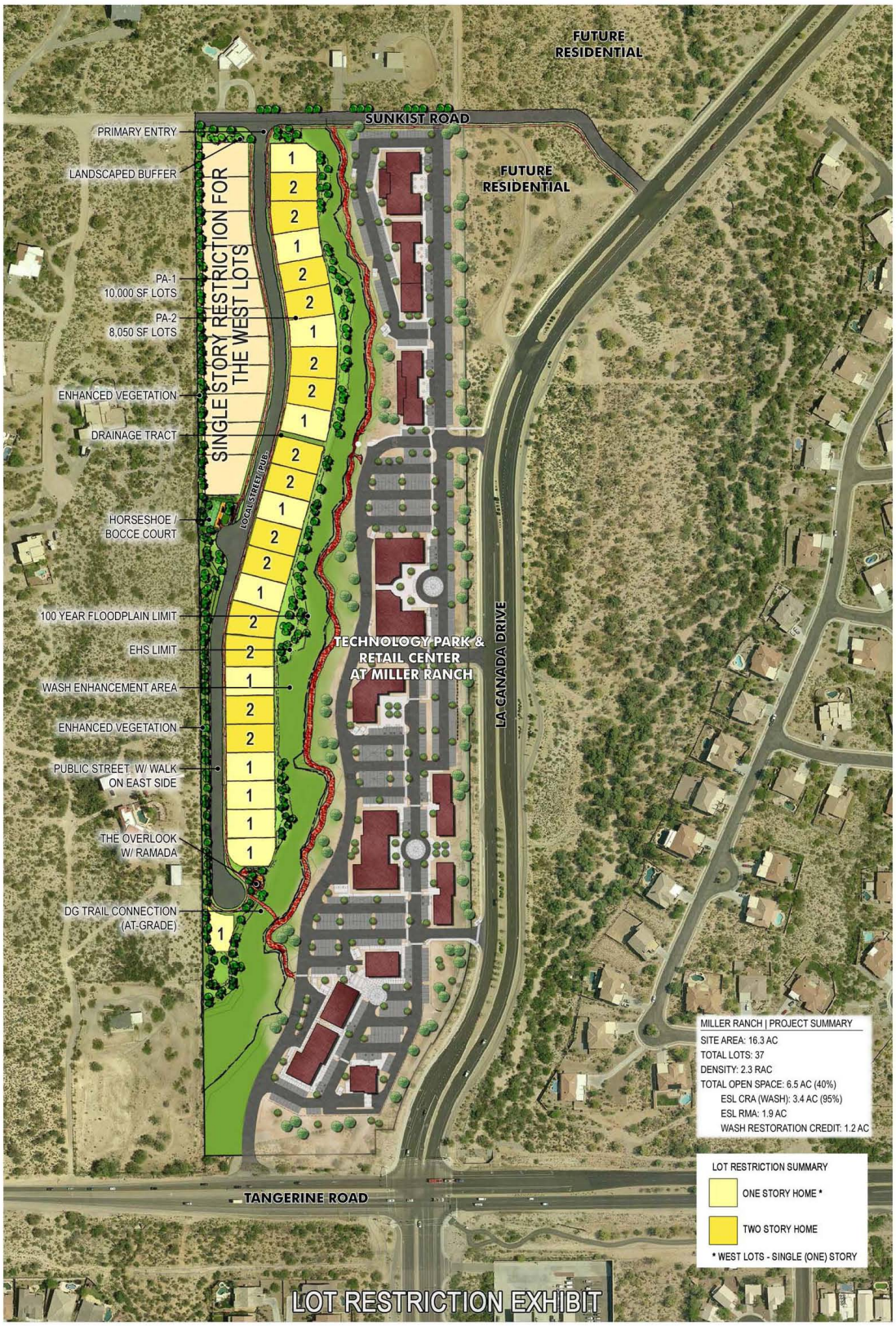
Engineering Conditions

4. During the Site Plan Process, modifications to the alignment of Sunkist Road may be required to provide adequate clear-zones and drainage access within the right-of-way.

5. Sunkist Road shall be constructed from La Canada Drive to the western property line of the development prior to final inspection for any residence. Sunkist Road improvements shall include construction of sidewalk along the south side of the street for the entire length of the improved Sunkist Road.

EXHIBIT "B-1"

1-story Lot Restriction



Note: Graphic is for Illustrative Purpose Only.

EXHIBIT "B-2"

Location of Mature Mesquite Trees

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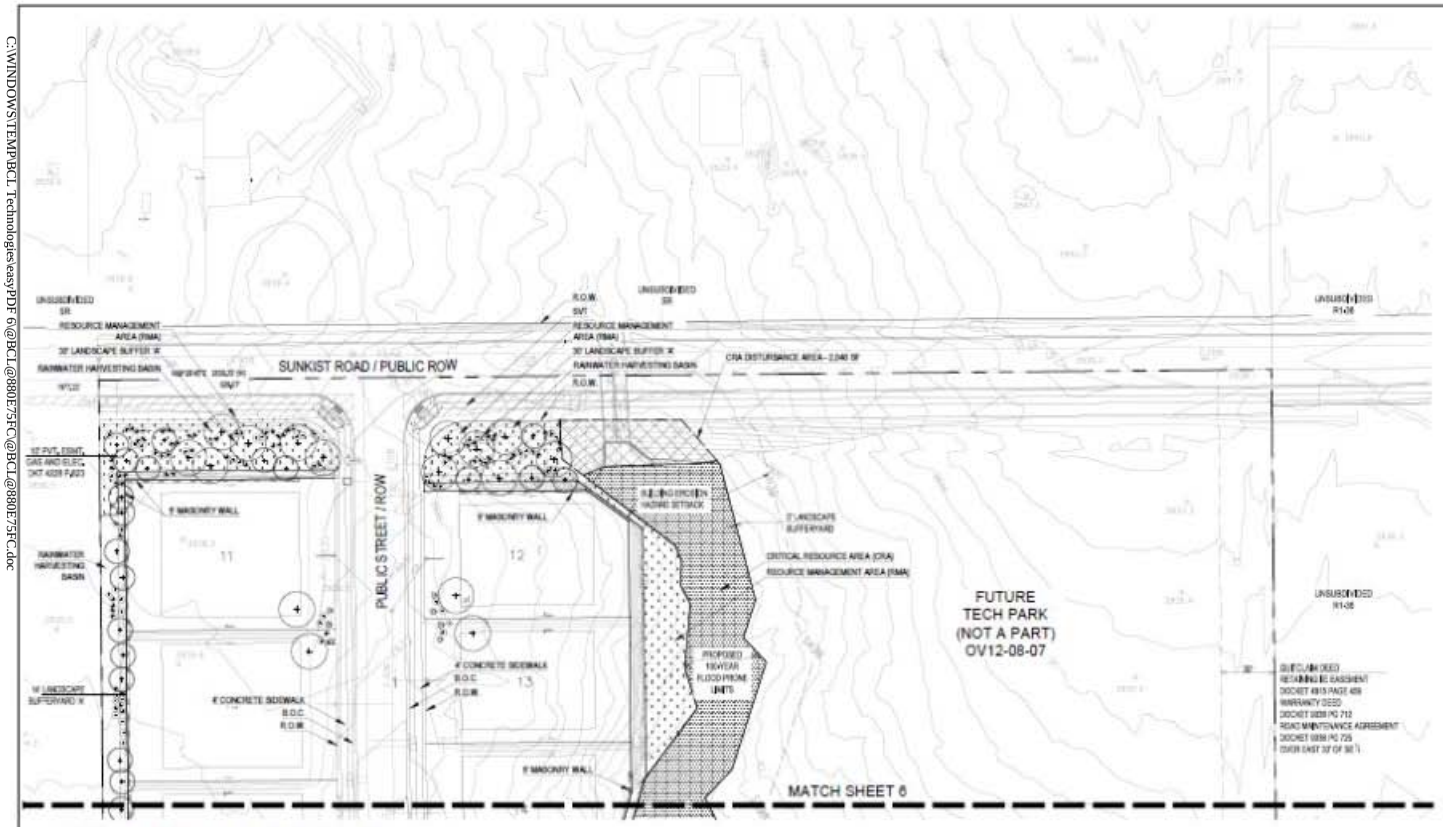


NORTH SCALE: 1" = 30'

PLANT SCHEDULE

SYM.	TYPE
PLANTS	
	Low Canopy Tree
	High Canopy Tree
	Shrub
	Accent/Cacti
	Groundcover
INERT GROUNDCOVER	
	1/2" Screened Rock
BOULDERS	
	Apache Brown boulders

SYM.	SIZE
	4'
	3'
	2'

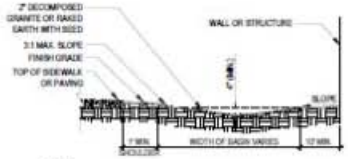
NOTE:
1. THE MATURE HEIGHT OF TREES PLANTED ALONG THE WESTERN BUFFERYARD SHALL NOT EXCEED 20' AND SHALL NOT INTERFERE WITH OVERHEAD LINES.
2. ONLY PLANTS CLASSIFIED AS WATER USE TYPE 1 SHALL BE PERMITTED IN STREET MEDIANS AND RIGHTS-OF-WAYS.

SYMBOL LEGEND

- CRITICAL RESOURCE AREA (CRA)
- RESOURCE MANAGEMENT AREA (RMA)
- CRITICAL RESOURCE AREA (CRA) WASH RESTORATION AREA
- CRITICAL RESOURCE AREA (CRA) ADDITIONAL WASH RESTORATION AREA
- CRA DISTURBANCE AREA
- ZONING BOUNDARY

REFERENCING MILLER RANCH COMMERCIAL CENTER AND TECH PARK: OV12-08-07

- DEVELOPMENT PLAN
- NATIVE PLANT PRESERVATION PLAN
- WASH RESTORATION PLAN
- LANDSCAPE PLAN



NOTE:
1. ON-SITE RAINWATER HARVESTING BASINS WHERE VER POSSIBLE

1 SECTION THRU WATER HARVESTING BASIN
SCALE: NTS

Town of Oro Valley Case # OV914-006

OV12-08-07, OV1113-003
Reference #: OV114-020, OV904-02

DATE: 5/13/2010	SITE ADDRESS	OWNER/DEVELOPER: DESCO-MILLER, LLC. 1726 E. SKYLINE DR #160 TUCSON, ARIZONA 85718 ATTN: JAMES HARDIMAN P: (520) 297-6629	ENGINEER: RICK ENGINEERING CO. 3945 E. FT. LOWELL ROAD, SUITE 111 TUCSON, AZ 85712 PH: 520-795-1000 ATTN: TRI MILLER EMAIL: TMILLER@RICKENGINEERING.COM
SCALE: 1:30			
C.I.: 1' INTERVAL			

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, T11S, R13E GSRBM TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

CONCEPTUAL LANDSCAPE PLAN
THE RESIDENCES AT MILLER RANCH
Oro Valley, Arizona
OV914-006

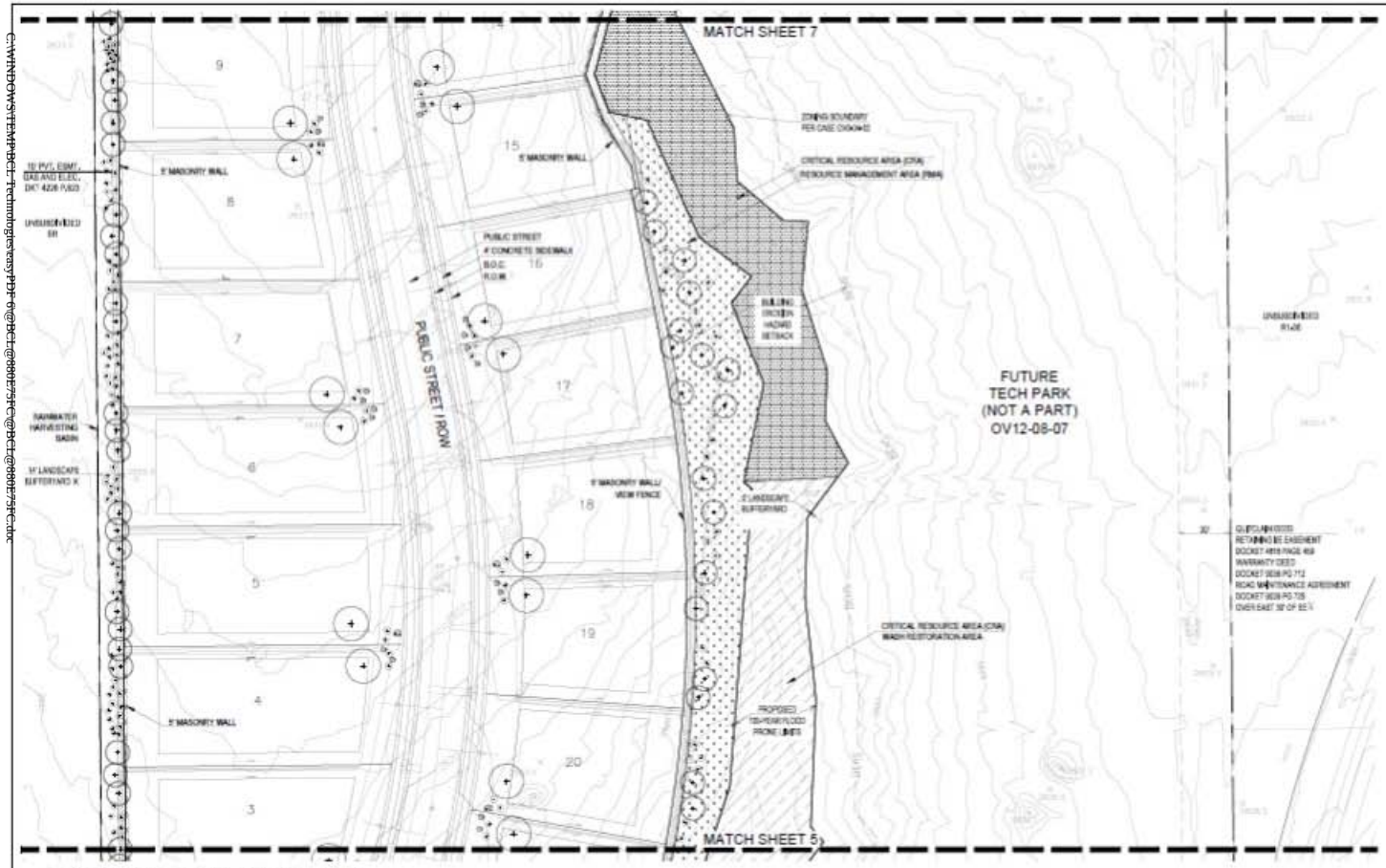
NOLUS DESIGN
Planning • Landscape Architecture
4974 Tyndall Ave. Tucson, AZ 85781
PH: 520-622-0668 nolus-design.com
Arch. Nancy Nolus

FOR AGENCY REVIEW NOT FOR CONSTRUCTION

NO.	DATE	REVISION	BY

1-800-782-3348

Town of Oro Valley Attorney's Office/ca/090507



NORTH SCALE: 1" = 30'

PLANT SCHEDULE

SYM.	TYPE
PLANTS	
	Low Canopy Tree
	High Canopy Tree
	Shrub
	Accent/Cacti
	Groundcover
INERT GROUNDCOVER	
	1/2" Screened Rock
BOULDERS	
	Apache Brown boulders

SIZE	MIN.
60"	4'
6'	3'
4'	2'

NOTE:
1. THE MATURE HEIGHT OF TREES PLANTED ALONG THE WESTERN BUFFERYARD SHALL NOT EXCEED 30' AND SHALL NOT INTERFERE WITH OVERHEAD LINES.
2. ONLY PLANTS CLASSIFIED AS WATER USE TYPE 1 SHALL BE PERMITTED IN STREET MEDIANS AND RIGHT-OF-WAYS.

SYMBOL LEGEND

- CRITICAL RESOURCE AREA (CRA)
- RESOURCE MANAGEMENT AREA (RMA)
- CRITICAL RESOURCE AREA (CRA) WASH RESTORATION AREA
- CRITICAL RESOURCE AREA (CRA) ADDITIONAL WASH RESTORATION AREA
- CRA DISTURBANCE AREA
- ZONING BOUNDARY

REFERENCING MILLER RANCH COMMERCIAL CENTER AND TECH PARK: OV12-08-07

- DEVELOPMENT PLAN
- NATIVE PLANT PRESERVATION PLAN
- WASH RESTORATION PLAN
- LANDSCAPE PLAN

Town of Oro Valley Case # OV914-006

OV12-08-07, OV1113-003
Reference #: OV114-020, OV904-02

DATE: 1/13/2015	SITE ADDRESS:	OWNER/DEVELOPER: DESCO-MILLER, LLC. 1736 E. SKYLINE DR #100 TUCSON, ARIZONA 85718 ATTN. JAMES HARDAMAN P: (520) 297-6629	ENGINEER: RICK ENGINEERING CO. 3945 E. FT. LOWELL ROAD, SUITE 111 TUCSON, AZ 85712 PH: 520-795-1000 ATTN: TRI MILLER EMAIL: TMILLER@RICKENGINEERING.COM
SCALE: 1:30			
C.I.: 1' INTERVAL			

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, T11S, R13E GSRM TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

CONCEPTUAL LANDSCAPE PLAN

THE RESIDENCES AT MILLER RANCH
Oro Valley, Arizona

OV914-006

NORIUS DESIGN

FOR AGENCY REVIEW NOT FOR CONSTRUCTION

NO.	DATE	REVISION	BY

1-800-782-5848
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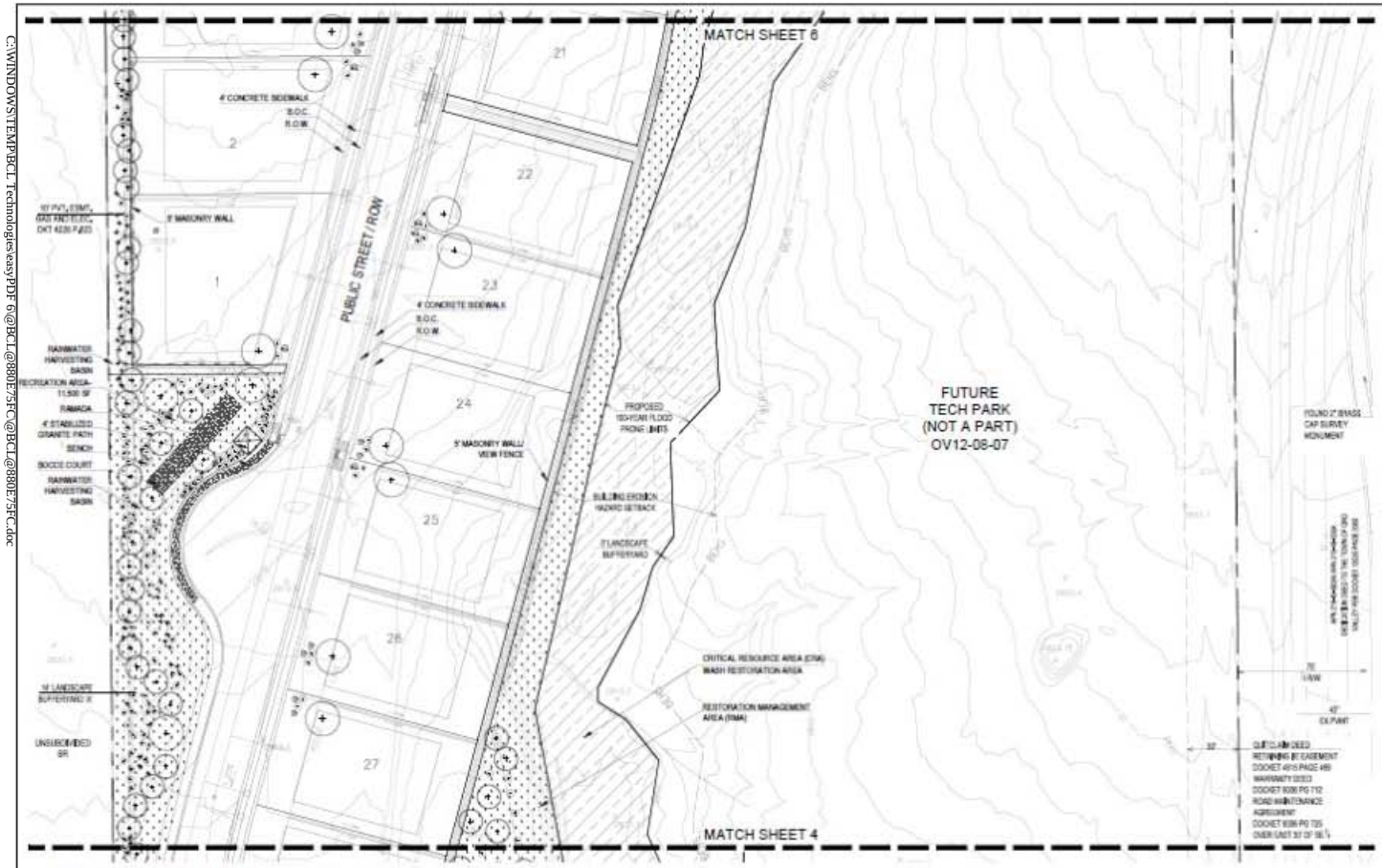
Town of Oro Valley Attorney's Office\cur\090507



NORTH SCALE: 1" = 30'

PLANT SCHEDULE

SYM.	TYPE
PLANTS	
	Low Canopy Tree
	High Canopy Tree
	Shrub
	Accent/Cacti
	Groundcover
INERT GROUNDCOVER	
	1/2" Screened Rock
BOULDERS	
	Apache Brown boulders

SIZE	QTY
48"	4
5'	3
4'	7

NOTE:

1. THE MATURE HEIGHT OF TREES PLANTED ALONG THE WESTERN BUFFERYARD SHALL NOT EXCEED 20' AND SHALL NOT INTERFERE WITH OVERHEAD LINES.
2. ONLY PLANTS CLASSIFIED AS WATER USE TYPE 1 SHALL BE PERMITTED IN STREET MEDIANS AND RIGHTS-OF-WAY.

SYMBOL LEGEND

- CRITICAL RESOURCE AREA (CRA)
- RESOURCE MANAGEMENT AREA (RMA)
- CRITICAL RESOURCE AREA (CRA) WASH RESTORATION AREA
- CRITICAL RESOURCE AREA (CRA) ADDITIONAL WASH RESTORATION AREA
- CRA DISTURBANCE AREA
- ZONING BOUNDARY

REFERENCING MILLER RANCH COMMERCIAL CENTER AND TECH PARK: OV12-08-07

- DEVELOPMENT PLAN
- NATIVE PLANT PRESERVATION PLAN
- WASH RESTORATION PLAN
- LANDSCAPE PLAN

Town of Oro Valley Case # OV914-006

OV12-08-07, OV1113-003
Reference #: OV114-020, OV904-02

DATE: 1/13/2016	SITE ADDRESS	DWNER/DEVELOPER DESCHABELLER, LLC 1795 E. SKYLINE DR #100 TUCSON, ARIZONA 85718 ATTN: JAMES HARTGRAVES P: (520) 297-6828	ENGINEER RICK ENGINEERING CO. 3945 E. FT. LOWELL ROAD, SUITE 111 TUCSON, AZ 85712 PH: 520-795-1000 ATTN: TRI MILLER EMAIL: TMILLER@RICKENGINEERING.COM
SCALE: 1:30			
C.I.: 1' INTERVAL			

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, T11S, R13E GSRM TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

CONCEPTUAL LANDSCAPE PLAN

THE RESIDENCES AT MILLER RANCH

Oro Valley, Arizona

OV914-006

NORRIS DESIGN

Planning • Landscape Architecture
4836 N. Park Ave., Tucson, AZ 85718
PH: 520.623.8202 norrisdesign.com
Art Stacy Norris

FOR AGENCY REVIEW NOT FOR CONSTRUCTION

NO.	DATE	REVISION	BY

1-800-782-5348

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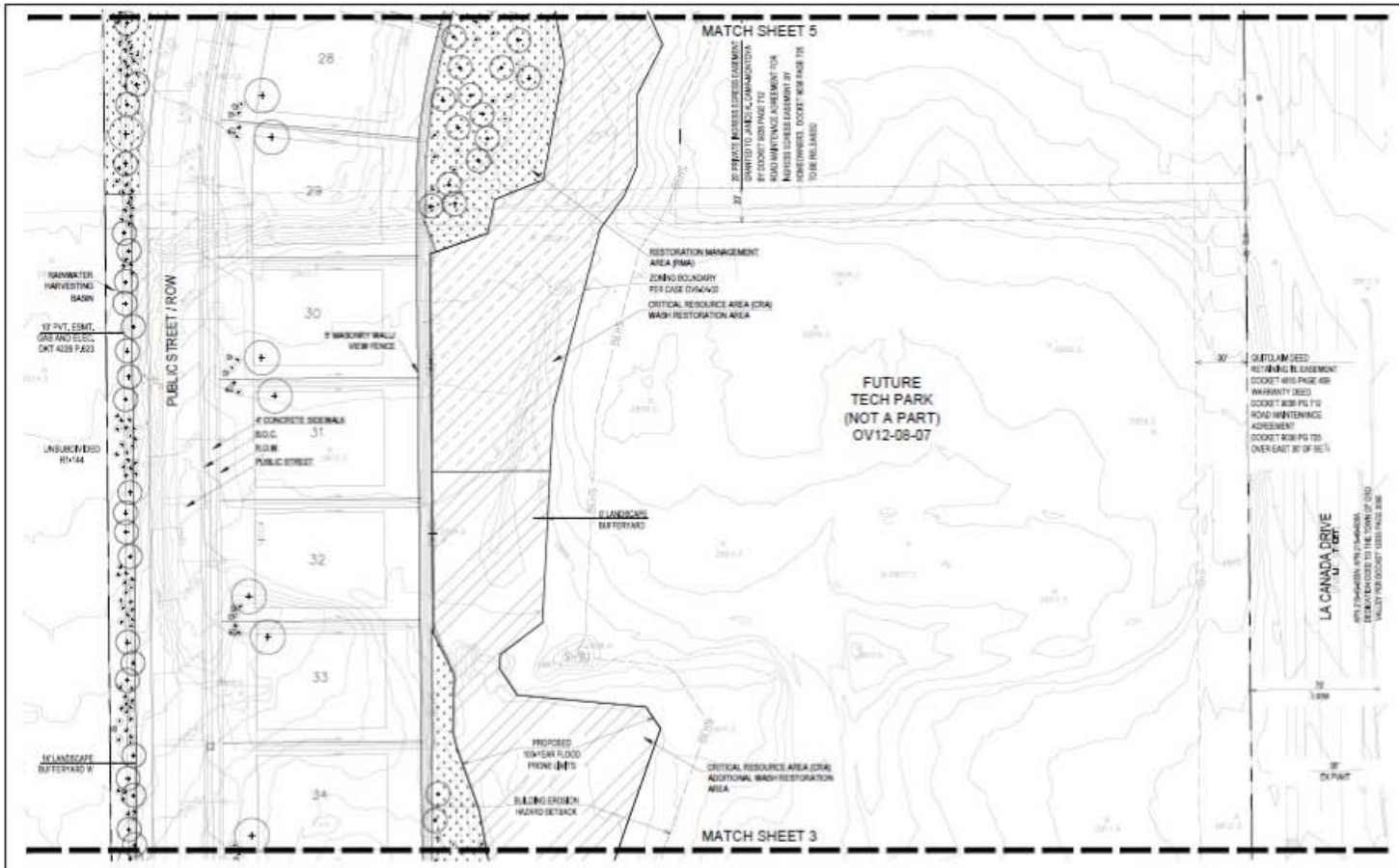
Town of Oro Valley Attorney's Office/ca/090507



PLANT SCHEDULE

SYM.	TYPE
PLANTS	
	Low Canopy Tree
	High Canopy Tree
	Shrub
	Accent/Cacti
	Groundcover
INERT GROUNDCOVER	
	1/2" Screened Rock
BOULDERS	
	Apache Brown boulders:
SYM.	SIZE
	4'
	3'
	2'

NOTE:
1. THE MATURE HEIGHT OF TREES PLANTED ALONG THE WESTERN BUFFERYARD SHALL NOT EXCEED 20' AND SHALL NOT INTERFERE WITH OVERHEAD LINES.
2. ONLY PLANTS CLASSIFIED AS WATER USE TYPE 1 SHALL BE PERMITTED IN STREET MEDIANS AND RIGHTS-OF-WAY.

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- CRITICAL RESOURCE AREA (CRA)
- RESOURCE MANAGEMENT AREA (RMA)
- CRITICAL RESOURCE AREA (CRA) WASH RESTORATION AREA
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- DEVELOPMENT PLAN
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- WASH RESTORATION PLAN
- LANDSCAPE PLAN

OV12-08-07, OV1113-003
Town of Oro Valley Case # OV914-006
Reference #: OV114-020, OV904-02

DATE: 1/13/2015	SITE ADDRESS	OWNER/DEVELOPER: DESCO-MILLER, LLC, 1700 E. SKY VUNE DR #100, TUCSON, ARIZONA 85718, ATTN: JAMES HARDEMAN, P: (520) 297-4825	ENGINEER: RICK ENGINEERING CO., 3945 E. FT. LOWELL ROAD, SUITE 111, TUCSON, AZ 85712, PH: 520-795-1000, ATTN: TRI MILLER, EMAIL: TMILLER@RICKENGINEERING.COM
SCALE: 1:30			
C.I.: 1' INTERVAL			

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, T11S, R13E GSB&M TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

CONCEPTUAL LANDSCAPE PLAN

THE RESIDENCES AT MILLER RANCH

Oro Valley, Arizona

OV914-006

NORUS DESIGN
Planning • Landscape Architecture
118 Ely Trail Ring Tucson, AZ 85701
Ph: 520 622 9000 norusdesign.com
Arch. Randy Norus

FOR AGENCY REVIEW NOT FOR CONSTRUCTION

NO.	DATE	REVISION	BY

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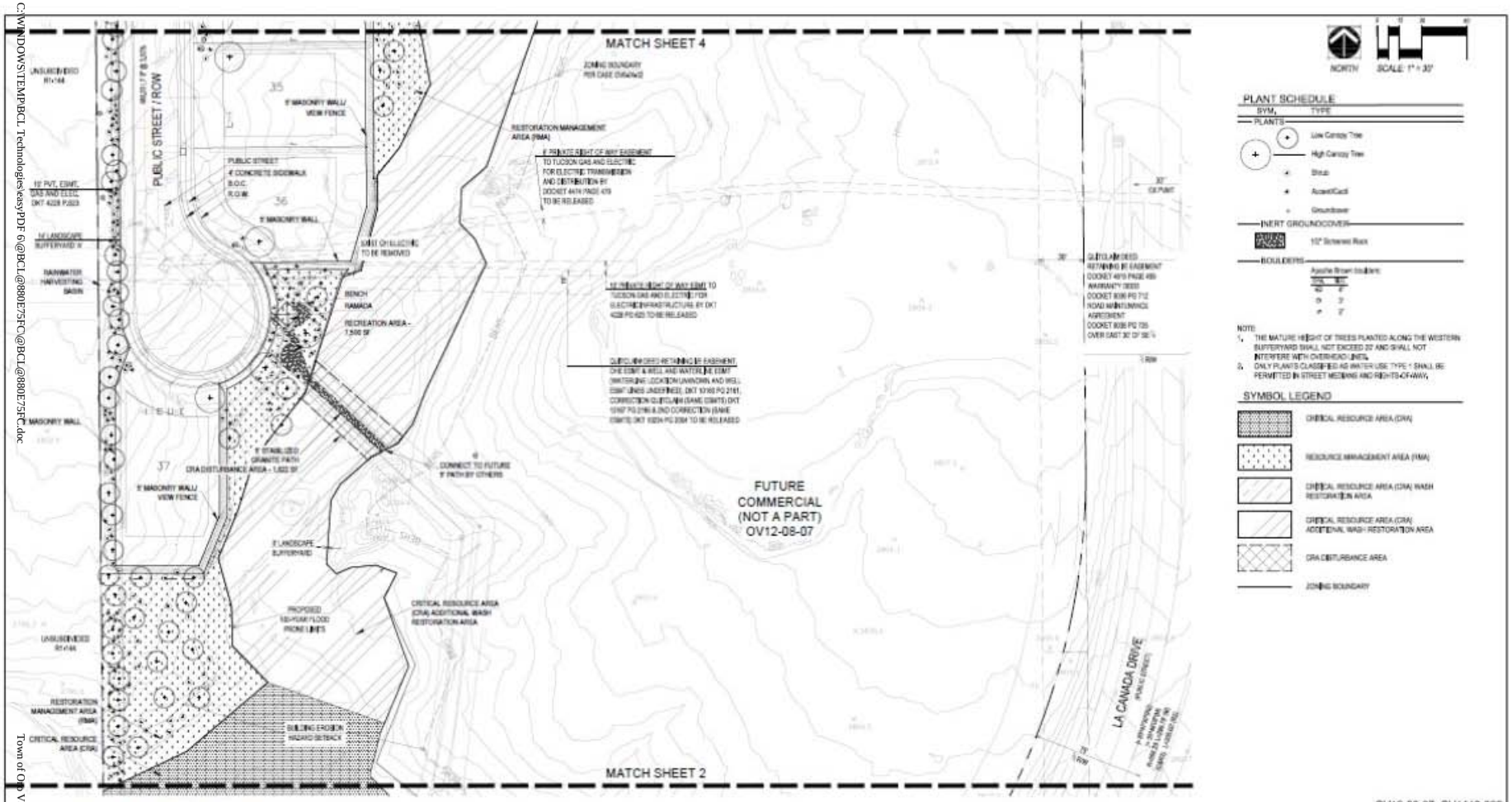

REFERENCING MILLER RANCH COMMERCIAL CENTER AND TECH PARK: OV12-08-07

- DEVELOPMENT PLAN
- NATIVE PLANT PRESERVATION PLAN
- WASH RESTORATION PLAN
- LANDSCAPE PLAN

OV12-08-07, OV1113-003

Town of Oro Valley Case # OV914-006

Reference #: OV114-020, OV904-02

DATE: 1/13/2016	SITE ADDRESS	OWNER/DEVELOPER: DENCO MILLER, LLC 1735 E. SKYLINE DR #160 TUCSON, ARIZONA 85718 ATTN: JAMES HAREMARI P: (520) 297-4629	ENGINEER: RICK ENGINEERING CO. 3945 E. FT. LOWELL ROAD, SUITE 111 TUCSON, AZ 85712 PH: 520-795-1500 ATTN: TRI MILLER EMAIL: TMILLER@RICKENGINEERING.COM
SCALE: 1:30			
C.I.: 1' INTERVAL			

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, T11S, R13E G&SRM TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

CONCEPTUAL LANDSCAPE PLAN

THE RESIDENCES AT MILLER RANCH

Oro Valley, Arizona

DISTRICT

NORRIS DESIGN

Planning • Landscape Architecture

FOR AGENCY REVIEW NOT FOR CONSTRUCTION

NO.	DATE	REVISION	BY

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Town of Oro Valley Attorney's Office\ca/09/07

EXHIBIT "B-3"

Screening along Sunkist Road

The Residences at Miller Ranch

Rezoning Application

OV914-006

Submitted to:
Town of Oro Valley
Development and Infrastructure Services
11000 N La Canada Drive
Oro Valley, Arizona 85737

Prepared for:
DESCO Southwest
1795 E. Skyline Drive, Suite 193
Tucson, AZ 85718

Prepared by:

418 North Tacle Avenue
Tucson, Arizona 85701
P 520.622.9565
F 303.622.8316
www.norris-design.com

NORRIS DESIGN

Submittal #3
January 13, 2015

ATTACHMENT 2

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PART 1 - INVENTORY AND ANALYSIS

A. Existing Land Uses

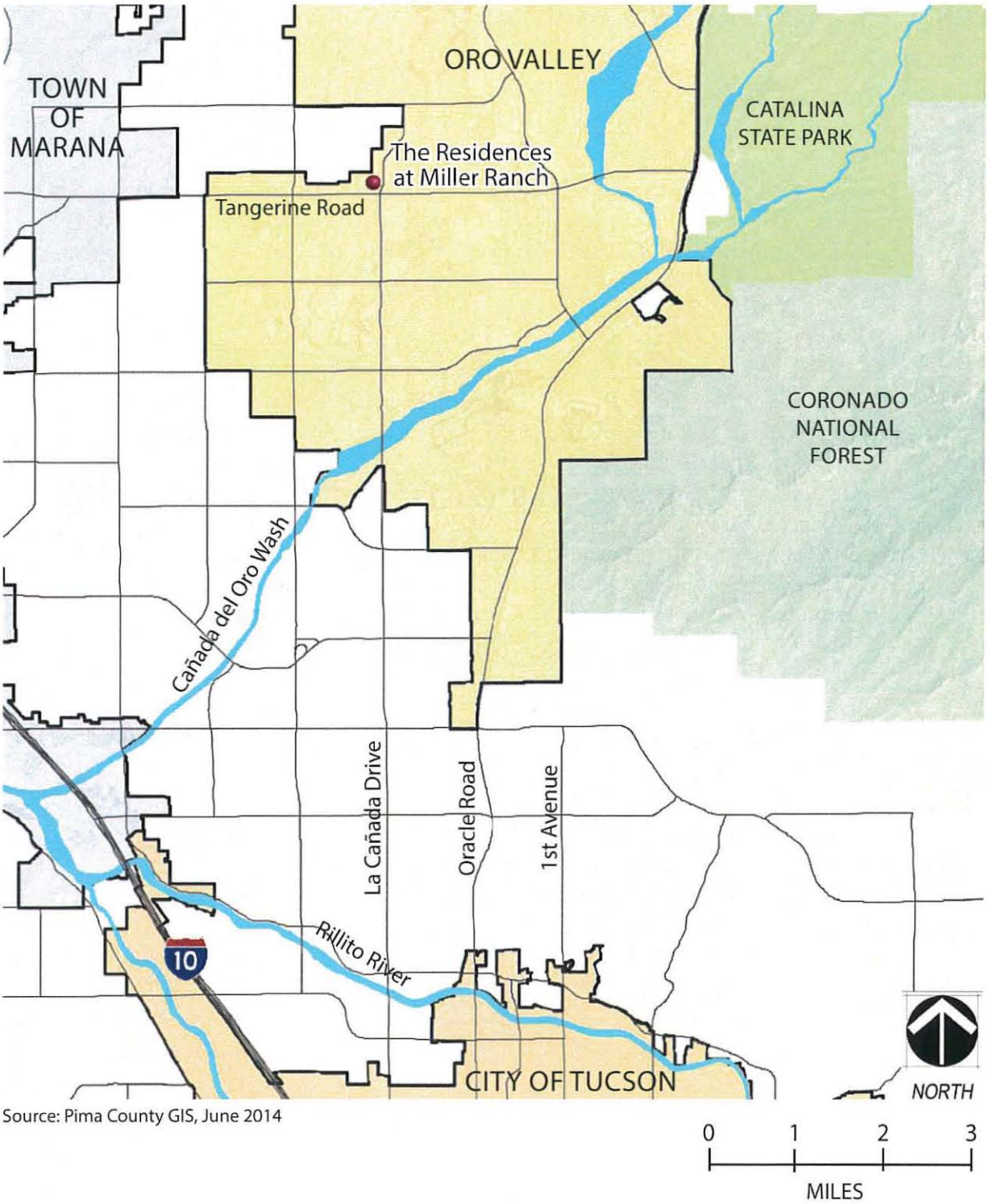
1. Site Location

Located within the Town of Oro Valley in Pima County, Arizona, the Residences at Miller Ranch site is located in Section 34, Township 11 South, Range 13 East, G. & S.R.M. Approximately 16.3 acres, the property is located west of La Cañada Drive, and north of Tangerine Road. *See Exhibit 1-A.1, Regional Context, p. 2.*

2. Existing On-Site Land Uses

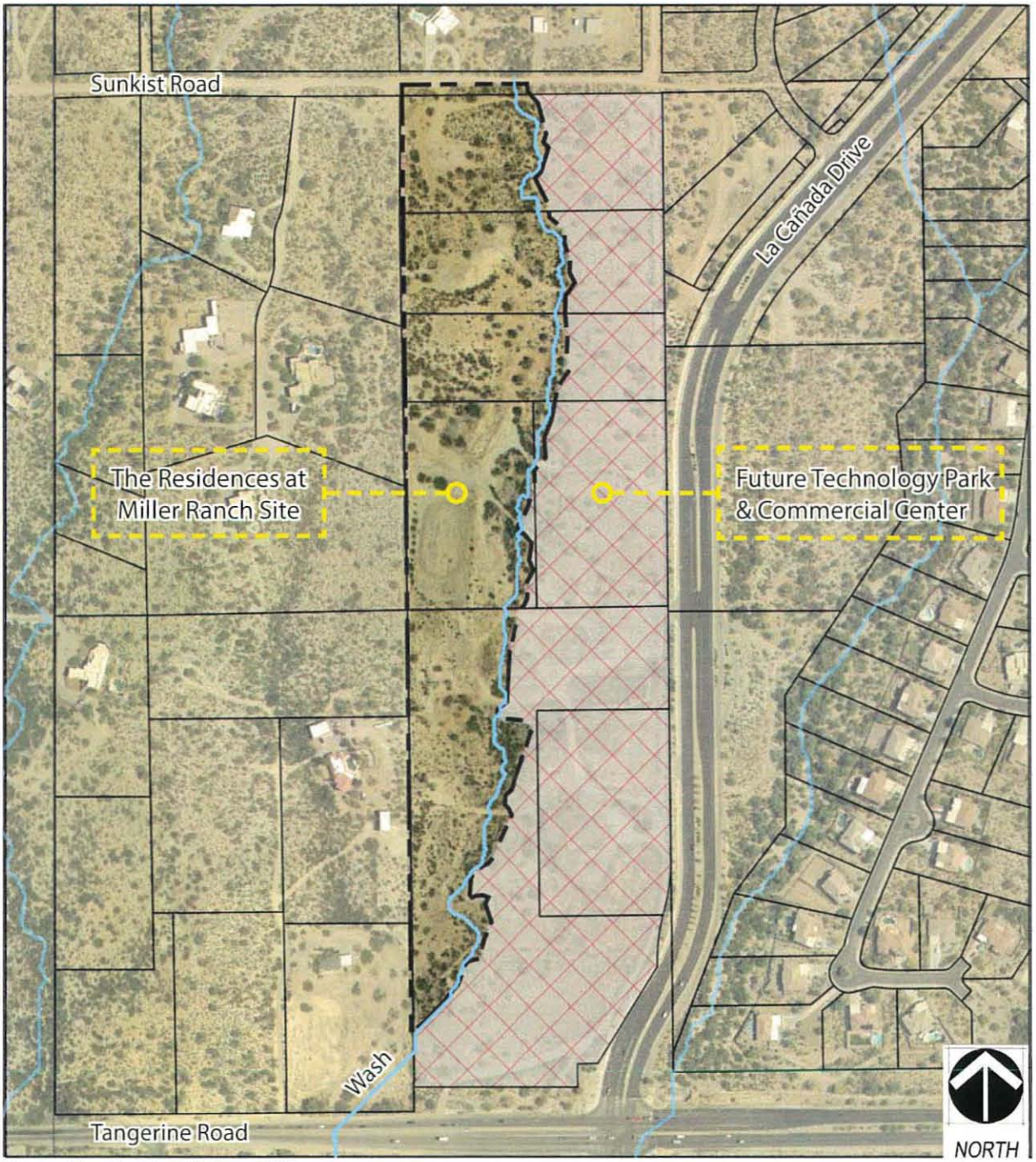
The Residences at Miller Ranch site is currently undeveloped. In February 2014 the Town of Oro Valley approved a General Plan Amendment for the subject property revising the land use category from Rural Low Density Residential (RLD, 0 - 0.3 DU/AC) and Low Density Residential (LDR, 0.4 - 1.2 DU/AC) to Medium Density Residential (MDR, 2.1 – 5.0 DU/AC) with a maximum allowable density of 2.5 DU/AC. As per the Town of Oro Valley Zoning Code, the property's current zoning is R1-144 (Single-Family Residential District). The proposed zoning for the property is R1-7 (Single-Family Residential District) with Environmentally Sensitive Lands (ESL) Development Incentives. *See Exhibit 1-A.2, Existing On-Site Land Uses, p. 3.*

Exhibit 1-A.1: Regional Context



Source: Pima County GIS, June 2014

Exhibit 1-A.2: Existing On-Site Land Uses



Source: Pima County GIS, June 2014

0 200' 400' 800'

SCALE: 1" = 400'

3. Contextual Information on Property within a 1/4 mile
The information in *Table 1-A.3, this page*, is provided for all property within a 1/4 mile radius of the Residences at Miller Ranch site.

TABLE 1-A.3: CONTEXTUAL INFORMATION ON PROPERTY WITHIN 1/4 MILE

Property	Zoning[1]	Land Use[2]	Building Heights*
The Residences at Miller Ranch	Rezone Request from R1-144 to R1-7	Currently Undeveloped; Medium Density Residential (MDR, 2.1 – 5.0 DU/AC)	NA
North, NW	SR	Rural Low Density Residential (RLD, 0 - 0.3 DU/AC)	34'
East	R1-144 R1-36 R1-20 T-P	Low Density Residential (LDR, 0.4 - 1.2 DU/AC and 1.3 - 2.0 DU/AC); Commerce/Office Park; Open Space; Significant Resource Area	18' - 34'
SE	R-4 R-6 C-1	Medium Density Residential (MDR, 2.1 - 5.0 DU/AC); High Density Residential (HDR, 5.0+ DU/AC); Public/Semi-Public	25' or 2 stories
South	R1-7	Medium Density Residential (MDR, 2.1 - 5.0 DU/AC); Significant Resource Area	25' or 2 stories
SW	R1-10	Medium Density Residential (MDR, 2.1 - 5.0 DU/AC)	25' or 2 stories
West	SR R1-144	Rural Low Density Residential (RLD, 0 - 0.3 DU/AC) and Low Density Residential (LDR, 0.4 - 1.2 DU/AC)	18' - 34'

[1] PIMA COUNTY GIS JUNE 2014 [2] ORO VALLEY 2005 GENERAL PLAN * AS PER TOWN OF ORO VALLEY ZONING CODE

a. Existing Zoning
See Table 1-A.3, this page, and Exhibit 1-A.3, Existing Zoning, p. 5.

b. Existing Land Uses
See Table 1-A.3, this page.

c. Heights of Existing Structures
See Table 1-A.3, this page.

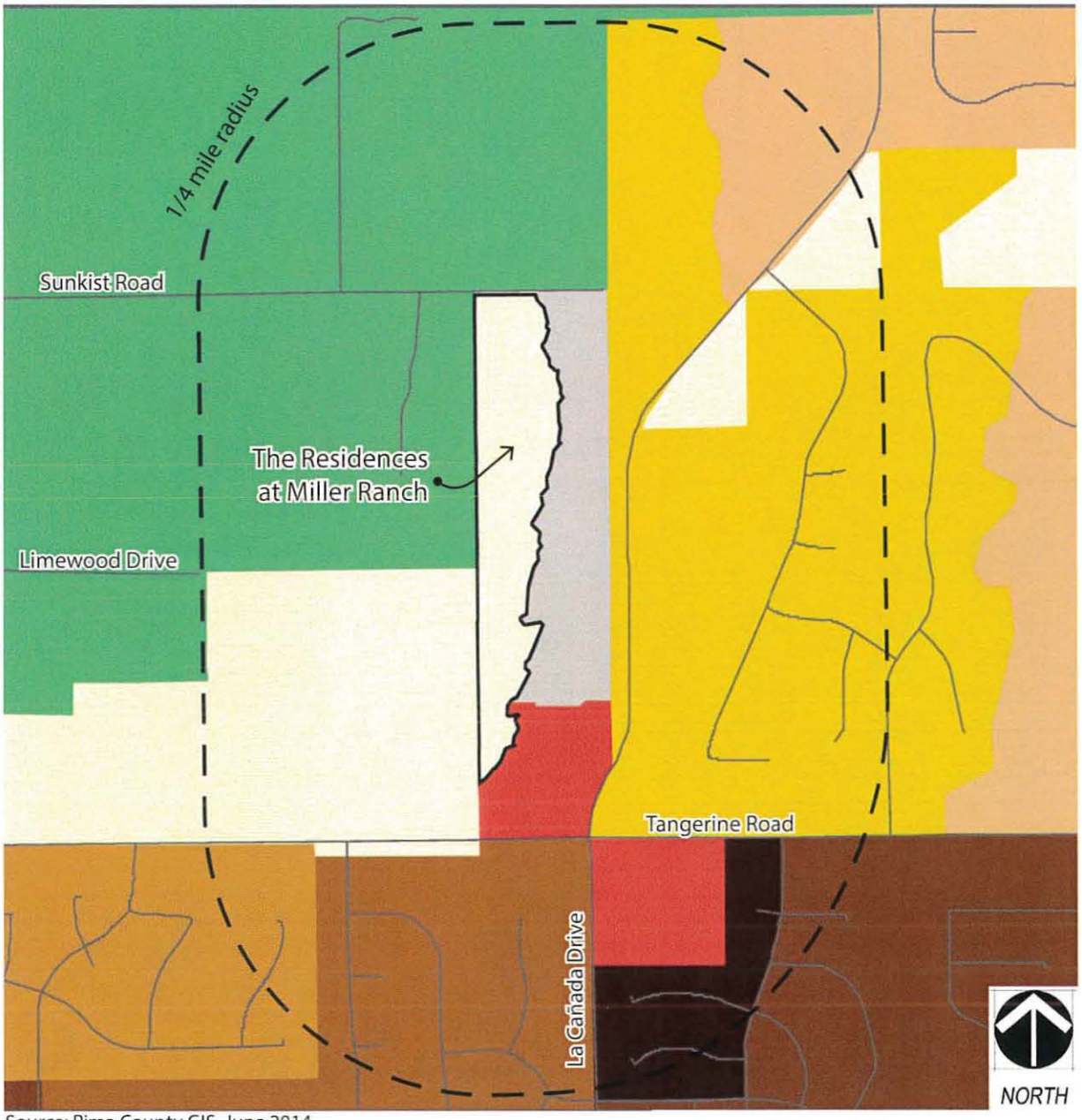
d. Pending Rezonings
Per Town of Oro Valley Planning, there are no pending rezonings.

e. Conditionally Approved Zonings
Per Town of Oro Valley Planning, there are no conditionally approved zonings.

f. Subdivisions and/or Development Plans Approved
Per Town of Oro Valley Planning, there are no subdivisions/development plats approved. For existing subdivisions see *Exhibit 1-A.3f, Existing Subdivisions, p. 6.*

g. Architectural Styles of Adjacent Structures
Traditional Southwestern Ranch per the Oro Valley Design Guidelines.

Exhibit 1-A.3: Existing Zoning



Source: Pima County GIS, June 2014

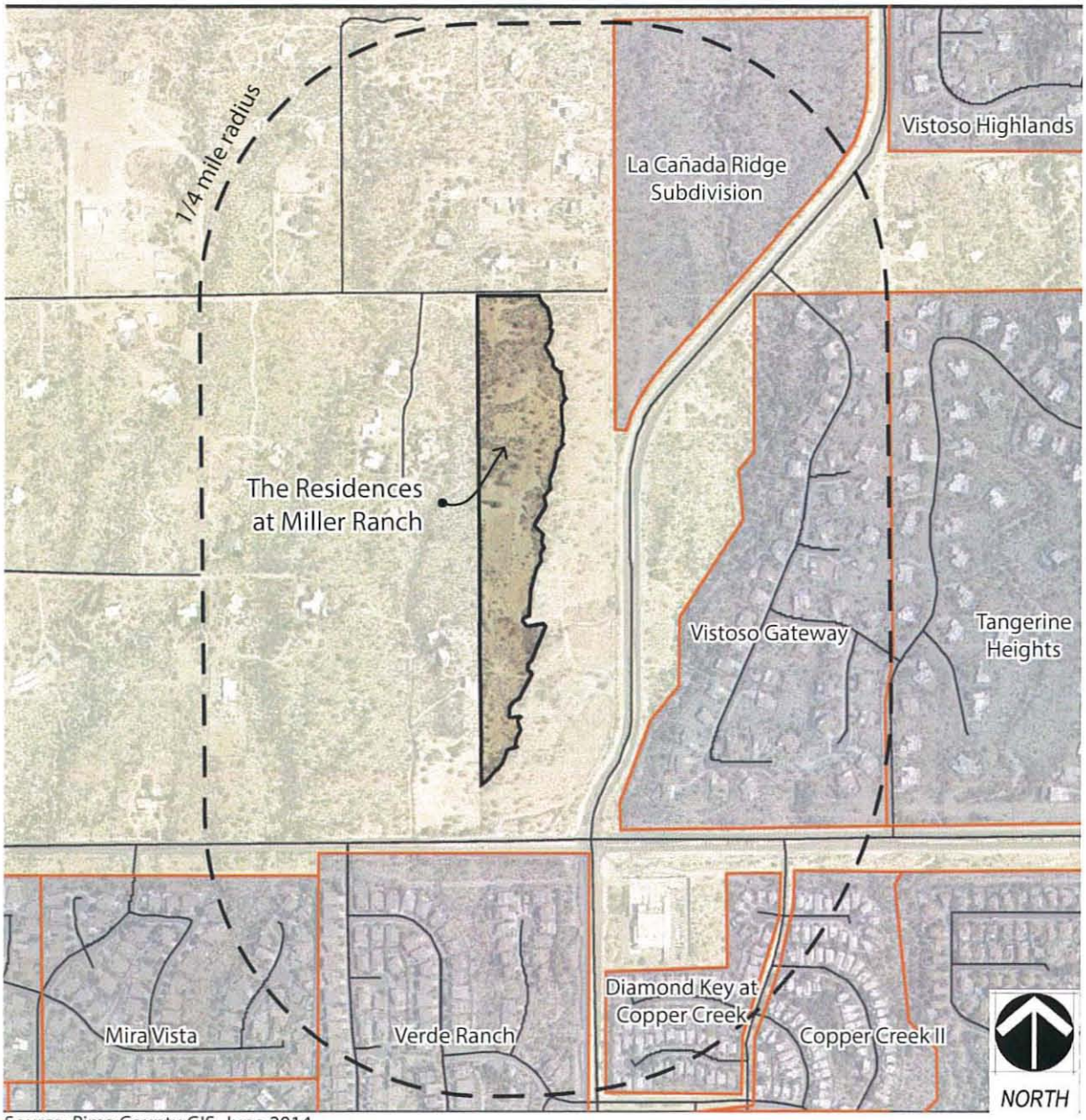
0 400' 800' 1600'

SCALE: 1" = 800'

LEGEND

- SR: Suburban Ranch
- R1-144: Single Family Residential
- R1-36: Single Family Residential
- R1-20: Single Family Residential
- R1-10: Single Family Residential
- R1-7: Single Family Residential
- R-4: Townhouse Residential
- R-6: Multi-Family Residential
- C1: Commercial District
- T-P: Technological Park

Exhibit 1-A.3f: Existing Subdivisions



Source: Pima County GIS, June 2014

0 400' 800' 1600'

SCALE: 1" = 800'

4. Location and Ownership of wells/well sites (100' radius from site)
According to the Arizona Department of Water Resources, there are three (3) well sites within 100 feet of the site. All wells are owned by Desco-Miller, LLC and are currently abandoned. *See Exhibit 1-A.4, Wells within 100' of Site, p. 8.*

B. Topography

1. Significant Site Topography
No significant natural topographic features are found on the Residences at Miller Ranch property. *See Exhibit 1-B.1, Topography, p. 9.*

   a. Hillside Conservation Area
   No Hillside Conservation Areas exist on the site.

   b. Rock Outcroppings
   No rock outcropping exist on the site.

   c. Slopes Greater than 15%
   No slopes greater than 15% exist on the site.

   d. Significant Topographic Features
   No significant topographic features exist on the site.

2. Pre-Development Cross-Slope
A pre-development average cross slope analysis was performed using the Pima County methodology as noted below. The average cross slope for parcels located within the Residences at Miller Ranch site were calculated using Pima County Geographic Information Systems' cross slope calculator tool. The existing average cross slope for the entire site is 5.35%.

Average Cross-slope Calculation

$$\frac{I \times L \times 0.0023}{A}$$

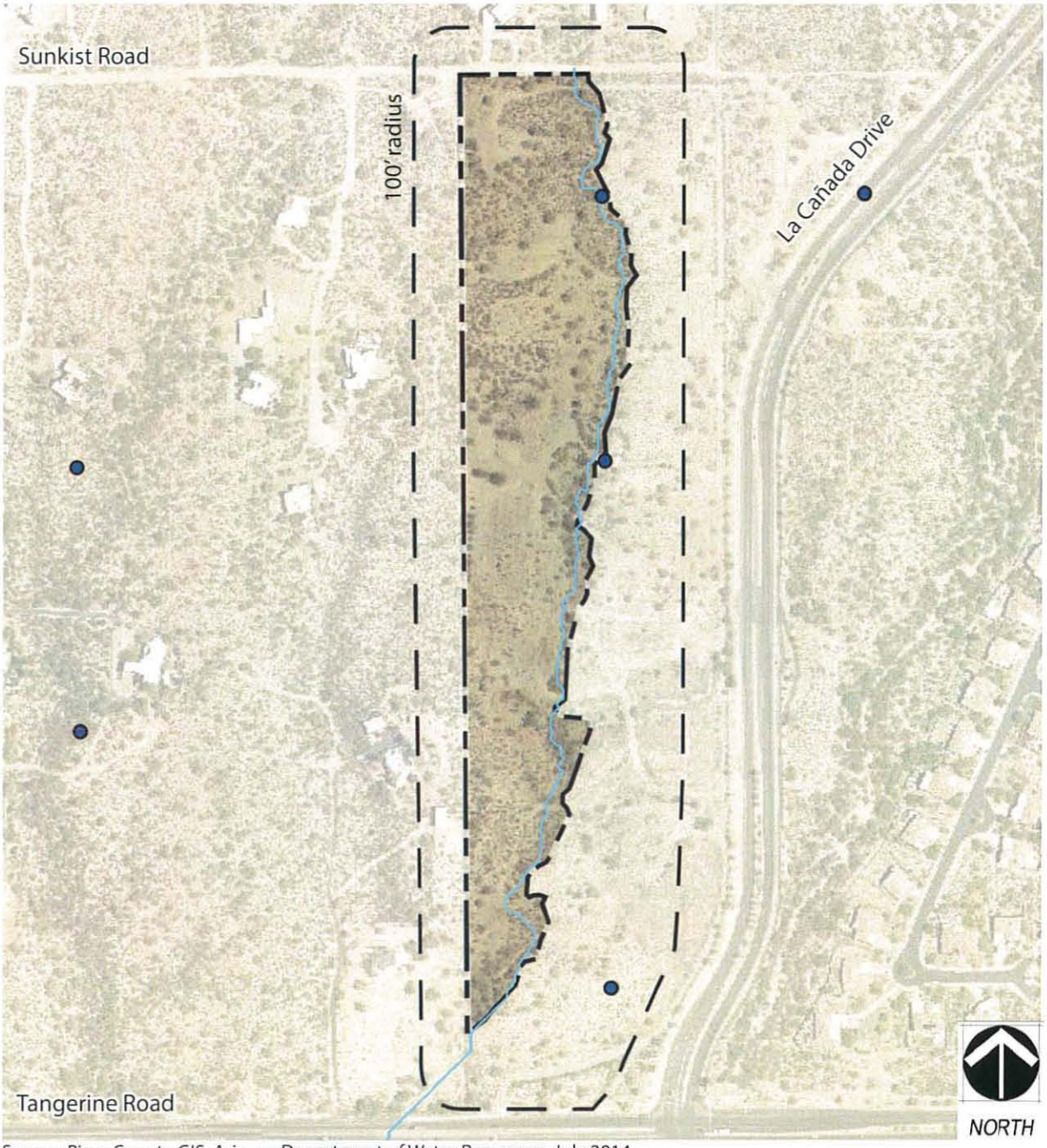
I = Contour Interval

L = Contour Length

0.0023 = Constant to convert square feet to acres and slope to percent

A = Acres in Site

Exhibit 1-A.4: Wells within 100' of Site



Source: Pima County GIS; Arizona Department of Water Resources, July 2014

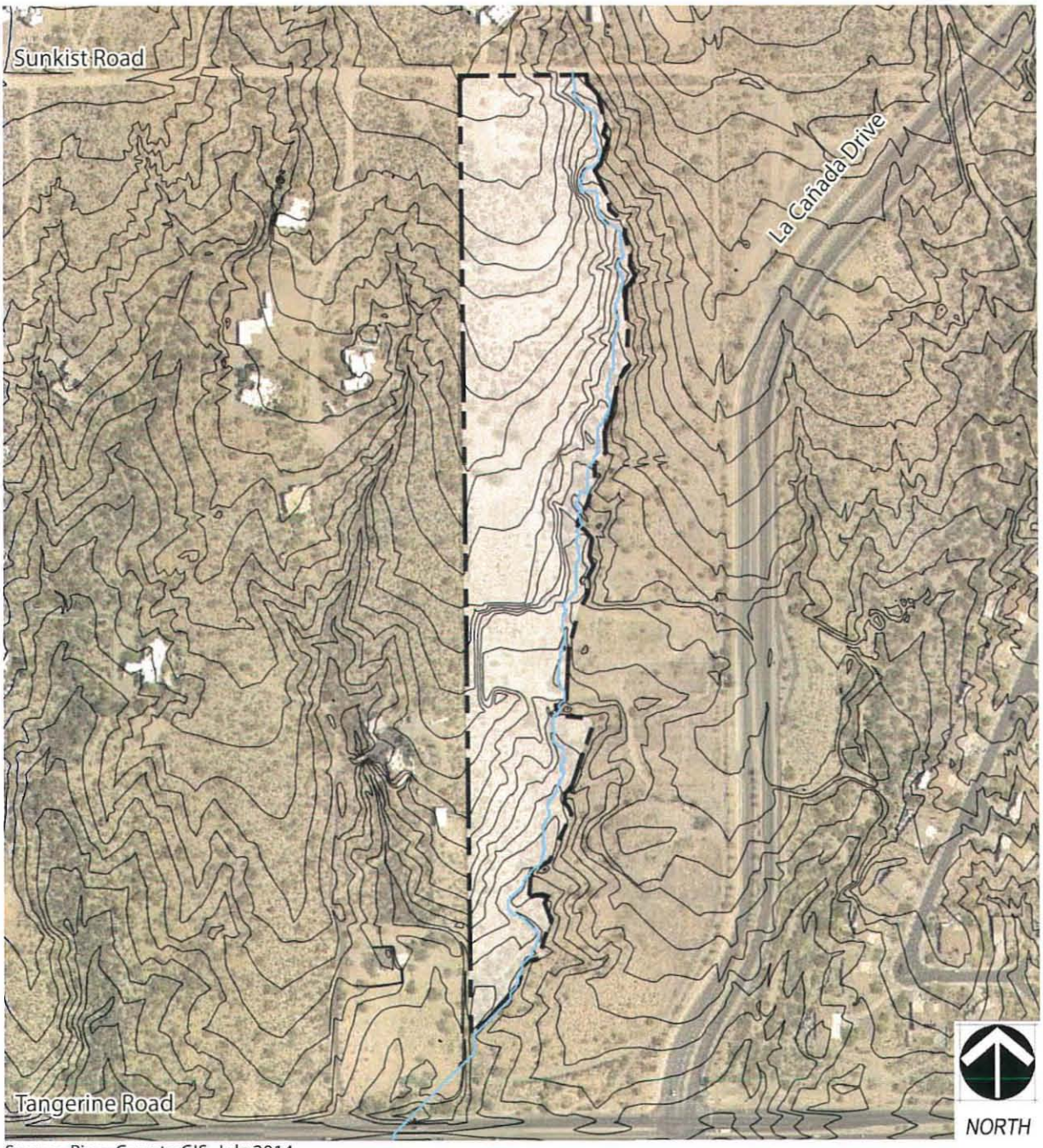
0 200' 400' 800'

SCALE: 1" = 400'

LEGEND

● Water Well

Exhibit 1-B.1: Topography



Source: Pima County GIS, July 2014

0 200' 400' 800'

SCALE: 1" = 400'

LEGEND
Contour Interval: 2'

C. Hydrology

1. Off-Site Watersheds

There are seven (7) off-site watersheds that affect The Residences at Miller Ranch project See *Exhibit I.C.1: Off-Site Watersheds p. 13*. Off-site Watersheds 1 through 6 (OS-1 through OS-6) are undeveloped or developed for low density residential use. These six watersheds contribute flows to the unnamed wash along the east project boundary. Off-site Watershed 7 (OS-7) is developed for low density residential use. OS-7 combines with flow from the unnamed wash near the project southwest corner.

All off-site watersheds are located within Critical Basins. The areas within Town of Oro Valley jurisdiction are considered critical basins due to the Town's criteria that all basins shall be considered Critical Basins for the purpose of hydrological analysis and detention design. Areas outside Town of Oro Valley jurisdiction are considered Critical Basins as defined by Pima County Regional Flood Control District (per "Critical Basins within Unincorporated Pima County" map, effective 03/15/2007).

The nature and quantity of these off-site flows will be further evaluated in the drainage report(s) prepared for the development of the project. The necessary improvements to convey the flows will be determined at that time and will be incorporated into the drainage improvements for the development.

2. Significant Off-Site Features

West Tangerine Road is located to the south of the project and North La Canada Drive is located to the east. Improvements associated with these roadways affect the quantity and location of the flows onto the site through the use of culverts, catch basins and other drainage structures. Flows at Concentration Point (CP) OS-7 are conveyed under West Tangerine Road by an existing culvert (see Exhibit I.C.1: Off-Site Watersheds). A portion of these flows are conveyed across West Tangerine Road due to the inadequate sizing of the existing 48" RCP culvert at this location. The backwater associated with this undersized culvert impacts the hydraulic characteristics of the unnamed wash near the project southwest corner.

Low density residential subdivisions exist to the north and west. Natural drainage patterns have generally been preserved with the development of these adjacent residential areas and minimal drainage infrastructure exists.

The proposed commercial development associated with the approved Master Development Plan for Miller Ranch (OV12-08-07) is located to the east, along the entire easterly boundary of this project. Detention is provided for this commercial development to satisfy Critical Basin criteria (per the Master Drainage Report for

Miller Ranch prepared by Rick Engineering Company, dated May 19, 2010). The drainage concept for the commercial development incorporates various detention basins along the existing wash with no encroachments into the existing floodplain.

3. Acreage of Upstream Off-Site Watersheds

Watershed OS-1 has a contributing area of 22.7-acres and a peak discharge of 133 cfs. Watershed OS-2 has a contributing area of 1.4-acres and a peak discharge of 11 cfs. Watershed OS-3 has a contributing area of 4.2-acres and a peak discharge of 31 cfs. Watershed OS-4 has a contributing area of 3.6-acres and a peak discharge of 27 cfs. Watershed OS-5 has a contributing area of 5.0-acres and a peak discharge of 37 cfs. Watershed OS-6 has a contributing area of 5.6-acres and a peak discharge of 42 cfs. Watershed OS-7 has a contributing area of 31.4-acres and associated peak discharge of 184 cfs. The cumulative peak discharge at CP OS-7 is 422 cfs.

The reported peak discharges were taken from approved studies, reports, and plans or were calculated based on hydrology methodology presented within the Town of Oro Valley Drainage Criteria Manual, 2010 edition. *See Exhibit I.C.1, Off-Site Watersheds, p. 13,* for the watersheds and concentration points described above.

4. On-Site Hydrology

The Residences at Miller Ranch project has five (5) on-site watersheds as delineated on *Exhibit I.C.2, Existing On-Site Hydrology, p. 15*. On-site Watersheds 1E through 4E generally drain from the west to the east and contribute flows to the regulatory floodplain (Q100 > 50cfs) that exists along the project east boundary. On-site Watershed 5E generally flows from east to west and discharges across the project west boundary. The project is located within a Critical Basin for the purposes of hydrological analysis.

a. On-site Regulatory Floodplains

The Residences at Miller Ranch project is impacted by a natural, unnamed wash along the project east boundary. The existing regulatory floodplain and associated erosion hazard setback is provided on *Exhibit I.C.2, Existing On-Site Hydrology, p. 15*. The existing 100-year peak discharge within the wash is 133 cfs at the north project boundary and 287 cfs where it discharges across the west boundary near the project southwest corner.

b. Areas of Sheet Flooding and Average Depth

The project is not impacted by sheet flooding.

c. Federally Mapped Floodways and Floodplains

According to FEMA Flood Insurance Rate Map (FIRM) number 04019C1090L (effective June 16, 2011), there are no Federally Mapped Floodways and

and Floodplains on the project. Refer to *Exhibit I.C.3, FEMA FIRM, p. 17,* for a portion of map referenced above.

d. 100-year Peak Discharges

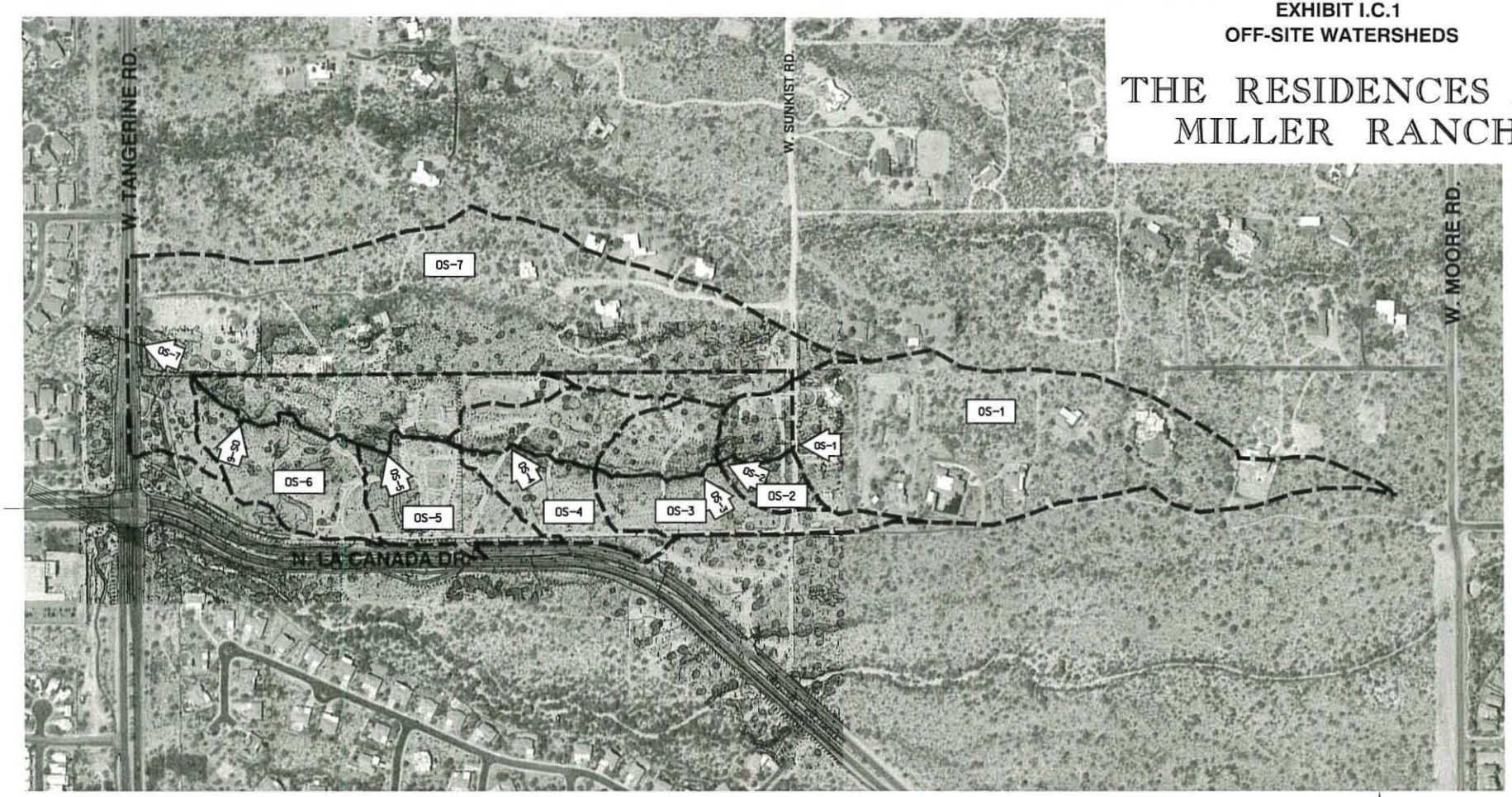
On-site Watershed 1E generates 13 cfs with a cumulative discharge of 150 cfs at CP 1E. On-site Watershed 2E generates 19 cfs with a cumulative discharge of 184 cfs at CP 2E. On-site Watershed 3E generates 27 cfs with a cumulative discharge of 218 cfs at CP 3E. On- site Watershed 4E generates 40 cfs with a cumulative discharge of 287 cfs at CP 4E. The existing 100-year peak discharge for On-site Watershed 5E is 14 cfs. Refer to *Exhibit I.C.2, Existing On-Site Hydrology, p. 15.*

5. Existing Downstream Drainage Conditions

All runoff originating on-site or originating off-site and conveyed through the site discharges across West Tangerine Road by way of an existing 48" RCP culvert and by flow overtopping the roadway at Concentration Point OS-7. The backwater associated with this roadway drainage crossing impacts the project southwest corner. The on-site regulatory floodplain discharges across the west, downstream boundary near the southwest project boundary and contributes flow to Concentration Point OS-7. *Exhibit I.C.2, Existing On-Site Hydrology, p. 15.*

EXHIBIT I.C.1
OFF-SITE WATERSHEDS

THE RESIDENCES AT MILLER RANCH



OFFSITE PEAK FLOWS			
WATERSHED CP's	AREA [ac]	Q100 [cfs]	CUMULATIVE Q100 [cfs]
OS-1	22.7	133	-
OS-2	1.4	11	-
OS-3	4.2	31	-
OS-4	3.6	27	-
OS-5	5.0	37	-
OS-6	5.6	42	-
OS-7	31.4	184	422*

* Per T.O.M. Proj. No. 2005-061
"Tangerine Road-Thornydale Road to La Canada Dr."

LEGEND

OS-1 — WATERSHED

1 — CONCENTRATION POINT

WATERSHED BOUNDARY

SCALE: 1" = 400'

0' 200' 400'

DATE: 11/26/2014

RICK ENGINEERING COMPANY
3945 EAST FORT LOWELL ROAD - SUITE 111
TUCSON, AZ 85712
520.795.1000
(FAX)520.322.6956

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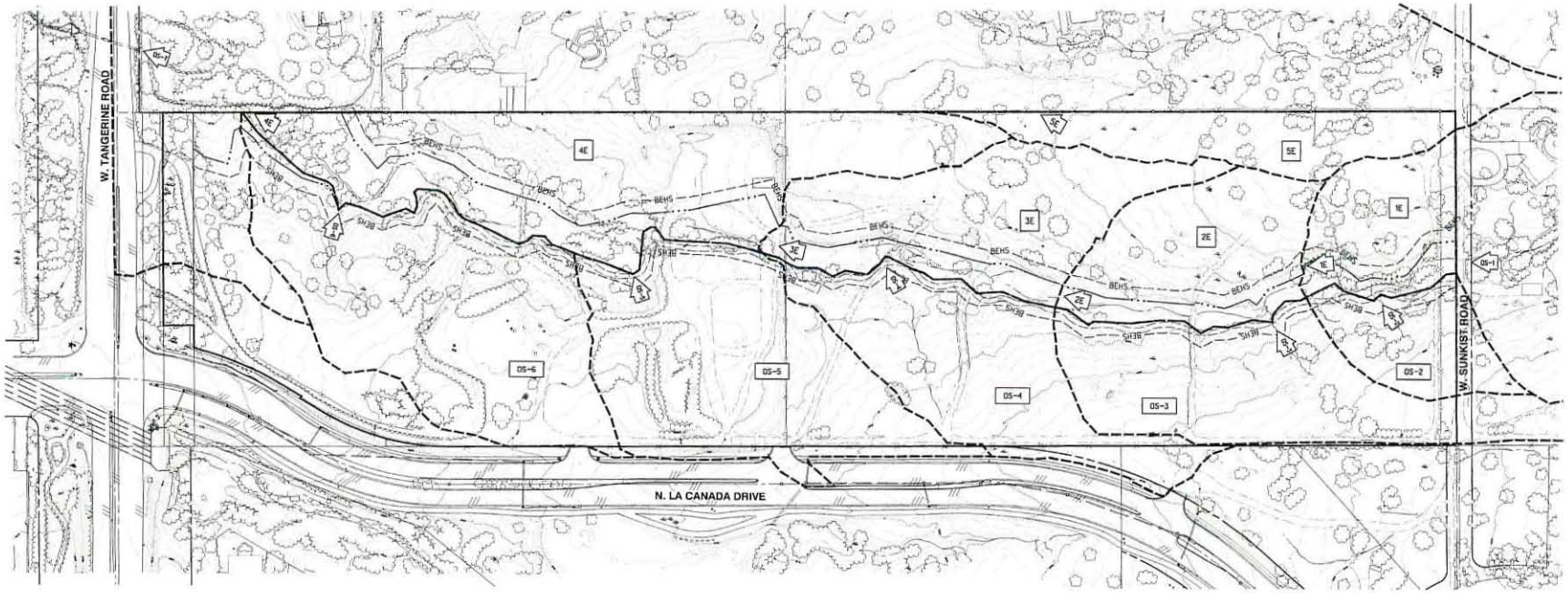
EXISTING PEAK FLOWS			
WATERSHED CP's	AREA [ac]	Q100 [cfs]	CUMULATIVE Q100 [cfs]
1E	1.7	13	150*
2E	2.7	19	184*
3E	3.7	27	218*
4E	6.3	40	287*
5E	1.9	14	-

* Per HEC-HMS model

OFFSITE PEAK FLOWS			
WATERSHED CP's	AREA [ac]	Q100 [cfs]	CUMULATIVE Q100 [cfs]
OS-1	22.7	133	-
OS-2	1.4	11	-
OS-3	4.2	31	-
OS-4	3.6	27	-
OS-5	5.0	37	-
OS-6	5.6	42	-
OS-7	31.4	184	422*

* Per T.O.M. Proj. No. 2005-061 "Tangerine Road-Thornydale Road to La Canada Dr."

SCALE: 1"= 100'
CONTOUR INTERVAL: 1'
0' 50' 100' 200'



LEGEND

- 1 — WATERSHED
- 1 — CONCENTRATION POINT
- WATERSHED BOUNDARY
- BEHS — BUILDING EROSION HAZARD SETBACK
- REGULATORY 100-YEAR FLOOD LIMITS (EXISTING)

EXHIBIT I.C.2
EXISTING ON-SITE HYDROLOGY

THE RESIDENCES AT MILLER RANCH

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 13 EAST, GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA.

OV114-020 DATE: 11/26/2014 SHEET 1 OF 1

RICK ENGINEERING COMPANY
Tucson
3945 EAST FORT LOWELL ROAD - SUITE 111
TUCSON, AZ 85712
520.795.1080
FAX520.322.6956
Phoenix - San Diego - Sacramento - Riverside - Orange - San Luis Obispo - Bakersfield
rickengineering.com
J-3668-C

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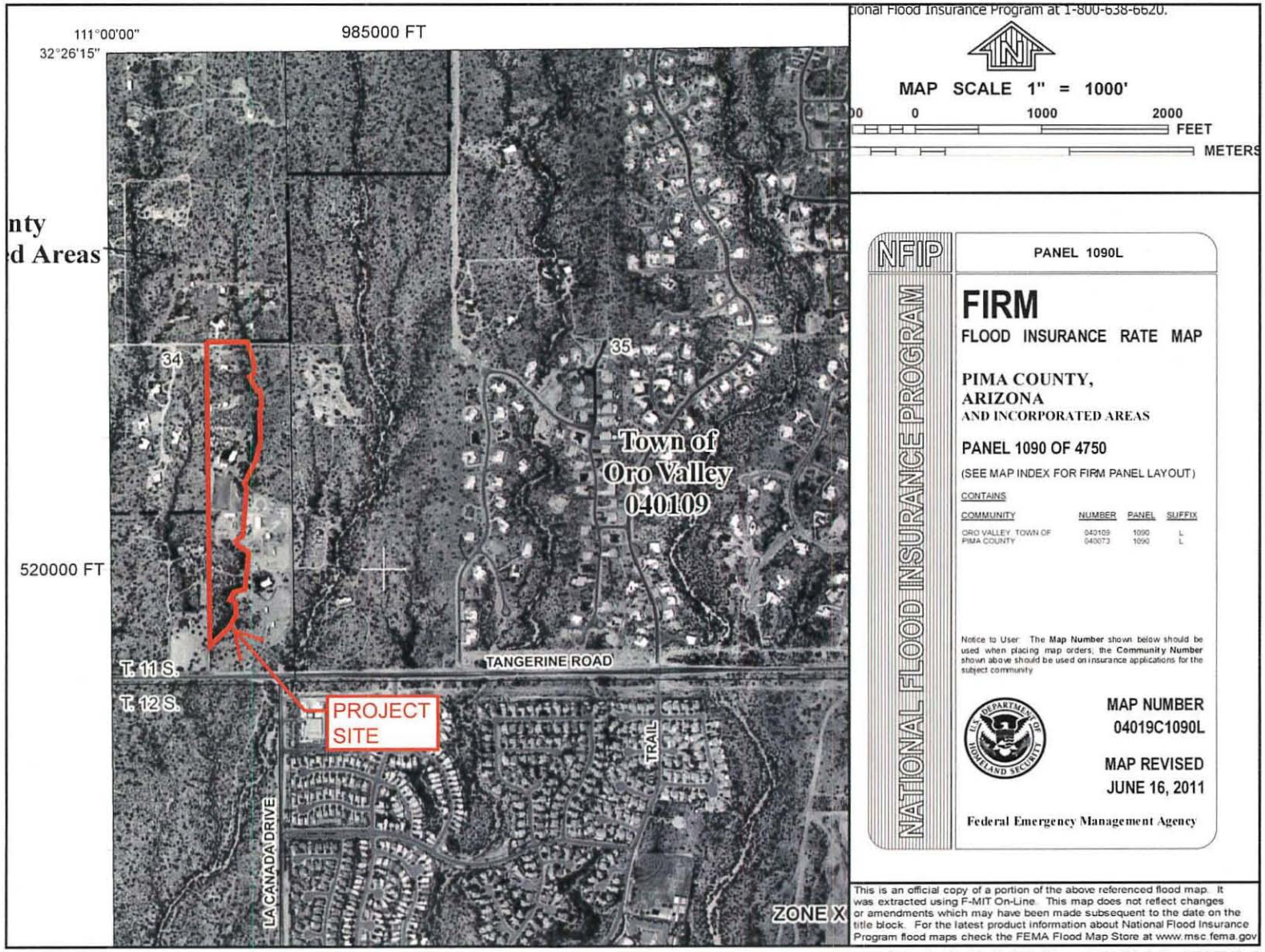


Exhibit I.C.3 - FEMA FIRM

D. Vegetation

1. Vegetative Communities and Associations on the Site

The Residences at Miller Ranch site consists primarily of native vegetation characteristic of the Arizona Uplands subdivision of the Sonoran Desert-Scrub biotic community. Pima County Geographic Information Systems classifies the site as "Sonoran Desert-Scrub; Paloverde-Mixed Cacti (Arizona Uplands) Series". *See Exhibit 1-D.1a, Vegetative Communities, p. 20.*

The wash comprising the site's eastern boundary is classified as "Sonoran Riparian Scrub" and designated as "Xeroriparian C Habitat". *See Exhibit 1-D.1b, Riparian Habitat, p. 21.*

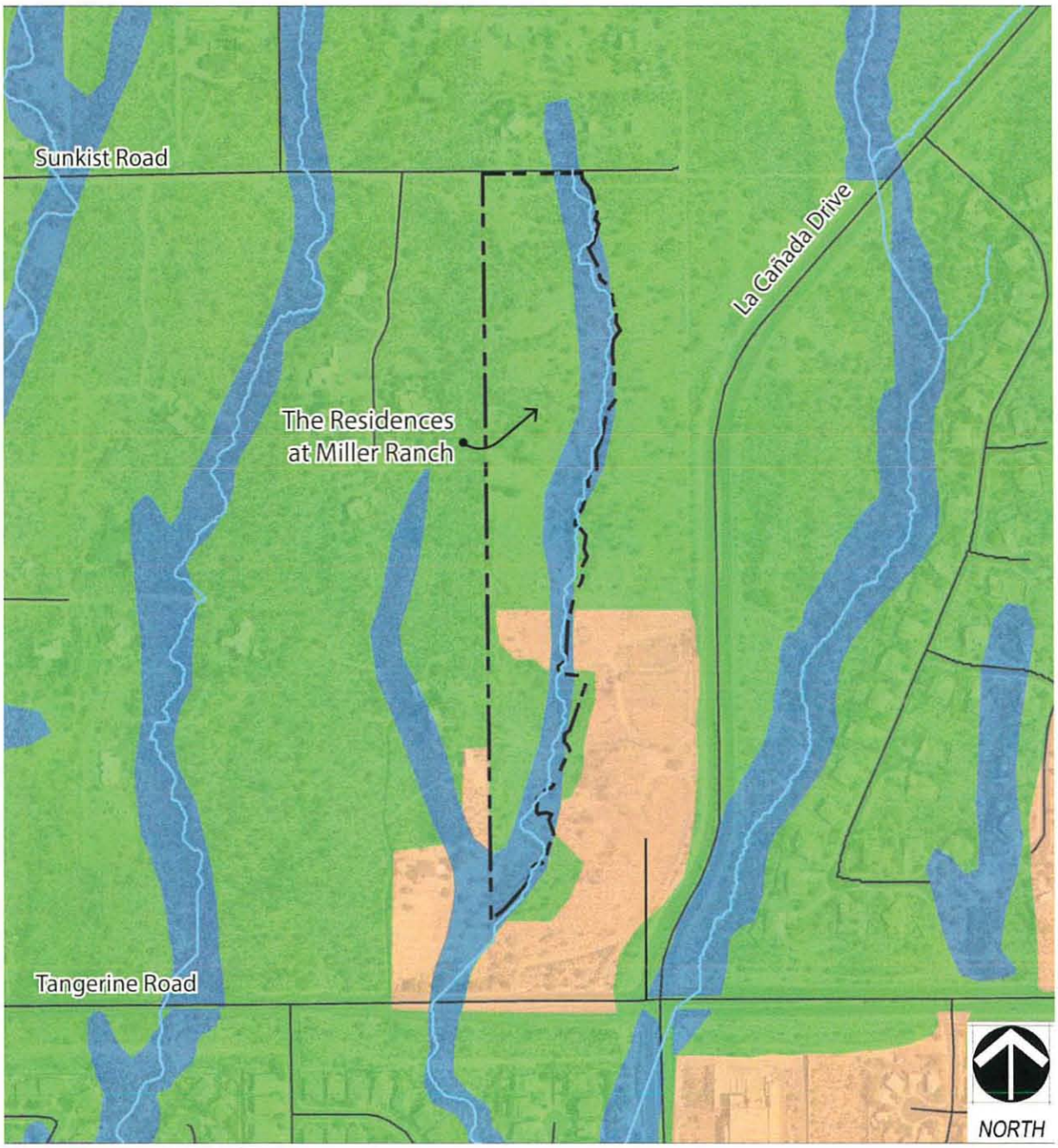
A Biological Evaluation completed by Westland Resources Inc., Engineering and Environmental Consultants in April, 2008 identifies common plant species observed within the project site. *See Table 1-D.1, Common Plant Species, this page.* A copy of the Biological Evaluation is provided *under separate cover.*

TABLE 1-D.1: COMMON PLANT SPECIES

Scientific Name	Common Name	Oro Valley Protected Native Plant List	Legal Protection
Acacia constricta	Whitehorn Acacia	N	
Acacia greggii	Catclaw Acacia	Y	
Ambrosia dumosa	Common Bursage	Y	
Baccharis sarothroides	Desert Broom	N	
Carnegiea gigantea	Saguaro	Y	NPL-SR
Celtis spinosa	Desert Hackberry	Y	
Ferocactus wislizenii	Fishhook Barrel Cactus	Y	NPL-SR
Larrea tridentata	Creosote	Y	
Opuntia engelmannii	Prickly Pear Cactus	Y	NPL-SR
Opuntia spp.	Cholla	Y	SR
Parkinsonia floridum	Blue Palo Verde	Y	NPL-SA
Parkinsonia microphyllum	Foothill Palo Verde	Y	NPL-SA
Prosopis velutina	Velvet Mesquite	Y	NPL-HR/SA

Key:
NPL - Plants regulated by the Arizona Native Plant Law
HR - Harvest Restricted
SR - Salvage Restricted
SA - Salvage Assessed

Exhibit 1-D.1a: Vegetative Communities



Source: Pima County GIS, July 2014

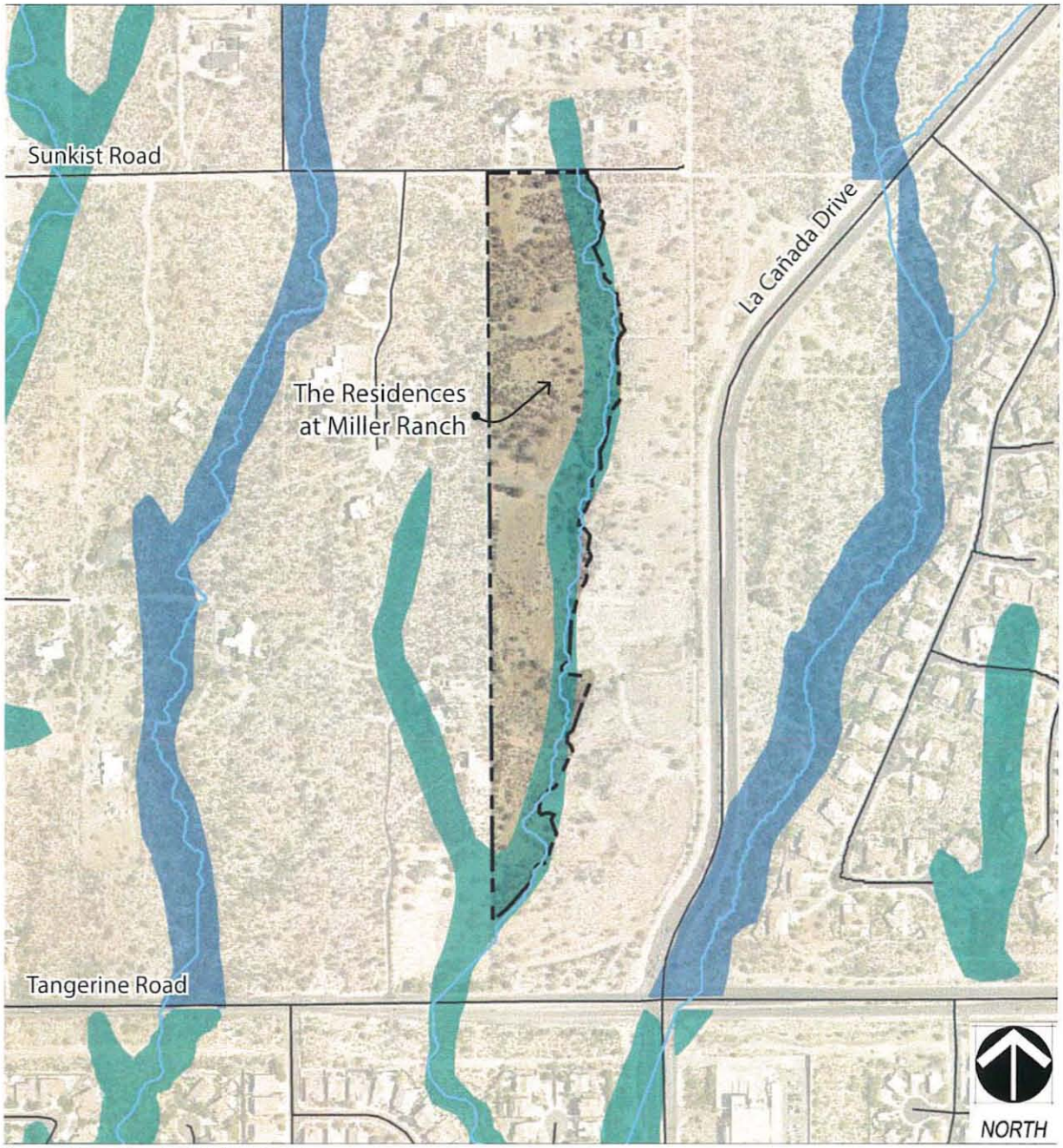
0 250' 500' 1000'

SCALE: 1" = 500'

LEGEND

- Sonoran Riparian Scrub
- Sonoran Desert Scrub; Paloverde / Mixed Cacti (Arizona Uplands) Series
- Agriculture / Developed / Water / Bare Ground

Exhibit 1-D.1b: Riparian Habitat



Source: Pima County GIS, June 2014

0 250' 500' 1000'

SCALE: 1" = 500'

LEGEND

- Xeroriparian B: Vegetative volume less than or equal to 0.856 M^3/M^2 and greater than 0.675 M^3/M^2
- Xeroriparian C: Vegetative volume less than or equal to 0.675M^3/M^2 and greater than 0.675 M^3/M^2

2. Significant Vegetation and Federally-Listed Threatened or Endangered Species
   Please refer to the Site Resource Inventory (SRI) and Native Plant Preservation Plan (NPPP) for information regarding "Significant Vegetation" as defined by the General Development Standards listed in the Oro Valley Zoning Code (Section 27.6, Landscape Conservation).

   The Arizona Game and Fish Department's Heritage Data Management System (HDMS) does not identify any plant species of Special Status within three (3) miles of the project vicinity. *See Exhibit 1-E.2, Arizona Game and Fish Department Letter, p. 28.*

3. Vegetative Densities
   Vegetative densities slightly vary across the site with most dense areas being located along the eastern site boundary's wash and northwest corner. Through on-site observation, densities were qualified into two (2) categories: (1) Low Density: ground coverage density between 0 and 25%, and Medium-Low Density: ground coverage density between 26% and 50%. *See Exhibit 1-D.3, On-Site Vegetative Densities, p. 23.*

Exhibit 1-D.3: On-Site Vegetative Densities

Source: Site Observation, April 2014

0 200' 400' 800'

SCALE: 1" = 400'

LEGEND

- Low Density (0 - 25%)
- Medium-Low Density (26% - 50%)

E. Wildlife

1. Presence of State-Listed Threatened or Endangered Species

According to the Arizona Game and Fish Department, the Residences at Miller Ranch site lies in the vicinity of proposed critical habitat of the Golden Eagle, Cactus Ferruginous Pygmy-Owl, Sonoran Desert Tortoise, and the Lesser Long-Nosed Bat. *See Table 1-E.1a, Species of Special Status, this page, and Table 1-E.1b, Status Definitions, p. 25.* The United States Fish and Wildlife Service identifies the Lesser Long-Nosed Bat (LLNB) as Listed Endangered (LE), a status designated for species in imminent jeopardy of extinction, however no critical habitat has been designated for this species. A Biological Evaluation completed by WestLand Resources, Inc., Engineering and Environmental Consultants in April, 2008 includes a detailed analysis of this special-interest species (a copy of the Biological Evaluation is provided *under separate cover.*) The LLNB is the only species within the report determined to have potential for occurrence on the property due to their ability to forage over long distances and the availability of foraging resources on site, such as saguaros. *See Exhibit 1-E.1a, Lesser Long-nosed Bat Habitat Model, p. 26.* The report concludes that there are no foreseeable adverse impacts likely to result from the implementation of this project due to the site's limited number of saguaros and the abundance of suitable forage resources (saguaros, landscaped agave, hummingbird feeders) throughout the Tucson Basin.

The Residences at Miller Ranch site also lies within a three mile radius of the planned Tucson - Tortolita - Santa Catalina Mountains Linkage Design, a wildlife corridor serving to reconnect critical habitat. *See Exhibit 1-E.1.b, Wildlife Corridors, p. 27 and Exhibit 1-E.2, Arizona Game and Fish Department Letter, p. 28.*

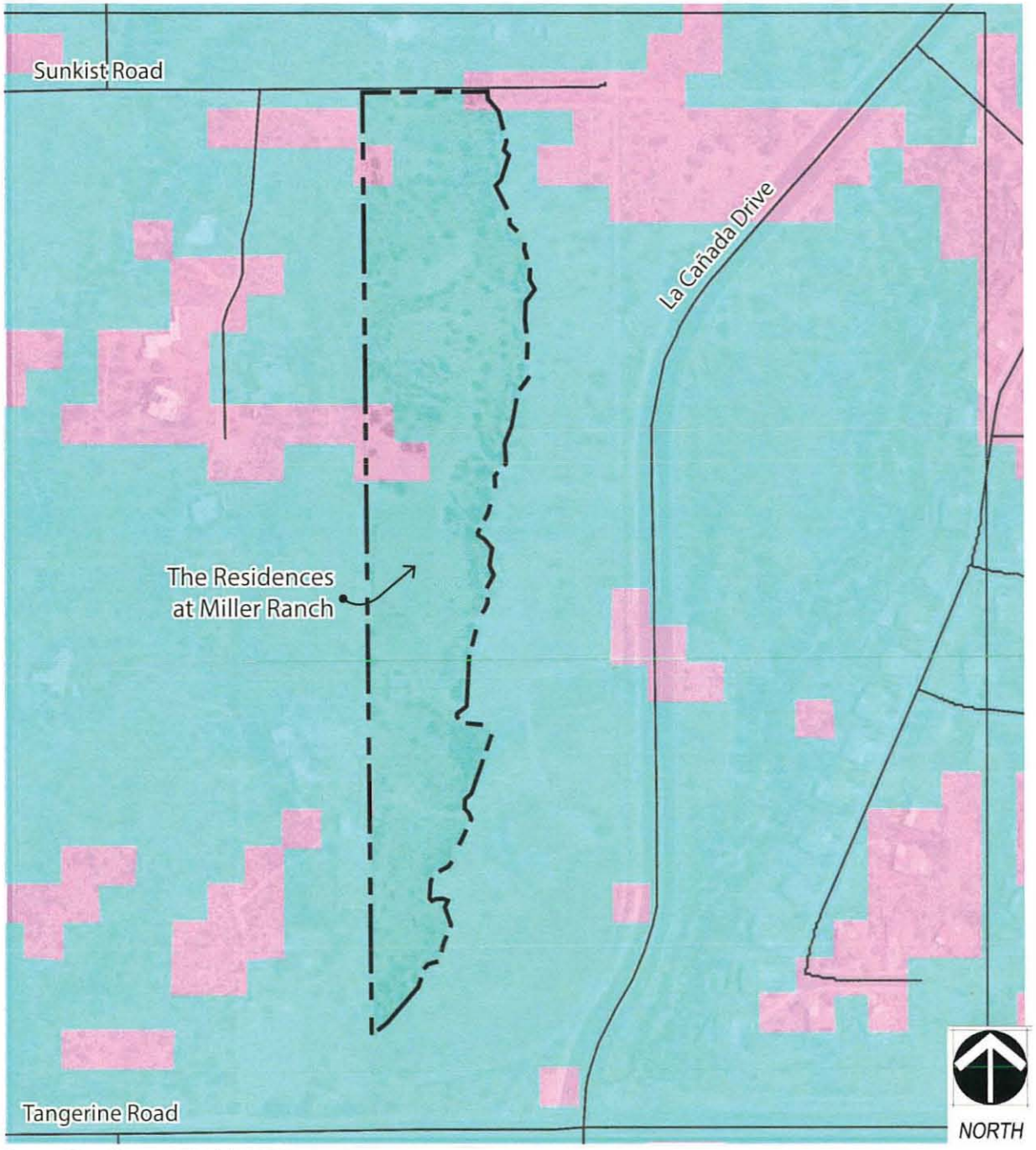
TABLE 1-E.1A: SPECIES OF SPECIAL STATUS

Scientific Name	Common Name	FSW	USFS	BLM	State
Aquila chrysaetos	Golden Eagle	BGA		S	
Glaucidium brasilianum cactorum	Cactus Ferruginous Pygmy-Owl	SC	S	S	WSC
Gopherus morafkai	Sonoran Desert Tortoise	C*	S		WSC
Leptonycteris curasoae yerbabuenae	Lesser Long-Nosed Bat	LE			WSC

TABLE 1-E.1B: STATUS DEFINITIONS

Agency	Status	Definition
FWS (Fish and Wildlife Service, Federal US Status; Endangered Species Act, 1973 as amended)	BGA: Bald and Golden Eagle Protection	Prohibits take of bald and golden eagles without prior USFWS permit.
	SC: Species of Concern	The terms "Species of Concern" or "Species at Risk" should be considered as terms-of-art that describe the entire realm of taxa whose conservation status may be of concern to the US Fish and Wildlife Service, but neither term has official status (currently all former C2 species).
	C*: Candidate	The Service identifies species for which they made a continued warranted-but-precluded finding on a resubmitted petition by the code "C*" in the category column. This code was put into use starting in 2008.
	LE: Listed Endangered	Imminent jeopardy of extinction.
USFS (US Forest Service, US Department of Agriculture)	S: Sensitive	Those taxa occurring on National Forests in Arizona which are considered sensitive by the Regional Forester.
BLM (US Bureau of Land Management, US Department of the Interior)	S: Sensitive	Those taxa occurring on BLM Field Office Lands in Arizona which are considered sensitive by the Arizona State Office.
State - WSCA (Wildlife of Special Concern in Arizona, 1996 in prep, Arizona Game and Fish Department)	WCS: Wildlife of Special Concern in Arizona	Species whose occurrence in Arizona is or may be in jeopardy, or with known or perceived threats or population declines, as described by the Arizona Game and Fish Department's listing of Wildlife of Special Concern in Arizona (WSCA, in prep). Species indicated on printouts as WC are currently the same as those in Threatened Native Wildlife in Arizona (1988).

Exhibit 1-E.1a: Lesser Long-Nosed Bat Habitat Model



Source: Pima County GIS, July 2014

0 200' 400' 800'

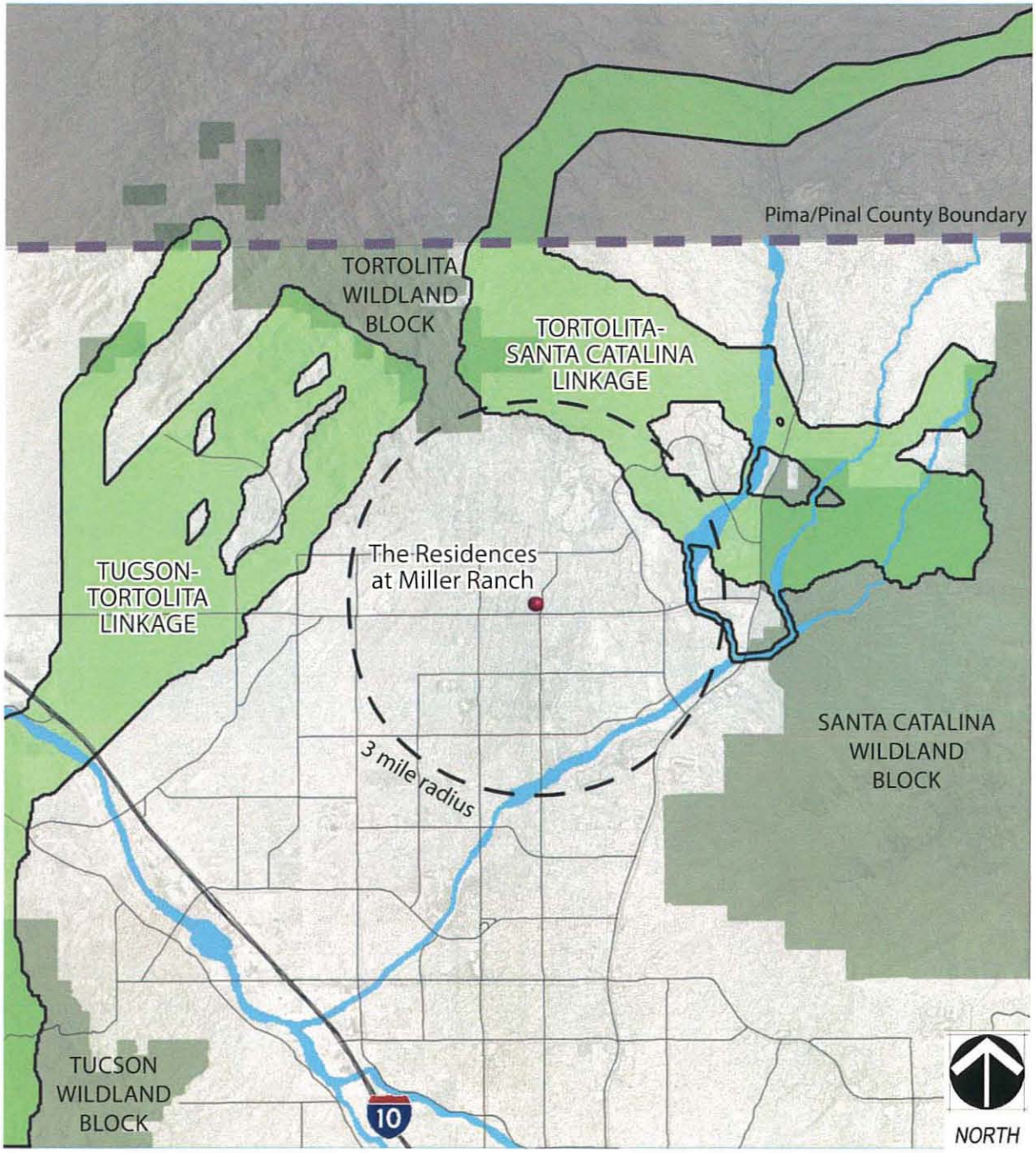
SCALE: 1" = 400'

LEGEND

High Value Habitat

Medium Value Habitat

Exhibit 1-E.1b: Wildlife Corridors



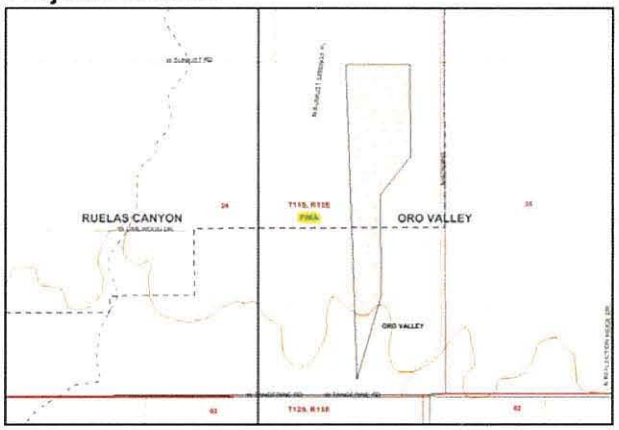
Source: Pima County GIS, July 2014; *1

0 2 4
MILES

*1
Beir, P., E. Garding, and D. Majka. 2006. Arizona Missing Linkages: Tucson - Tortolita - Santa Catalina Mountains Linkage Design. Report to Arizona Game and Fish Department. School of Forestry, Northern Arizona University.

Arizona's On-line Environmental Review Tool
Search ID: 20140618023733
Project Name: The Residences at Miller Ranch
Date: 6/18/2014 2:37:11 PM

Project Location



Project Name: The Residences at Miller Ranch
Submitted By: Christian Sobecki
On behalf of: PRIVATE
Project Search ID: 20140618023733
Date: 6/18/2014 2:37:07 PM
Project Category: Development Within Municipalities (Urban Growth),Residential subdivision and associated infrastructure,New construction
Project Coordinates (UTM Zone 12-NAD 83): 500274.924, 3587953.209 meter
Project Area: 16.441 acres
Project Perimeter: 1699.113 meter
County: PIMA
USGS 7.5 Minute Quadrangle ID: 1684
Quadrangle Name: ORO VALLEY
Project locality is not anticipated to change

Location Accuracy Disclaimer

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Receipt is solely responsible for the project location and thus the correctness of the Project Review Receipt content.

The Department appreciates the opportunity to provide in-depth comments and project review when additional information or environmental documentation becomes available.

Special Status Species Occurrences/Critical Habitat/Tribal Lands within 3 miles of Project Vicinity:

Name	Common Name	FWS	USFS	BLM	State
Aquila chrysaetos	Golden Eagle	BGA		S	
Glaucidium brasilianum cactorum	Cactus Ferruginous Pygmy-owl	SC	S	S	WSC
Gopherus morafkai	Sonoran Desert Tortoise	C*	S		WSC
Leptonycteris curasoae yerbabuenae	Lesser Long-nosed Bat	LE			WSC
Tucson - Tortolita - Santa Catalina Mountains Linkage Design	Wildlife Corridor				

 APPLICATION INITIALS: _____

Arizona's On-line Environmental Review Tool
Search ID: 20140618023733
Project Name: The Residences at Miller Ranch
Date: 6/18/2014 2:37:11 PM

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

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,

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.

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

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 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).**

 APPLICATION INITIALS: _____

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

Terms of Use

By using this site, you acknowledge that you have read and understand the terms of use. Department staff may revise these terms periodically. If you continue to use our website after we post changes to these terms, it will mean that you accept such changes. If at any time you do not wish to accept the Terms, you may choose not to use the website.

1. This Environmental Review and project planning website was developed and intended for the purpose of screening projects for potential impacts on resources of special concern. By indicating your agreement to the terms of use for this website, you warrant that you will not use this website for any other purpose.
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.

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:_____

 APPLICATION INITIALS: _____

Arizona's On-line Environmental Review Tool
Search ID: 20140618023733
Project Name: The Residences at Miller Ranch
Date: 6/18/2014 2:37:11 PM

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: _____

 APPLICATION INITIALS: _____

F. Viewsheds

1. Views Onto and Across the Site from Adjacent Properties

Views onto the site from adjacent properties to the north, east, west, and south are shown in *Exhibit 1-F.1 Views onto Site, p. 37*. Anticipated impact on viewsheds from the proposed developments are described in *Table 1-F.1, Views onto Site, this page.*

TABLE 1-F.1: VIEWS ONTO SITE

#	View	Anticipated Impact
1	From property north of site, looking south	The majority of existing vegetation will remain along the south side of Sunkist Drive, except where minimal clearing will need to be done to allow for the project entry. The area will be enhanced with native plant species creating a landscaped buffer between Sunkist Drive and side yard walls of future Miller Ranch homes.
2	From La Cañada Drive, looking west	Some existing vegetation east of the site will be cleared for the development of the Technological Park & Retail Center. Enhancement/supplementation of vegetation in the riparian area will increase overall vegetative density between the Technological Park & Retail Center and the Residences at Miller Ranch.
3	From Tangerine Road, looking north	Enhancement of the riparian area and landscaping will screen the site's southern most homes from Tangerine Road.
4	From property west of site, looking east	An enhanced vegetation buffer will aid in screening the road and homes along the western site boundary. Attempts will be made through the use of setbacks, architecture and home placement to preserve distant views of the Santa Catalina Mountains.

2. Areas of High Visibility from Off-site Locations

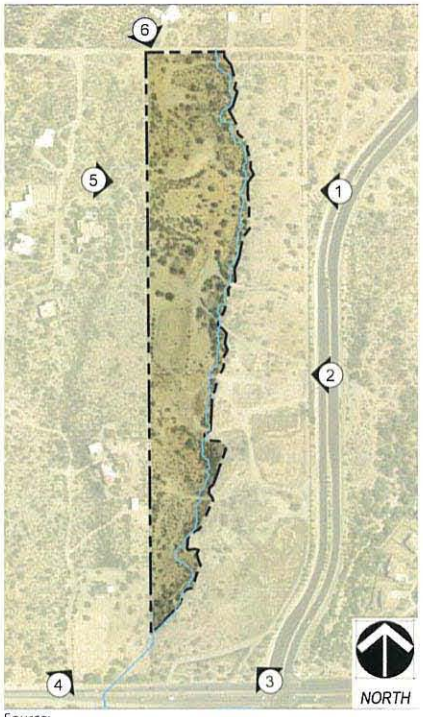
The Residences at Miller Ranch site does not include any areas that would be considered highly visible as most views onto the site are filtered by vegetation.

3. Impact of Proposed Structures on Existing Landscapes

A photo-simulation of proposed structures on-site is shown in *Exhibit 1-F.3, Visual Impacts of Proposed Structures, p. 39.*

Exhibit 1-F.1: Views onto Site

Photo Locater Map



Source:
Site Observation

LEGEND

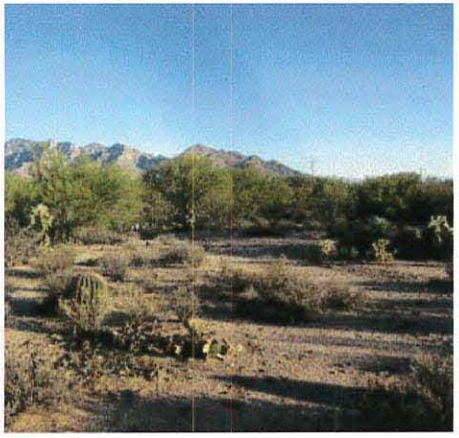
Point of view

1 View onto the site looking west from La Cañada Drive at existing median break north of proposed access road.

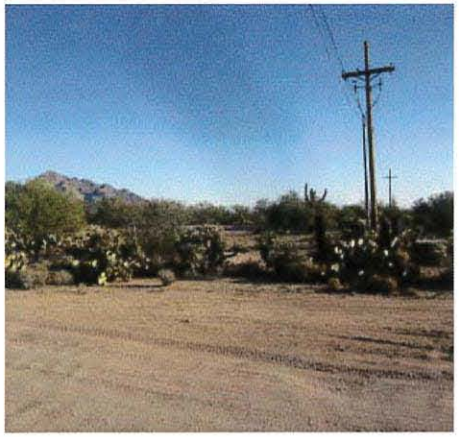
2 View onto the site looking west from La Cañada Drive at existing median break south of proposed access road.

3 View onto the site looking northwest from the intersection of two closest arterial streets, La Cañada Drive and Tangerine Road.

4 View onto the site looking northeast from Tangerine Road shortly before road transitions from two to four lanes heading eastward.



5 View onto the site looking east from adjacent residential properties located outside of the site's western boundary.



6 View onto the site looking southeast from residential properties located outside the site's northwest corner.

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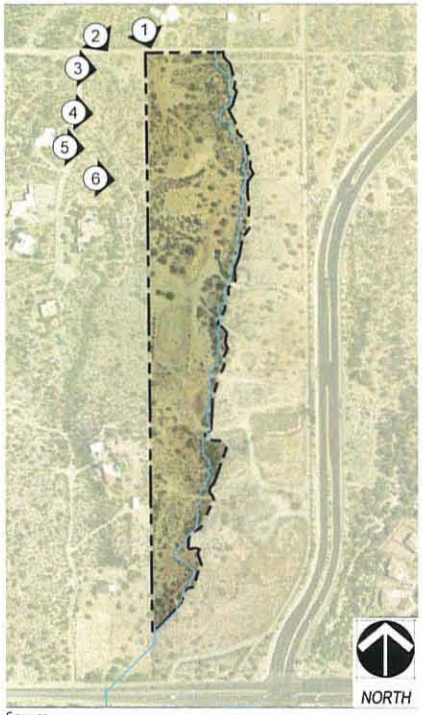
Planning | Landscape Architecture

The Residences at Miller Ranch
August 2014 - Revised January 2015

Exhibit 1-F.3: Visual Impacts of Proposed Structures

Photo Locater Map



Source:
Site Observation

0 250' 500' 1000'

SCALE: 1" = 500'

LEGEND

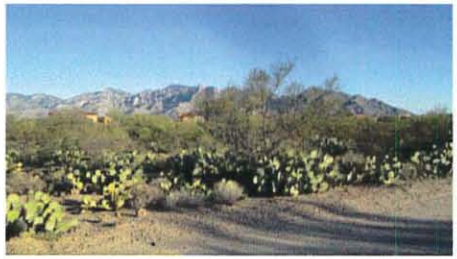
Point of view

① Existing / Proposed

② Existing / Proposed

③ Existing / Proposed

④ Existing / Proposed



⑤ Existing / Proposed

⑥ Existing / Proposed

NORRIS DESIGN
Planning | Landscape Architecture

The Residences at Miller Ranch
August 2014 - Revised January 2015

G. Traffic

1. Existing and Proposed Off-site Streets

The Residences at Miller Ranch is generally located at the northwest corner of the Tangerine Road and La Cañada Drive intersection. Both of these roads are classified as urban minor arterials. Currently there are no existing off-site roads located between the subject property and these two (2) arterial roadways. The project proposes the development of 37 single-family residential units. The site proposes to take primary access from Sunkist Drive via a proposed full-turn intersection at an existing median break along La Cañada Drive. It should be noted that there is an approved future commercial component located just east of the residential site. Phase I of the commercial development proposes about 19,800 sf of commercial retail, 6,000 sf of bank use and 67,900 sf general office use. Phase I commercial development proposes to take access to Tangerine Road via a proposed right in right out driveway and to La Cañada Drive via a proposed full access driveway and a right –in right-out driveway. The opening year of the commercial component is unknown at this time. In addition, the proposed La Canada Ridge subdivision (33 dwelling units) located just north of the Miller Ranch development is an approved project that is anticipated to be constructed in the near future. Although the TIA has been prepared to evaluate the Miller Ranch residential component, the analysis also includes an analysis scenario that assumes both the Miller Ranch Commercial - Phase I and La Canada Ridge Subdivision are built. *See Exhibit 1-G.1, Proposed Access and On-Site Vehicular Circulation, p. 43.*

2. Arterial Streets within 1 mile of the Project Site

Tangerine Road is an east-west roadway and "Urban Principal Arterial" serving the site. The posted speed limit is 45 mph and no on-street parking is provided. There is a traffic signal at its intersection with La Canada Drive. The existing right-of-way width is 300', which conforms to minimum Oro Valley requirements. Between La Cañada Drive and Oracle Road (SR 77), Tangerine Road is four-lane, divided cross section with a raised median, paved shoulders, and exclusive left-turn bays at median openings. West of La Cañada Drive, Tangerine Road transitions into a two-lane, undivided cross section with unpaved shoulders for approximately ten miles before widening back to a four-lane divided cross section at the I-10 underpass. The Town of Oro Valley currently has plans to widen the ten mile stretch of road between La Cañada Drive and Interstate 10 from two to four lanes with sidewalks and multi use lanes, known as the Tangerine Road Corridor Project. Construction is expected to start in 2016. None of these improvements will directly affect the access to the project.

As per the official FHWA-approved Functional Classification Map (2009), there are two other arterial streets located within a one mile radius of the Residences at Miller Ranch site. Classified as "Urban Minor Arterial" these north-south oriented roads are the adjacent La Cañada Drive and La Cholla Boulevard located to the west. *See Table 1-G.2a, Existing Arterial Streets within 1 Mile Radius, p. 42, and Exhibit 1-G.2a, Road Improvements an Arterials within 1 Mile Radius, p. 44.*

Existing traffic volumes at the project area intersection of La Cañada Drive/Tangerine Road were obtained from traffic counts conducted by Field Data Services of Arizona on Wednesday, March 19, 2014. The turning movement counts were conducted during the AM (7-9) and PM (4-6) periods. *Exhibit 1-G.2b, Existing Traffic Volumes, p. 46*, shows the existing intersection turning movement counts within the study area. Manual turning movement count sheets are provided under separate cover within the Miller Ranch Residential Development Traffic Impact Analysis by Rick Engineering Company. *Table 1-G.2b, Existing (2014) Intersection Operations, this page*, shows that the signalized intersection of La Cañada Drive/Tangerine Road to currently operate at LOS C during the AM and PM peak periods.

TABLE 1-G.2A: EXISTING ARTERIAL STREETS WITHIN 1 MILE RADIUS

Road	Class	Cross-Section	Ownership	Speed	Right of Way
Tangerine Road	Urban Principal Arterial	Four Lane Divided with Paved Shoulder	Town of Oro Valley	45 mph	300′
La Cañada Drive	Urban Minor Arterial	Four Lane Divided with Paved Shoulder	Town of Oro Valley	45 mph	150′
La Cholla Boulevard	Urban Minor Arterial	Two Lane Undivided with unpaved shoulder	Town of Oro Valley	45 mph	150′

SOURCE: FHWA, SITE OBSERVATION, JULY 2014 TABLE PARAMETERS BASED UPON ROAD SEGMENTS CLOSEST TO SITE

Tangerine Road ADT = 18,900 (Year 2016)

La Cañada Drive ADT = 16,100 (Year 2016)

TABLE 1-G.2B: EXISTING (2014) INTERSECTION OPERATIONS

Intersection	Existing (2014)	
	DELAY	LOS
Tangerine Road / La Cañada Drive (S)		
AM Peak	27.8	C
PM Peak	27.9	C

Source: Rick Engineering Company, August 2014

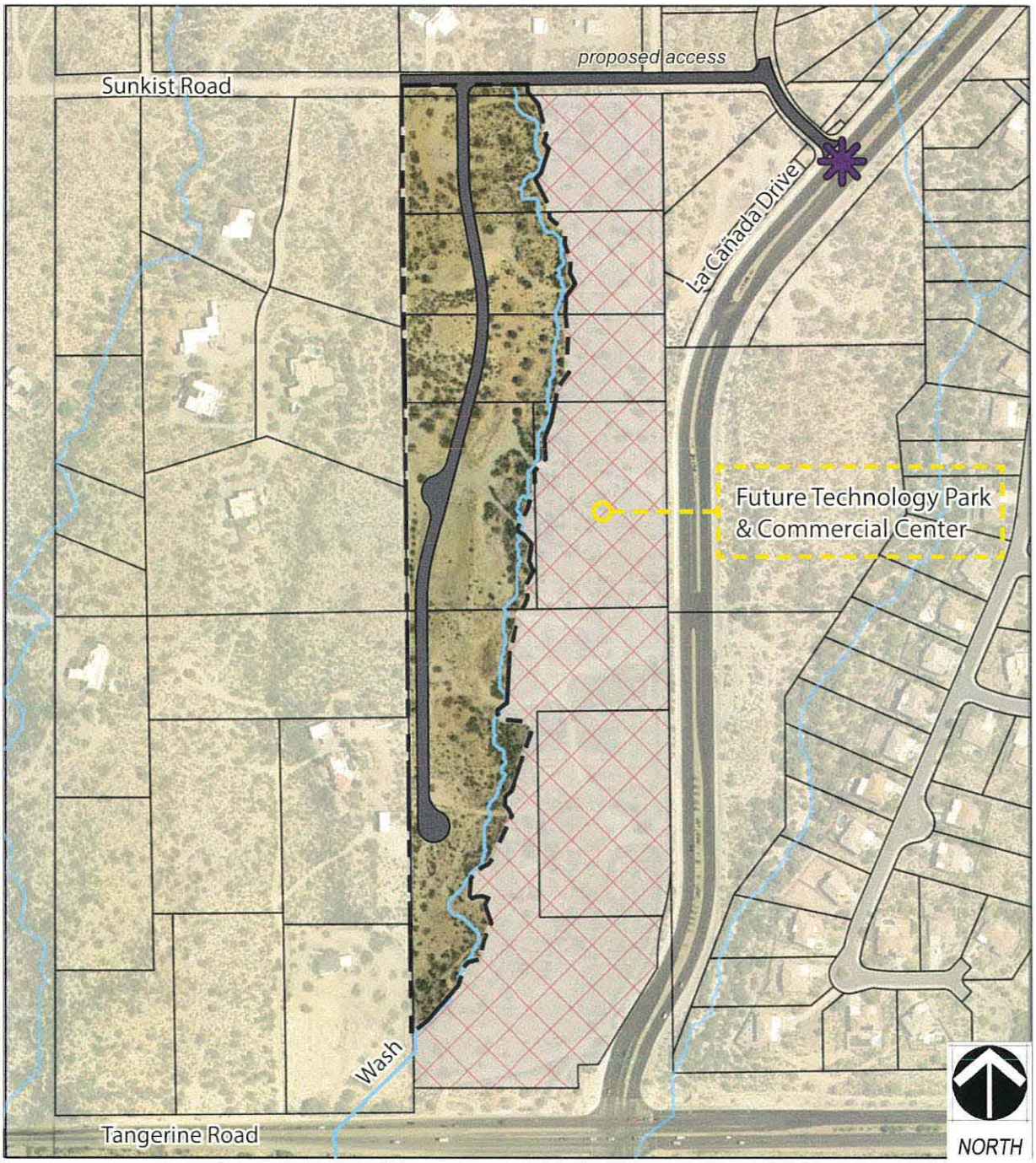
- Delays and Level of Service calculated utilizing the methodologies described in Chapters 16 & 17 of the 2000 Highway Capacity Manual (HCM).

DELAY is measured in seconds

LOS = Level of Service

(S) = Signalized Intersection

Exhibit 1-G.1: Proposed Access and On-Site Vehicular Circulation



Source: Pima County GIS, The Residences At Miller Ranch Concept Plan, November 2014

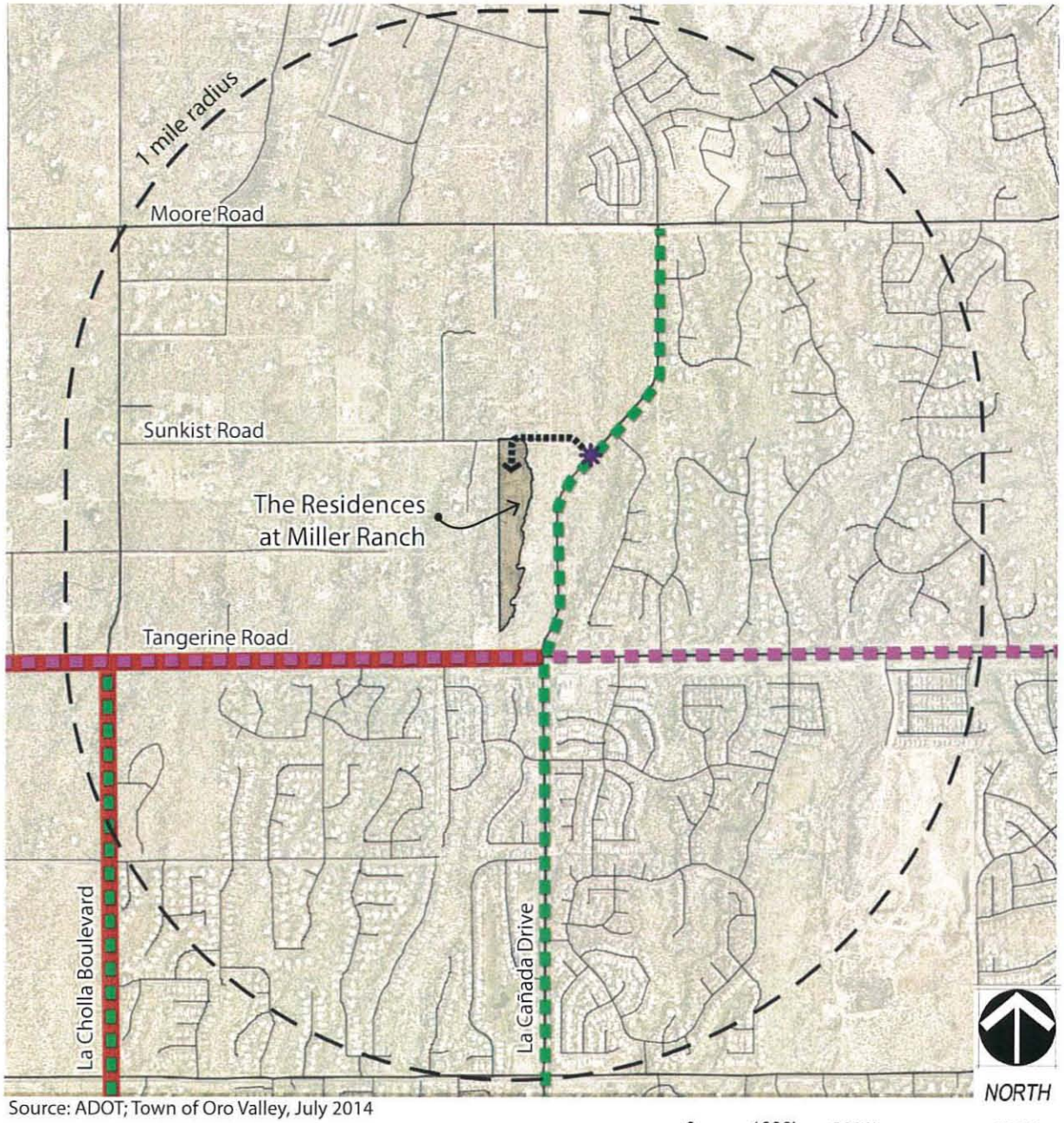
0 200' 400' 800'

SCALE: 1" = 400'

LEGEND

Full-Turn Intersection

Exhibit 1-G.2a: Road Improvements and Arterials within 1 Mile Radius



Source: ADOT; Town of Oro Valley, July 2014

LEGEND

- Scheduled Road Improvement
- Urban Principal Arterial Street
- Urban Minor Arterial Street
- Site Access
- Full-Turn Intersection

3. Existing and Proposed Intersections on Arterials

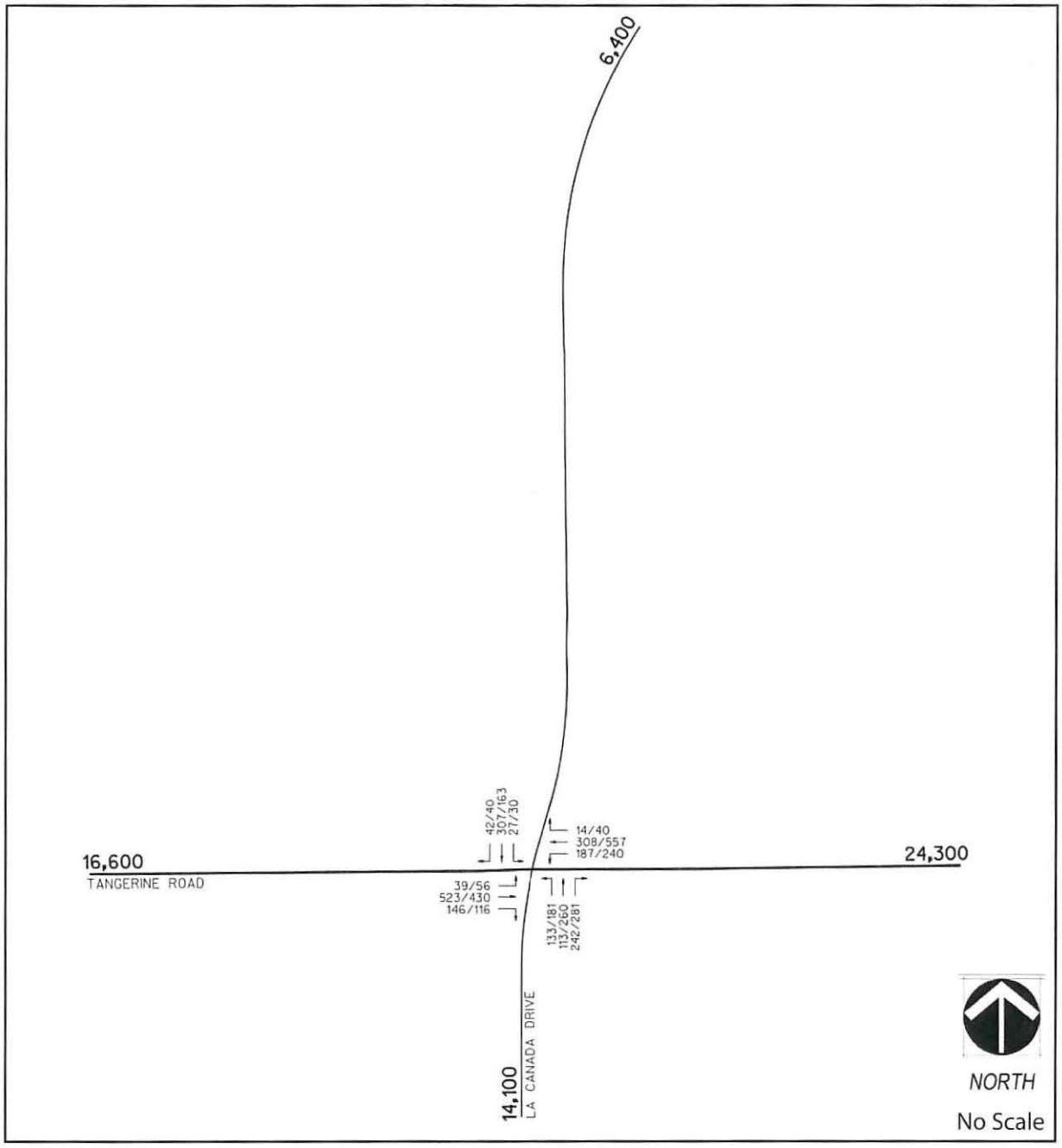
There are three (3) median breaks located along the segment of La Cañada Drive that parallels the Miller Ranch site's eastern boundary. A full-turn intersection is proposed at the northern most median break, granting access to the site from Sunkist Road via La Cañada Drive. There is currently no median along Tangerine Road west of La Cañada Drive with exception of along the left-hand turn lane at the intersection of the two roads. The intersection at La Cañada Drive and Tangerine Road is signalized.

Existing arterial intersections within a mile of the site include Tangerine Road and La Cañada Drive to the east and Tangerine Road and La Cholla Boulevard to the west. Although Moore Road is classified as an Urban Collector as per the FHWA-approved Functional Classification Map (2009), this street's intersection with La Cañada north of the site, falls within a mile radius of the site.

4. Existing Bicycle and Pedestrian Ways

Hard surfaced shared-use paths supporting pedestrian and bicycle circulation and striped-shoulder bicycle routes follow road alignments, particularly along La Cañada Drive and Tangerine Road (east of La Cañada Drive). Bicycle and pedestrian ways are further detailed and mapped in *Section H. Recreation and Trails, pgs. 47- 48.*

Exhibit 1-G.2b: Existing Traffic Volumes



Source: Rick Engineering Company, August 2014

H. Recreation and Trails

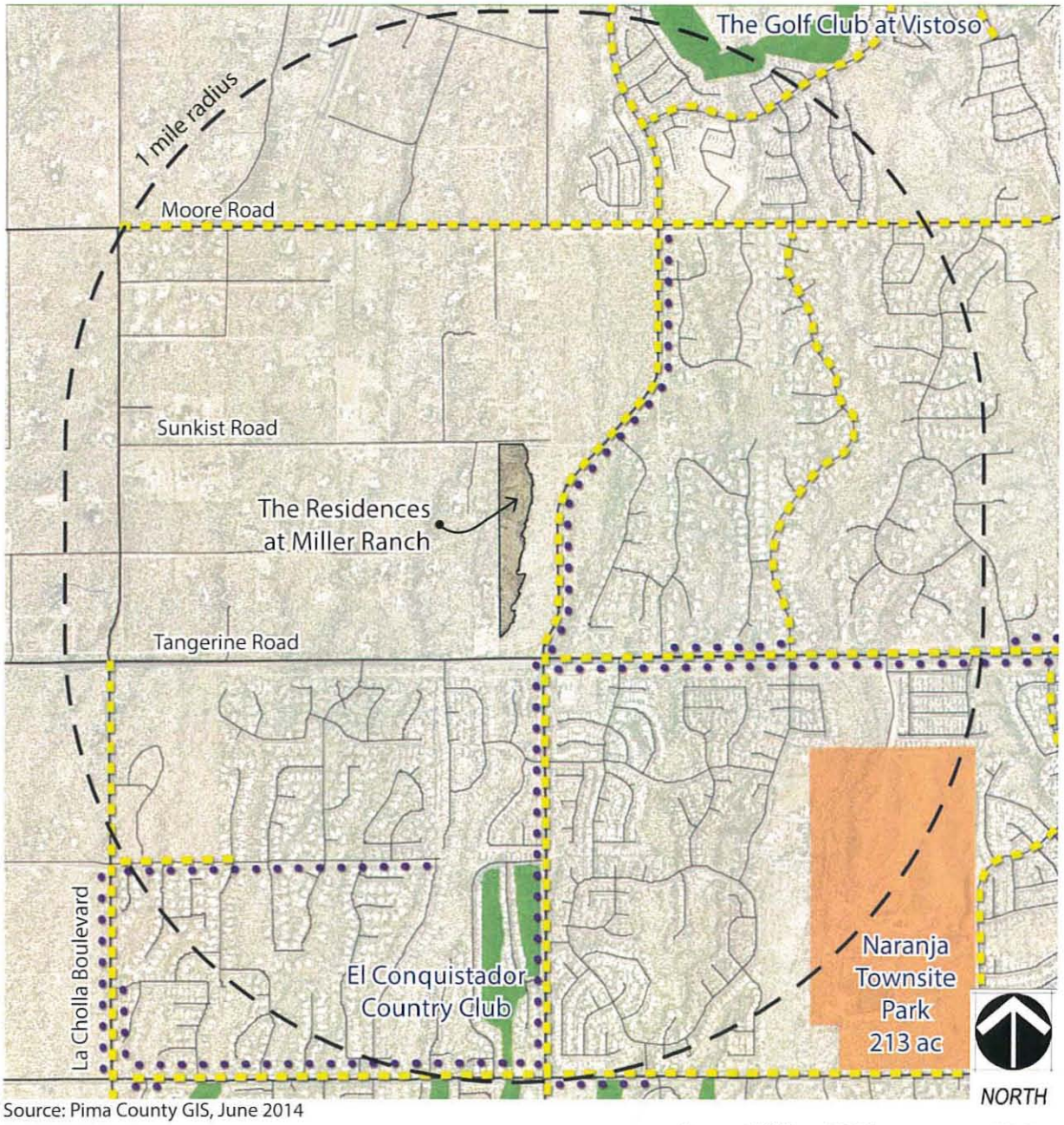
1. Description of Trails, Parks, and Recreation Areas within 1-mile of Site
   Multiple trails, a portion of Naranja Townsite Park, and several golf courses lie within a one mile radius of the Residences at Miller Ranch site. *See Exhibit 1-H.1, Parks, Recreation, & Trails, p. 48.*

   a. Trails:
      All trails within one mile of the site are hard-surfaced, shared-use paths following major road alignments. Striped shoulder bicycle routes are also present along major road segments.

   b. Naranja Townsite Park:
      South of Tangerine Road and east of La Cañada Drive, the 213-acre Naranja Townsite Park features a network of trails and an archery course. As of June 2014, the park is currently under construction for Phase 1 Park Improvements which include two (2) multi-use sports field, a dog park, and parking lot.

   c. Golf Courses:
      There are two (2) golf courses located within one mile of the Residences at Miller Ranch site: The Golf Club at Vistoso north of Moore Road, and El Conquistador Country Club north of Naranja Drive and west of La Cañada Drive.

Exhibit 1-H.1: Parks, Recreation, & Trails



Source: Pima County GIS, June 2014

LEGEND

- Parks
- Golf Courses
- Shared-use Paths
- Striped Shoulder Bicycle Route

I. Cultural/Archaeological/Historic Resources

1. Report of Available Site Information

See Exhibit 1-I.1, Cultural Resources, p. 50, for a reliance letter from Fred Huntington, Director of Cultural Resources of Westland Resources, Inc. Engineering and Environmental Consultants. The letter states that upon completion of a cultural resources inventory survey in April, 2008 by Westland Resources, no prehistoric or historic period cultural resources were discovered within the project area. Westland recommends that no further cultural resources work be required due to the lack of archaeological and historic resources within the project site.

WestLand Resources, Inc.
Engineering and Environmental Consultants

July 8, 2014

Mr. Stacey Weaks
NORRIS DESIGN
418 N Toole Avenue
Tucson, AZ 85701

RE: CULTURAL RESOURCES SURVEY REPORT FOR THE 37.2 ACRE MILLER RANCH PROPERTY AT LA CAÑADA DR AND TANGERINE ROAD, ORO VALLEY, ARIZONA WESTLAND PROJECT NO. 1544.01

Dear Mr. Weaks,

WestLand Resources Inc. (WestLand) completed a cultural resources inventory survey of the above referenced project in January of 2008. A draft report of the findings was submitted in April of 2008 and was forwarded for review to the State Historic Preservation Office (SHPO) by Shirley Gay of the Town of Oro Valley. SHPO comments on the report were received on September 8, 2008 and a revised cultural resources inventory report that included WestLand's responses to the SHPO comments was submitted on September 15, 2008.

No prehistoric or historic period cultural resources were discovered within the project area during the survey. Archival research indicated that the oldest building on the property was a stable built in 1972 and was, therefore, too young to be considered eligible for inclusion on the National Register of Historic Places (NRHP). In the six years since the original survey, this building has still not reached the minimum 50 year threshold to be considered eligible for the NRHP.

Due to the lack of archeological and historic period resources on the property, WestLand recommended that no further cultural resources work be required prior to the development of the property. The report met all applicable state and federal standards at the time it was written and can be relied upon to accurately reflect the lack of cultural resources on the property at the time of the survey. In addition, since no buildings on the property have reached the minimum 50 year threshold for listing on the NRHP, the recommendation that no cultural properties will be affected by the development of the project has not changed.

Should you have any questions or require additional information, please do not hesitate to call.

Respectfully,
WestLand Resources, Inc.

Fred Huntington
Director of Cultural Resources

cc: Jim Tress, WestLand Resources, Inc.

4001 E. Paradise Falls Drive • Tucson, AZ 85712 • 520•206•9585 Fax 520•206•9518
2020 N. Central Avenue • Suite 695 • Phoenix, AZ 85004 • 602•888•7000 Fax 866•457•2838
1750 S. Woodlands Village Blvd. • Suite 150 • Flagstaff, AZ 86001 • 928•225•2218 Fax 866•457•2838

J. Schools

Located southeast and within a one mile radius of the Residences at Miller Ranch site, is Copper Creek Elementary School. *See Exhibit 1-J.1a, Schools within 1 Mile Radius, p. 52.* Accessible from Tangerine Road, the school is located off of N Copper Springs Trail and is a part of the Amphitheater Public School District.

Other schools not located within a one mile radius but could potentially serve the Residences at Miller Ranch are Painted Sky Elementary School, Wilson K-8 School, Ironwood Ridge Highschool, and Casas Christian School. *See Exhibit 1-J.1b, Schools Serving the Area, p. 53.*

K. Water

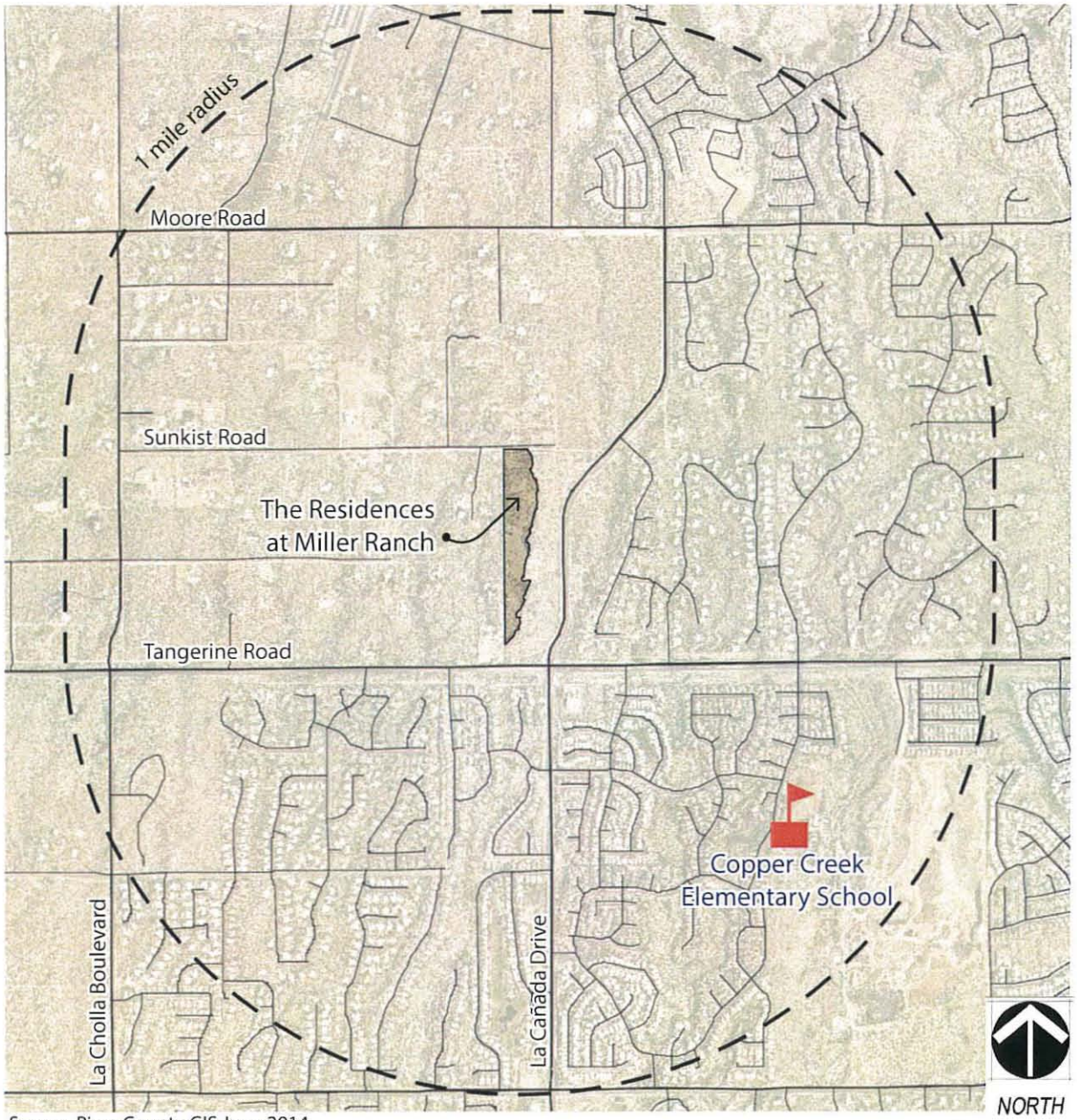
Water Service Provider:
Oro Valley Water Utility
11000 N. La Cañada Drive
Oro Valley, Arizona 85737

Philip C. Saletta, P.E., Water Utility Director
Tel: 520-229-5000

L. Sewer

Exhibit 1-L.1, Sanitary Sewer Pipes & Structures p. 54, shows existing public sewer in relation to the project site. Sanitary sewer service will be extended from the 8" Public Sewer, P.N. G-2003-064, at Manhole Number 3890-09 located in the Tangerine Road right-of-way.

Exhibit 1-J.1a: Schools within 1 Mile Radius



Source: Pima County GIS June 2014

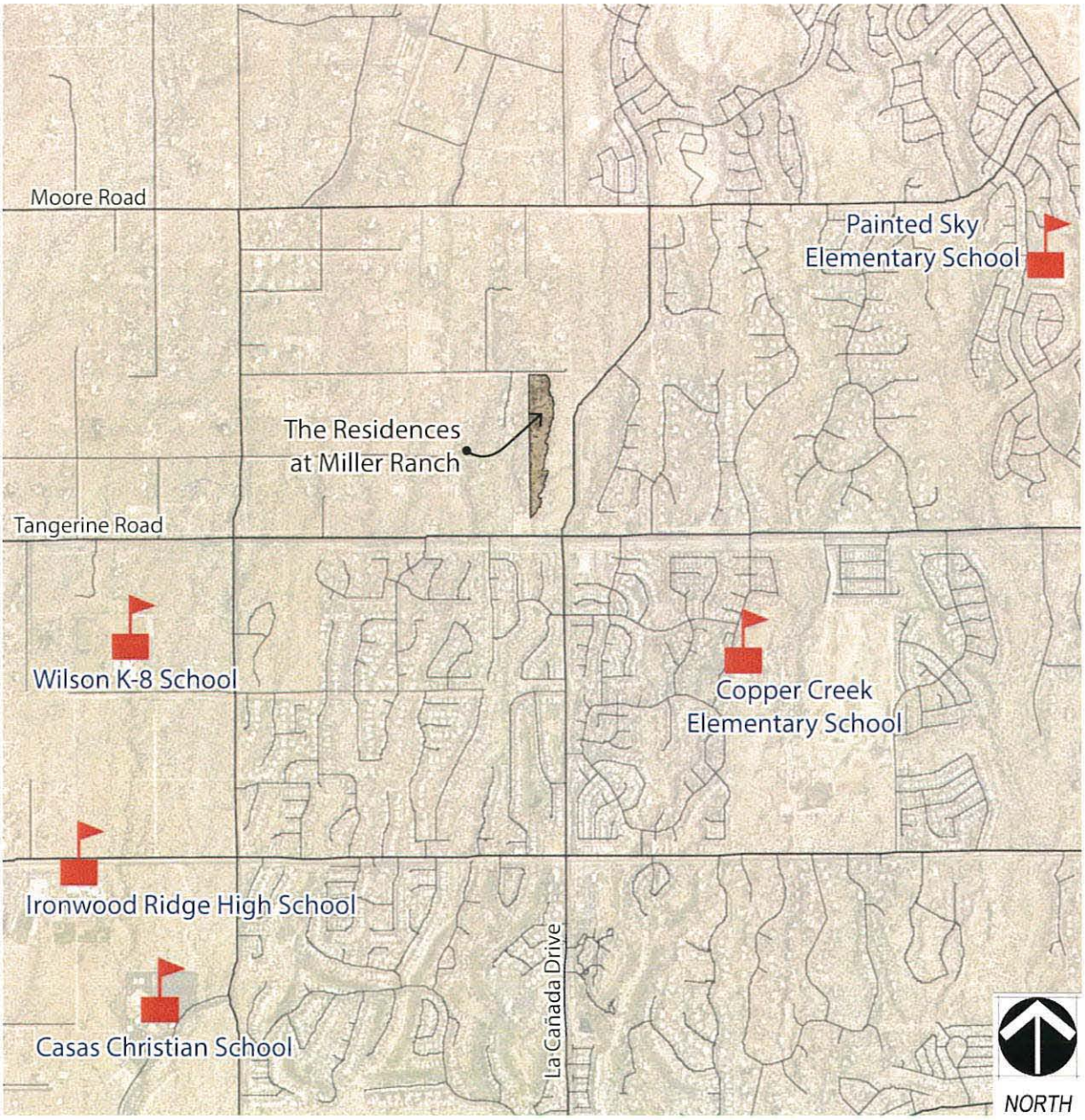
0 1000' 2000' 4000'

SCALE: 1" = 2000'

LEGEND

Schools

Exhibit 1-J.1b: Schools Serving the Area



Source: Pima County GIS, June 2014

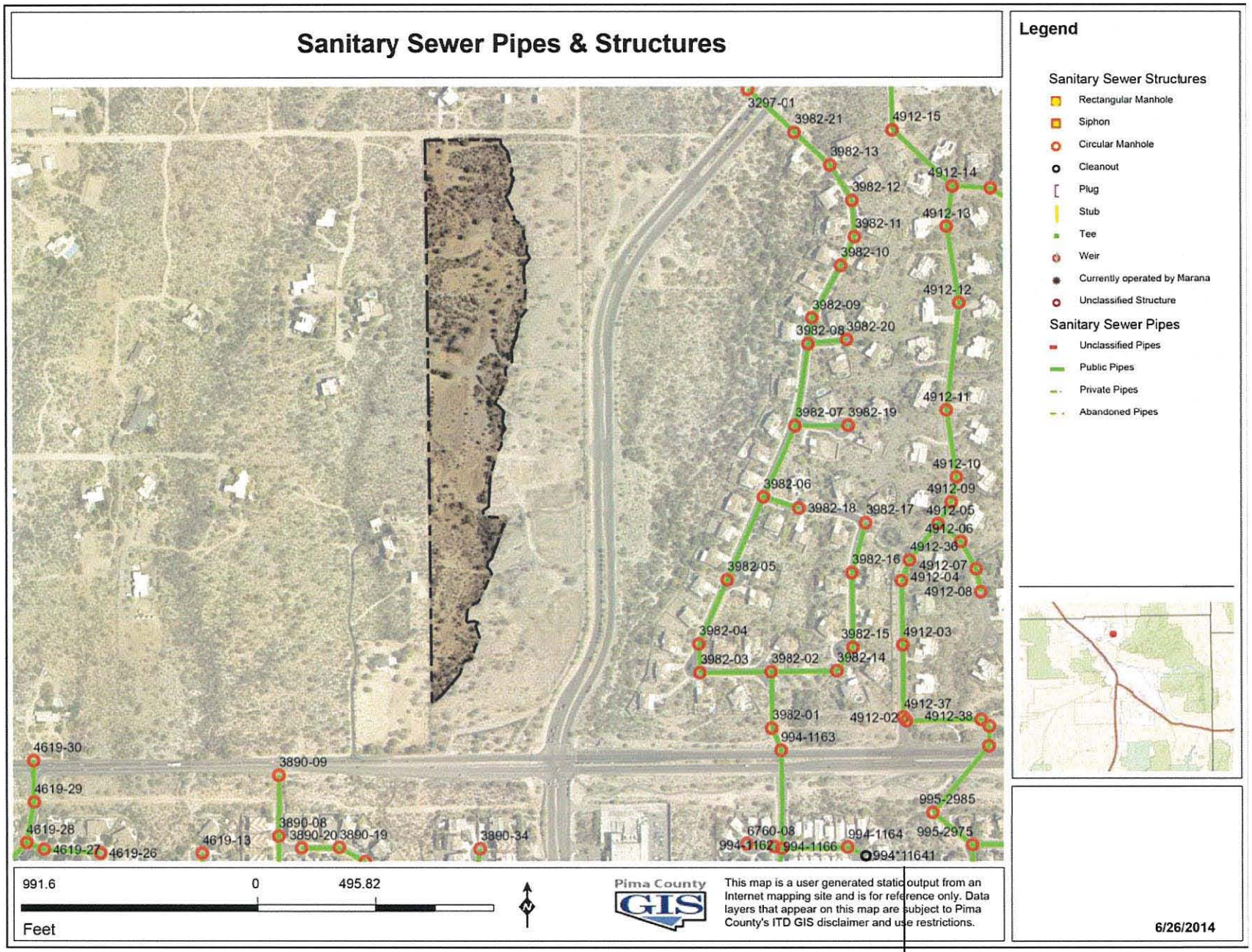
0 0.25 0.5 1 MILE

SCALE: 1" = 0.50 MILES

LEGEND

Schools

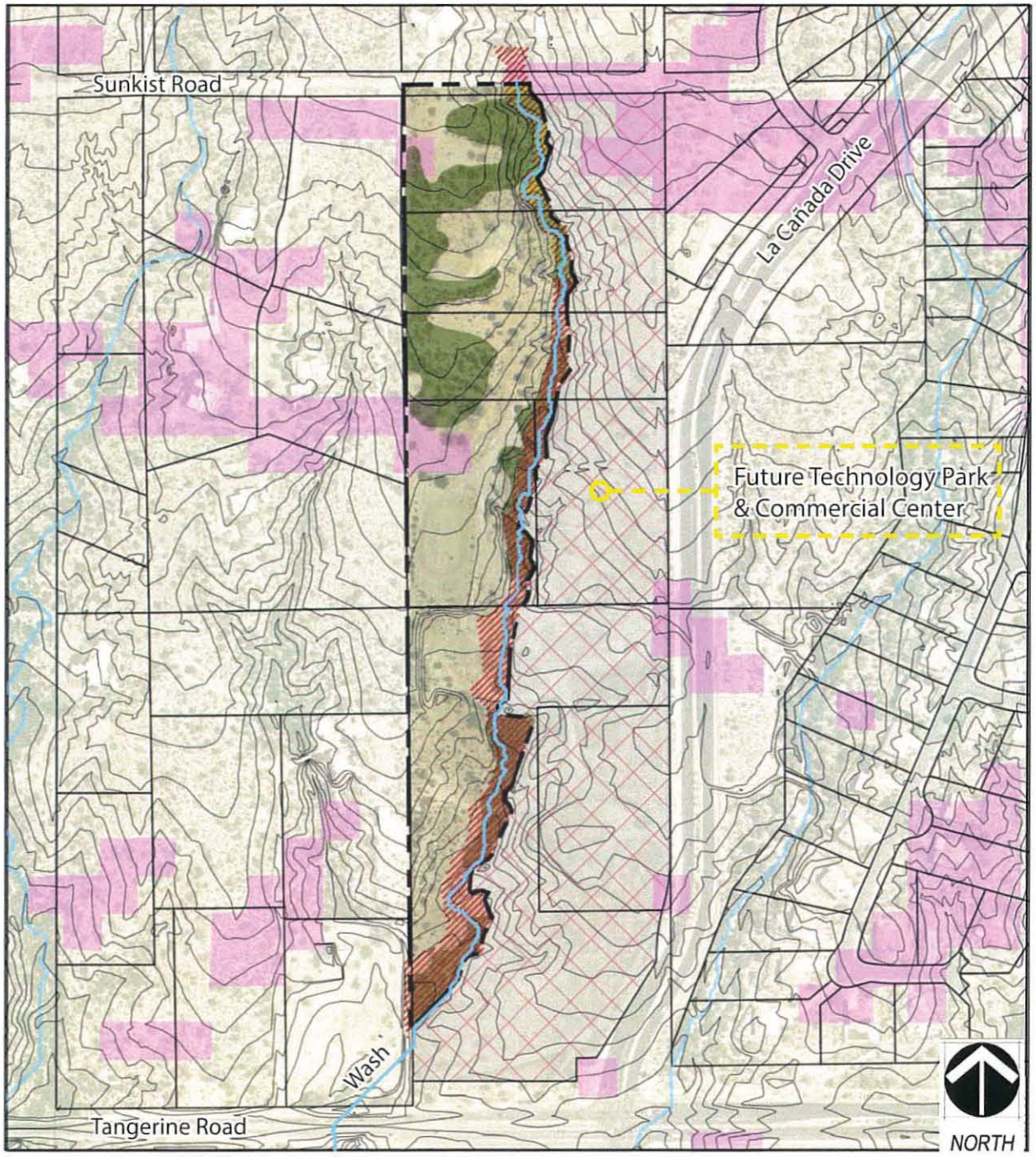
Exhibit 1-L.1: Sanitary Sewer Pipes & Structures



M. Composite Map

A composite map showing Topography, Hydrology, Vegetation, and Wildlife is shown in *Exhibit 1-M.1, Composite Map, p. 56.* Viewsheds are not included in the composite map but are shown in *Exhibit 1-F.1 Views onto Site, p.37,* as most views onto the site are screened by vegetation and will not be significantly impacted.

Exhibit 1-M.1: Composite Map



Source: Pima County GIS & Rick Engineering Company, July 2014;
Site Observation, April 2014

0 200' 400' 800'

SCALE: 1" = 400'

LEGEND

- Medium-Low Vegetative Density (26% - 50%)
- Undisturbed Wash
- Lesser Long-nosed Bat High Value Habitat
- Contour Interval: 2'
- 100-year Flood Limits

PART 2 - LAND USE PROPOSAL

A. Project Overview

Miller Ranch is located at the northwest corner of Tangerine Road and La Cañada Drive. The eastern portion of Miller Ranch has an approved development plan integrating a Technology Park and Commercial Center. The Residences at Miller Ranch is planned to be a 16.3 acre residential development to complement the future Technology Park and Commercial Center. The existing land use designation is Medium Density Residential (MDR, 2.1 - 5.0 DU/AC), however through the General Plan Amendment process, the residential portion of Miller Ranch was stipulated to a maximum allowable density of 2.5 DU/AC. The Medium Density Residential classification aligns with the Low, Medium and High Density Residential designations of the existing residential parcels in the vicinity of the property. The Residences at Miller Ranch features twenty-six (26) lots with a minimum lot size of 8,050 square feet and eleven (11) 10,000 square foot minimum lots, totaling thirty-seven (37) residential lots with a gross density of 2.3 DU/AC. As part of the ESL requirements, the Critical Resource Area (CRA) requires a minimum of 95% preservation and the Resource Management Area requires 25% open space. Approximately 2.0 acres of open space serves to restore and protect the site's disturbed unnamed wash corridor, satisfying the ESL minimum requirement.

Concept Plan | Open Space Summary

The Residences at Miller Ranch provides a collection of open space comprised of ESL Critical Resource Area, ESL Resource Management Area, and revegetated common areas. Approximately 6.4 acres (40%) of the site will be open space and common areas. The neighborhood will enhance the landscape areas along the property edges, create an attractive streetscape and blend the drainage systems into the site. Many of the drainage features will serve as passive amenities for the neighborhood in conformance with the provisions per the ESL. In addition, a portion of the wash will be enhanced to become an amenity for the community. The project will include an at-grade, natural surface trail connection across the wash at the south end of the project to connect with the future trail on the Technology Park and Commercial Center campus. *See Exhibit 2-A, Miller Ranch Concept Plan, p. 60 and Table 2-A, ESL Open Space, p. 58*, for a summary of the open space for Miller Ranch.

TABLE 2-A ESL OPEN SPACE

ESL Open Space	Required	Provided
Critical Resource Area	3.3AC	3.4AC
Resource Management Area - Tier 2	3.2AC	2.2AC*
Common Area / Open Space	N/A	0.7AC
Total Open Space	N/A	6.4AC (40%)

* Wash Restoration Credit (1.0AC) to be applied to the Resource Management Area open space

Rezoning Development Incentives
As part of our zoning request for a R1-7 district, we are requesting the following development incentives per Section 27.10 Environmental Sensitive Lands (ESL) of the Oro Valley Zoning Code.

Wash Restoration Credit
Request: We are requesting credit for the restoration of a majority of the existing unnamed wash within the residential development.

Overview: The entire property and wash have been significantly denuded over the years by the ranching activities on the site. As part of the development program, the project will enhance the disturbed portions of the existing wash including the removal of the invasive plants. Approximately two (2) acres of the wash will be enhanced to improve the function of the wash and overall aesthetic quality of this resource. A one (1) acre credit will be applied towards the overall environmentally sensitive open space (ESOS) requirements and specifically applied to the Resource Management Area (RMA) open space requirement.

Code Reference: Town of Oro Valley Zoning Code, Chapter 27: General Development Standards, Section 27.10 Environmentally Sensitive Lands, (D) Environmentally Sensitive Lands Conservation Systems, (3) Conservation Categories, (b) Critical Resource Area (CRA) Category, (ii) Conservation (c,1), Page 278.8.

Development Incentives

Building Setback

Request: We are requesting a front setback of 10' to allow for front porches, courtyards, facade articulation and side loaded garages, when appropriate, with a minimum 20' setback for a standard front loaded garage.

Overview: The reduced front setback will enhance the streetscape by promoting architectural features along the street frontage that activate the streetscape. Porches, courtyards and enhanced architectural articulation allows for a unique streetscape building on the goals of the residential design guidelines. The goal is to create an unique aesthetic for the community and the residents of Miller Ranch.

Code Reference: Town of Oro Valley Zoning Code, Chapter 27: General Development Standards, Section 27.10 Environmentally Sensitive Lands, (F) ESOS Use and Conservation Development, (2) Development Balance and Incentives, (c, i, ii & iii) Flexible Development , Page 278.62-64

Modified Review Process

Request: We are requesting to apply the Modified Review Process for the subsequent design and infrastructure plan submittals.

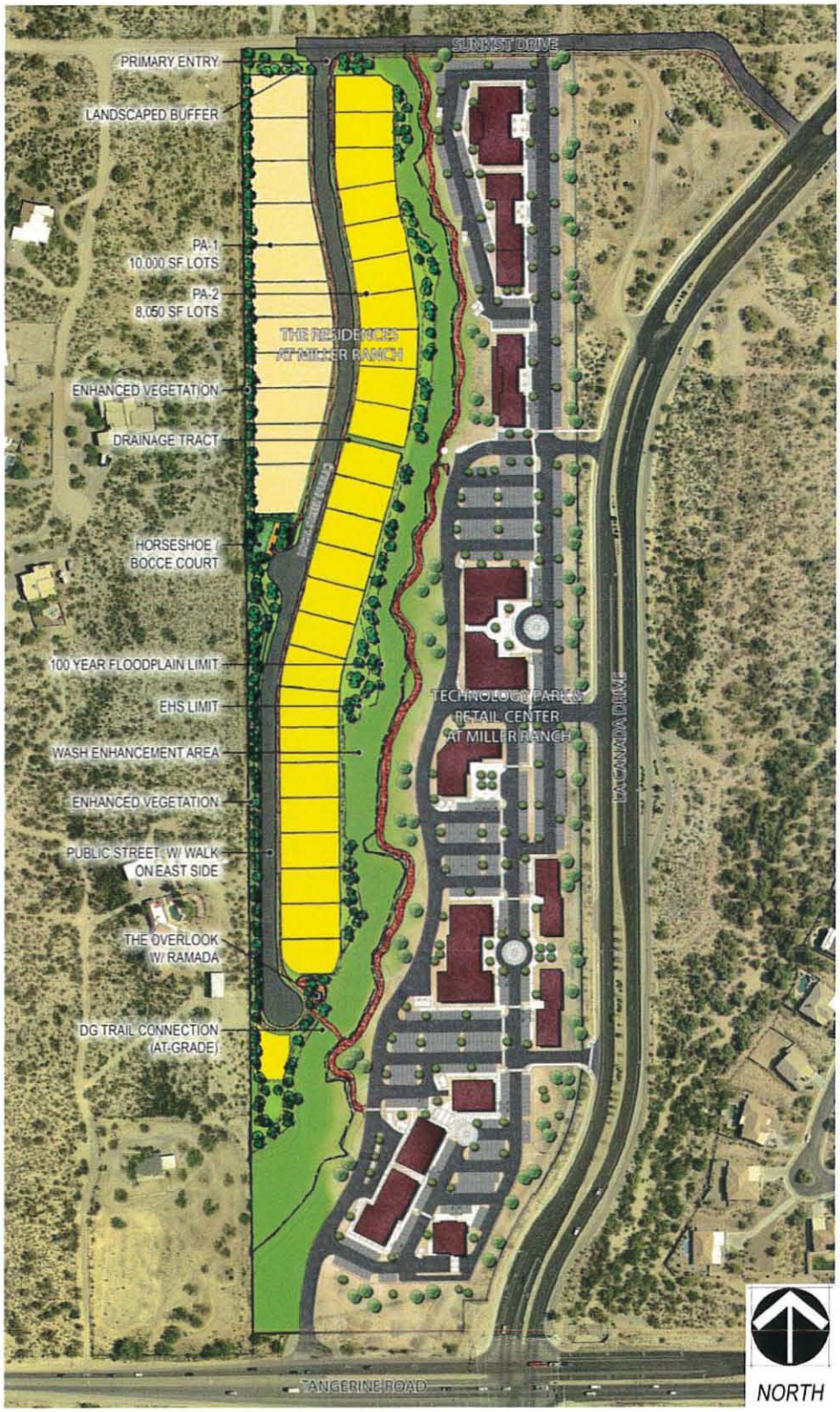
Overview: We anticipate the rezoning and public engagement process will address critical planning elements for the project. Thus, this will result in a refined plan that can subsequently be approved administratively. We understand if modifications were considered to be more than minor revisions, future submittals may not be able to be approved administratively.

Code Reference: Town of Oro Valley Zoning Code, Chapter 27: General Development Standards, Section 27.10 Environmentally Sensitive Lands, (F) ESOS Use and Conservation Development, (2) Development Balance and Incentives, (c, iii) Flexible Development, (h) Modified Review Process, Page 278.64.

B. Tentative Development Plan

Provided under separate cover.

Exhibit 2-A: Miller Ranch Concept Plan



Not to scale

C. Existing Land Uses

1. Map of Zoning Boundaries and Existing Land Uses on Adjacent Properties

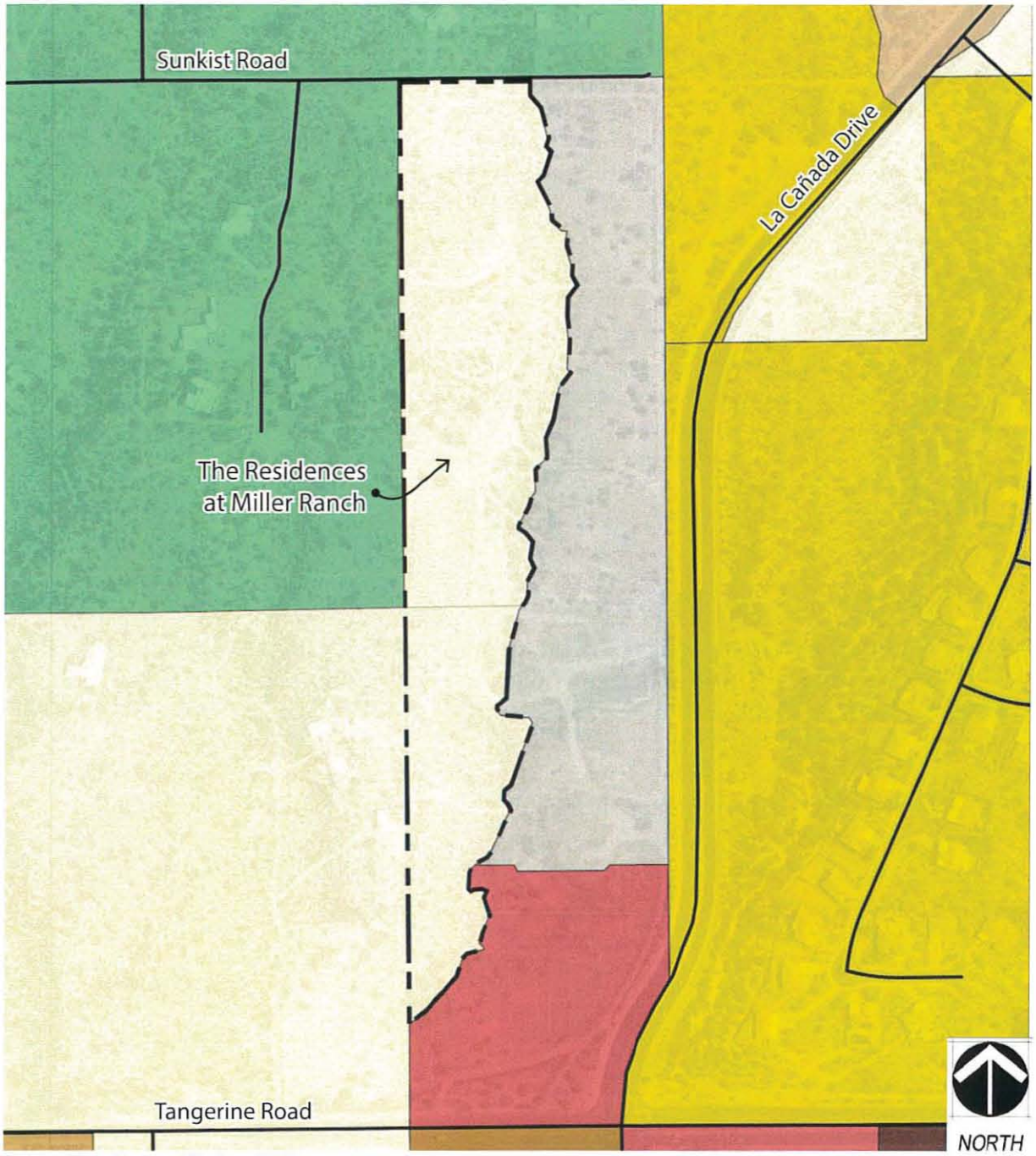
The Residences at Miller Ranch site (parcel numbers 219-47-017A, 018A, 0050, 0060, 004A, 004C, and 004B as identified by the Pima County Assessor) is currently zoned R1-144. Requested zoning for the site is R1-7. Current zoning of site and adjacent property is shown in *Exhibit 2-C.1, Zoning Boundaries/Land Uses, p. 62*. Section 1-A.3 contains additional information on existing zoning and land uses.

2. Effects of Proposed Development on Existing Land Uses

The Residences at Miller Ranch proposes a viable land use that is complementary to development patterns in the vicinity along the Tangerine Road and La Cañada Corridors. Currently undeveloped, the site is zoned for R1-144 Single Family Residential with a density of 0.3 DU/AC. The proposed rezoning requests rezoning the site to R1-7 Single Family Residential with a density of 2.3 DU/AC. The property was approved for a General Plan Amendment in February 2014 receiving a Medium Density Residential (MDR, 2.0 - 5.0 DU/AC) designation with a maximum allowable density of 2.5 DU/AC. As per the Oro Valley General Plan's definition for MDR, this use should be located adjacent to schools, shopping and employment. The project is adjacent to the future Miller Ranch Technology Park and Commercial Center which will eventually serve as a shopping and employment node along the Tangerine Corridor. The Residences at Miller Ranch may potentially provide housing for employees of nearby future employers.

Development at the lower end of the MDR density range also creates a compatible and logical transition between the existing residential land use to the west and the future Technology Park and Commercial Center. This transition is complemented by integrating enhanced vegetative buffers between the project and existing residential properties while minimizing impacts to distant ridgeline views.

Exhibit 2-C.1: Zoning Boundaries/Land Uses



Source: Pima County GIS, June 2014

0 200' 400' 800'

SCALE: 1" = 400'

LEGEND

- SR: Suburban Ranch
- R1-144: Single Family Residential
- R1-36: Single Family Residential
- R1-20: Single Family Residential
- R1-10: Single Family Residential
- R1-7: Single Family Residential
- R-6: Multi-Family Residential
- C-1: Commercial District
- T-P: Technological Park

D. Effects of Proposed Development on Topography

1. Response of TDP to Site's Topographic Characteristics
   The existing topography slopes gently from the site's northwestern corner south and east towards the unnamed wash along the eastern site boundary. In effort to minimize site disturbance and preserve the wash along the eastern boundary, the site plan minimizes the grading by matching existing grades, where possible, on the northern and western portions of the subject property.

2. Encroachment onto Slopes of 15% or Greater
   There is no encroachment onto slopes of 15% or greater.

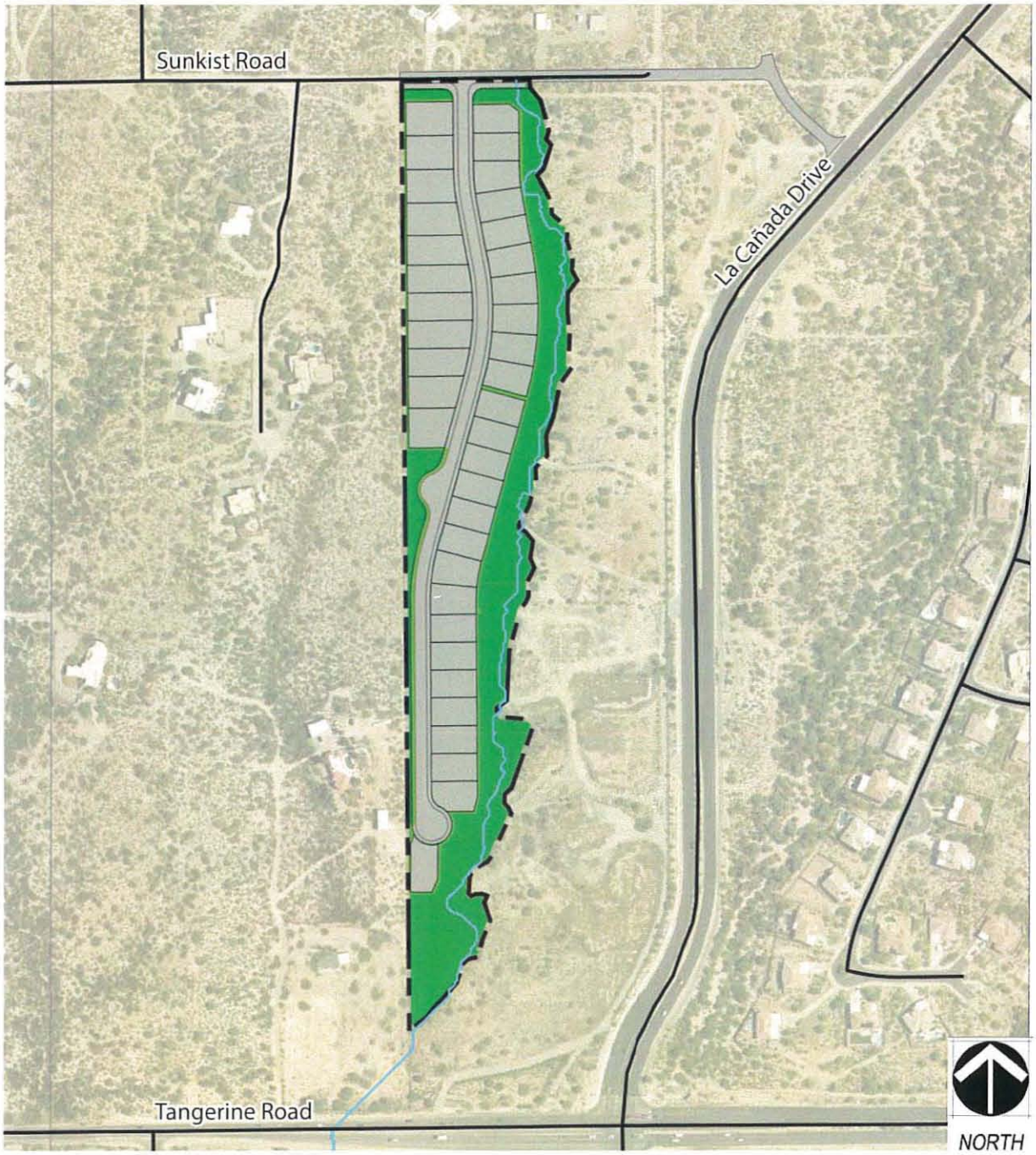
3. New Average Cross-slope
   The new post-development cross-slope is 6.2% based on the graded area of 10.8AC.

4. Area Used in Cross-Slope Calculations
   The cross-slope calculations are based on the graded area of 10.8AC.

5. Areas to be Disturbed, Graded, and/or Revegetated
   The extent of grading on the site is shown in *Exhibit 2-D.5, Areas to be Disturbed/Graded/Revegetated p. 64.* 10.8AC (66%) of the site will be disturbed/graded and 1.6AC (approx. 6%) of the site will be revegetated. In addition, 2.0AC of the wash will be restored and portions of the ESL open space will be enhanced to mitigate for the existing disturbed conditions, including the eradication of invasive species.

6. Map Extent of Grading on Site
   Grading on-site is limited to lots and roadways. Refer to *Exhibit 2-D.5, Areas to be Disturbed/Graded/Revegetated p. 64.*

Exhibit 2-D.5: Areas to be Disturbed/Graded/Revegetated



Source: Concept Plan, November 2014

LEGEND

- Developable Area 9.7AC (60% of total site)
- Revegetated Area 1.0AC
- Open Space 6.4AC (40% of total site)

E. Effects of Proposed Development on Hydrology

1. Response of TDP to Site's Hydrological Characteristics

The proposed development area limits are based on the location of the existing unnamed wash along the east project boundary and associated floodplain limits. Proposed uses and drainage improvements are intended to be compatible with this existing wash and impact the wash as little as practicable. The project will accept the existing off-site runoff and discharge on-site flows at an attenuated level in accordance with Town of Oro Valley Drainage Criteria Manual (2010 edition).

Note that the approved Master Development Plan for Miller Ranch (OV12-08-07) associated with the proposed commercial development along the easterly boundary of this project incorporates detention basins to meet Town of Oro Valley detention design criteria. These proposed detention basins provide adequate attenuation to offset the increased runoff due to this proposed project and detention basins will not be required within The Residences at Miller Ranch (this project) as currently designed. See *Exhibit II.E.1: Post-Development Hydrology p. 69* for the preliminary drainage plan for the overall Miller Ranch site including The Residences at Miller Ranch and the future commercial center. Refer to *Exhibit II.E.2: Post-Development Hydrology – Interim Condition, p . X* for the preliminary drainage plan for the overall Miller Ranch site in the interim condition assuming The Residences at Miller Ranch is constructed before any phase of the commercial center.

2. Encroachment/Modification of Drainage Patterns

Proposed development intends to modify existing drainage patterns as little as practicable. The majority of the developed site will discharge to the unnamed wash along the project boundary, which is similar to existing conditions. Proposed drainage improvements along the wash include a roadway crossing and slope protection with cut-off wall at the toe of slope along the back of pads where proposed lot grading encroaches within the erosion hazard setback. The roadway crossing will incorporate culverts sized to ensure all-weather access, prevent adverse impacts to upstream properties, and minimize the impact to the hydraulic characteristics of the wash. Erosion protection will be provided upstream and downstream of this crossing.

To facilitate the construction of building pads along the west project boundary grading will be required that will reduce the flows to adjacent properties. The existing discharge from On-site Watershed 5E is 14 cfs and it is anticipated this will be reduced to 2 cfs. This reduction will not adversely impact adjacent properties and is not anticipated to have a significant impact on downstream flows sustaining riparian areas.

3. Potential Drainage Impacts to Off-site Land Uses Upstream and Downstream

This project is bounded along its northerly upstream boundary by low density residential

developments. Improvements along the north boundary will be designed to accept existing off-site flows and will ensure the adequate conveyance of these flows. This will prevent drainage impacts to land uses of upstream properties.

The existing wash along The Residences at Miller Ranch project east boundary is not proposed for significant modifications beyond one roadway crossing and slope protection at isolated locations along the west edge. In the interim, prior to the construction of the Miller Ranch commercial development, off-site flows from the east will be accepted in a manner similar to existing conditions (except where detention basins are constructed as described below).

Drainage improvements for this project will include the construction of detention basins to attenuate runoff from the developed site and ensure there no adverse impacts to downstream properties. Detention basins will be designed to ensure the post-development peak discharge from the project matches the existing condition or is reduced by no greater than 10%, in compliance with the Town of Oro Valley Drainage Criteria Manual (2010 edition).

4. Engineering/Design Features to Mitigate Drainage and Erosion Problems

As described previously, there are off-site flows from the north and east that impact the project. The nature and quantity of these flows will be further evaluated in the drainage report(s) prepared for the development of the site. The necessary improvements to convey the flows will be determined at that time and will be incorporated into the drainage improvements for the development. In general, the existing unnamed wash along the east project boundary will remain undisturbed. The use of stabilized side slopes and cut-off walls at the toe of slope will be incorporated where improvements encroach within the existing erosion hazard setback. See *Exhibit II.E.1: Post-Development Hydrology p. 69* for the preliminary drainage plan for the overall Miller Ranch site including The Residences at Miller Ranch and the future commercial center.

Detention is required to ensure the post-development peak discharge from the project matches the existing condition or is reduced by no greater than 10%, in compliance with the Town of Oro Valley Drainage Criteria Manual (2010 edition). The design and construction of the proposed basin system will be in accordance with the requirements of the Pima County Stormwater Detention/Retention Manual, and any modifications adopted by the Town of Oro Valley.

Detention to offset the increased runoff resulting from the development of The Residences at Miller Ranch project will be provided within the overall Miller Ranch property, within the commercial portion of the site on the east side of the unnamed wash. The approved commercial site layout associated with the Master Development Plan for Miller Ranch (OV12-08-07) and analyzed by the Master Drainage Report

for Miller Ranch (Rick Engineering Company, dated May 19, 2010) includes eight detention basins. These proposed detention basins on the commercial side of the Miller Ranch site provide adequate detention to offset the increased runoff from both the commercial center and The Residences at Miller Ranch and ensure that Town of Oro Valley detention criteria is satisfied at the downstream boundary of the overall Miller Ranch site. The details of this detention system design will be provided in the drainage report(s) prepared for the development of the site. As discussed above, no detention is required or proposed within The Residences at Miller Ranch and all detention will be provided within the commercial portion of the Miller Ranch site.

In an interim condition, if The Residences at Miller Ranch is constructed prior to the commercial portion of the site, the proposed detention basins associated with the commercial center can be constructed to meet the Town of Oro Valley detention requirements for The Residences. Assuming none of the commercial center has been constructed, construction of Detention Basin 3 in conjunction with The Residences at Miller Ranch will be adequate to mitigate the effects of increased runoff from the residential project. Refer to Exhibit II.E.2: Post-Development Hydrology – Interim Condition for a preliminary hydrologic analysis of this interim condition of the overall Miller Ranch site. The phased construction of the detention basins will be further evaluated in the drainage report(s) prepared for the development of the site.

Proposed residential lots along the existing wash will be rear-draining and will drain directly to the wash. The remaining lots will drain to the proposed roadway. The roadway will convey runoff to scuppers and/or catch basins that convey flows to the wash. Streets will be designed in accordance with Town of Oro Valley street drainage criteria by ensuring runoff is contained within the curbing and does not exceed 50 cfs.

Appropriate erosion protection and energy dissipation will be provided at basin inlet and outlet structures, at storm drain, culvert, and channel outlets, and as necessary at other concentrated flows.

One wash crossing will be required where West Sunkist Road is improved to provide access to the project from North La Canada Drive. This crossing will provide all-weather access by conveyance of the unnamed wash below the roadway by an appropriately sized culvert structure. The crossing will not adversely impact upstream properties and will be designed to maintain wash sediment transport stability as much as practicable. A preliminary analysis indicates that 4-48" RCP or 2-6'x3' RCBC culvert structures will be acceptable. The detailed design of this culvert structure, including a backwater analysis, will be included in the future drainage report for the project.

First flush treatment is not required for residential projects within the Town of Oro Valley. If first flush treatment is provided it will be at scuppers and catch basins where

runoff drains from paved surfaces. If utilized, treatment BMPs will be sized for the 2-year, 1-hour storm in accordance with Town of Oro Valley Drainage Criteria Manual (2010 edition), section 11.7.2.

5. Conformance of TDP to Area Plans, Basin Management Plans, and Town Policies
The project will conform with applicable policies related to drainage and floodplain management. Applicable policies include but are not limited to those contained within the Town of Oro Valley Drainage Criteria Manual (2010 edition) and the Pima County Stormwater Detention/Retention Manual. Development will include the following to comply with applicable policies:
   - Detention will be provided and demonstrated as adequate through hydrologic modeling
   - The existing unnamed wash will remain mostly undisturbed

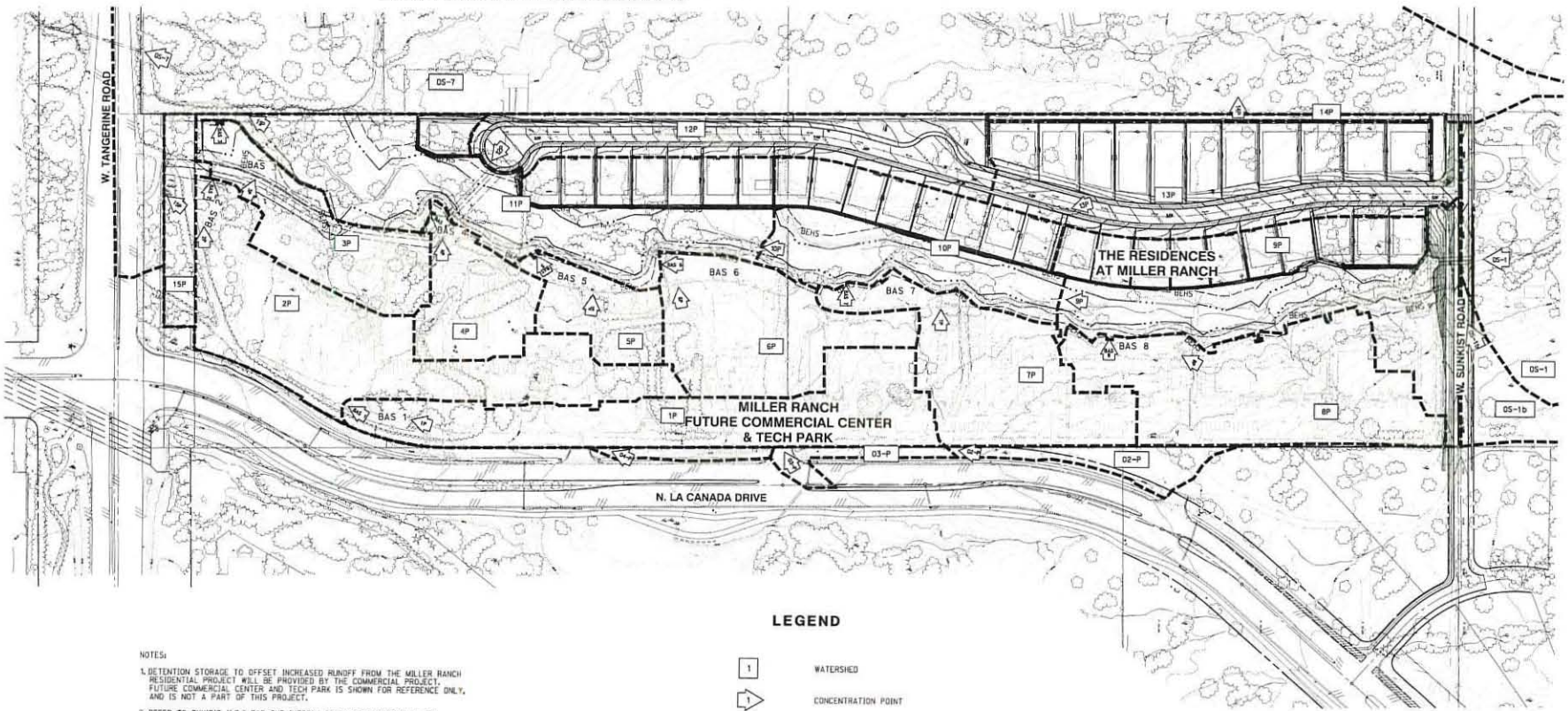
PROPOSED PEAK FLOWS					
WATERSHED CP's	AREA [ac]	Q100 [cfs]	CUMULATIVE CP's	CUMULATIVE AREA [ac]	CUMULATIVE Q100 [cfs]
1P	2.9	26	-	2.9	26
CP 1P	-	-	D2 + D3 + D4 + 1P	3.8	33*
BAS 1	-	-	CP 1P - BAS 1	-	17*
2P	3.7	37	-	3.7	37
BAS 2	-	-	BAS 1 + 2P - BAS 2	-	19*
3P	1.7	17	-	1.7	17
BAS 3	-	-	BAS 2 + 3P - BAS 3	-	21*
4P	1.2	12	-	1.2	12
BAS 4	-	-	4P - BAS 4	-	7*
5P	0.9	9	-	0.9	9
BAS 5	-	-	5P - BAS 5	-	2*
6P	2.2	22	-	2.2	22
BAS 6	-	-	6P - BAS 6	-	3*
7P	2.4	24	-	2.4	24
BAS 7	-	-	CP 7P - BAS 7	-	3*
8P	3.2	32	-	3.2	32
BAS 8	-	-	8P - BAS 8	-	7*
9P	4.2	33	9P + BAS 8 + OS-1	-	159*
10P	2.8	22	10P + BAS 7 + CP 9P	-	193*
11P	4.2	29	11P + 12P + BAS 3 + BAS 4 + BAS 5 + BAS 6 + CP 10P	-	239*
12P	2.5	21	-	2.5	21
13P	4.2	35	-	4.2	35
14P	0.3	2	-	0.3	2
15P	0.8	6	-	0.8	6

* Per HEC-HMS analysis of fully developed Miller Ranch property

OFFSITE PEAK FLOWS			
WATERSHED CP's	AREA [ac]	Q100 [cfs]	CUMULATIVE Q100 [cfs]
OS-1	22.7	133	-
OS-2	1.4	11	-
OS-3	4.2	31	-
OS-4	3.6	27	-
OS-5	5.0	37	-
OS-6	5.6	42	-
OS-7	31.4	184	422*

* Per T.O.M. Proj. No. 2005-061 "Tangerine Road-Thornydale Road to La Canada Dr."

SCALE: 1"= 100'
CONTOUR INTERVAL: 1'
0' 50' 100' 200'



LEGEND

1	WATERSHED
1	CONCENTRATION POINT
BAS 1	PROPOSED DETENTION BASIN
	WATERSHED BOUNDARY
BEHS	BUILDING EROSION HAZARD SETBACK
	REGULATORY 100-YEAR FLOOD LIMITS (PROPOSED)

NOTES:

1. DETENTION STORAGE TO OFFSET INCREASED RUNOFF FROM THE MILLER RANCH RESIDENTIAL PROJECT WILL BE PROVIDED BY THE COMMERCIAL PROJECT. FUTURE COMMERCIAL CENTER AND TECH PARK IS SHOWN FOR REFERENCE ONLY, AND IS NOT A PART OF THIS PROJECT.
2. REFER TO EXHIBIT II.E.2 FOR THE INTERIM DRAINAGE CONDITION, IF THE RESIDENTIAL PROJECT IS CONSTRUCTED PRIOR TO ANY PHASE OF THE COMMERCIAL CENTER AND TECH PARK.

RICK ENGINEERING COMPANY
Tucson
2945 EAST FORT LOWELL ROAD SUITE 111
TUCSON, AZ 85712
520.795.1000
FAX 520.327.6516
J-3668-C
rickengineering.com
Phoenix · San Diego · Sacramento · Riverside · Orange · San Luis Obispo · Bakersfield

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EXHIBIT II.E.1
POST-DEVELOPMENT HYDROLOGY

THE RESIDENCES AT MILLER RANCH

A PORTION OF THE SOUTHEAST QUARTER OF
SECTION 34, TOWNSHIP 11 SOUTH, RANGE 13 EAST,
GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA.

OV114-020 DATE: 01/13/2015 SHEET 1 OF 1

PROPOSED PEAK FLOWS					
WATERSHED CP's	AREA [ac]	Q100 [cfs]	CUMULATIVE CP's	CUMULATIVE AREA [ac]	CUMULATIVE Q100 [cfs]
3P-INT	3.2	23	-	3.2	23
BAS 3-INT	-	-	3P - BAS 3	-	6*
9P-INT	7.7	58	9P-INT + OS-1	30.4	171*
10P-INT	6.1	46	10P-INT + 9P-INT + 13P + OS-1	36.5	219*
11P-INT	12.0	82	11P-INT - BAS 3 + 9P-INT + 10P-INT + 12P + 13P + OS-1	-	279*
12P	2.5	21	-	2.5	21
13P	4.2	35	-	4.2	35
14P	0.3	2	-	0.3	2

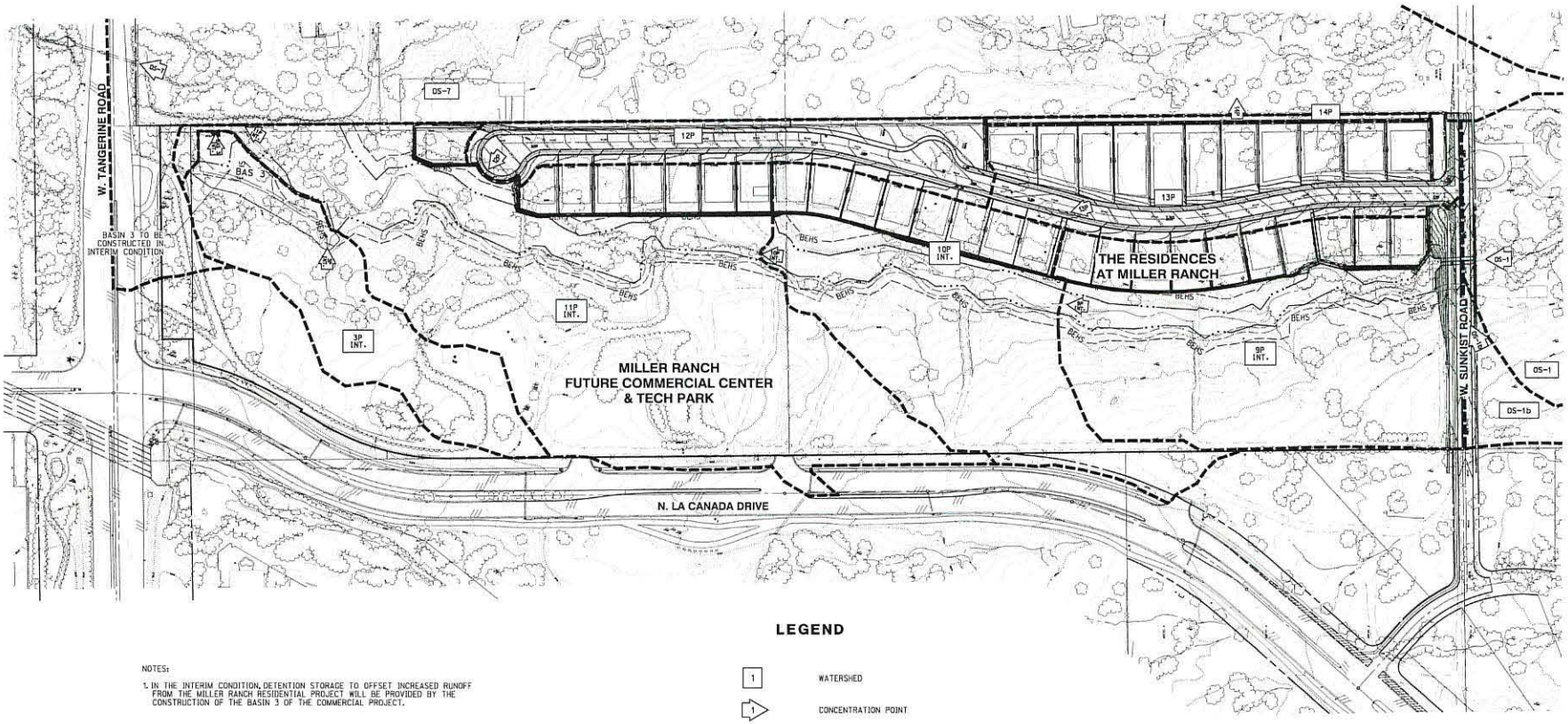
* Per HEC-HMS analysis of interim condition (no commercial)

OFFSITE PEAK FLOWS			
WATERSHED CP's	AREA [ac]	Q100 [cfs]	CUMULATIVE Q100 [cfs]
OS-1	22.7	133	-
OS-7	31.4	184	422*

* Per T.O.M. Proj. No. 2005-061 "Tangerine Road-Thornydale Road to La Canada Dr."

SCALE: 1"= 100'
CONTOUR INTERVAL: 1'
0' 50' 100' 200'

DETENTION/RETENTION BASIN SUMMARY - INTERIM CONDITION								
BASIN	Q100 IN [cfs]	Q100 OUT [cfs]	V100 [ac-ft]	WSEL Elev.	BASIN TOP Elev. (ft)	BASIN BOTTOM Elev. (ft)	WEIR Elev. (ft)	WEIR LENGTH [ft]
BAS 3-INT	23	6	0.36	2792.8	2794	2790.8	2792.6	10



NOTES:

1. IN THE INTERIM CONDITION, DETENTION STORAGE TO OFFSET INCREASED RUNOFF FROM THE MILLER RANCH RESIDENTIAL PROJECT WILL BE PROVIDED BY THE CONSTRUCTION OF THE BASIN 3 OF THE COMMERCIAL PROJECT.

LEGEND

1	WATERSHED
1	CONCENTRATION POINT
BAS 1	PROPOSED DETENTION BASIN
- - - - - -	WATERSHED BOUNDARY
——BEHS——	BUILDING EROSION HAZARD SETBACK
——· · ·——	REGULATORY 100-YEAR FLOOD LIMITS (PROPOSED)

EXHIBIT II.E.2
POST-DEVELOPMENT HYDROLOGY - INTERIM CONDITION

THE RESIDENCES AT MILLER RANCH

A PORTION OF THE SOUTHEAST QUARTER OF
SECTION 34, TOWNSHIP 11 SOUTH, RANGE 13 EAST,
GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA.

OV114-020 DATE: 01/13/2015 SHEET 1 OF 1

RICK ENGINEERING COMPANY
Tucson
3945 EAST FORT LOWELL ROAD - SUITE 111
TUCSON, AZ 85712
520.795.1000
FAX 520.322.6956
rickengineering.com
Phoenix · San Diego · Sacramento · Riverside · Orange · San Luis Obispo · Bakersfield
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F. Vegetation

1. TDP Response to Vegetative Characteristics Described in Part 1

The Residences at Miller Ranch site is sporadically vegetated and contains minimal areas of Significant Vegetation, as defined under Oro Valley Zoning Code, Section 27.6. Building envelopes and roadways have been sited to minimize vegetative disturbance and will not affect designated Significant Vegetation. A saguaro cactus (Carnegiea gigantea) located near the site's northwestern corner meets criteria established within the Oro Valley Zoning Code; the saguaro will be preserved-in-place as it located within the rear setback outside the building envelope. Native vegetation within the undisturbed, northern portion of the unnamed wash is also considered significant and will not be negatively impacted by the development of the site. The project will follow mitigation requirements outlined in section 27.6.B of the Oro Valley Zoning Code as needed.

Please refer to the Site Resource Inventory (SRI) and Native Plant Preservation Plan (NPPP), under separate cover, for additional information regarding significant vegetation and mitigation.

2. Discussion of Vegetation to be Transplanted

Vegetation will be preserved in place where possible to minimize disturbance. Transplantability of vegetation will be determined per Oro Valley Zoning Code, Section 27.6.B. All trees, shrubs, and cacti that meet the salvage and transplantability criteria will either be preserved in place or relocated on-site. Please refer to the Native Plant Preservation Plan, under separate cover, for additional information regarding disposition of native plants.

G. Wildlife

Destruction of wildlife habitat within the developable area is anticipated to be very minimal. The Biological Evaluation completed by WestLand Resources, Inc., Engineering and Environmental Consultants, provided under separate cover, does not identify any Critical Habitat within the site's boundaries. Pima County Geographic Information Systems recognizes areas of High Value Habitat on-site for the endangered Lesser Long-nosed Bat *(Leptonycteris curasoae yerbabuenae),* however due to the species' ability to forage over long distances and the abundance of suitable forage resources throughout the Tucson Basin, it was concluded that no foreseeable adverse impacts are likely to result from the implementation of this project. The development will revitalize wildlife habitat by integrating enhanced vegetative buffers and restoring 2.0 acres of the site's disturbed wash corridor, enhancing riparian habitat for migratory birds and other wildlife. *See Section 1-E.1, Wildlife, p. 24.*

H. Buffer Plan

1. Map of Buffer Areas, Mitigation Techniques

Buffer yard requirements are based on adjacent property zoning. *Table 2-H.1, Required Buffer Yards, p. 73* shows the required buffer yards for the Residences at Miller Ranch site. Landscape buffer yards will be used on the west and north boundaries of the site as shown in *Exhibit 2-H.1 Buffer Areas, p. 76.* No landscape buffer is required along the east property border as it is adjacent to T-P and C-1 zoning (per Town of Oro Valley Planning, no buffer yards or building setbacks are required between commercial properties). However, the unnamed wash corridor creates a natural vegetative buffer between the east property boundary and the proposed technology park and commercial center. The Residences at Miller Ranch lacks a definitive southern boundary and the area south of the site is undeveloped land zoned C-1. Directly north of the site is Sunkist Road, defining the north border and separating R1-7 and SR zones. The developer of the Residences at Miller Ranch is prepared to integrate landscaping enhancements to the northern edge of the Sunkist Drive improvements to mitigate potential impacts to the northern property. We plan to continue discussing the improvements with the northern property owner to address any necessary mitigation.

Sound. Due to the proximity of the Residences at Miller Ranch to arterial roads and the future Technology Park and Commercial Center, mitigation of sound is highly desirable and will be achieved though the use of sound filtering mechanisms such as vegetated buffers and five (5) foot property walls.

Visibility. As a private residential community, screening from arterial roads and adjacent land uses is desired. This will be accomplished by integrating densely vegetated buffers along the site's boundaries. Each lot will also include a five (5) foot property wall for additional privacy.

Outdoor Lighting. Per the Town of Oro Valley Zoning Code, Section 27.5 Outdoor Lighting, the Residences at Miller Ranch is designated as a E2a Lighting Zone and will meet all minimum requirements established for that zone.

Traffic. It is anticipated that traffic generated by the proposed development will be nominal due to the limited number of residential lots and the site's proximate location to two (2) arterial roadways. Access to the Residences at Miller Ranch is provided by a local access road off of Sunkist Road via La Cañada Drive, an arterial street with capacity to support estimated traffic flows. The proposed development will not significantly or negatively impact existing traffic conditions in the immediate area.

2. Cross-Section Illustrations—Treatments Adjacent to Existing Development/Streets

See Exhibit 2-H.2: Cross-Section Illustrations, p. 77

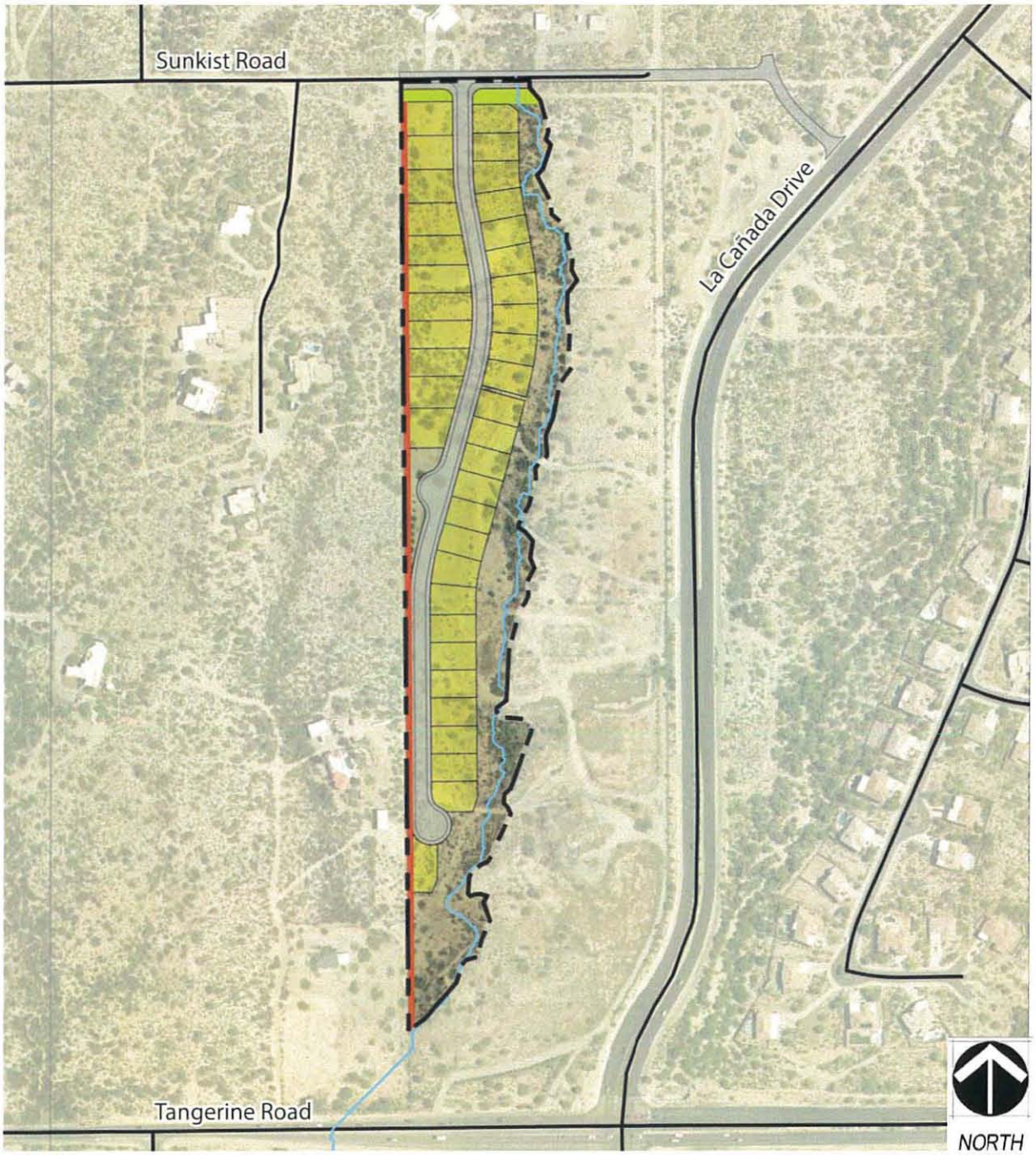
TABLE 2-H.1: REQUIRED BUFFER YARDS

The Residences at Miller Ranch Boundary	Adjacent Property Zoning[1]	Provided Buffer		Required Buffer[2]	
		Width	Plants per Linear 100′	Minimum Width	Plants per Linear 100′
West	R1-144, SR	14′	5 Trees, 5 Shrubs, 10 Accents min.	10′	4 Trees, 5 Shrubs, 10 Accents
North	Street, SR	30′	5 Trees, 5 Shrubs, 10 Accents min.	15′	N/A
East	T-P, C-1	Varies		0′	N/A

[1] Pima County GIS, June 2014

[2] Oro Valley Zoning Code, June 2014, Section 27.6

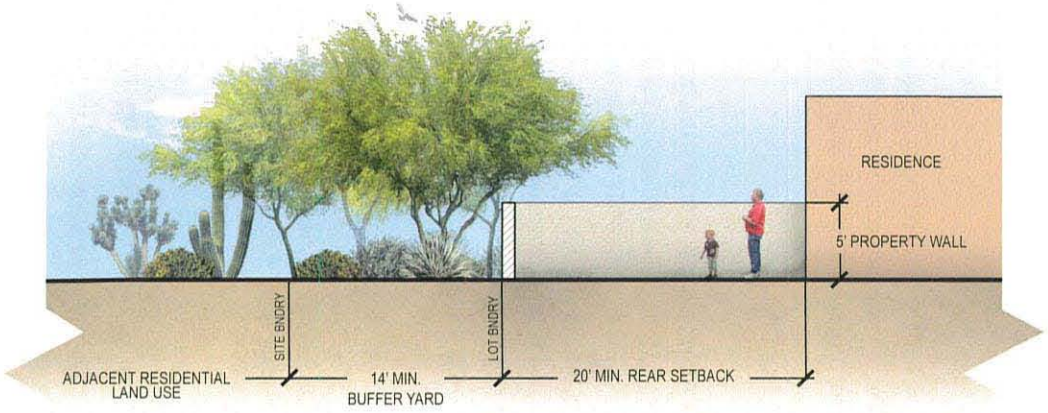
Exhibit 2-H.1: Buffer Areas



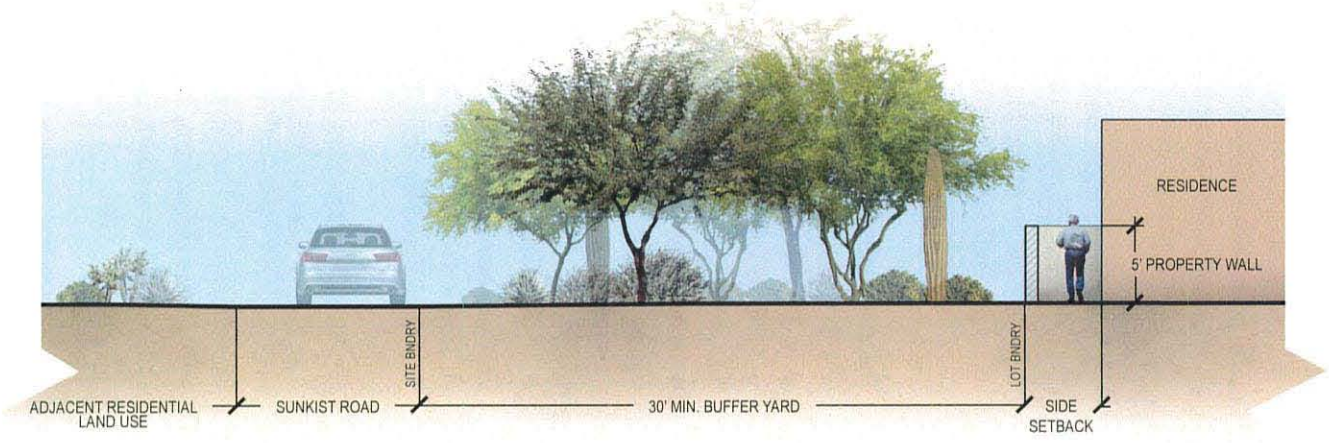
Source: Concept Plan, November 2014

LEGEND

- Minimum 14' buffer yard
- Minimum 30' buffer yard

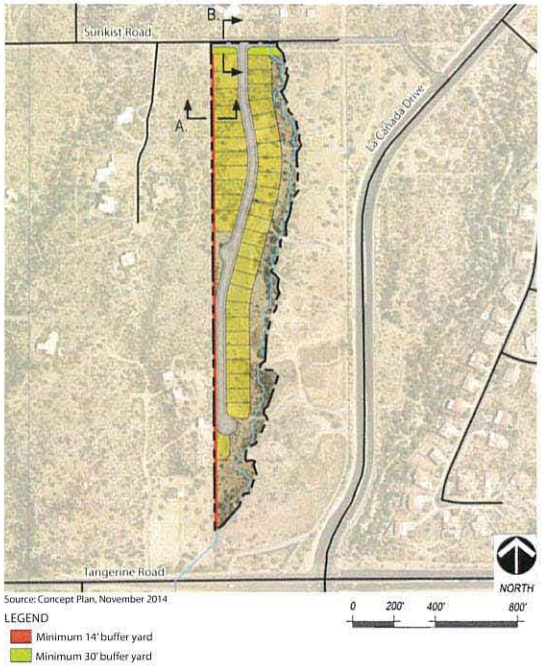


A.) WESTERN SITE BOUNDARY SECTION

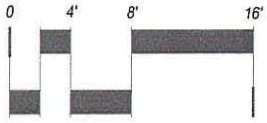


B.) NORTHERN SITE BOUNDARY SECTION

Buffer Yard Plan with Section Cuts



Source: Concept Plan, November 2014



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

NORRIS DESIGN
Planning | Landscape Architecture

The Residences at Miller Ranch
August 2014 - Revised January 2015

I. Viewsheds

1. Viewshed Mitigation

a. Views and vistas from off-site

The proposed development will not negatively impact current views onto the site or desirable distant vistas across the site, *see Exhibit 1-F.3, Visual Impacts of Proposed Structures, p. 39.* Buffers designed for the western and northern site boundaries will be enhanced with vegetation and property walls to buffer the proposed homes from the existing, adjacent residential properties. These buffers will mitigate the views on-site of proposed homes, however will not negatively impact distant mountain views for neighboring residents. The existing riparian corridor on the eastern boundary will create a natural, lush, vegetative buffer, providing screening between the proposed homes and the tech park and commercial center.

b. Areas of high visibility

Currently, views onto the site are predominantly filtered by vegetation. Implementing vegetated buffers along the site's western and northern boundaries, as well as the natural buffer created by the riparian corridor will mitigate views onto the site.

2. Roadway Construction

The Residences at Miller Ranch has been designed in such a way to minimize grading and site disturbances as much as possible. The roadway configuration works with the natural terrain, requires no wash crossings, and does not provide through access to Tangerine Road to the south. The roadway on-site will be a public, local roadway with access off Sunkist Road via La Canada Drive. Roadway improvements will conform to the requirements per the Town of Oro Valley Subdivision Street Standards.

J. Traffic

1. Traffic Report

A Traffic Impact Analysis for The Residences at Miller Ranch dated November 25, 2014 was completed by Rick Engineering Company and is included under separate cover.

2. On-site Street Rights-of-Way

The Residences at Miller Ranch will include one proposed internal street, a public north-south oriented local residential roadway, accessible from Sunkist Road via La Cañada Drive. The developer will construct the roadway improvements for the portion of Sunkist Drive from La Canada to the project frontage within the La Cañada Ridge subdivision in conjunction with the improvements to Sunkist Drive along the Miller

Ranch northern boundary. The Sunkist Drive roadway improvements will be complete at the time of the C.O. for the Residences at Miller Ranch. The developer will bear the financial responsibility for the improvements with a reimbursement agreement with the La Cañada Ridge developer and/or roadway impact fee reimbursement agreement with the Town of Oro Valley if such improvements occur prior to the development commencing on the La Cañada Ridge subdivision.

The proposed local roadway is a paved 28' undivided cross section with a 50' right-of-way. A cul-de-sac is located at the south end of the roadway with a vehicular turnaround located mid-block of the property. As a result of one point of access and an over length cul-de-sac, homes within the Residences at Miller Ranch will incorporate residential sprinkler systems for increased fire protection. For cross-sections of the residential roadway refer to sheet 9 of *Exhibit 2-B, Tentative Development Plan, under separate cover.*

3. Proposed Bicycle and Pedestrian Pathways

The Residences at Miller Ranch will incorporate a four (4) foot wide, detached, concrete sidewalk where residential lots front the local, internal road. Additional pedestrian pathways will be included, where appropriate, to provide access to the proposed riparian corridor trail as part of the neighboring technology park and commercial center.

K. Sewer

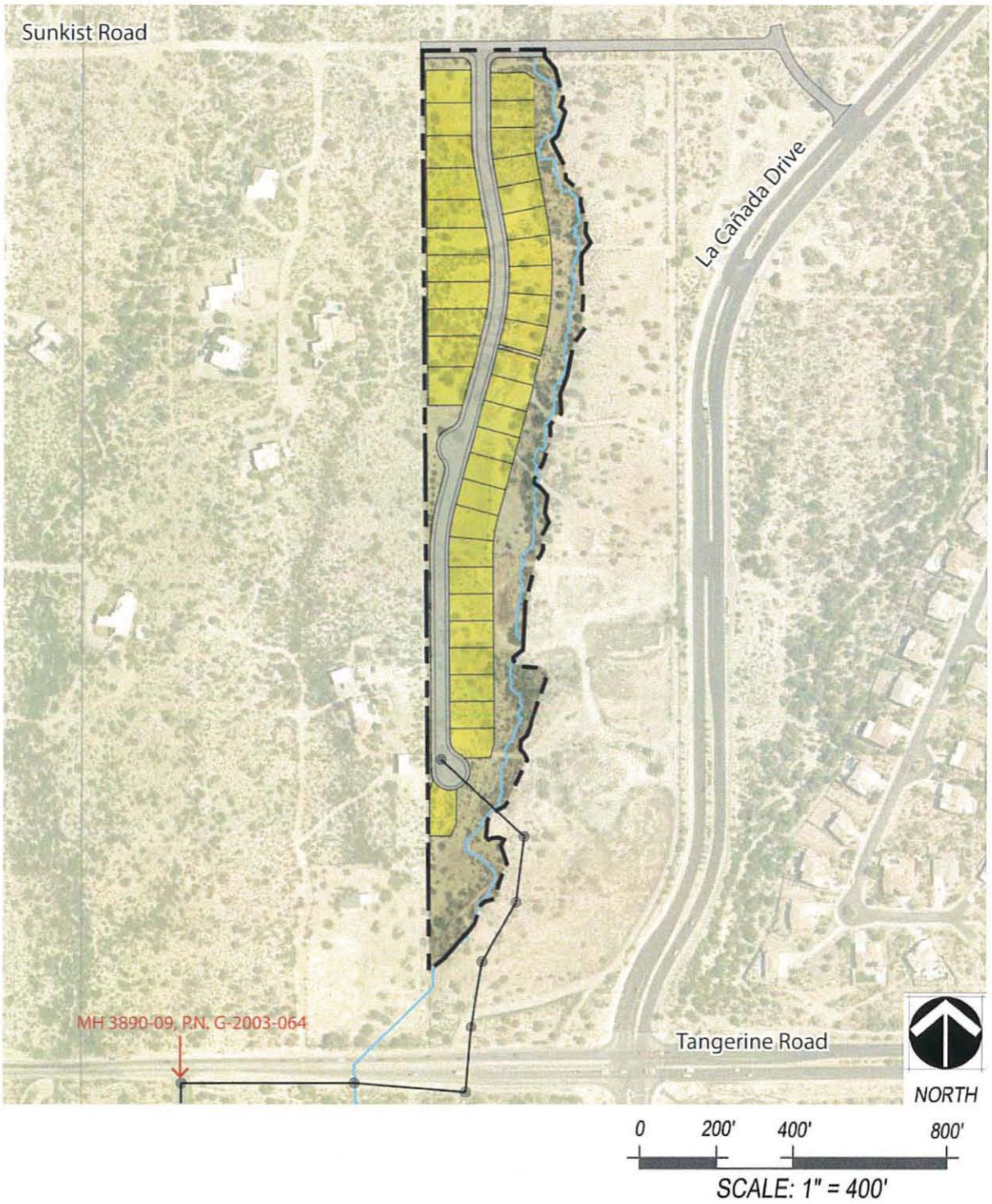
1. Method for Providing Sewer Service

Public sewer service for the proposed residential subdivision will be extended from the 8" Public Sewer, P.N. G-2003-064, at Manhole Number 3890-09 located in the Tangerine Road right-of-way. *See Exhibit 2-K.1a: Method for Providing Sewer Service, p. 81.* Pima County Regional Wastewater Reclamation Department (RWRD) confirmed the request for public sewer service on August 11, 2014. Request logged as 2014-200. *See Exhibit 2-K.1b: Sewerage Capacity Investigation Request, p. 82.*

L. Recreation and Trails

A map of trails, parks, and recreation areas is shown in *Exhibit 1-H.1, Parks, Recreation, & Trails, p. 48.* To facilitate access to existing recreational features, The Residences at Miller Ranch will connect to striped bicycle lanes and shared use paths on La Cañada Drive through the project access off Sunkist Road. A four (4) foot wide concrete sidewalk is proposed along the frontage of all homes located within the project and a pedestrian linkage will be located at the south end of the property to connect with the Technology Park and Commercial Center's proposed trail within the riparian corridor. Recreational amenities on-site include passive recreational elements such as a ramada, seating, horseshoes and bocce ball courts located within the retention basins.

Exhibit 2-K.1a: Method for Providing Sewer Service



PIMA COUNTY
WASTEWATER RECLAMATION

201 N Stone Ave., 3rd Floor	Tucson, Arizona 85701	(520) 724-6642

TYPE I - SEWERAGE CAPACITY INVESTIGATION REQUEST

A Type I - Capacity Investigation is a general determination issued to satisfy the submittal requirements for new Rezonings and Site Analysis.

Completed requests must be transmitted electronically to RWRDCapacityResponse@pima.gov

DOCUMENTATION THAT MUST BE SUBMITTED WITH THE REQUEST:		
SUBMITTED	NOT APPLICABLE	
☑	☐	**8 1/2" x 11" Location Map** - Requests without location maps cannot be processed
☑	☐	All Calculations used to determine Flow Volumes
☐	☑	If capacity availability has been previously prepared for this property, please provide the previous response #.

PROJECT NAME AND LOCATION	
Project Name: MILLER RANCH - RESIDENTIAL SUBDIVISION	
Township: 11 S. Range: 13 E. Section: 34	Total No. of Acres: 16.3
Assessor's Parcel Numbers for all parcels for which sewer service is requested: 219-07-004A, 004B, 004C, 005D, 006D, 007A & 008A	

PROJECTED AVERAGE DRY WEATHER FLOW (ADWF) - FROM SEWER DESIGN REPORT			
Number of proposed residential lots/units: 38	x 216 gpd per lot or unit	8,208	gpd
Non-Residential - Attach Calculations using http://www.deq.pima.gov/water/PDF/RIA-4_Table_1.pdf			gpd
	Total ADWF =	8,208	gpd

PROPOSED POINT OF CONNECTION TO THE PUBLIC SEWER SYSTEM
Please use the Sanitary Sewers layers of Map Guide (http://gis.pima.gov/maps/RWRD/) to identify where the project will connect to the public sewer system, using the construction plan numbers and IMS manhole numbers. If the proposed connection will be to a public sewer line that has not yet been built, please identify the proposed point of connection as shown on the approved construction plans.
To Public Sewer Line #: G-2003-064 ☒ Existing OR ☐ Proposed
☒ At public sewer manhole: IMS# 3890-09 OR ☐ Between manholes: IMS MH# and IMS MH#
☐ Via a connection to a private sewer that discharges to the point described above. Please provide the details of such a connection in an attachment.

CONTACT INFORMATION	
Contact's Name: TRI MILLER	
Name of Contact's Firm: RICK ENGINEERING COMPANY INC.	
Mailing Address for Firm: Street: 3945 EAST FORT LOWELL ROAD, SUITE 111	
City: TUCSON	State: AZ Zip Code: 85712
E-Mail Address: tmiller@rickengineering.com	
Phone #: +1 (520) 795-1000	
Fax #: +1 (520) 322-8956	

Rev. 00
Date: 23-July-14

100P15T03B

Page 1 of 1

All printed versions of this document are uncontrolled copies

M. Cultural Resources

Upon completion of a cultural resources inventory survey in April, 2008 by Westland Resources, no prehistoric or historic period cultural resources were discovered within the project area. *See Exhibit 1-I.1, Cultural Resources, p. 50,* for a reliance letter from Fred Huntington, Director of Cultural Resources of Westland Resources, Inc. Engineering and Environmental Consultants.

N. Schools

See *Exhibit 2-N.1, Letter from Amphitheater Public Schools, p. 84*, for anticipated impacts the Residences at Miller Ranch will have on nearby schools including the number of elementary, junior and senior high school students that will likely be generated from the proposed development and current capacities.

O. Water

1. Additional Domestic Water Demand

See *Exhibit 2-O.1, Letter from Oro Valley Water Utility p. 86,* for a reliance letter from Oro Valley Water Utility addressing additional domestic water demand.

2. Water Service Capacity

See *Exhibit 2-O.1, Letter from Oro Valley Water Utility p. 86,* for reliance letter from Oro Valley Water Utility addressing water service capacity.

Exhibit 2-N.1: Letter from Amphitheater Public Schools

AMPHITHEATER
Public Schools

OFFICE OF LEGAL COUNSEL
Todd A. Jaeger, J.D.
Associate to the Superintendent
(520) 696-5156
FAX (520) 696-5074

701 W. Wetmore Road • Tucson, AZ 85705 • TDD (520) 696-5055

GOVERNING BOARD MEMBERS
Susan Zibrat, President
Kent Paul Barrabee, Ph.D., Vice President
Julie Cozad, M.Ed.
Deanna M. Day, M.Ed.
Jo Grant

SUPERINTENDENT
Patrick Nelson

August 5, 2014

Jennifer Scott
Senior Associate
NORRIS DESIGN
4450 N 12th St, Ste 236
Phoenix AZ 85014

RE: The Residences at Miller Ranch

Dear Ms. Scott:

I am responding to your request for information regarding the capacity of Amphitheater schools impacted by your proposed development.

Using 2000 demographic multipliers developed by the U.S. Department of Census, Bureau of Census, and adjusted for Amphitheater District's school organizational patterns, we project the following student populations to result from this project when built:

Academic Level	38 Single Family Homes
Elementary	8
Middle	8
High School	5

The census multipliers we use to obtain these projections are 0.2075 elementary students per household, 0.2197 middle school students per household and 0.1282 high school students per household.

As you may know, our schools are currently enrolling students for this school year. Therefore, the capacity noted below is based on our last confirmed enrollment calculations. The schools which would be impacted by this population are listed below, along with the physical capacity available at each school *presently*. Please note that these schools will also be impacted by other developments in this area which may have already been approved by the Council but which are not yet built.

Page 2
August 5, 2014

School Name	School Capacity	Spaces Currently Available
Wilson K-5 (Elementary)	750	116
Wilson 6-8 (Middle)	800	189
Ironwood Ridge High	2290	402

If I can provide any additional information, please feel free to contact me.

Sincerely,

Connie R McFarland

Connie R. McFarland
Legal Assistant to Todd A. Jaeger, J.D.

Exhibit 2-O.1: Letter from Oro Valley Water Utility

Oro Valley Water Utility

August 11, 2014

Tri Miller
RICK ENGINEERING COMPANY
3945 East Fort Lowell Road, Suite 111
Tucson, Arizona 85712-1046

Subject: WATER AVAILABILITY

Parcels: 219-47-004B, 219-47-004C, 219-47-004A, 219-47-0050, 219-47-0060, 219-47-017A, 219-47-018A

To whom it may concern:

The Town of Oro Valley Water Utility currently has water service available to the above property under the following conditions:

- A Water Plan is submitted by the applicant and approved by the Water Utility
- A Line Extension Agreement is executed by the applicant.
- All construction is in accordance with the approved Water Plan and the new facilities are accepted by the Water Utility in accordance with the requirement s of the Line Extension Agreement.
- Payment of all water development impact fees, meter fees and other required fees and charges. (A water meter for residential and/or commercial use cannot be sold until after the issuance of an approved building permit.)

WATER SUPPLY

The Town of Oro Valley Water Utility has been designated by the State of Arizona, Department of Water Resources, as having an Assured Water Supply (AWS No. 2003-001 Decision and Order No. 26-400765). This development lies within the boundary of the Oro Valley Water Utility's planned water service area. Once the property is platted, it will be noted on the plat(s) for these properties that the property meets the State requirement of an Assured Water Supply because it will be served by Oro Valley Water Utility.

www.orovalleyaz.gov
11000 N. La Cañada Drive · Oro Valley, Arizona 85737
Phone: (520) 229-5000 · fax: (520) 229-5029

Oro Valley Water Utility

WATER SERVICE

The developer shall be required to submit a Water Plan identifying water system improvements. These include but are not limited to:

- Water Use
- Fire Flow Requirements
- Offsite/ Onsite Water Facilities
- Loops and Proposed Connection Points to Existing Water System
- Easements/Common Areas

Once a Water Plan is submitted, it will be determined if the proposed plan can meet the water requirements of the proposed development. The developer shall be fiscally and financially responsible for all water system improvements and modifying/enhancing the existing water system to meet those needs. It is recommended that the applicant contact the Water Utility to discuss the construction of water system improvements prior to submitting a Water Plan for the property.

This letter and the comments herein regarding water availability are valid for a period of one year only through August 11, 2015. Issuance of this letter is not to be construed as approval of a Water Plan and/or acceptance of any construction for water service.

If you have any questions or would like more details regarding any construction improvements that may be required in a Water Plan, please call me at 229-5017.

Sincerely,

Mark Moore

Mark Moore
New Development Coordinator

cc: Phillip C. Saletta, P.E. Water Utility Director

www.orovalleyaz.gov
11000 N. La Cañada Drive · Oro Valley, Arizona 85737
Phone: (520) 229-5000 · fax: (520) 229-5029

TENTATIVE DEVELOPMENT PLAN & CONCEPTUAL SITE PLAN FOR

THE RESIDENCES AT MILLER RANCH

OV914-006

GENERAL NOTES

1. THE GROSS AREA OF THE DEVELOPMENT SITE IS 16.3 ACRES (711,089 SF)

2. ZONING REQUEST: R1-144 TO R1-7 (GENERAL PLAN DESIGNATION: MDR)

3. RESIDENTIAL UNITS PER ACRE = 2.3 DU/AC (PER GENERAL PLAN AMENDMENT, MAXIMUM DENSITY PERMITTED IS 2.5 DU/AC)

4. TOTAL RESIDENTIAL LOTS: 37
   MINIMUM LOT SIZE:
   WEST LOTS: MIN. 10,000 SF
   EAST LOTS: MIN. 8,050 SF

5. BUILDING HEIGHT: 25' MAX ALLOWED AND PROPOSED (INCLUDING 2 STORY HOMES)

6. TOTAL AMOUNT OF UNDISTURBED NATURAL OPEN SPACE: 5.3 ACRES

7. TOTAL AMOUNT OF OPEN SPACE: 6.4 ACRES

8. ACCESS ACROSS FLOOD PRONE AREAS TO BUILDING SITE WILL BE APPROVED BY THE TOWN ENGINEER AND SHALL BE THE RESPONSIBILITY OF THE DEVELOPER.

9. WATER SERVICE PROVIDER: ORO VALLEY WATER UTILITY

10. TOTAL MILES OF NEW PUBLIC STREETS IS 0.5 MILES.

11. TOTAL MILES OF NEW PRIVATE STREETS IS 0 MILES.

12. THERE IS A GENERAL PLAN AMENDMENT CONDITION FOR A MAXIMUM DENSITY OF 2.5 DU/AC UNDER THE APPROVED MDR GENERAL PLAN DESIGNATION (RES. NO. 0013-73).

13. ASSURANCES FOR WATER SERVICE, SITE STABILIZATION, AND LANDSCAPING MUST BE POSTED PRIOR TO ISSUANCE OF GRADING PERMITS.

14. AREA OF OPEN SPACE:
   ESL CRITICAL RESOURCE AREA (CRA)
   REQUIRED - 3.3 ACRES (35%)
   PROVIDED - 3.4 ACRES (35%)
   ESL RESOURCE MANAGEMENT AREA TIER 2 (RMA)
   REQUIRED - 3.2 ACRES (25%)
   PROVIDED - 1.9 ACRES (15%) PLUS WASH RESTORATION CREDIT (1.2 ACRE)
   OPEN SPACE - COMMON AREA
   REQUIRED - N/A
   PROVIDED - 0.8 ACRES (8%)
   TOTAL OPEN SPACE
   REQUIRED - 6.5 ACRES (40%)
   PROVIDED - 6.5 ACRES (40%) PLUS WASH RESTORATION CREDIT

*WASH RESTORATION CREDIT: 1.2 ACRE- RESTORES A PORTION OF THE DISTURBED WASH WITHIN THE CRA AREA (TOWN OF ORO VALLEY ZONING CODE, CHAPTER 27: GENERAL DEVELOPMENT STANDARDS, SECTION 27.10 ENVIRONMENTALLY SENSITIVE LANDS, (D) ENVIRONMENTALLY SENSITIVE LANDS CONSERVATION SYSTEMS, (3) CONSERVATION CATEGORIES, (b) CRITICAL RESOURCE AREA (CRA) CATEGORY, (1) CONSERVATION (a), (i), PAGE 278.8)

15. LANDSCAPED BUFFER YARDS PROVIDED (REQUIRED)
   NORTH (STREET) - PROVIDED 30' BUFFER A, REQUIRED 15' BUFFER A
   EAST (COMM/TP) - 0'
   SOUTH (COMM/TP) - 0'
   WEST (RES) - MIN 14' BUFFER A, (INCLUDES SITE WALL FOR LOTS (REQUIRED: MIN. 10'))

16. REQUIRED BUILDING SETBACKS:
   FRONT YARD - 20 FEET
   SIDE YARD - 7.5 FEET
   REAR YARD - 20 FEET
   PROVIDED BUILDING SETBACKS:
   FRONT YARD - 10 FEET MIN.*
   SIDE YARD - 7.5 FEET MIN.
   REAR YARD - 20 FEET MIN.

   *20' MINIMUM SETBACK FOR THE FRONT LOADED GARAGE PORTION OF THE BUILDING.

17. ALL COMMON AREA AND ESOS OPEN SPACE WILL BE OWNED AND MAINTAINED BY THE HOA.

18. ALL SIGNAGE AND LIGHTING TO BE ADDRESSED AS PART OF A SEPARATE REVIEW AND APPROVAL PROCESS.

19. DEVELOPMENT INCENTIVES:
   1. MODIFIED REVIEW PROCESS
   2. WASH RESTORATION CREDIT (NOTE *14)
   3. MODIFIED BUILDING SETBACK - FRONT SETBACK (NOTE *16)

20. EXISTING REGULATORY FLOODPLAINS WILL BE PRESERVED AS NATURAL TO THE MAXIMUM EXTENT PRACTICABLE. ALTERATION WILL OCCUR WHERE NECESSARY TO ACCOMODATE ROAD CLOSINGS AND PAD GRADING.

21. ALL NEW PUBLIC ROADS WITHIN AND ADJACENT TO THIS PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH APPROVED PLANS. SEPARATE PUBLIC IMPROVEMENT AND CONSTRUCTION PLANS WILL BE SUBMITTED TO THE TOWN ENGINEER'S OFFICE FOR REVIEW AND APPROVAL.

22. ANY RELOCATION OR MODIFICATION OF EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS NECESSITATED BY THE PROPOSED DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.

23. THE DESIGN SPEED FOR THESE STREETS IS 25 MPH. THE DESIGN VEHICLE IS WB-40.

24. THIS DEVELOPMENT MUST COMPLY WITH THE ORO VALLEY WATER UTILITY SPECIFICATIONS MANUAL DURING ALL PHASES OF CONSTRUCTION.

25. THIS PROJECT WILL BE SERVED BY ORO VALLEY WATER UTILITY WHICH HAS BEEN DESIGNATED AS HAVING AN ASSURED 100 YEAR WATER SUPPLY BY THE DIRECTOR OF WATER RESOURCES. ANY AND ALL WELLS MUST BE ABANDONED PER ADWR REGULATIONS.

GENERAL NOTES - CONTINUED

26. A LINE EXTENSION AGREEMENT MUST BE IN PLACE PRIOR TO ANY WORK ON THE WATER INFRASTRUCTURE BEFORE THIS PROJECT BEGINS.

27. SHOULD AN EASEMENT BE IN CONFLICT WITH ANY PROPOSED BUILDING LOCATION, VACATION OF THE EASEMENT IS TO OCCUR PRIOR TO ISSUANCE OF BUILDING PERMITS.

28. FIRE HYDRANTS CONNECTED TO AN APPROVED WATER SUPPLY OF 1500 GPM FOR FIRE PROTECTION MUST BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE. TEMPORARY CONSTRUCTION OFFICE TRAILERS ARE CONSIDERED COMBUSTIBLE MATERIAL.

29. APPROVED FIRE APPARATUS ACCESS ROADS MUST BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE.

30. APPROVED AUTOMATIC SPRINKLER SYSTEMS IN NEW BUILDINGS AND STRUCTURES SHALL BE PROVIDED THROUGHOUT ALL GROUP A, B, F, H, I, M, R, AND S OCCUPANCIES FOR EVERY FACILITY, BUILDING OR PORTION OF A BUILDING HEREAFTER CONSTRUCTED WITHIN OR MOVED INTO THE JURISDICTION. APPROVED AUTOMATIC SPRINKLER SYSTEMS SHALL BE PROVIDED THROUGHOUT ALL ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES USED AS MODEL HOMES WITH SALES OR CONSTRUCTION OFFICES, AND ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES WHICH EXCEED 3,600 SQUARE FEET IN FIRE-FLOW CALCULATION AREA HEREAFTER CONSTRUCTED WITHIN OR MOVED INTO THE JURISDICTION.

31. TEMPORARY STREET SIGNS MUST BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADWAYS ALLOWS PASSAGE OF VEHICLES. ALL STRUCTURES UNDER CONSTRUCTION MUST BE CLEARLY IDENTIFIED WITH AN APPROVED ADDRESS.

32. THE INSTALLATION OF TRAFFIC CONTROL SIGNALING DEVICES AND/OR ELECTRICALLY OPERATED GATES ON FIRE APPARATUS ACCESS ROADS SHALL INCLUDE PREEMPTIVE CONTROL EQUIPMENT COMPATIBLE WITH THE FIRE DEPARTMENT'S EXISTING SYSTEM.

33. THE FOLLOWING PROVISIONS APPLY TO ALL STRUCTURES AND UTILITY EQUIPMENT WITHIN 200' ESOS (Section 27.10.F.3.a):
   1. GLASS SURFACES SHALL NOT EXCEED A REFLECTIVITY OF TWENTY PERCENT (20%)
   2. EXTERIOR FINISHES SHALL NOT EXCEED A REFLECTIVITY OF SIXTY PERCENT (60%)
   3. MATERIALS USED FOR EXTERIOR SURFACES OF ALL STRUCTURES SHALL MATCH IN COLOR, HUE, AND TONE WITH THE SURROUNDING NATURAL DESERT SETTING. GREEN AND BEIGE HUES AND TONES ARE PREFERRED FOR UTILITY EQUIPMENT LOCATED IN ENVIRONMENTALLY SENSITIVE AREAS.

34. TRAIL EASEMENT IS A "PERMANENT NON-MOTORIZED PUBLIC RECREATION EASEMENT" THAT IS GRANTED TO THE TOWN.

35. THE FOLLOWING CODES AND STANDARDS SHALL BE APPLICABLE TO THIS DEVELOPMENT:
   - 2012 INTERNATIONAL CODES WITH LOCAL AMENDMENTS
   - 2011 NATIONAL ELECTRICAL CODE
   - 2010 AMERICAN DISABILITIES ACT ACCESSIBILITY GUIDELINES
   - 2006 GOLDER RANCH FIRE DISTRICT STANDARDS AND FORMS
   - 2008 TOWN OF ORO VALLEY POOL CODE
   - 2003 PC/COT STANDARD SPECIFICATIONS & DETAILS FOR PUBLIC IMPROVEMENTS
   - 2010 TOWN OF ORO VALLEY DRAINAGE CRITERIA MANUAL
   - 2004 TOWN OF ORO VALLEY SUBDIVISION STREET STANDARDS AND POLICIES MANUAL
   - TOWN OF ORO VALLEY ZONING CODE, CURRENT REVISED
   - ORO VALLEY TOWN CODE, CURRENT REVISED

36. THE TOTAL AMOUNT OF ESOS AREA TO BE RESTORED IS 2.0 ACRES.

37. THE TOTAL AMOUNT OF LANDSCAPED COMMON AREAS IS 0.7 ACRES.

38. RECREATION AREA REQUIREMENTS: 18,691 SF REQUIRED (512 SF/LOT), 19,000 SF PROVIDED (7,500 SF + 11,500 SF)

39. THE APPLICANT SHALL RESTORE FIFTY (50%) OF THE WASH AS PART OF THE RESIDENTIAL DEVELOPMENT, AND THE REMAINING PORTION AT THE TIME OF COMMERCIAL DEVELOPMENT.

40. THE TOWN SHALL REQUIRE THE DEVELOPER TO POST ASSURANCES PRIOR TO RELEASE OF THE GRADING PERMIT.

41. THE TOWN MAY PROVIDE THE DEVELOPER WITH A RELEASE OF ASSURANCE FOR THE PORTION OF THE WASH TO BE RESTORED, PROVIDED THAT ALL OF THE IMPROVEMENTS REQUIRED IN CONNECTION WITH THE WASH RESTORATION HAVE BEEN SATISFACTORILY COMPLETED AND ACCEPTED BY THE PLANNING AND ZONING ADMINISTRATOR OR HIS/HER DESIGNEE.

LEGEND - CONTINUED

ITEM	STANDARD DETAIL	SYMBOL
EXIST PAVEMENT EDGE		
EXISTING FENCE		
EXIST PUBLIC SEWER LINE W/MH		
EXIST WATERLINE W/VALVE		
EXIST UNDERGROUND ELECTRIC LINE		
EXIST GAS LINE		
RECLAIM WATER LINE		
RECLAIM WATER SERVICE		
EXIST OVERHEAD ELECTRIC LINE		
EXIST FIBER OPTICS LINE		
EXIST STORM DRAIN W/MH		
EXIST LIGHT POST		
SIGHT VISIBILITY TRIANGLE		

ASSESSOR'S PARCEL NO.

PARCEL NO'S. 219-47-004B, 219-47-004C, 219-47-004A, 219-47-005D, 219-47-006G, 219-47-017A, 219-47-018A

LOCATION MAP

A PORTION OF SECTION 34, T 11 S, R 13 E
G & SRM
TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

OWNER/DEVELOPER

DESCO - MILLER, L.L.C.
AN ARIZONA LIMITED LIABILITY COMPANY
1795 EAST SKYLINE DRIVE, SUITE 153
TUCSON, AZ 85718
PHONE: (520) 297-8929
ATTN: JAMES HARDMAN
EMAIL: jthardman@descogroup.com

CIVIL ENGINEER

RICK ENGINEERING COMPANY
3945 EAST FORT LOWELL ROAD
SUITE 111
TUCSON, AZ 85712
PHONE: (520) 795-1000
FAX: (520) 322-6956
ATTN: DR. TRI MILLER
EMAIL: tmiller@rickeng.com

LEGEND

ITEM	STANDARD DETAIL	SYMBOL
A.C. PAVING (REGULAR)		
6" VERTICAL CURB		
6" MEDIAN CURB		
ZONING BOUNDARY		
PROPERTY LINE		
JURISDICATIONAL TOWN LIMITS		
LANDSCAPE BUFFERYARD LIMITS		
BUILDING SETBACKS		
EASEMENT BOUNDARY		
EXISTING RIGHT-OF-WAY		
PROPOSED RIGHT-OF-WAY		
GRADING LIMIT		
SECTION LINE		
ROADWAY CENTERLINE		
LOT NUMBERS		23
FINISHED SURFACE		FS
HIGH POINT		HP
LOW POINT		LP
GRADE BREAK		GB
100 YR FLOOD PRONE LINE		
BUILDING EROSION SETBACK LINE		40ES
DETAIL REFERENCE	A = DETAIL IDENTIFICATION, I = SHEET SHOWING DETAIL	
DETAIL CROSS SECTION		
PROPOSED PRIVATE SEWER W/MH		
PROPOSED 8" WATER MAIN AND VALVE		
PROPOSED FIRE HYDRANT		
FLOW ARROW		
FLOW CONDITIONS		Q_{100} = cfs
FLOW ARROW FOR Q_{100} DISCHARGE		
OPEN SPACE		
SCREENWALL		
PROPOSED SLOPE		
CURB ACCESS RAMP		
CONCRETE SIDEWALK		
PROPOSED TYPE 3 SCUPPER		
TELEPHONE PEDESTAL		
TRAFFIC DIRECTIONAL SIGN		

REF: OV1113-003, OV114-020
OV1208-07, OV1208-7A
OV904-02

DATE: AUGUST 8, 2014

OV914-006
TENTATIVE DEVELOPMENT PLAN & CONCEPTUAL SITE PLAN FOR
THE RESIDENCES AT MILLER RANCH

LOTS 1-37 AND COMMON AREAS "A" & "B"
BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 13 EAST, GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA.

SCALE: N/A CONTOUR INTERVAL: N/A

SHEET 1 OF 9

RICK ENGINEERING COMPANY
3945 EAST FORT LOWELL ROAD - SUITE 111
TUCSON, AZ 85712
520.795.1000
(FAX)520.322.6956
rickengineering.com
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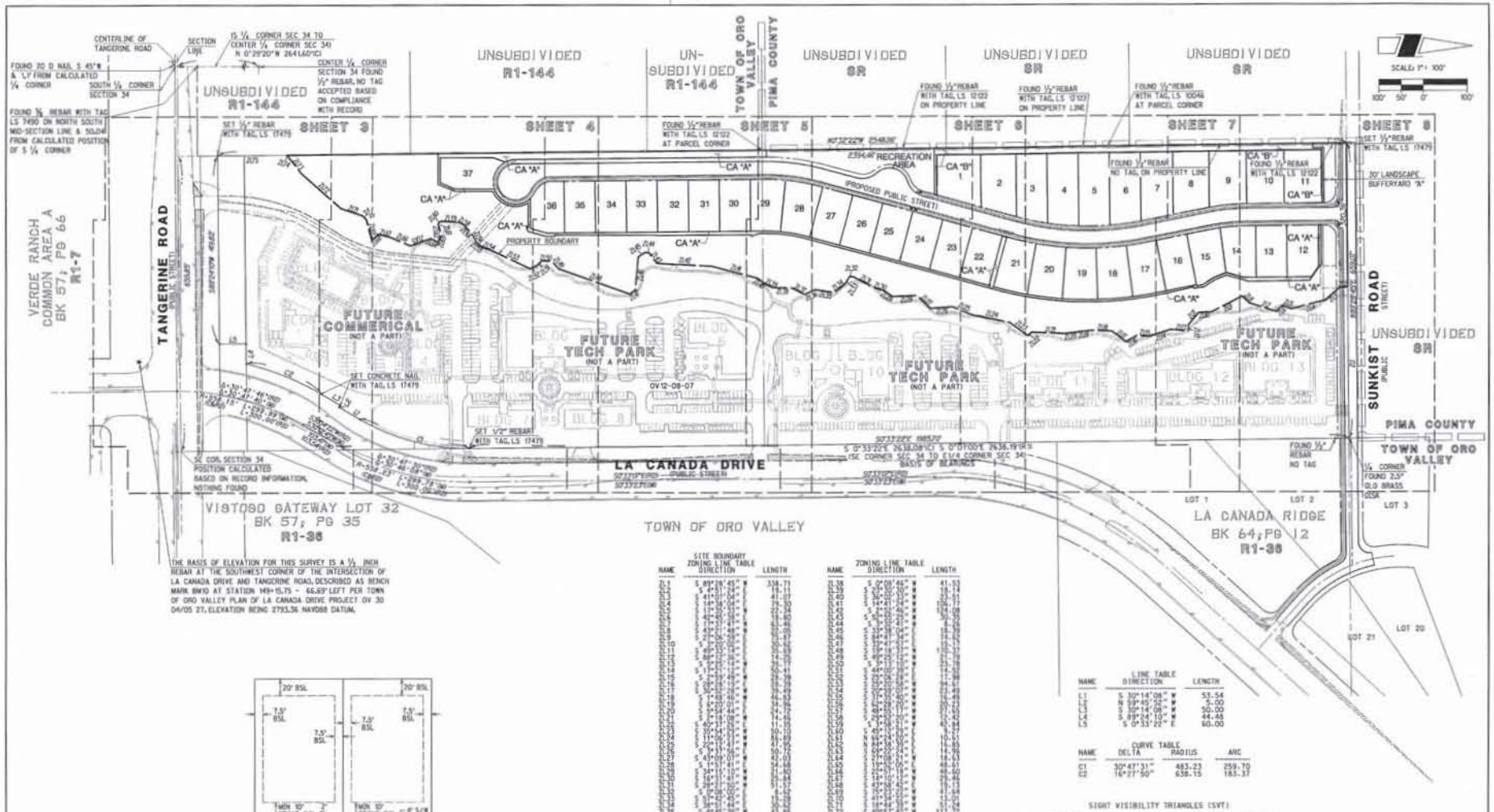

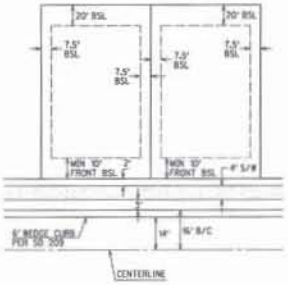

BSL = BUILDING SETBACK LINE

TYPICAL LOT SETBACK DETAIL

NO SCALE

SITE BOUNDARY ZONING LINE TABLE

NAME	DIRECTION	LENGTH
SB1	S 89°28'45" W	338.71
SB2	S 4°51'24"	19.11
SB3	S 41°07'24"	41.07
SB4	S 14°18'24"	29.30
SB5	S 42°40'24"	22.34
SB6	S 42°40'24"	22.34
SB7	S 17°37'24"	63.46
SB8	S 4°51'24"	20.00
SB9	S 27°56'24"	55.87
SB10	S 4°51'24"	30.00
SB11	S 89°28'45" W	30.00
SB12	S 89°28'45" W	30.00
SB13	S 89°28'45" W	30.00
SB14	S 15°15'24"	50.41
SB15	S 89°28'45" W	30.00
SB16	S 58°28'45" W	38.39
SB17	S 30°28'45" W	38.49
SB18	S 89°28'45" W	38.49
SB19	S 60°03'24"	34.86
SB20	S 74°18'24"	74.16
SB21	S 40°51'24"	11.15
SB22	S 35°44'24"	50.10
SB23	S 11°06'24"	81.69
SB24	S 24°51'24"	47.02
SB25	S 5°51'24"	50.02
SB26	S 43°09'24"	42.03
SB27	S 11°51'24"	44.44
SB28	S 34°51'24"	31.40
SB29	S 11°51'24"	51.84
SB30	S 28°27'50"	51.27
SB31	S 11°51'24"	8.52
SB32	S 17°28'50"	26.00
SB33	S 38°51'24"	30.42
SB34	S 4°51'24"	30.00
SB35	S 38°51'24"	26.00
SB36	S 17°10'40"	32.89

ZONING LINE TABLE

NAME	DIRECTION	LENGTH
ZL38	S 0°08'45" W	41.93
ZL39	S 38°50'10"	18.14
ZL40	S 38°50'10"	23.51
ZL41	S 14°41'14" W	156.77
ZL42	S 4°03'26" W	14.08
ZL43	S 4°03'26" W	30.00
ZL44	S 53°50'41"	8.56
ZL45	S 33°08'04"	18.00
ZL46	S 64°41'04"	14.62
ZL47	S 64°41'04"	14.62
ZL48	S 19°18'17"	10.37
ZL49	S 19°18'17"	170.37
ZL50	S 40°15'17"	31.78
ZL51	S 51°15'17"	31.78
ZL52	S 44°00'26"	14.58
ZL53	S 30°00'26"	14.58
ZL54	S 30°00'26"	14.58
ZL55	S 30°00'26"	24.51
ZL56	S 64°39'07"	20.23
ZL57	S 44°39'07"	23.40
ZL58	S 30°00'00"	23.40
ZL59	S 30°00'00"	23.40
ZL60	S 40°25'24"	24.84
ZL61	S 27°58'24"	9.21
ZL62	S 27°58'24"	14.89
ZL63	S 27°58'24"	14.89
ZL64	S 27°58'24"	14.89
ZL65	S 40°25'24"	24.84
ZL66	S 27°58'24"	18.63
ZL67	S 19°58'24"	40.61
ZL68	S 25°51'15"	46.60
ZL69	S 19°10'15"	46.60
ZL70	S 19°10'15"	46.60
ZL71	S 43°58'45"	20.13
ZL72	S 40°25'15"	41.04
ZL73	S 40°25'15"	41.04
ZL74	S 18°44'15"	11.14
ZL75	S 40°25'15"	41.04
ZL76	S 51°46'45"	51.57
ZL77	S 51°46'45"	51.57
ZL78	S 0°33'22" E	154.48

LINE TABLE

NAME	DIRECTION	LENGTH
L1	S 30°14'08" W	53.54
L2	N 59°45'52" W	5.00
L3	S 30°14'08" W	50.00
L4	S 89°24'10" W	44.48
L5	S 0°33'22" E	60.00

CURVE TABLE

NAME	DELTA	RADIUS	ARC
C1	30°47'31"	483.23	259.70
C2	16°27'50"	638.15	183.37

SIGHT VISIBILITY TRIANGLES (SVT)

LOCATION	SPEED	FAR SIDE	NEAR SIDE
TANGERINE ROAD	45MPH (POSTED)	15'x 470'	15'x 600'
LA CANADA DRIVE	40MPH (POSTED)	15'x 370'	15'x 480'
PAAL'S (MAJOR)		10'x 70'	10'x 100'
PAAL'S (MINOR)		10'x 30'	10'x 30'
RAISED MEDIAN ISLANDS		15'x 30'	

OV914-006

TENTATIVE DEVELOPMENT PLAN & CONCEPTUAL SITE PLAN FOR

THE RESIDENCES AT MILLER RANCH

LOTS 1-37 AND COMMON AREAS "A" & "B"
BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 13 EAST, GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA.

REF: OV1113-003, OV114-020
OV1208-07, OV1208-7A
OV904-02

DATE: AUGUST 8, 2014

SCALE: 1"= 100' CONTOUR INTERVAL= 1'

SHEET 2 OF 9

RICK ENGINEERING COMPANY
5765 EAST FORT LOWELL ROAD - SUITE 117
TUCSON, AZ 85712
520.795.3000
FAX520.322.6956
rickengineering.com

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SEE SHEET 4

APPROXIMATE LOCATION WHERE FENCE LINE CROSSES PROPERTY LINE FROM EAST SIDE TO WEST SIDE

14' LANDSCAPE BUFFERYARD "A"

0' LANDSCAPE BUFFERYARD

PROPOSED ZONING BOUNDARY PER CASE OV9-04-02

Q100(EX)= 287 cfs
Q100(DEV)= 239 cfs
Q100(DEV_INT)= 279 cfs

UNSUBDIVIDED
R1-144

N0°32'22"W 2646.36'
TO NW CORNER OF SUBJECT PROPERTY

BASIN 3-INTERIM
Q100(IN)= 23 cfs
Q100(OUT)= 6 cfs
VOLUME DETAINED= 0.36 ac-ft
WSEL= 2792.8
WEIR= 2792.6
BASIN BOTTOM= 2790.0

14' LANDSCAPE BUFFERYARD "A"

FUTURE COMMERCIAL
(NOT A PART)
OV12-06-01

LA CAÑADA DRIVE

VISTOSO GATEWAY
BK 57, PG 35
R1-36
LOT 32

EXIST RETAINING WALL

QUITCLAIM DEEDS
RETAINING I/E EASEMENT
DKT 4420 PG 503
DKT 4420 PG 505
DKT 4815 PG 459
WARRANTY DEED
DKT 9036 PG 712
ROAD MAINTENANCE AGREEMENT
DKT 9036 PG 725

PARCEL 3 OF SPECIAL WARRANTY DEED DKT 12432 PG 5414, EXCEPTED FROM SUBJECT PROPERTY

PARCEL 2 OF SPECIAL WARRANTY DEED DKT 12432 PG 5414, EXCEPTED FROM SUBJECT PROPERTY

FENCE LINE IS APPROXIMATELY 90'±FROM CENTER-LINE OF TANGERINE

NEW 6" TYPE 2 VERTICAL CURB

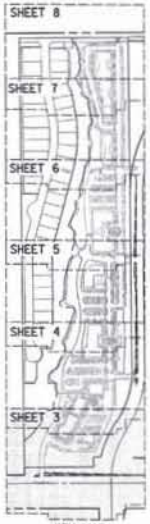
TANGERINE ROAD
(PUBLIC STREET, BK 7 PG 63 OF RM)
(DKT 12432 PG 5414)

VERDE RANCH COMMON AREA A
BK 57, PG 66
R1-7

SCALE: 1"= 30'
CONTOUR INTERVAL: 1'
0' 15' 30' 60'

KEYNOTES

1. NEW 6" VERTICAL CURB (TYP)
2. NEW 6" WEDGE CURB (TYP)
3. RETAINING WALL AT PROPERTY LINE
4. SAWCUT AT 1' MINIMUM, REMOVE EXIST CURB AND PAVEMENT AS NECESSARY, TACK, AND JOIN NEW PAVEMENT TO EXIST PAVEMENT
5. CURB ACCESS RAMP WITH TRUNCATED DOMES PER ADA STANDARDS (TYP)
6. CONCRETE SIDEWALK (TYP)
7. PROPOSED 8" PVC PUBLIC WATER LINE
8. PROPOSED 12" PVC PUBLIC WATER LINE
9. PROPOSED 8" PVC PUBLIC SEWER
10. 5' MASONRY SCREEN WALL



KEY MAP
NTS

OV914-006

TENTATIVE DEVELOPMENT PLAN & CONCEPTUAL SITE PLAN FOR

THE RESIDENCES AT MILLER RANCH

LOTS 1-37 AND COMMON AREAS "A" & "B"
BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 13 EAST, GSLA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA.

REF: OV1113-003, OV114-020
OV1208-07, OV1208-7A
OV904-02

DATE: AUGUST 8, 2014

SCALE: 1"=30' CONTOUR INTERVAL: 1'

SHEET 3 OF 9

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TUCSON, AZ 85712
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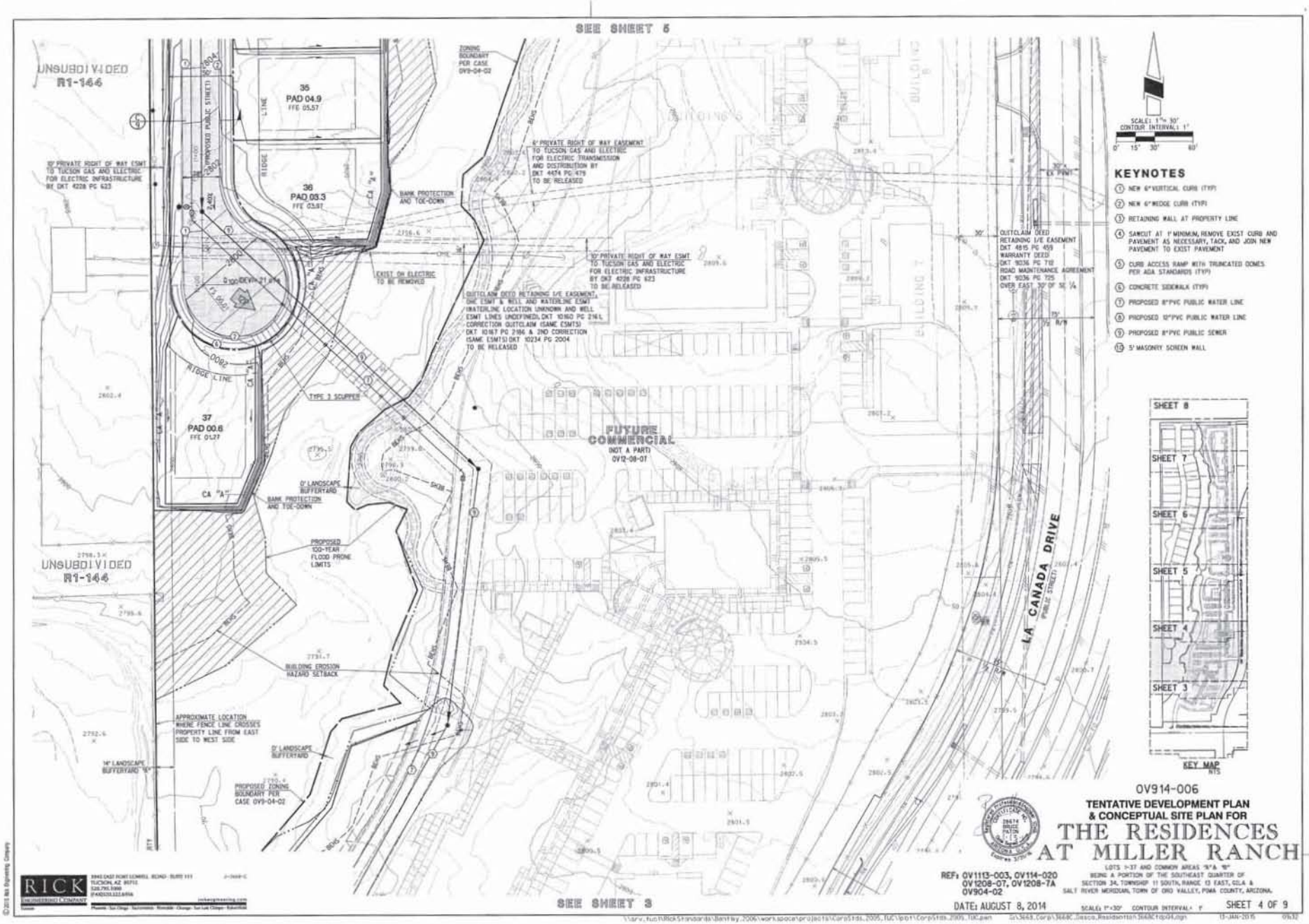

OV914-006

TENTATIVE DEVELOPMENT PLAN & CONCEPTUAL SITE PLAN FOR

THE RESIDENCES AT MILLER RANCH

LOTS 1-37 AND COMMON AREAS "A" & "B"
BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 13 EAST, GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA.

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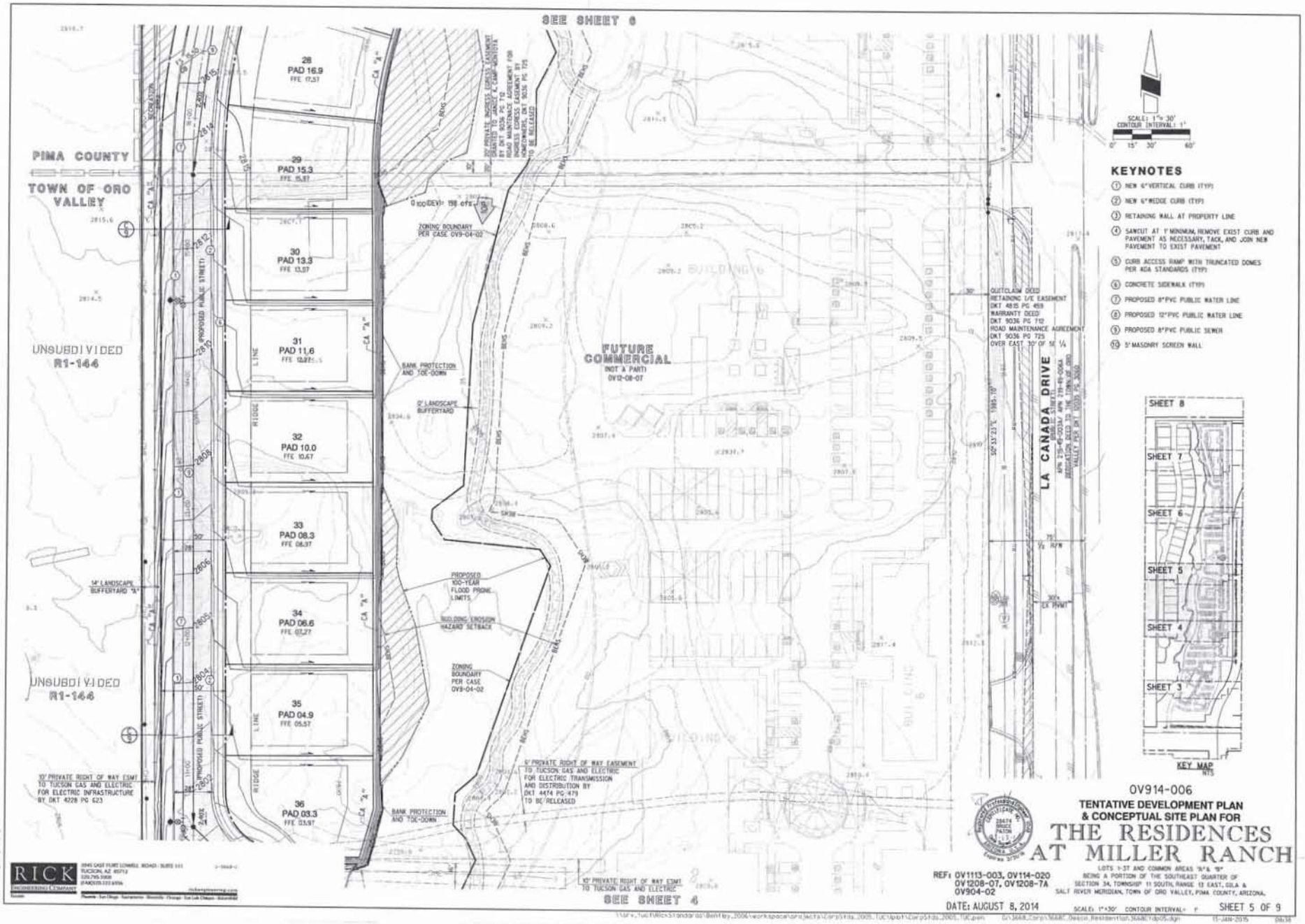
SEE SHEET 6
PIMA COUNTY
TOWN OF ORO VALLEY
UNSUBDIVIDED
R1-144
UNSUBDIVIDED
R1-144
28
PAD 16.9
FFE 17.57
29
PAD 15.3
FFE 15.57
30
PAD 13.3
FFE 13.57
31
PAD 11.6
32
PAD 10.0
FFE 10.67
33
PAD 08.3
FFE 08.97
34
PAD 06.6
FFE 07.27
35
PAD 04.9
FFE 05.57
36
PAD 03.3
FFE 03.97
(PROPOSED PUBLIC STREET)
RIDGE LINE
ZONING BOUNDARY PER CASE OV9-04-02
BANK PROTECTION AND TOE-DOWN
0' LANDSCAPE BUFFERYARD
14' LANDSCAPE BUFFERYARD "A"
PROPOSED 100-YEAR FLOOD PRONE LIMITS
BUILDING EROSION HAZARD SETBACK
ZONING BOUNDARY PER CASE OV9-04-02
BANK PROTECTION AND TOE-DOWN
FUTURE COMMERCIAL
(NOT A PART)
OV12-08-07
BUILDING 6
BUILDING 5
LA CAÑADA DRIVE
QUITCLAIM DEED
RETAINING L/E EASEMENT
DKT 4815 PG 459
WARRANTY DEED
DKT 9036 PG 712
ROAD MAINTENANCE AGREEMENT
DKT 9036 PG 725
OVER EAST 30' OF SE ¼
10' PRIVATE RIGHT OF WAY ESMT TO TUCSON GAS AND ELECTRIC FOR ELECTRIC INFRASTRUCTURE BY DKT 4228 PG 623
5' PRIVATE RIGHT OF WAY EASEMENT TO TUCSON GAS AND ELECTRIC FOR ELECTRIC TRANSMISSION AND DISTRIBUTION BY DKT 4474 PG 479 TO BE RELEASED
10' PRIVATE RIGHT OF WAY ESMT TO TUCSON GAS AND ELECTRIC
SEE SHEET 4
SCALE: 1"= 30'
CONTOUR INTERVAL: 1'
0' 15' 30' 60'
KEYNOTES
1 NEW 6" VERTICAL CURB (TYP)
2 NEW 6" WEDGE CURB (TYP)
3 RETAINING WALL AT PROPERTY LINE
4 SAWCUT AT 1' MINIMUM, REMOVE EXIST CURB AND PAVEMENT AS NECESSARY, TACK, AND JOIN NEW PAVEMENT TO EXIST PAVEMENT
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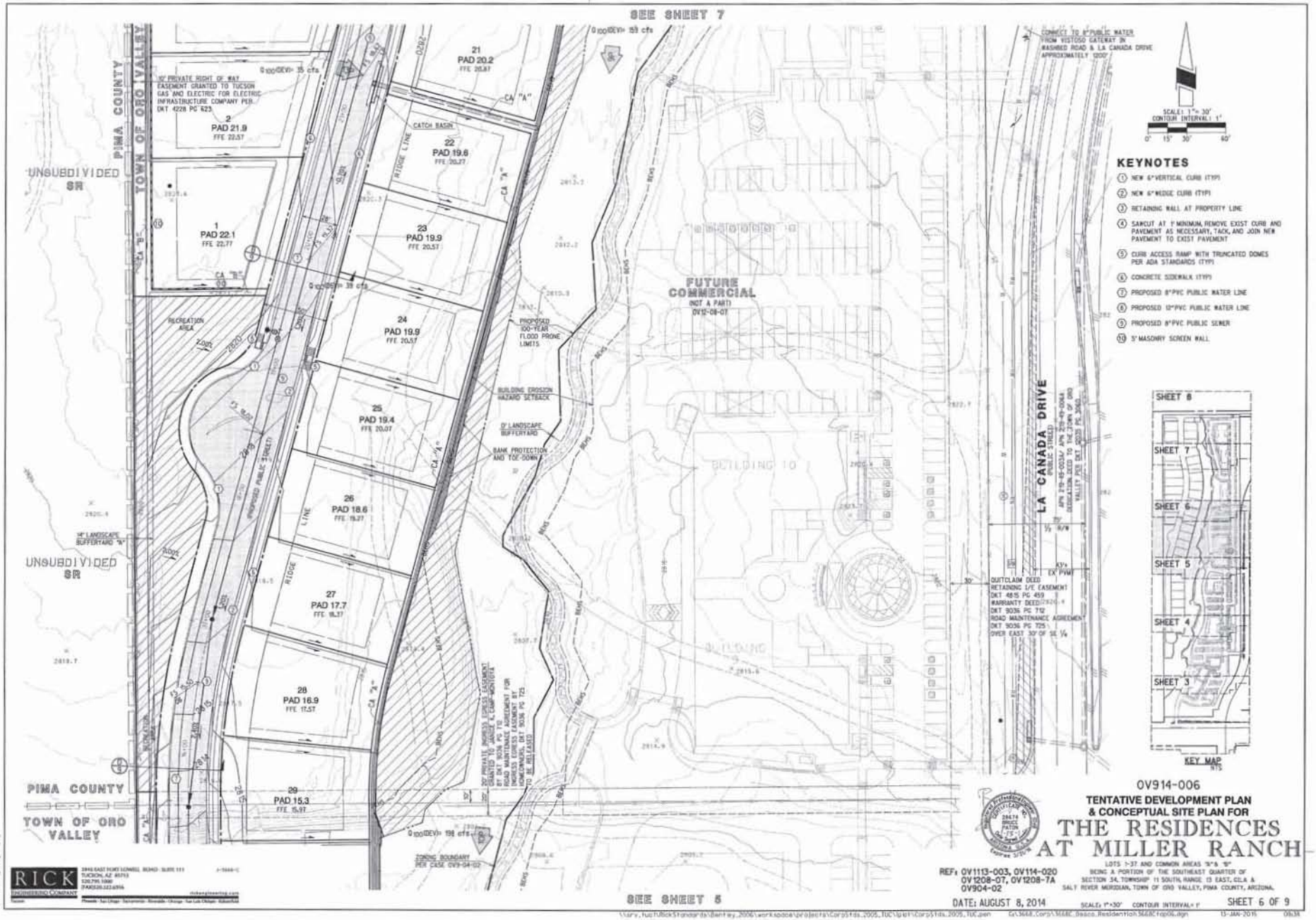
6 CONCRETE SIDEWALK (TYP)
7 PROPOSED 8" PVC PUBLIC WATER LINE
8 PROPOSED 12" PVC PUBLIC WATER LINE
9 PROPOSED 8" PVC PUBLIC SEWER
10 5' MASONRY SCREEN WALL
SHEET 8
SHEET 7
SHEET 6
SHEET 5
SHEET 4
SHEET 3
KEY MAP
NTS
RICK ENGINEERING COMPANY
0V914-006
TENTATIVE DEVELOPMENT PLAN
& CONCEPTUAL SITE PLAN FOR
THE RESIDENCES AT MILLER RANCH
LOTS 1-37 AND COMMON AREAS "A" & "B"
BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 13 EAST, GILA & SALT RIVER MERIDIAN, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA.
REF: 0V1113-003, 0V114-020
0V1208-07, 0V1208-7A
0V904-02
DATE: AUGUST 8, 2014
SCALE: 1"=30' CONTOUR INTERVAL= 1'
SHEET 5 OF 9
15-JAN-2015



OV914-006

TENTATIVE DEVELOPMENT PLAN & CONCEPTUAL SITE PLAN FOR

THE RESIDENCES AT MILLER RANCH

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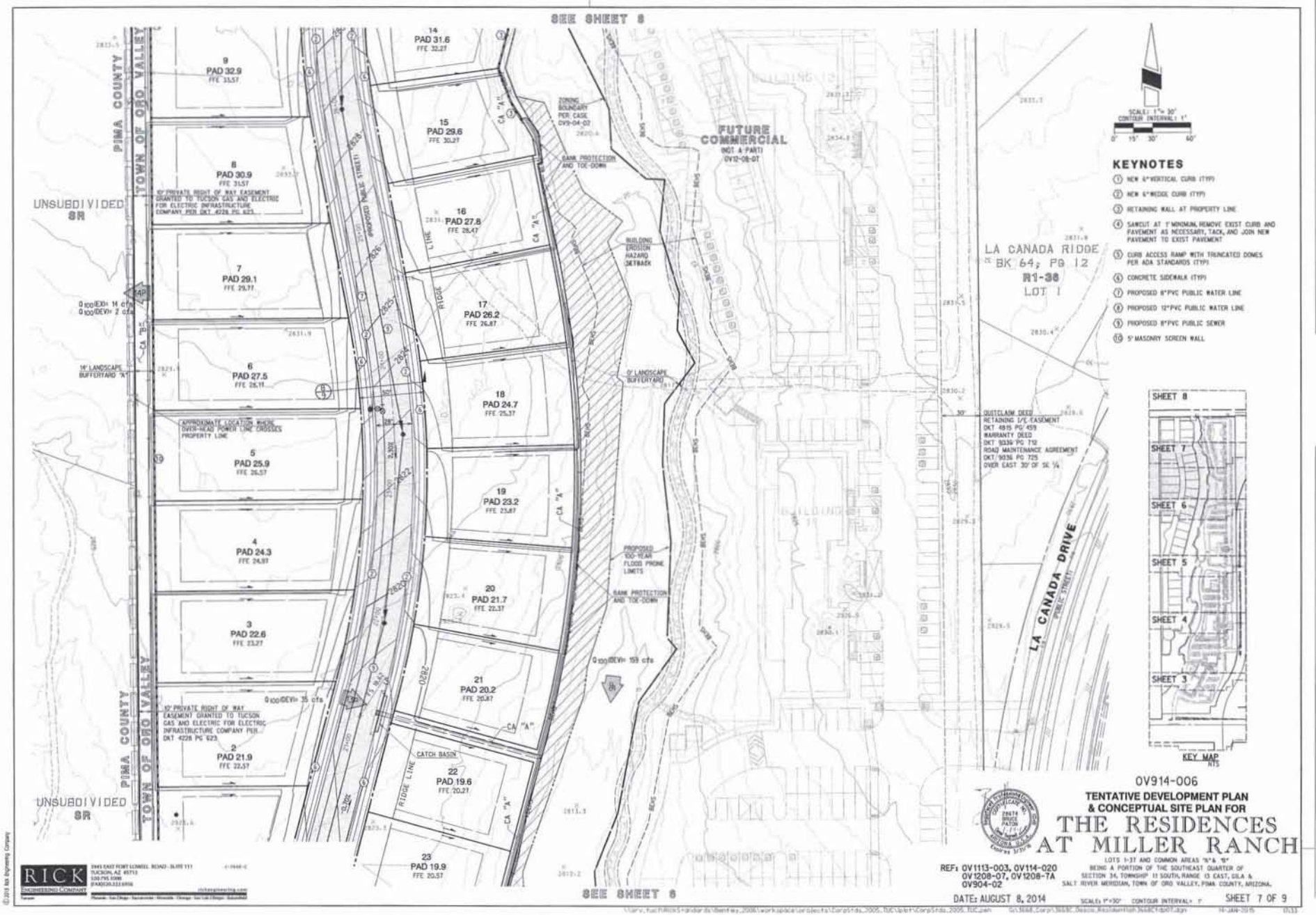

SCALE: 1"= 30'
CONTOUR INTERVAL: 1'
0' 15' 30' 60'

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KEY MAP
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0V1208-07, 0V1208-7A
0V904-02

DATE: AUGUST 8, 2014

SCALE: 1"=30' CONTOUR INTERVAL= 1'

SHEET 7 OF 9

RICK ENGINEERING COMPANY
2945 EAST FORT LOWELL ROAD - SUITE 111
TUCSON, AZ 85713
520.795.5990
FAX:520.322.6956
rickengineering.com
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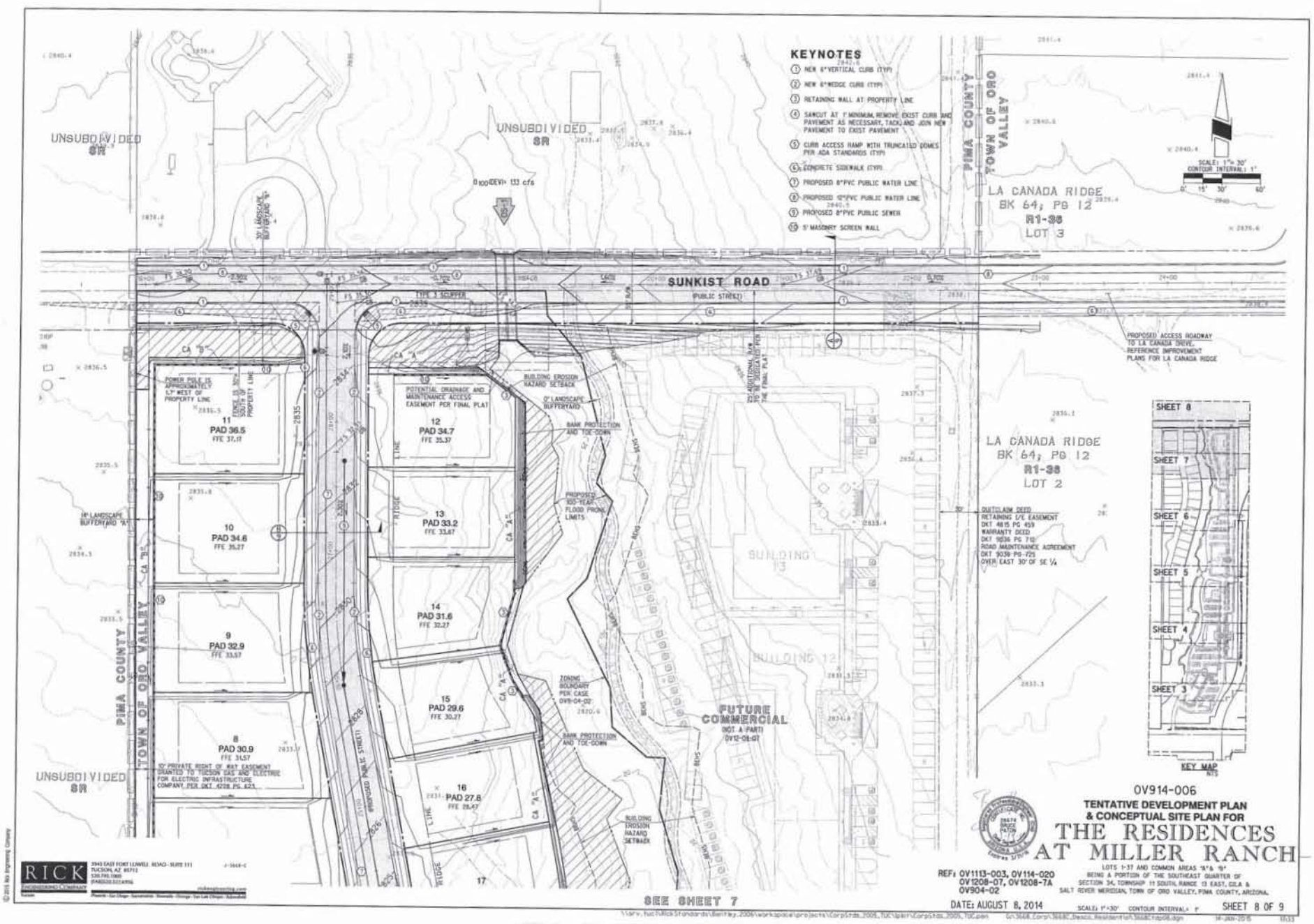
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8 PROPOSED 12"PVC PUBLIC WATER LINE
9 PROPOSED 8"PVC PUBLIC SEWER
10 5' MASONRY SCREEN WALL
UNSUBDIVIDED
SR
SUNKIST ROAD
(PUBLIC STREET)
PIMA COUNTY
TOWN OF ORO VALLEY
LA CANADA RIDGE
BK 64, PG 12
R1-38
LOT 3
LA CANADA RIDGE
BK 64, PG 12
R1-38
LOT 2
PROPOSED ACCESS ROADWAY TO LA CANADA DRIVE. REFERENCE IMPROVEMENT PLANS FOR LA CANADA RIDGE
11
PAD 36.5
FFE 37.17
12
PAD 34.7
FFE 35.37
13
PAD 33.2
FFE 33.67
14
PAD 31.6
FFE 32.27
15
PAD 29.6
FFE 30.27
16
PAD 27.8
FFE 28.47
10
PAD 34.6
FFE 35.27
9
PAD 32.9
FFE 33.57
8
PAD 30.9
FFE 31.57
BUILDING 13
BUILDING 12
FUTURE COMMERCIAL
(NOT A PART)
(OV12-08-07)
SHEET 8
SHEET 7
SHEET 6
SHEET 5
SHEET 4
SHEET 3
KEY MAP
NTS
OV914-006
TENTATIVE DEVELOPMENT PLAN
& CONCEPTUAL SITE PLAN FOR
THE RESIDENCES
AT MILLER RANCH
LOTS 1-37 AND COMMON AREAS "A" & "B"
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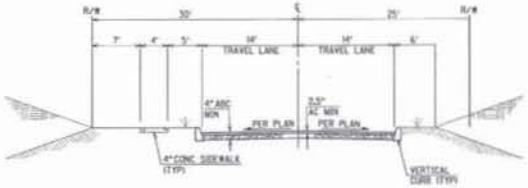
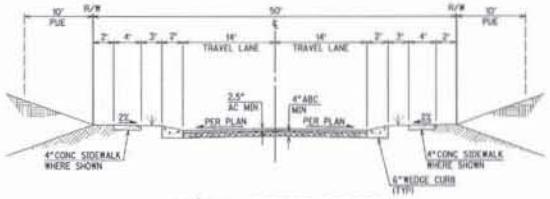
OV1208-07, OV1208-7A
OV904-02
DATE: AUGUST 8, 2014
SCALE: 1"=30' CONTOUR INTERVAL= 1'
SHEET 8 OF 9
SEE SHEET 7
RICK
ENGINEERING COMPANY



(A) TYPICAL ROAD SECTION AT SUNKIST ROAD

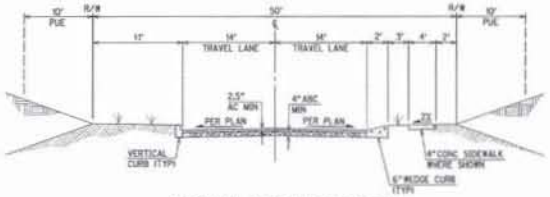
NO SCALE



50' R/W STREET SECTION W/UNIT ON BOTH SIDES

(B)

NO SCALE



50' R/W STREET SECTION W/UNIT ON ONE SIDE

(C)

NO SCALE

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3945 EAST FORT LOWELL ROAD - SUITE 111
TUCSON, AZ 85712
520.795.9300
FAX(520) 322-6996
rickengineering.com
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OV914-006

TENTATIVE DEVELOPMENT PLAN & CONCEPTUAL SITE PLAN FOR

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REF: OV1113-003, OV114-020
OV1208-07, OV1208-7A
OV904-02

DATE: AUGUST 8, 2014

SCALE: N/A CONTOUR INTERVAL: N/A

418 North Toole Avenue
Tucson, Arizona 85701
520.622.9565

NORRIS DESIGN
Planning | Landscape Architecture

February 20, 2015

Rosevelt Arellano
Town of Oro Valley | Development and Infrastructure Services
11000 N La Canada Drive
Oro Valley, AZ 85737

RE: The Residences at Miller Ranch (OV914-006) - Special Commitments for the Rezoning Application Conditions

Dear Rosevelt:
In response to the feedback from the Planning and Zoning Commission and residents at the recent hearing, we propose the following special commitments for the Residences at Miller Ranch. The proposed commitments include lot restrictions for one story and two story homes and landscape enhancements within the western buffer yard. Over the past year, we have integrated several planning and design refinements to enhance the tentative development plan companion to the Residences at Miller Ranch rezoning application. The refinements focus on maintaining existing viewsheds and establishing a vibrant desert landscape on this currently denuded site. The current plan with the integration of these special commitments clarifies the planned transition from the existing residential properties to the Miller Ranch Technology Park and Retail Center. Please consider the following commitments as additional conditions for the Residences at Miller Ranch rezoning application.

Special Commitments for the Residences at Miller Ranch Rezoning

1. Single Story Lot Restriction - Western Lots
    a. All homes along the western property boundary shall be a single story (one (1) story, eighteen feet (18') in height) for a total of eleven (11) lots per the attached lot restriction exhibit.

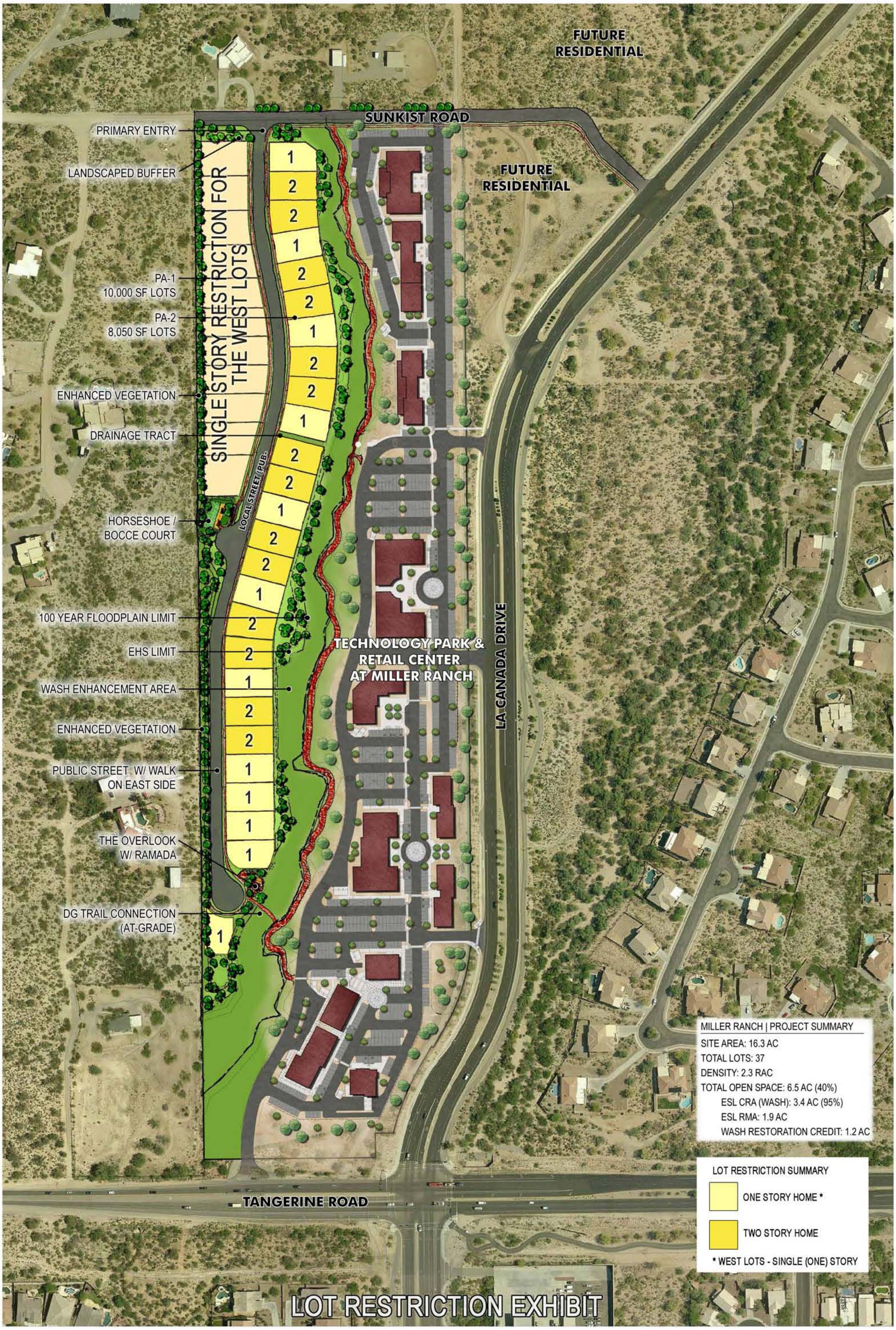
2. One Story / Two Story Lot Restriction - Eastern Lots
    a. The eastern lots shall be a mix of one (1) story and two (2) story homes per the attached lot restriction exhibit.

3. Western Landscape Buffer Yard Enhancements
    a. The western landscape buffer yard shall provide 5 trees (refer to 3.b for sizes), 5 shrubs/cacti and 10 accents per 100 liner feet per the Conceptual Landscape Plan. The quantity of plants proposed is greater than the most intensive quantity of plants required for a buffer yard between residential properties.
    b. All trees located in the western landscape buffer yard on the Conceptual Landscape Plan shall be a minimum 36" boxed Velvet Mesquite (Prosopis velutina).

We look forward to meeting with the Mayor and Council on March 4th. Please contact me with any questions or if you need additional information at 520.622.9565 or sweaks@norris-design.com.

Respectfully,
Norris Design

Stacey Weaks, PLA



Note: Graphic is for Illustrative Purpose Only.

NORTH

0 50 100 200

SCALE: 1:100

MILLER RANCH

Concept Plan

February 17, 2015

DESCO Southwest

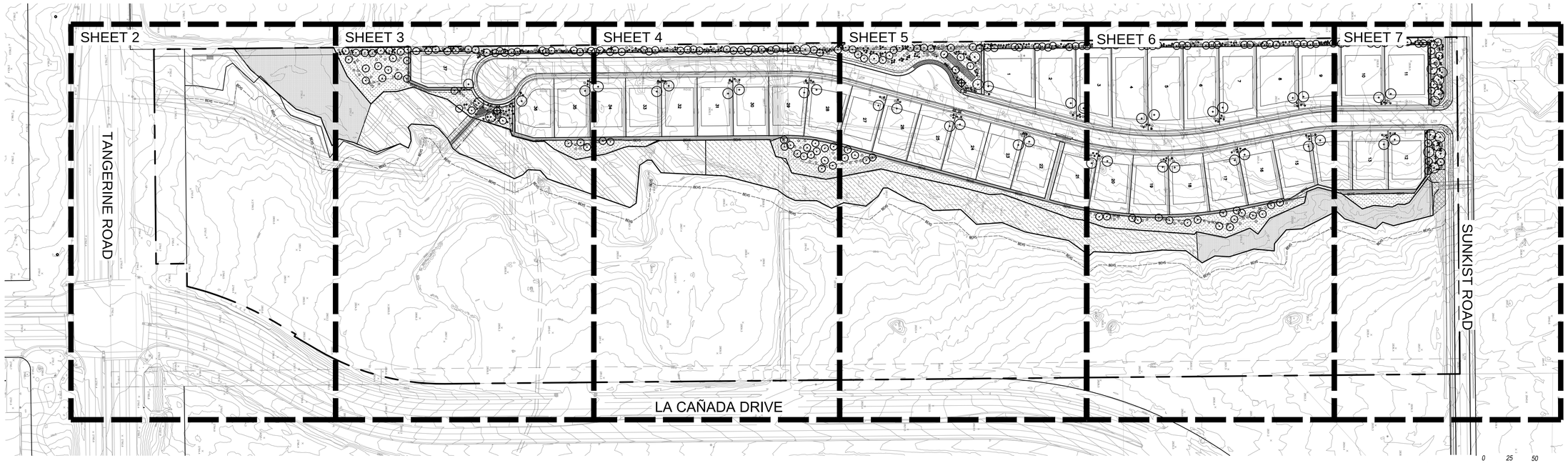
RICK ENGINEERING COMPANY

NORRIS DESIGN Planning | Landscape Architecture

CONCEPTUAL LANDSCAPE PLAN

THE RESIDENCES AT MILLER RANCH

OV CASE # OV914-006



LANDSCAPE PLAN

NORTH

0 25 50 100

SCALE: 1" = 100'

GENERAL NOTES

1. THE GROSS AREA OF THE DEVELOPMENT SITE IS 16.3 ACRES (711,089 SF)
2. ZONING REQUEST: R1-144 TO R1-7 (GENERAL PLAN DESIGNATION: MDR)
3. RESIDENTIAL UNITS PER ACRE = 2.3 DU/AC (PER GENERAL PLAN AMENDMENT, MAXIMUM DENSITY PERMITTED IS 2.5 DU/AC)
4. TOTAL RESIDENTIAL LOTS: 37
   MINIMUM LOT SIZE:
   WEST LOTS: MIN. 10,000SF
   EAST LOTS: MIN. 8,050SF
5. BUILDING HEIGHT: 25' (INCLUDING 2 STORY HOMES)
6. TOTAL AMOUNT OF UNDISTURBED NATURAL OPEN SPACE: 5.3 ACRES
6. TOTAL AMOUNT OF OPEN SPACE: 6.4 ACRES
7. ACCESS ACROSS FLOOD PRONE AREAS TO BUILDING SITE WILL BE APPROVED BY THE TOWN ENGINEER AND SHALL BE THE RESPONSIBILITY OF THE DEVELOPER.
8. WATER SERVICE PROVIDER: ORO VALLEY WATER UTILITY
9. TOTAL MILES OF NEW PUBLIC STREETS IS 0.5 MILES.
10. TOTAL MILES OF NEW PRIVATE STREETS IS 0 MILES.
11. THERE IS A GENERAL PLAN AMENDMENT CONDITION FOR A MAXIMUM DENSITY OF 2.5 DU/AC UNDER THE APPROVED MDR GENERAL PLAN DESIGNATION (RES NO. (R)13-73).
12. ASSURANCES FOR SITE IMPROVEMENTS, LANDSCAPING AND REVEGETATION BONDS MUST BE POSTED PRIOR TO ISSUANCE OF GRADING PERMITS.
13. AREA OF OPEN SPACE:
    ESL CRITICAL RESOURCE AREA (CRA) - 3.5 ACRES
    REQUIRED - 3.3 ACRES (95%)
    PROVIDED - 3.4 ACRES (95%)
    ESL RESOURCE MANAGEMENT AREA TIER 2 (RMA) - NET 12.6 ACRES
    REQUIRED - 3.2 ACRES (25%)
    PROVIDED - 1.9 ACRES (15%) PLUS WASH RESTORATION CREDIT (1.2 ACRE)

    OPEN SPACE - COMMON AREA
    REQUIRED - N/A
    PROVIDED - 0.9 ACRES (8%)
    TOTAL OPEN SPACE
    REQUIRED - 6.5 ACRES (40%)
    PROVIDED - 6.5 ACRES (40%) INCLUDES WASH RESTORATION CREDIT

    *WASH RESTORATION CREDIT: 1.2 ACRE- RESTORES A PORTION OF THE DISTURBED WASH WITHIN THE CRA AREA (Town of Oro Valley Zoning Code, Chapter 27: General Development Standards, Section 27.10 Environmentally Sensitive Lands, (D) Environmentally Sensitive Lands Conservation Systems, (3) Conservation Categories, (b) Critical Resource Area (CRA) Category, (ii) Conservation (c,1), Page 278.8)
14. LANDSCAPED BUFFER YARDS PROVIDED (REQUIRED)
    NORTH (STREET) - MIN 30' BUFFER A, INCLUDES 5' MASONRY ON LOT LINE
    (REQUIRED: 4 TREES, 4 SHRUBS/CACTI, 8 ACCENTS) PER 100FT
    (PROVIDED: 8 TREES, 8 SHRUBS/CACTI, 16 ACCENTS) PER 100FT
    EAST (COMM/TP) - 0'
    SOUTH (COMM/TP) - 0'
    WEST (RES) - MIN 14' BUFFER A, INCLUDES 5' MASONRY SITE WALL FOR LOTS
    (REQUIRED: 4 TREES, 5 SHRUBS/CACTI, 10 ACCENTS) PER 100FT
    (PROVIDED: 5 TREES, 5 SHRUBS/CACTI, 10 ACCENTS) PER 100FT
15. RECREATION AREA REQUIREMENTS: 18,691 SF REQUIRED (512 SF/LOT), 19,000 SF PROVIDED (7,500 SF + 11,500 SF).
16. THE TOTAL AMOUNT OF ESOS AREA TO BE RESTORED IS 2.0 ACRES (INCLUDES THE WASH RESTORATION CREDIT AREA).
17. THE TOTAL AMOUNT OF LANDSCAPED COMMON AREA IS 0.9 ACRES.
18. REQUIRED BUILDING SETBACKS:
    FRONT YARD - 20 FEET
    SIDE YARD - 7.5 FEET
    REAR YARD - 20 FEET
    PROVIDED BUILDING SETBACKS:
    FRONT YARD - 10 FEET MIN.*
    SIDE YARD - 7.5 FEET MIN.
    REAR YARD - 20 FEET MIN.

    *20' MINIMUM SETBACK FOR THE FRONT LOADED GARAGE PORTION OF THE BUILDING.
19. ALL COMMON AREA AND OPEN SPACE WILL BE MAINTAINED BY THE HOA.
20. ALL SIGNAGE AND LIGHTING TO BE ADDRESSED AS PART OF A SEPARATE REVIEW AND APPROVAL PROCESS.
21. DEVELOPMENT INCENTIVES:
    1. MODIFIED REVIEW PROCESS
    2. WASH RESTORATION CREDIT (NOTE #13)
    3. MODIFIED BUILDING SETBACK - FRONT SETBACK (NOTE #16)

GENERAL LANDSCAPE NOTES

1. THE CONCEPTUAL LANDSCAPE PLAN HAS BEEN DESIGNED TO CONFORM TO SECTION 27.6 OF THE TOWN OF ORO VALLEY ZONING CODE.
2. MITIGATION OF SURVEYED PLANTS IN THE NATIVE PLANT PRESERVATION PLAN WILL BE INCORPORATED INTO THE LANDSCAPE DESIGN
3. THE PROPERTY OWNER IS RESPONSIBLE FOR THE MAINTENANCE OF A SUPPLEMENTAL DRIP IRRIGATION SYSTEM SHALL BE EMPLOYED UNTIL SUCH TIME THAT THE PLANT MATERIAL IS SUSTAINED BY NATURAL WATER SOURCES.
4. MATERIALS WITHIN THE SIGHT VISIBILITY TRIANGLES MUST BE PLACED SO AS NOT TO INTERFERE WITH A VISIBILITY PLANE DESCRIBED BY TWO HORIZONTAL LINES LOCATED THIRTY INCHES AND SEVENTY-TWO INCHES ABOVE FINISHED GRADE OF THE ROADWAY SURFACE.
5. PLANT COVER/DUST CONTROL: ALL DISTURBED, GRUBBED, GRADED OR BLADED AREAS NOT OTHERWISE IMPROVED SHALL BE LANDSCAPED, RESEEDED, OR TREATED WITH AN INORGANIC OR ORGANIC GROUND COVER TO HELP REDUCE DUST POLLUTION.
6. THE PLANT SPACING DEPICTED IN THE LANDSCAPE PLAN ENABLES ADEQUATE SPACING TO ENSURE SURVIVABILITY AT PLANT MATURITY. THE CONTRACTOR SHALL FOLLOW THE LANDSCAPE PLAN AS CLOSELY AS POSSIBLE. ANY DISCREPANCY IN THE PLAN VS.THE FIELD CONDITIONS SHALL BE REPORTED TO THE LANDSCAPE ARCHITECT IMMEDIATELY.
7. SHRUB LOCATIONS ARE PRELIMINARY.
8. PLANTS IN FRONT YARDS, BUFFER YARDS, AND COMMON AREAS THAT REQUIRE IRRIGATION MAY NOT BE ESTABLISHED IN AREAS THAT ARE SHAPED IN A MANNER TO NOT ENABLE PARTIAL CONTAINMENT OF IRRIGATION OR RAINWATER.
9. ONLY PLANTS CLASSIFIED AS WATER USE TYPE 1 SHALL BE PERMITTED IN STREET MEDIANS AND RIGHTS-OF-WAY.
10. THE FINAL LOCATION OF TREES SHALL BE PLACED A MINIMUM OF 7.5' FROM WET UTILITY LINES, OR PROVIDE A ROOT BARRIER.
11. MASONRY WALLS SHOWN ON THE PLAN DEPICT REQUIRED SCREENING. ALL LOTS WILL HAVE A 5' MASONRY WALL. LOTS 12 - 37 MAY INTEGRATE A VIEW FENCE ON THE REAR PROPERTY LINE PER THE ZONING CODE CRITERIA. AT THE TIME OF GRADING, FIELD FENCING WILL BE INSTALLED A MINIMUM OF 5' FROM THE LOCATION OF THE PROPOSED WALLS TO PROTECT EXISTING CRITICAL RESOURCE AREAS

OV12-08-07, OV1113-003

Town of Oro Valley Case # OV914-006

Reference #: OV114-020, OV904-02

DATE: 1/13/2015	SITE ADDRESS	OWNER/DEVELOPER DESCO-MILLER, LLC. 1795 E. SKYLINE DR #193 TUCSON, ARIZONA 85718 ATTN: JAMES HARDAMAN P: (520) 297-8929	ENGINEER RICK ENGINEERING CO. 3945 E. FT. LOWELL ROAD, SUITE 111 TUCSON, AZ 85712 PH: 520-795-1000 ATTN: TRI MILLER EMAIL: TMILLER@RICKENGINEERING.COM
SCALE: 1:100			
C.I.: 1' INTERVAL			

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, T11S, R13E G&SRM TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

CONCEPTUAL LANDSCAPE PLAN

THE RESIDENCES AT MILLER RANCH

Oro Valley, Arizona

OV914-006

NORRIS DESIGN

Planning • Landscape Architecture
418 N. Toole Ave, Tucson, AZ 85701
Ph: 520 622 9565 norris-design.com
Attn: Stacey Weaks

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 35139 STACEY WEAKS ARIZONA, U.S.A. EXPIRES 12/31/16

FOR AGENCY REVIEW NOT FOR CONSTRUCTION

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1 OF 8

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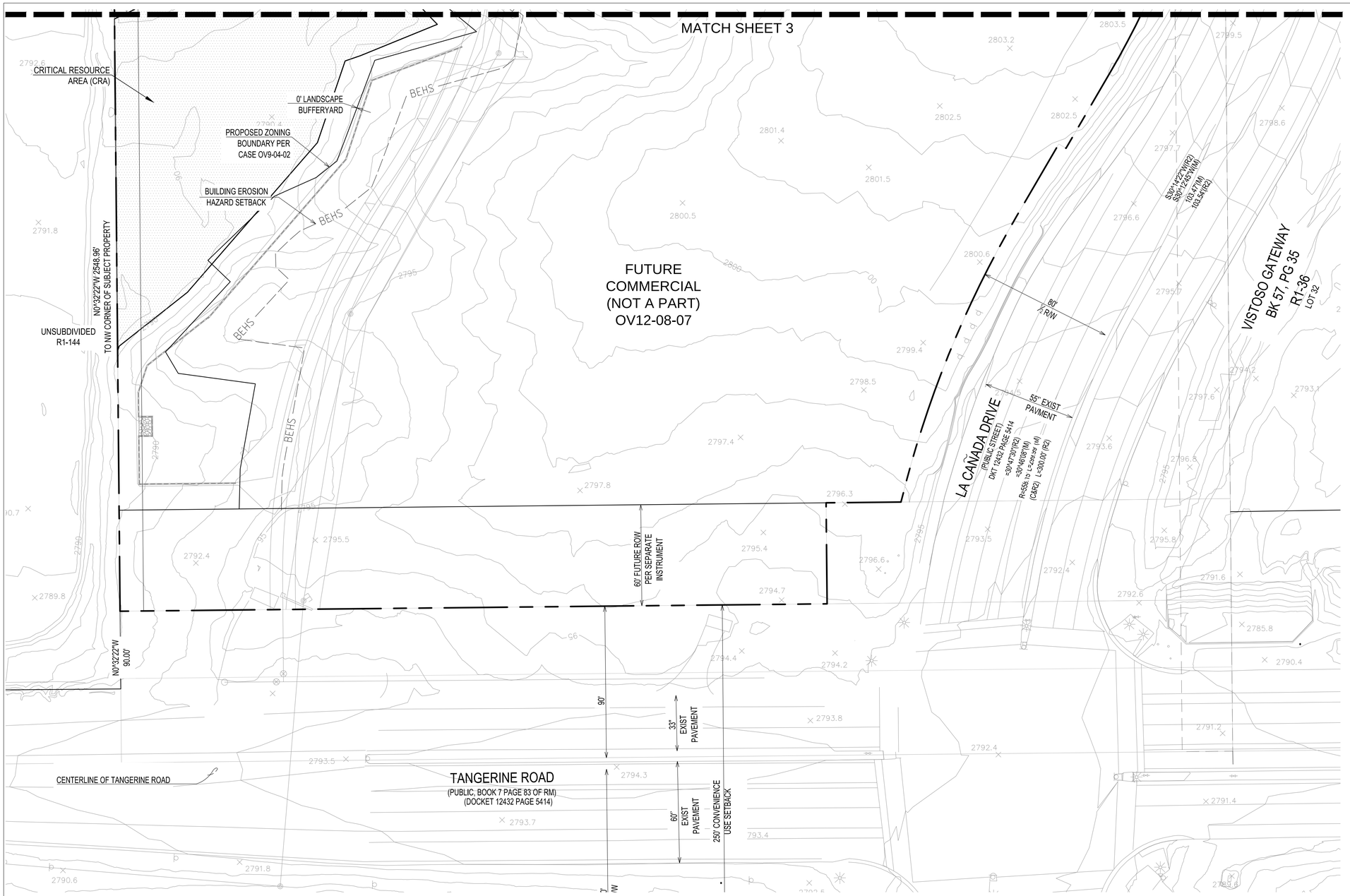

NORTH

SCALE: 1" = 30'

PLANT SCHEDULE

SYM.	TYPE
PLANTS	
	Low Canopy Tree
	High Canopy Tree
	Shrub
	Accent/Cacti
	Groundcover
INERT GROUNDCOVER	
	1/2" Screened Rock
BOULDERS	

Apache Brown boulders:

SYM.	SIZE
	4'
	3'
	2'

NOTE:

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- CRITICAL RESOURCE AREA (CRA) ADDITIONAL WASH RESTORATION AREA
- CRA DISTURBANCE AREA
- ZONING BOUNDARY

REFERENCING MILLER RANCH COMMERCIAL CENTER AND TECH PARK: OV12-08-07

- DEVELOPMENT PLAN
- NATIVE PLANT PRESERVATION PLAN
- WASH RESTORATION PLAN
- LANDSCAPE PLAN

OV12-08-07, OV1113-003

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CONCEPTUAL LANDSCAPE PLAN

THE RESIDENCES AT MILLER RANCH

Oro Valley, Arizona

OV914-006

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Attn: Stacey Weaks

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 39 STACEY L. WEAKS ARIZONA, U.S.A. EXPIRES 12/31/16

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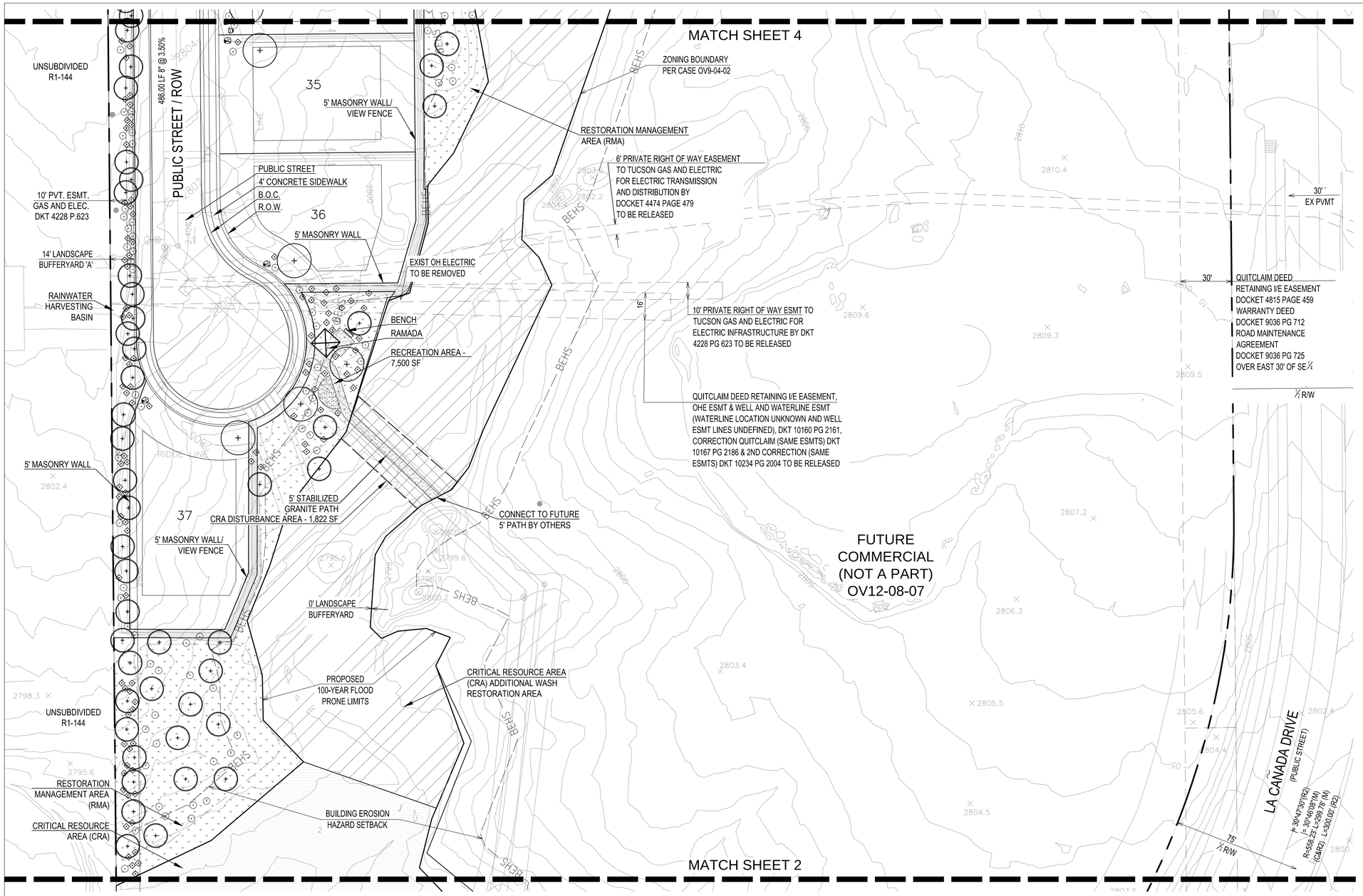

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PLANT SCHEDULE

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PLANTS	
	Low Canopy Tree
	High Canopy Tree
	Shrub
	Accent/Cacti
	Groundcover
INERT GROUNDCOVER	
	1/2" Screened Rock
BOULDERS	

Apache Brown boulders:

SYM.	SIZE
	4'
	3'
	2'

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OV12-08-07, OV1113-003

Town of Oro Valley Case # OV914-006

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CONCEPTUAL LANDSCAPE PLAN

THE RESIDENCES AT MILLER RANCH

Oro Valley, Arizona

OV914-006

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Attn: Stacey Weaks

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 22639 STACEY L. WEAKS DATE SIGNED 12/31/15 ARIZONA, U.S.A. EXPIRES 12/31/16

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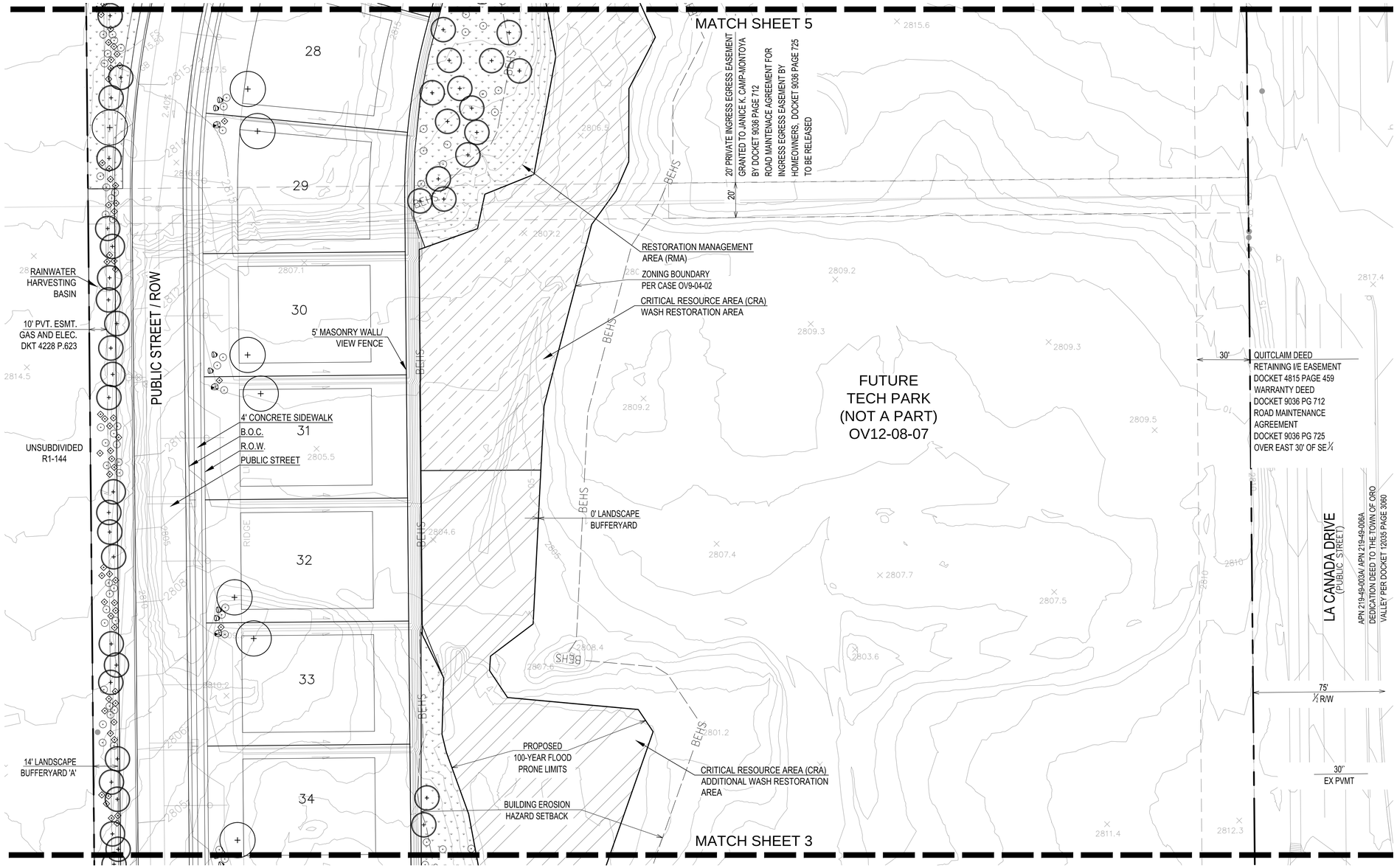

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	1/2" Screened Rock
BOULDERS	

Apache Brown boulders:

SYM.	SIZE
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	2'

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OV12-08-07, OV1113-003

Town of Oro Valley Case # OV914-006

Reference #: OV114-020, OV904-02

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THE RESIDENCES AT MILLER RANCH

Oro Valley, Arizona

OV914-006

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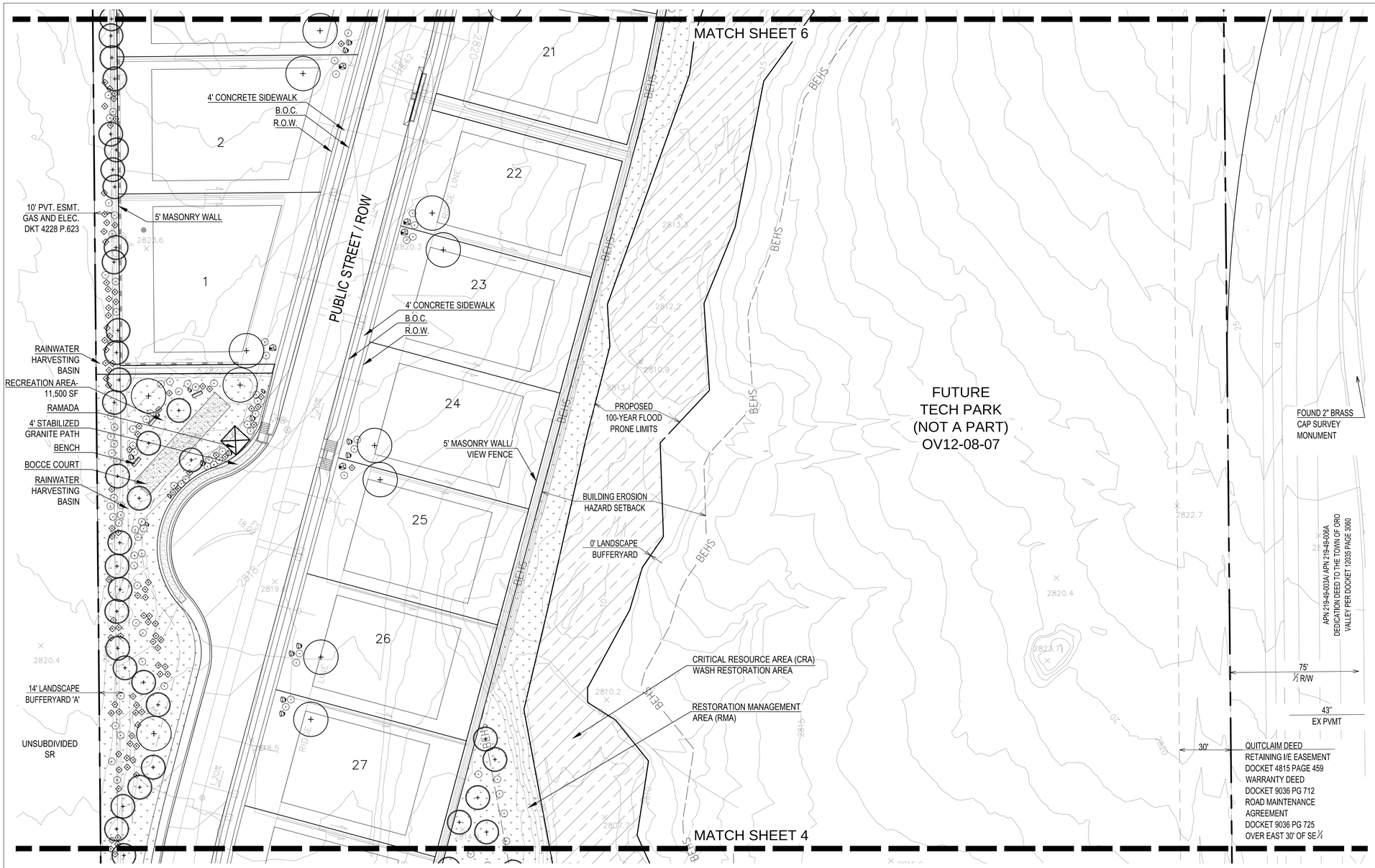

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SCALE: 1" = 30'

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BOULDERS	

Apache Brown boulders:

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	3'
	2'

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OV12-08-07, OV1113-003
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REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 22576 STACEY D. WEAKS DATE SIGNED 12/31/14 ARIZONA, U.S.A. EXPIRES 12/31/16

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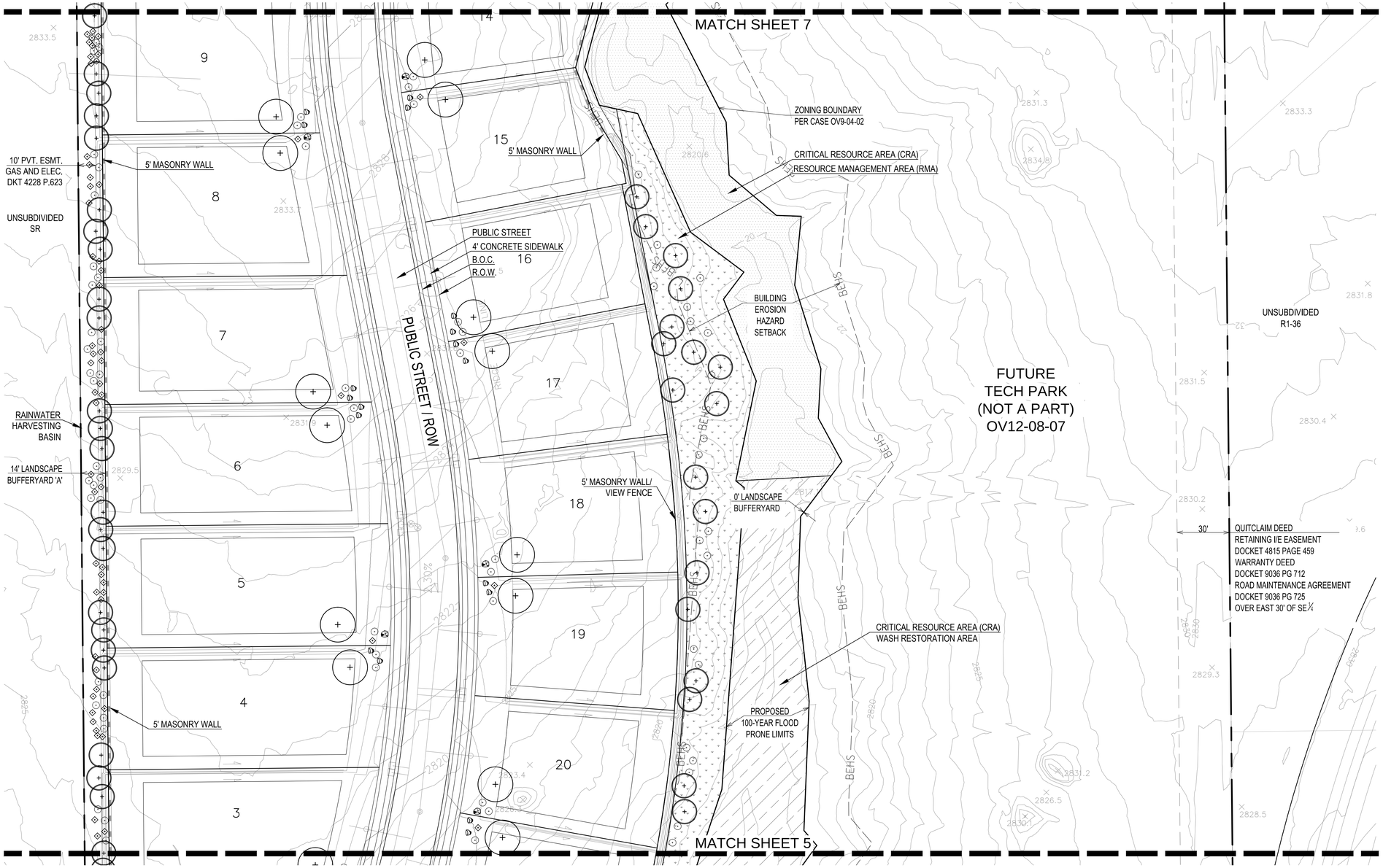

NORTH

0 15 30 60
SCALE: 1" = 30'

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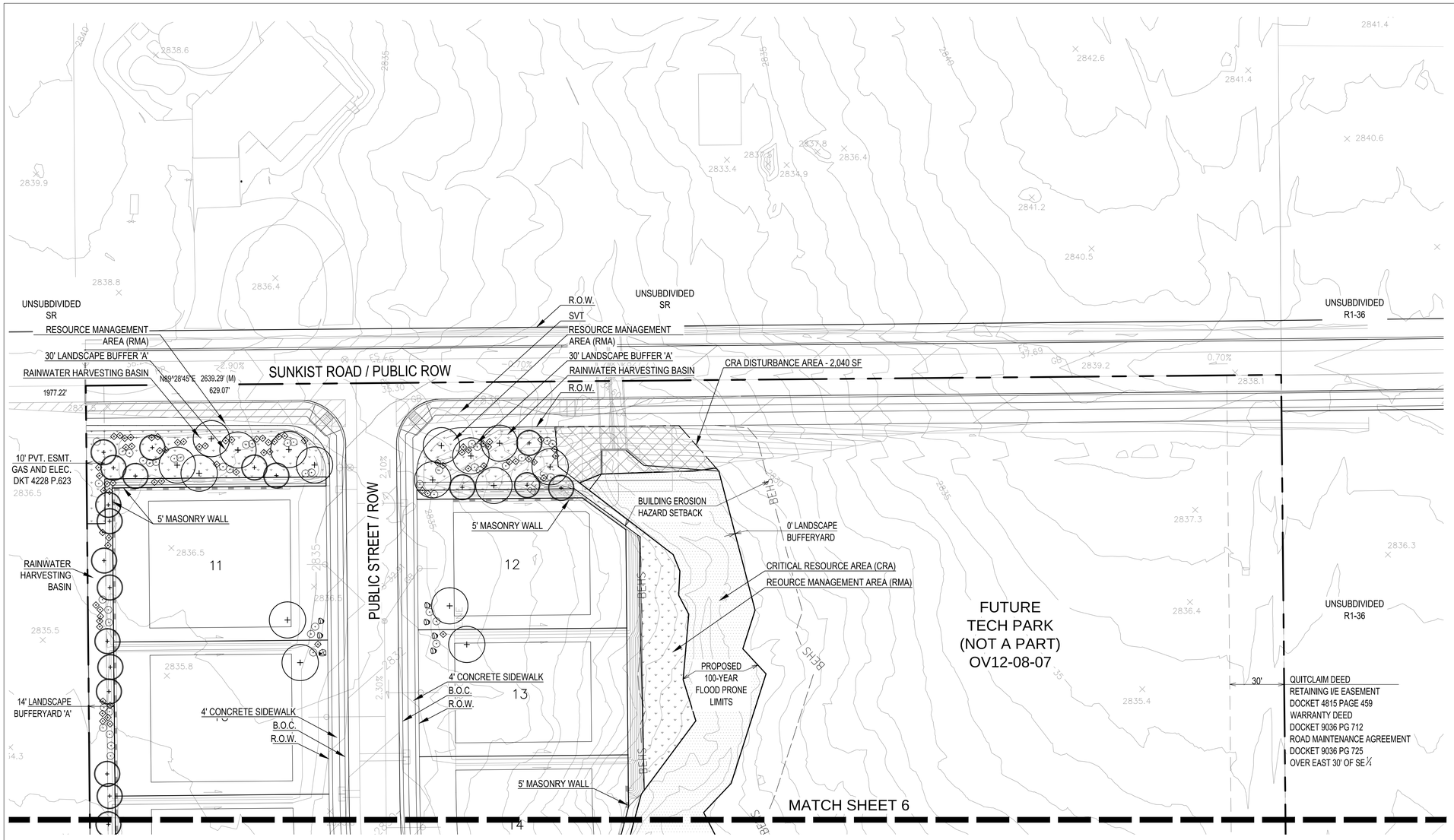

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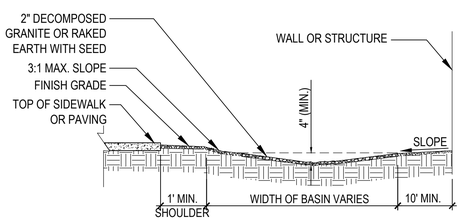
SYMBOL LEGEND

- CRITICAL RESOURCE AREA (CRA)
- RESOURCE MANAGEMENT AREA (RMA)
- CRITICAL RESOURCE AREA (CRA) WASH RESTORATION AREA
- CRITICAL RESOURCE AREA (CRA) ADDITIONAL WASH RESTORATION AREA
- CRA DISTURBANCE AREA
- ZONING BOUNDARY

REFERENCING MILLER RANCH COMMERCIAL CENTER AND TECH PARK: OV12-08-07

- DEVELOPMENT PLAN
- NATIVE PLANT PRESERVATION PLAN
- WASH RESTORATION PLAN
- LANDSCAPE PLAN



NOTE;
1. INTEGRATE RAINWATER HARVESTING BASINS WHEREVER POSSIBLE.

1 SECTION THRU WATER HARVESTING BASIN

SCALE: NTS

Two working days before you dig, CALL FOR THE BLUE STAKES
1-800-782-5348
" 1-800-STAKE-IT "
Blue Stake Center

OV12-08-07, OV1113-003

Town of Oro Valley Case # OV914-006

Reference #: OV114-020, OV904-02

DATE: 1/13/2015	SITE ADDRESS	OWNER/DEVELOPER	ENGINEER
SCALE: 1:30		DESCO-MILLER, LLC. 1795 E. SKYLINE DR #193 TUCSON, ARIZONA 85718 ATTN: JAMES HARDAMAN P: (520) 297-8929	RICK ENGINEERING CO. 3945 E. FT. LOWELL ROAD, SUITE 111 TUCSON, AZ 85712 PH: 520-795-1000 ATTN: TRI MILLER EMAIL: TMILLER@RICKENGINEERING.COM
C.I.: 1' INTERVAL			

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, T11S, R13E G&SRM TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

CONCEPTUAL LANDSCAPE PLAN

THE RESIDENCES AT MILLER RANCH

Oro Valley, Arizona

OV914-006

NORRIS DESIGN

Planning • Landscape Architecture
418 N. Toole Ave. Tucson, AZ 85701
Ph: 520 622 9565 norris-design.com
Attn: Stacey Weaks

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 36139 STACEY WEAKS Date Signed 1/13/15 ARIZONA, U.S.A. EXPIRES 12/31/15

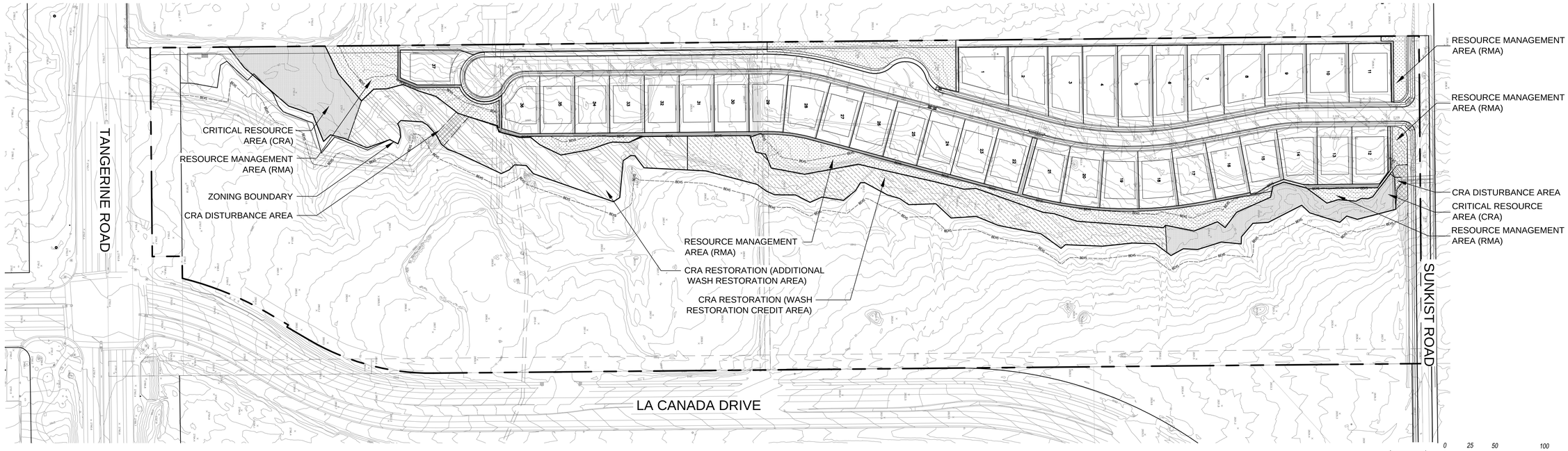
FOR AGENCY REVIEW NOT FOR CONSTRUCTION

NO.	DATE	REVISION	BY

OPEN SPACE PLAN

THE RESIDENCES AT MILLER RANCH

OV CASE # OV914-006



OPEN SPACE PLAN

NORTH

SCALE: 1" = 100'

0 25 50 100

OPEN SPACE CALCULATIONS

1. AREA OF OPEN SPACE:
   - ESL CRITICAL RESOURCE AREA (CRA) - 3.5 ACRES
     - REQUIRED - 3.3 ACRES (95%)
     - PROVIDED - 3.4 ACRES (95%)
   - ESL RESOURCE MANAGEMENT AREA TIER 2 (RMA) - NET 12.6 ACRES
     - REQUIRED - 3.2 ACRES (25%)
     - PROVIDED - 1.9 ACRES (15%) PLUS WASH RESTORATION CREDIT (1.2 ACRE)
   - OPEN SPACE - COMMON AREA
     - REQUIRED - N/A
     - PROVIDED - 0.9 ACRES (8%)
   - TOTAL OPEN SPACE
     - REQUIRED - 6.5 ACRES (40%)
     - PROVIDED - 6.5 ACRES (40%) INCLUDES WASH RESTORATION CREDIT

   *WASH RESTORATION CREDIT: 1.2 ACRE- RESTORES A PORTION OF THE DISTURBED WASH WITHIN THE CRA AREA (Town of Oro Valley Zoning Code, Chapter 27: General Development Standards, Section 27.10 Environmentally Sensitive Lands, (D) Environmentally Sensitive Lands Conservation Systems, (3) Conservation Categories, (b) Critical Resource Area (CRA) Category, (ii) Conservation (c,1), Page 278.8)

2. RECREATION AREA REQUIREMENTS: 18,691 SF REQUIRED (512 SF/LOT), 19,000 SF PROVIDED (7,500 SF + 11,500 SF).

3. THE TOTAL AMOUNT OF ESOS AREA TO BE RESTORED IS 2.0 ACRES (INCLUDES THE WASH RESTORATION CREDIT AREA).

4. THE TOTAL AMOUNT OF LANDSCAPED COMMON AREA IS 0.9 ACRES.

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REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 22 STACEY WEAKS DATE SIGNED ARIZONA, U.S.A. EXPIRES 12/31/16

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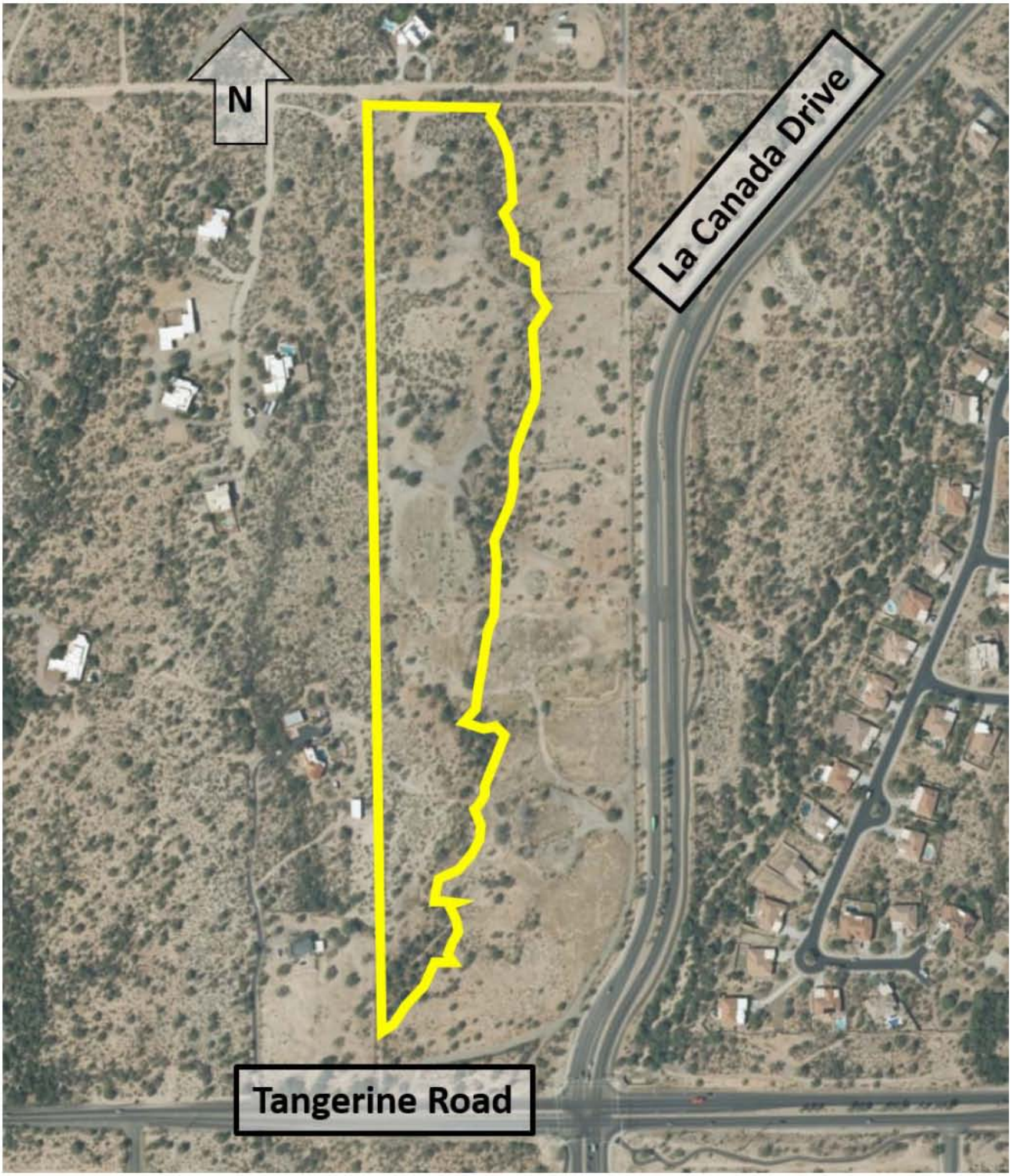
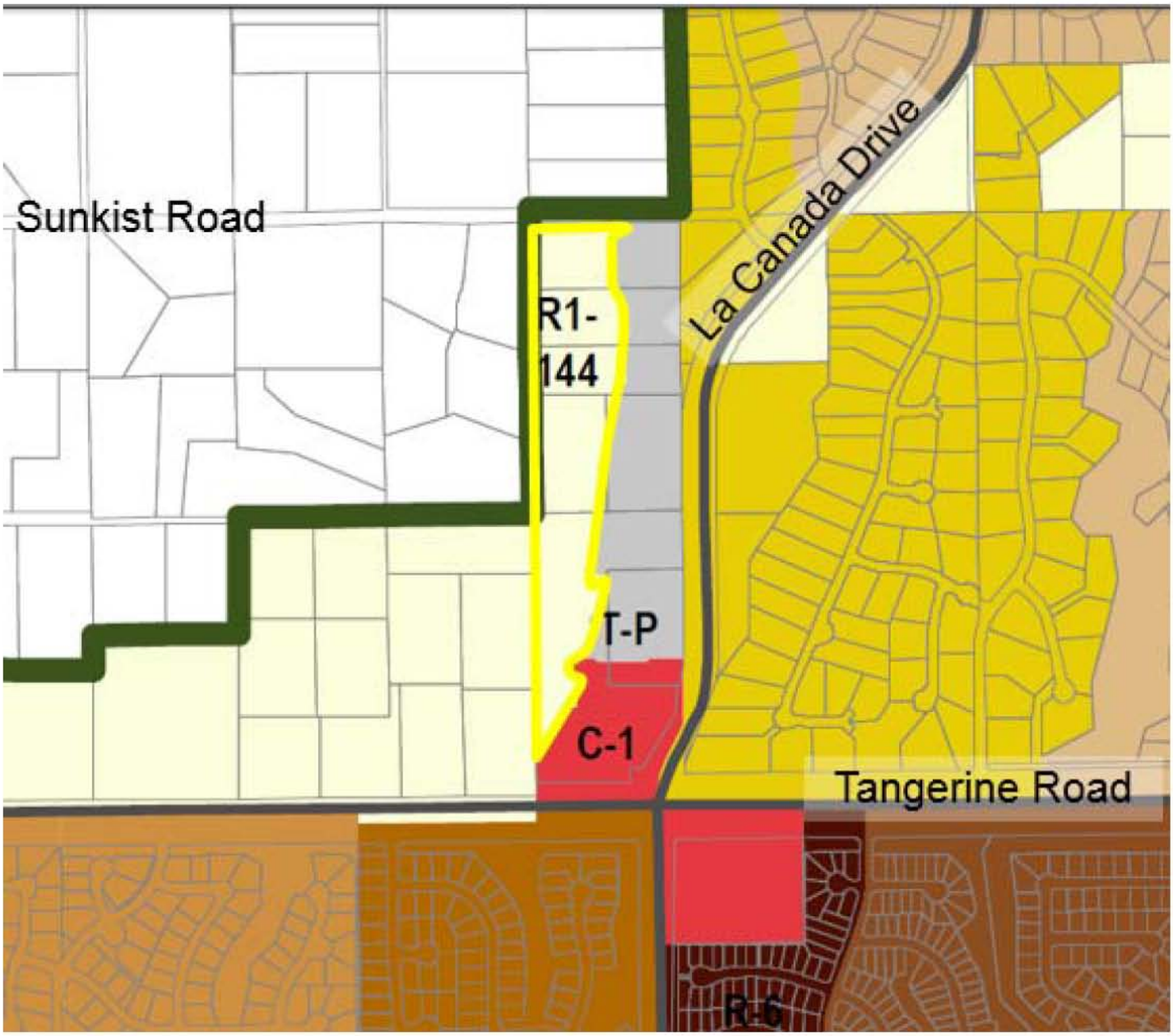
NO.	DATE	REVISION	BY



LOCATION MAP

MILLER RANCH (914-006)

Attachment 5



ZONING MAP

MILLER RANCH (914-006)

Attachment 6

PAD Amendment
Planning and Zoning Commission Staff Report

CASE NUMBER: OV914-006 Miller Ranch

MEETING DATE: February 3, 2015

AGENDA ITEM: 2

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

Applicant: Stacey Weaks, Norris Design

Request: Rezoning from R1-144 to R1-7 and two ESL flexible design options: 1) Modified review process 2) Reduced front lot setback

Location: Near the northwest corner of Tangerine Road and La Canada Drive

Recommendation: Approval with conditions

SUMMARY:

The applicant proposes to rezone a 16.3-acre property from R1-144 to R1-7 to develop a residential subdivision, located near the northwest corner of Tangerine Road and La Canada Drive. The request includes two flexible design options enabled by the Environmentally Sensitive Lands regulations: 1) modified review process and 2) reduced front building setbacks from 20' to 10'.

The Tentative Development Plan (Attachment 2) proposes the following:

- 37 lots with a minimum lot size of 10,000 sq. ft. along the west boundary and 8,000 sq. ft. along the east boundary
- Density: 2.3 homes per acre
  Use: Detached single-family homes
- Building height: 25',1 and 2-story
- Open space along eastern and southern boundaries abutting future tech park
- 14' wide landscape buffer yard along western boundary abutting rural lots
- Passive and active recreation areas
- One access point on Sunkist Road (north)

BACKGROUND:

Site Conditions

- 16.3 acres

- Property is vacant

Land Use Context

The existing land use and zoning designations for the property and the surrounding area are summarized below and depicted on Attachments 3 and 4.

	LAND USE	ZONING DESIGNATION
SUBJECT PROPERTY	Vacant	R1-144 (Large Lot Residential)
NORTH	Single-family residential 3-plus acre lots	Pima County Suburban Ranch (Large Lot Residential)
WEST	Single-family residential 3-plus acre lots	Pima County Suburban Ranch and R1-144 (Large Lot Residential)
EAST	Vacant (future technology park)	T-P and C-1 (Technology Park and Neighborhood Commercial)
SOUTH	Vacant (future technology park)	C-1 (Neighborhood Commercial)

Approvals-To-Date

In 2014, a Major General Plan Amendment was approved for Medium Density Residential (2.1 – 5.0 du/ac.) with a maximum of 2.5 homes per acre.

Proposed Zoning District

The applicant proposes to rezone the property to R1-7 to develop a 37 lot single-family residential subdivision on 16.3 acres.

DISCUSSION / ANALYSIS:

Rezoning Analysis

Rezoning applications are reviewed for conformance with the Zoning Code and General Plan.

Zoning Code Analysis

Rezoning applications are reviewed for conformance with specific development standards of the proposed zoning district. The applicant is proposing to rezone the property to R1-7 which permits medium density detached single-family residential developments.

The proposed Tentative Development Plan (TDP) conforms to the development standards of the R1-7 zoning district. Please note, additional zoning and engineering standards will be

addressed during the Final Design Review process. The following standards are notable for this proposal:

1. *Site Access:* The TDP depicts one access point on Sunkist Road which is located on the north side of the property. The following is a list of pros and cons for this access point.

   Pros
   - Sunkist Road is a public roadway which allows left turn and right turn movement from La Canada Drive to the property.
   - Sunkist Road was already planned to be improved as part of an adjacent subdivision.
   - Does not mix residential and commercial traffic as previously proposed during the General Plan process.
   - Improving Sunkist Road will create legal access for those motorists currently using an unimproved access point onto La Canada Drive.

   Cons
   - The proposed access will create vehicle headlight pollution into the adjoining property to the north. A condition has been added requiring adequate screening for vehicle headlights. This condition requires a wall, berm and / or landscaping to be installed on the north side of Sunkist at the project entry to shield lights from vehicles exiting the development.
   - The improvement of Sunkist Road will create additional traffic from this subdivision, which can change the rural characteristics of the surrounding area.

2. *Building Height:* Building heights are limited to twenty-five (25') and two-stories.

3. *Neighborhood Compatibility:* The proposed R1-7 zoning is in compliance with the Medium Density Residential designation on the General Plan Map and would serve as an appropriate land use transition from lower intensity residential land uses to the east and future technology park to the west.

   The proposed site design includes larger lots (10,000 sq. ft.) abutting rural lots to the west, and smaller lots (8,000 sq. ft.) abutting open space and a future technology park to the east as represented during the Major General Plan Amendment case. This helps transition the proposed residential development to the lower densities to the north and west.

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

forty (40%) percent ESOS. A discussion of the flexible design options requested by the applicant is provided below:

1. *Modified Review Process:* The Environmentally Sensitive Lands (ESL) zoning regulations provide for a modified review process at Town Council's discretion for rezoning applications. If enabled, it allows for administrative review and approval of a site plan, provided it conforms to the rezoning-related Tentative Development Plan. This provision and other incentives are intended as an additional benefit for conserving open space.

   The applicant has requested use of the modified review process and this request will be considered by Town Council in conjunction with this rezoning case. The recommendation section of this report includes a recommendation to Town Council on the use of this modified review process. This process heightens the importance of the review and consideration of the Tentative Development Plan (TDP) during the Planning and Zoning Commission's public hearing.

2. *Front Setback Reduction:* The TDP depicts a Conservation Subdivision Design utilizing a building setback reduction incentive. As a result of the reduced setback, the applicant is requesting the following building setback reduction:

   - Front setback reduction from 20' to 10'

   The reduced setback shall not result in on-lot driveway lengths that are less than twenty (20') feet, per Section 27.10.F.2.iii.a.2 and therefore the use of side entry or staggered garage setbacks may be required to meet this standard.

Environmentally Sensitive Lands (ESL)

Conservation Categories (Biologically Based)

The riparian area traversing the site is 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 ninety-five (95%) 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. In combination with a proposed wash restoration credit of fifteen (15%) percent, the project conserves twenty-five (25%) percent of this conservation category as ESOS.

Conservation Categories (Non-biologically Based)

The applicant has submitted a letter from the Arizona State Museum (ASM) indicating that the property has been surveyed and no cultural resources have been identified on the site.

General Plan Analysis

The proposed density of 2.26 homes per acre is below the density maximum of 2.5 homes per acre established under the Major General Plan Amendment case in 2014.

The applicant's proposal has been reviewed for conformance with the Vision, Goals and Policies of the General Plan. The most notable goals and policies are shown in italics followed by staff commentary, are discussed below:

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.*

Staff Commentary: 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 rezoning to R1-7 will provide for nearby housing for employees within the adjacent technology park and other nearby employment areas, which supports the socio-economic goals expressed in the Vision Statement.

General Plan Policies

The application has been reviewed against notable General Plan goals and policies as follows:

> *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 with residential neighborhoods.*

Staff Commentary: The proposed TDP utilizes the Conservation Subdivision Design incentive which enables a front setback reduction and the conservation of the adjacent wash. The applicant's proposal is in conformance with the General Plan Policy.

> *Policy 1.1.3 The Town shall continue to avoid development encroachment into washes, riparian areas, designated natural open space and environmentally sensitive lands.*

Staff Commentary: The applicant's proposal seeks to protect and restore the adjacent wash located along the eastern and southern boundaries. The proposed TDP meets the ESL regulations by conserving ninety five (95%) percent of the Critical Resource Areas (wash corridors), and twenty five (25%) percent of the Resource Management Area (balance of the property) in natural open space. The applicant's proposal is in conformance with the General Plan Policy.

> *Policy 7.1.1 The Town shall continue to strive to protect the integrity and aesthetic context of existing neighborhoods through the use of appropriate*

buffers or other means of land use transition between incompatible uses.

Staff Commentary: Transition between the rural residential area and the future technology park is needed. Residential development of the property will provide a compatible land use transition between the planned employment/commercial uses to the south and east and the rural residential uses to the north and west.

Engineering

The Site Analysis addresses issues related to drainage and traffic as follows:

Drainage:

- The proposed development will be designed so that post-developed drainage conditions are consistent with pre-developed conditions in accordance with Town requirements.
- The project will comply with the requirements of the Town of Oro Valley Drainage Criteria.

Traffic:

- A traffic impact analysis was provided with the Site Analysis to evaluate the effect of additional traffic on surrounding roadways.
- One point of ingress/egress is proposed onto La Canada Drive.
- The proposed access is achieved through the improvement of Sunkist Road from the property frontage of the development to La Canada Dr.
- There is an existing median opening and left turn lane at the intersection of La Canada Drive and Sunkist Road.
- The anticipated volume of traffic generated by this development is low and therefore will not have a noticeable impact on the surrounding roadway network.
- 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:

- Notification of all property owners within 600 feet and extended area
- Homeowners Association mailing
- Advertisement in The Daily Territorial newspaper
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Neighborhood Meetings

Two neighborhood meeting were held on July 28th and October 29th. At the first meeting, 3 residents attended the meeting and 8 residents attended the second meeting. A copy of the neighborhood meeting summary notes are included as Attachment 5.

RECOMMENDATION:

Based on the finding that the proposed rezoning is consistent with the General Plan, it is recommended that the Planning and Zoning Commission take the following action:

Recommend to Town Council approval of the rezoning and ESL Flexible Design Options, subject to the conditions in Attachment 1.

SUGGESTED MOTIONS:

I move to recommend approval of the Miller Ranch Rezoning from R1-144 to R1-7, including the use of ESL's Flexible Design Options for a modified review process and front setback reduction from 20' to 10', based on the finding that the request is consistent with the General Plan, subject to the conditions in Attachment 1.

OR

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Bayer Vella, Planning Division Manager

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Bayer Vella, Planning Division Manager

Miller Ranch Rezoning
OV 914-006
Conditions of Approval
Attachment 1

Planning Conditions

1. The applicant shall provide landscaping, screen wall or berm or other acceptable method along the north right of way line of Sunkist Road to shield vehicle headlight pollution into the adjacent property to the north.

Engineering Conditions

1. During the Site Plan Process, modifications to the alignment of Sunkist Road may be required to provide adequate clear-zones and drainage access within the right-of-way.

2. Sunkist Road shall be constructed from La Canada Drive to the western property line of the development prior to final inspection for any residence. Sunkist Road improvements shall include construction of sidewalk along the south side of the street for the entire length of the improved Sunkist Road.

MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
REGULAR SESSION
AMENDED AGENDA
February 3, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Rodman called the February 3, 2015 regular session of the Oro Valley Planning and Zoning Commission meeting to order at 6:00 PM.

ROLL CALL

PRESENT: Bill Rodman, Chairman
Bill Leedy, Vice-Chair
Greg Hitt, Commissioner
Frank Pitts, Commissioner
Melanie Barrett, Commissioner
Charlie Hurt, Commissioner

EXCUSED: Tom Drazazgowski, Commissioner

ALSO PRESENT:

Joe Hornat, Council Member
Lou Waters, Vice-Mayor
Joe Andrews, Chief Civil Deputy Attorney

PLEDGE OF ALLEGIANCE

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

CALL TO AUDIENCE

There were no speaker request.

COUNCIL LIAISON COMMENTS

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1. COUNCIL LIAISON UPDATE

Council Member Hornat updated the Planning and Zoning Commission and audience on the following:

- Senior Care codes have been continued
- Accelerator location has changed
- Ventana has a 25,000 foot expansion planned
- El Conquistador Country Club purchase was approved by Town Council
- Kai Property North was approved by Town Council
- Nakoma Sky was approved by Town Council
- 1/2 percent sales tax dedicated to the El Conquistador Country Club purchase was approved by Town Council
- Conditional Use Permit for Caliber Collision will be heard by Town Council on February 4th
- Environmentally Sensitive Land Ordinance was removed from the February 4th Town Council agenda
- Court case pending for the petitions on the purchase of the El Conquistador Country Club

2. DISCUSSION ITEM: SELF INTRODUCTION OF PLANNING AND ZONING COMMISSION MEMBERS. THIS IS AN OPPORTUNITY FOR COMMISSIONERS TO INTRODUCE THEMSELVES TO THE COMMUNITY AND EACH OTHER.

Each of the Planning and Zoning Commissioners gave a brief introduction and background on themselves.

REGULAR AGENDA

1. REVIEW AND/OR APPROVAL OF THE JANUARY 6, 2015 REGULAR SESSION MEETING MINUTES

MOTION: A motion was made by Vice-Chair Leedy and seconded by Commissioner Hitt to approve the January 6, 2015 Regular Session meeting minutes

MOTION carried, 6-0.

*2. PUBLIC HEARING: REQUEST TO REZONE A 16.3 ACRE PROPERTY LOCATED WEST OF THE NORTHWEST CORNER OF TANGERINE ROAD AND LA CANADA DRIVE FROM R1-144 TO R1-7 AND APPROVE TWO ESL FLEXIBLE DESIGN OPTIONS RELATED TO MODIFIED REVIEW PROCESS AND REDUCED FRONT BUILDING SETBACKS, OV914-006

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Chad Daines, Principal Planner, presented the following:

- Requests
- Project Overview
- Zoning Map
- Background
- 2014 General Plan Amendment
- Rezoning Request
- Flexible Design Options
- Environmentally Sensitive Lands
- Access Map
- Public Participation
- General Plan
- Recommendation

David Laws, Permitting Manager, responded to a question from the Commission in regards to drainage.

Stacey Weaks, Norris Design, representing the applicant, presented the following:

- Vicinity Map
- Approved Development Plan
- Approved General Plan Amendment
- Rezoning Application
- Development Patterns
- Residential Master Plan
- Planning Elements
- Viewshed Study
- Sunkist Road
- Front Building Setback
- Rezoning Overview

James Hardman, Desco Southwest, responded to a question from the Commission in regard to the time line for the proposed technology park.

Chairman Rodman opened the public hearing.

Greg Patchen, non Oro Valley resident, commented that this in an unacceptable encroachment of Sunkist Road between La Cholla and La Canada. Mr. Patchen would like to know the background and history of the applicant in building of subdivisions, maintaining habitat and being rigorous and conscientious about following through with their commitments to the officials of the Town. Speaking of hydraulics and the wash, there is an inlet side and an outlet side to culverts and the detention basins that Mr.

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Laws is speaking about would be one big very ugly concrete device and would need multiple inlets on the north side of Tangerine Road to channelize the water velocity safely. There is a lot of equestrian activity on Sunkist Road and the traffic volumes will be a problem.

Barbara Benedict, Oro Valley resident, requested the proposed project revert back to the vision of the General Plan. Ms. Benedict suggested that this rezoning be denied based on inconsistency with the overall vision of the General Plan. The Town vision points to a well planned community that uses its resources to balance the needs of today against the needs of future generations. At the neighborhood meetings open space was the discussion and mixing one and two stories. She doesn't see this in the proposed project. She doesn't understand the rush and suggested placing a moratorium on any housing such as the one being proposed.

Chuck Boreson, non-resident, stated that the County has maintained most of the dirt portion of the road. There is a portion of the dirt road that is a private easement that is not maintained by the County. Should this project be approved, who will maintain and be held liable for the new paved road?

Pat McGowan, non-resident, expressed his concern with the light pollution that will be reflected into his home. The proposed project affects their rural lifestyle, which includes: horses, neighbors riding horses, kids on quads, and kids on bikes. Mr. McGowan just can't see where the proposed project is consistent with the area. There has been discussion about the wash being beat up; the wash is beautiful.

Sarah McGowan, non-resident, asked the Commission to deny the proposed project for the 16-acre parcel of Miller Ranch and the proposed entry way. When they bought their home they were told the 16-acres directly south of them would remain as intended, suburban ranch. The building of 37 homes is inconsistent with the surrounding large parcels and does nothing to restore the land that the applicant has said has been depleted by ranching in the past. Ms. McGowan does not see how building homes, driveways, roads, streetlights, etc. restores this open space or riparian area. That parcel of land is home to deer, coyotes, bobcats, quails and many other indigenous forms of life and the building of these homes would not be in the name of conservation. The burden of this neighborhood should not fall squarely on the shoulders of the current residents along Sunkist Road. The burden of this should be the sole responsibility of Oro Valley.

Susann Duperra, non-resident, stated that the building density is 2.3 homes per acre. The reality is it more like 4.4 - 5.5 houses per acre. There are areas that the developer cannot legally build on. The reality is that the proposed project is not medium density, it's more like high density. Ms. Duperra raises livestock (sheep and goats). Her lifestyle is not compatible with these homes. What kind of complaints is

she going to be receiving on a regular basis? There should be some assurance that the property values will be maintained and not destroyed by a small community that is zoned high density.

Amber Peterman, non-resident, stated she maintains the dirt road with her red tractor. Sunkist Road is a rural community and is asking the Commission to deny the proposal.

Nolan Reidhead, non-resident, commented that prior to living on Sunkist Road he lived in Oro Valley and is aware of clustering of homes and the amount of traffic that is generated from subdivisions. Mr. Reidhead is concerned with the traffic on Sunkist Road and La Canada, as well as no sidewalks, equine traffic and the bus stop on Sunkist Road with children walking home. Without the ability to maintain traffic with sidewalks and other areas, this is a big concern. Mr. Reidhead went on to comment that there is no need for the tech park with other parks empty nearby and is asking the Commission to deny the proposal.

Richard Paquette, non-resident, commented that Sunkist Road is not maintained by Pima County. Sunkist Road is paved half way because the residents paid to have the road improved and paved. The net result is the community makes repairs to the road and keeps the road maintained. What are the residents supposed to do with increased traffic with the 37 proposed homes? This is a 144% increase in traffic flow through an area that has no physical means of support. Mr. Paquette strongly recommends that an environmental survey be done on this proposal.

Adelina Kempner, Oro Valley resident, commented that the gate on Sunkist Road was removed about four years ago that stopped thru traffic. Ms. Kempner stated that the discussion to have only one ingress and egress to the development on Sunkist Road should not be left to an accelerated modified review process. The developer knew all along that the proposed project was a narrow skinny development and knew about the challenges of egress and ingress off Tangerine now suddenly a revelation that Sunkist Road is the ingress and egress and should be implemented. After all the major reviews, the ingress and egress through Tangerine Road has been deleted entirely and the access to the residential development has been switched to Sunkist Road. This is a significant change done without the proper review done for impact upon the neighborhood. A neighborhood meeting after the major review milestones have passed is not adequate to protect the public's interest. The impact of the ingress and egress off of Sunkist Road was never part of the earlier public record and discussion and the screening mechanisms in place to protect the interest of neighbors have effectively been bypassed. You can never know the long term impact of opening up Sunkist Road because this analysis has never received due process. Mr. Kempner respectively asked the Planning and Zoning Commission to reject the ingress and egress on Sunkist Road.

Chairman Rodman closed the public hearing.

David Laws, Permitting Manager, responded to the access to and from the proposed property.

MOTION: A motion was made by Vice-Chair Leedy and seconded by Commissioner Pitts to recommend denial of the Miller Ranch Rezoning from R1-144 to R1-7, based on the finding that the request is not consistent with the General Plan, specifically on the determination with respect to compatibility of the proposed project with areas surrounding especially to the north and west.

MOTION carried, 6-0.

3. YOUR VOICE, OUR FUTURE PROJECT UPDATE AND REVIEW OF COMMITTEE PROGRESS

Elisa Hamblin, Senior Planner, presented the following:

Your Voice Our Future Project
The General Plan
Who is responsible?
The Public Participation Plan
How to make it happen
Project schedule
Phone Survey
A Sound Phone Survey
Elements Enjoyed Most About Living in Oro Valley
Elements Enjoyed Least About Living in Oro Valley
Biggest Challenges Facing Oro Valley in the next ten years
Importance of various qualities that might describe Oro Valley's future
Key Values Confirmation
Methods of Engagement
Media Coverage and Publicity
Community Events
Online Participation
Survey Methods
Survey Results
Vision and Guiding Principles
Oro Valley's Vision
Guiding Principles
Tracking and Progress
Committee Formation

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Committee Work
Committee Challenges
The Workbook
Continued Outreach
Next Steps
Get Involved

4. YOUR VOICE, OUR FUTURE PLANNING AND ZONING COMMISSION LIAISON UPDATE

Commissioner Leedy gave an overview of the Your Voice Our Future update:

- Impressed by the extraordinary amount of outreach that the Town has engaged in trying to get the community involved
- Ms. Hamblin is doing a terrific job and likes the way she directs the meetings and works with a broad variety of opinions
- A couple of different committees, exploring what constitutes a major general plan amendment and what constitutes a minor general plan amendment and what is the criteria that must be satisfied to achieve each of these.
- Zoning Code says something different than what the general plan states
- Challenges we face are the very fundamental subject of whether or not the general plan should be prescriptive or general
- Guiding principle that in the end it is going to guide or narrow the focus of this activity with two limiting factors: authority and capacity

PLANNING UPDATE (INFORMATIONAL ONLY)

Chad Daines, Principal Planner, presented the following Planning Update:

- Town Council agenda for February 4th
- Upcoming neighborhood meetings

ADJOURNMENT

MOTION: A motion was made by Vice-Chair Leedy and seconded by Commissioner Hitt to adjourn the February 3, 2015, Planning and Zoning Commission meeting at 8:47 PM.

MOTION carried, 6-0.

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Neighborhood Meeting Summary
Miller Ranch Rezoning
July 28, 2014
6:00 – 7:30

1. Introductions and Welcome

Meeting Facilitator Bayer Vella, Interim Planning Manager, introduced the Oro Valley Staff Paul Keesler, DIS Director, and Rosevelt Arellano, Project Manager. Three residents and interested parties attended the meeting, including Council Members Hornat and Zinkin.

2. Staff Presentation

Rosevelt Arellano, Project Manager, provided a presentation that included:

- Rezoning process, including modified review
- Project history
- Review tools
- Public participation opportunities
- Next steps

3. Applicant Presentation

Stacey Weaks, Principal Planner, provided a presentation that included:

- History of the property
- Site Plan design
  - Lot and street layout
  - Access
  - Open space
  - Bufferyards
  - Recreation areas
- Images of proposed viewsheds

4. Public Questions and Comments

- What is secondary access?
  - Secondary access is a locked gate used by emergency vehicles only.
- Where is the main entrance and secondary access?
  - The main entrance is along La Canada Drive, and the secondary access is along Sunkist Drive.
- Will the proposed subdivision be gated?
  - Yes.
- Can the proposed subdivision be accessed from the future tech park located along the east side of the property?
  - Yes.
- What is the proposed building height?
  - 25', two-story
- Who is the water provider?
  - Town of Oro Valley
- Can the property be accessed from Sunkist Drive?
  - No, Sunkist Drive is a private easement that does not allow legal access into the proposed development.
- Neighbors would like to see Sunkist Drive improved and used as the main entrance into the proposed subdivision.

5. Next Steps

- The next steps include:
  - Formal application
  - Staff review
  - 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 Rosevelt Arellano, Planner, at (520) 229-4817 or rarellano@orovalleyaz.gov.

Neighborhood Meeting Summary
Miller Ranch Rezoning
October 29, 2014
6:00 – 7:30

1. Introductions and Welcome

Meeting Facilitator Matt Michels, Senior Planner, introduced the Oro Valley Staff Paul Kessler, DIS Director, and Rosevelt Arellano, Project Manager. Eight residents and interested parties attended the meeting.

2. Staff Presentation

Rosevelt Arellano, Project Manager, provided a presentation that included:

- Rezoning process, including zoning incentives (i.e. modified review process and reduced building setbacks)
- Project history
- Existing and future access
- Review tools
- Public participation opportunities
- Next steps

3. Applicant Presentation

Stacey Weaks, Norris Design, provided a presentation that included:

- History of the property
- New access on Sunkist Drive
- Site Plan design
  - Lot and street layout
  - Open space
  - Buffer yards
  - Recreation areas
- Images of proposed viewsheds

4. Public Questions and Comments

- One resident had a concern with access being finalized during the rezoning process and not the General Plan Amendment process.

- Can motorists access the adjacent technology park from Sunkist Drive (north)?
  - No. Only emergency vehicles can access the technology park from Sunkist Drive.

- Neighbors expressed concerns with the response time of emergency vehicles, because the proposed site plan showed one driveway entrance.
  - The applicant stated that the proposed homes are required to have a sprinkler system and the Golder Ranch Fire District is required to approve their site plan design.

- Will the Town pave Sunkist Drive if the applicant does not move forward with the proposed development?
  - No. The Town's current capital improvement program does not include paving Sunkist Drive.

- Will the Town require a bridge over the existing wash if access is proposed from Tangerine Road?
  - Yes.

- Will the proposed development create drainage problems?
  - No. The proposed development is required to meet the Town's adopted drainage provisions and therefore no future drainage problems are expected.

- Why is access on Sunkist Drive better than using the existing curb cuts along La Canada Drive?
  - The applicant stated that access through the existing curb cuts created conflicts with their approved plans for the adjacent technology park.

- Where are the proposed utility lines?
  - The applicant responded as follows:
    - Sewer: South property line
    - Water: North property line from La Canada Drive
    - Electric: To be determined by Tucson Electric Power
    - Gas: East property line

- Will the applicant remove the existing overhead power lines located along the west property line?
    - The applicant stated that the existing power lines are proposed to be relocated underground with the electric company's approval.

- When will the adjacent technology park be developed?
    - The applicant stated that they do not have a timeframe for development.

5. Next Steps

- The next steps include:
    - Revised application submittal
    - Staff review
    - 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 Rosevelt Arellano, Planner, at (520) 229-4817 or rarellano@orovalleyaz.gov.

Town Council Regular Session **Item # 4.**

Meeting Date: 03/04/2015

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

Department: Finance

Information

SUBJECT:

DISCUSSION AND POSSIBLE ACTION TO AMEND THE FY 2014/15 ADOPTED BUDGET TO ACCOUNT FOR THE NEW ORO VALLEY COMMUNITY AND RECREATION CENTER AND GOLF AND TENNIS OPERATIONS ASSOCIATED WITH THE ACQUISITION OF THE EL CONQUISTADOR COUNTRY CLUB AND GOLF COURSES

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

In anticipation of the Town acquiring ownership of the El Conquistador Country Club and golf and tennis facilities in March, staff recommends Council consideration and approval of a budget amendment to establish a new, separate fund to account for the operations of these facilities. This new fund, called the Community Center and Golf Fund, will account for all revenues and expenses generated by the operations of these facilities. Revenues include the dedicated 0.5% sales tax revenues and revenues from golf, food and beverage, fitness and recreation activities. Expenses include the costs to operate the community and recreation center, golf, food and beverage and tennis facilities, and capital improvement costs.

With Town ownership of the facility commencing in March, funding is requested for immediate capital improvements to the facility estimated at $760,000 and for the operations subsidy for the remaining four (4) months of this fiscal year estimated at $440,000. Therefore, staff is recommending the use of General Fund contingency reserves in the amount of $1.2 million to be transferred to the new Community Center and Golf Fund for these purposes.

BACKGROUND OR DETAILED INFORMATION:

Staff is recommending the allocation of $1.2 million in General Fund contingency reserves to establish a new fund in the FY 2014/15 budget, entitled the Community Center and Golf Fund, which will account for all revenues and operating and capital expenses associated with the Community & Recreation Center and golf and tennis facilities. If authorized, the contingency reserves would be used to fund capital improvements totaling approximately $760,000 and operating subsidy for the remaining four (4) months of this fiscal year of $440,000.

The following sections outline the status of proposed operations and how the funding will be used:

0.5% Sales Tax Revenues

The additional 0.5% sales tax dedicated to funding the operations and capital costs of the facility became effective on March 1, 2015, so all Oro Valley businesses that collect a 2% sales tax should have started

collecting 2.5% on transactions effective March 1st. These businesses are required to remit the sales taxes collected in March to the Arizona Department of Revenue (ADOR) by the end of April, and the Town expects to begin receiving the increased sales tax amounts by May. This collection and payment delay causes the need for General Fund reserves to be used to cover the operating subsidy through June 30, 2015.

Capital Improvements

As presented at the December 17, 2014 Council meeting, the following capital improvements were estimated for completion in FY 2014/15:

Work	**FY 2014/15**	**Comments**
ADA & code compliance Life safety issues	$ 381,000	Ingress/egress issues, handrails, stairs, accessibility improvements, electrical wiring improvements
Facility restoration	$ 139,000	Roof, concrete pathway repairs, shade covers for equipment
Required operational modifications/ upgrades	$ 90,000	Entry monument and interior signage, exterior painting
Facility interior refresh	$ 100,000	Interior painting, carpeting, flooring
Ongoing maintenance	$ 50,000	IT cabling/infrastructure, phones, link to Town Hall
Total	**$ 760,000**	

These are items that require immediate attention as this facility transfers to the Town's ownership.

Staffing and Operations

It is anticipated that once ownership transfers to the Town, the management agreement between HSL Properties and Troon would be assigned to the Town. Troon would continue to manage all operations (golf, food & beverage and fitness) through June 30, 2015, to allow time to advertise, recruit, hire and train the Town staff positions that will operate the Community and Recreation Center going forward in the next fiscal year.

Troon has provided monthly revenue and expense projections for March through June 2015 (Attachment 1). Based on these amounts, it is anticipated that the facility will operate at a net loss of approximately $388,562 over this four-month time frame. These projections were prepared utilizing the existing membership numbers and fee structure that is currently in place. Given that the Town will be recommending an updated membership fee structure resulting in lower fees becoming effective in early April, staff is requesting $440,000 in General Fund reserves to cover the four (4) months of operating subsidy from March through June ($388,562), plus approximately $50,000 to account for the potential loss in membership dues revenue resulting from the lower fee structure.

Currently, the facility generates approximately $67,000 per month in fitness member dues revenue from its 560 members. With the new recommended fee structure becoming effective in April, it is estimated that the monthly dues revenue from existing members will generate approximately $40,000 per month, or $27,000 per month less than current. However, staff anticipates this revenue loss to be offset by additional collections of approximately $10,000 - $11,000 per month due to revenue generated from new

members, drop-in use revenue, facility rental revenue, registration fee and recreation class revenue, leaving a net shortfall of $16,000 - $17,000 per month from current monthly collections. The additional $50,000 out of the $440,000 in General Fund reserves requested above would be used to cover this loss of revenues from April through June of this year.

Given that Troon has agreed to continue to staff and manage the full facility operations through June 30, 2015, the only position that is being requested for authorization to hire before June 30, 2015 is a Facility Manager position, bringing the total of authorized full-time equivalent (FTE) positions in FY 2014/15 to 342.98 from 341.98 town-wide, and a total full-time employee count from 290 to 291 town-wide. The FY 2014/15 cost impact of this position is less than $10,000 and would be covered by the General Fund reserve allocation of $440,000. Additional positions would be included in the upcoming FY 2015/16 Town Manager's Recommended Budget and would start their employment with the Town after July 1, 2015.

FISCAL IMPACT:

The current General Fund contingency reserve balance is $11.5 million and would decrease to $10.3 million with the requested transfer of $1.2 million to the new Community Center and Golf Fund. At $10.3 million, the contingency reserve level would decrease to 32% of adopted General Fund expenditures from 35% currently; however, this is still over the Town policy threshold of 25%.

Should Council wish to have the $1.2 million paid back to the General Fund over time from the Community Center and Golf Fund, staff recommends a payment term of $120,000 per year for 10 years.

SUGGESTED MOTION:

I MOVE to amend the FY 2014/15 adopted budget to transfer $1.2 million from General Fund contingency reserves to the new Community Center and Golf Fund and authorize the hiring of the Facility Manager position this fiscal year.

or

I MOVE...

Attachments

Attachment 1 - Budget Proj March - June 2015

El Conquistador CC

Budget TOV March through June, 2015

	Mar '15	April '15	May '15	Jun '15	
Rounds					
Rounds: Members	3,389	3,147	2,421	1,695	
Rounds: Residents	280	320	400	300	
Rounds: Resort	200	200	60	40	
Rounds: Outside	3,120	2,980	2,200	1,400	
Rounds: Tournament	400	400	300	300	
Rounds: Pusch Ridge	1,300	1,100	900	800	
Total Rounds	**8,689**	**8,147**	**6,281**	**4,535**	
Avg Fees Per Rd - Members	8.00	8.00	8.00	8.00	
Avg Fees Per Rd - Resident	30.00	30.00	25.00	25.00	
Avg Fees Per Rd - Resort	40.00	40.00	35.00	35.00	
Avg Fees Per Rd - Outside	45.00	45.00	40.00	40.00	
Avg Fees Per Rd - Tournament	42.00	42.00	32.00	32.00	
Avg Fees Per Rd - Pusch Ridge	15.00	15.00	15.00	15.00	
Avg Fees Per Round -TOTAL	24.03	24.63	22.11	22.53	
Merchandise Sales Per Rd	7.00	7.00	7.00	7.00	Includes Fitness
	Mar '15	**April '15**	**May '15**	**Jun '15**	
Revenues					
Golf Fees - Non-Member	193,100	185,000	123,200	86,500	
Golf Fees - Member	15,691	15,691	15,691	15,691	
Range, Rental & Other	6,700	6,700	4,800	3,360	
Membership Dues	144,400	144,400	144,400	144,400	Includes Fitness
Fitness Revenues	14,000	14,000	14,000	14,000	
Merchandise	37,563	32,365	26,437	13,091	Includes Fitness
Food & Beverage Revenues	96,526	89,631	68,947	48,263	
Total Revenues	**507,980**	**487,787**	**397,475**	**325,305**	
Cost of Sales					
Merchandise	23,289	20,066	16,391	16,712	Includes Fitness
Food & Beverage - Total	33,537	31,142	23,955	16,769	
Total Cost of Sales	**56,826**	**51,208**	**40,346**	**33,481**	
Gross Profit	**451,154**	**436,579**	**357,129**	**291,824**	
Operating Expenses					
Payroll	190,000	190,000	186,000	178,000	Includes Fitness
Employee Benefits	38,000	38,000	37,200	35,600	Includes Fitness
Employee Related Expenses	1,728	1,728	1,728	1,728	
Professional Fees	300	300	300	-	
Advertising and Marketing	9,042	9,042	9,042	9,042	
Comp Expense	500	500	400	400	
Repair and Maintenance	28,650	28,650	28,650	28,650	
Other Operating Expenses	44,527	44,527	44,527	44,527	
Total Operating Expenses	**312,747**	**312,747**	**307,847**	**297,947**	
Operating Profit	**138,407**	**123,832**	**49,282**	**(6,123)**	
Fixed Operating Expenses					
Leases - Carts	8,750	8,750	8,750	8,750	
Leases - Equipment	15,573	15,573	15,573	15,573	
Utilities	80,000	117,000	147,000	173,000	517,000 Includes Community Center & Fitness
Total Fixed Operating Expenses	**104,323**	**141,323**	**171,323**	**197,323**	
Gross Operating Profit	**34,084**	**(17,491)**	**(122,041)**	**(203,446)**	
(GOP as percentage of Total Revenue)					
Other Expenses					
Insurance	7,167	7,167	7,167	7,167	
Property Taxes					
Bad Debt	1,000	1,000	1,000		
Base Management Fees	12,000	12,000	12,000	12,000	
Total Other Expenses	**20,167**	**20,167**	**20,167**	**19,167**	
Net Operating Income	**13,917**	**(37,658)**	**(142,208)**	**(222,613)**	
Net Income (Loss)	**13,917**	**(37,658)**	**(142,208)**	**(222,613)**	(388,562)
Capital Reserve					
Capital Improvements					
Membership Deposits					
Net Cash Flow	**13,917**	**(37,658)**	**(142,208)**	**(222,613)**	(388,562)

Town Council Regular Session **Item # 5.**

Meeting Date: 03/04/2015
Requested by: Kristy Diaz-Trahan
Submitted By: Kristy Diaz-Trahan, Parks and Recreation
Department: Parks and Recreation

Information

SUBJECT:

RESOLUTION NO. (R)15-20, AMENDING THE EXISTING PARKS & RECREATION FEE SCHEDULE TO INCLUDE THE ORO VALLEY COMMUNITY & RECREATION CENTER AND EL CONQUISTADOR GOLF DAILY USAGE FEES

RECOMMENDATION:

Staff recommends approval of the Community & Recreation Center and El Conquistador Golf daily fees as proposed.

EXECUTIVE SUMMARY:

Acquisition of the El Conquistador Country Club and Golf Course is to be completed in March 2015. As a result, a new fee structure has been developed to accompany the new facility.

Several factors were considered in the development of the recommended fee structure to include market comparisons, financial accessibility, survey results, and tax revenue subsidy.

The Parks & Recreation Advisory Board approved this fee structure at their February 10, 2015 special meeting.

Should Council approve these fees as presented this evening, they would become effective in 30 days or on April 5, 2015.

BACKGROUND OR DETAILED INFORMATION:

The El Conquistador Country Club and Golf Resort includes 324 acres of land, 45 holes of golf, 31 tennis courts (lighted), 2 swimming pools, a full service restaurant, a small café, and fitness center. The 31,475 sq. ft. building is located at 10555 N. La Cañada Dr. and the 5,600 sq. ft. building is located at 10000 N. Oracle Rd.

The La Cañada building and tennis courts will transition from a private country club to a public community & recreation center. The golf courses will continue to have public access and both food service facilities will also continue to be open to the public.

During the January 16, 2013 regular council meeting, Council approved the daily fees for the new Oro Valley Aquatic Center. The intent of the daily fee approval was to establish a baseline fee to which memberships and special packages could then be built on. Based on this precedent, staff is recommending that Council approve daily fees as noted below and continue to provide the Parks &

Recreation Director the flexibility to develop membership packages (example packages are noted in Attachment B).

Daily Community & Recreation Center admission will include access to the following:

- 31 tennis courts
- Cardio & weight room
- Fitness classes
- Spinning studio
- Racquetball courts
- Child watch services
- Swimming pools
- Locker rooms

Community & Recreation Center daily rates are as follows:

Participant Category	Drop-In Regular Rate	Drop-In Oro Valley Resident Rate
Adult (18-61)	$8	$7
Youth (4-17)	$6	$5
Child (under 4)	free	free
Senior (62+)	$6	$5
Family (up to six members)	$15	$14

Proof of residency will be required to receive discount

El Conquistador Golf consists of 45 holes with 36 holes located at the La Cañada Dr. property and 9 holes located at the Oracle Rd. property.

Golf fee rack rates are identified as maximums or “not to exceed." The nature of golf is that rates fluctuate day-to-day, hour-to-hour, and seasonally. The daily rate will be based on market demand. The maximum rack rates are as follows:

Daily (18-holes)	**Prime Season (Oct - April)**	**Shoulder Season (May and Sept)**	**Off Season (June – Sept)**
Adult (18-61)	$125	$100	$50
Youth (under 17)	$45	$25	$20
Senior (62+)	$100	$75	$35
Daily (9-holes at Pusch Ridge Course	**Prime Season (Oct – April)**	**Shoulder Season (May and Sept)**	**Off Season (June – Sept)**
Adult (18-61)	$75	$60	$40
Youth (under 17)	$30	$20	$15
Senior (62+)	$60	$45	$30

The Oro Valley resident rate is 10% less than best published rate at point of reservation

FISCAL IMPACT:

As proposed, the recommended fees are estimated to generate approximately $5.1 million in the first year from all facility operations, with operating expenses estimated at approximately $6.3 million. The revenues generated by the 0.5% sales tax increase would offset the net loss of approximately $1.2 million.

SUGGESTED MOTION:

I MOVE to (approve or deny) Resolution No. (R)15-20, approving the Oro Valley Community & Recreation Center and El Conquistador Golf daily rates as presented.

Attachments

(R)15-20 Recreation Center and Golf Fees

Membership Example

RESOLUTION NO. (R)15-20

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE EXISTING PARKS AND RECREATION FEE SCHEDULE TO INCLUDE ORO VALLEY COMMUNITY AND RECREATION CENTER AND EL CONQUISTADOR GOLF DAILY USAGE FEES

WHEREAS on October 16, 2002, the Town Council adopted Ordinance No. (O) 02-32, granting the Town Council authority to establish Parks and Recreation Facility Usage Fees by resolution; and

WHEREAS, on December 5, 2008 the Town Council approved Resolution No. (R) 08-88 adopting the Town of Oro Valley Parks and Recreation Department Revenue and Fee Policy; and

WHEREAS, the Parks and Recreation Director has the discretion to administratively modify daily usage fees to accommodate seasonal and other unforeseen changes, not to exceed the fee schedule set forth herein; and

WHEREAS, the proposed amendment to the existing Parks and Recreation fee schedule to include the Oro Valley Community and Recreation Center and El Conquistador Golf daily usage fee, attached hereto as Exhibit "A" and incorporated herein by this reference, for 31-Tennis Courts, Cardio& Weight Room, Fitness Classes, Spinning Studio, Racquetball Courts, Child Watch Services, Swimming Pools, Locker Rooms and Golf, will allow additional revenues in compliance with the Parks and Recreation Revenue and Fee Policy.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town or Oro Valley, Arizona that: the proposed amendment to the existing Parks and Recreation fee schedule, attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby authorized and approved.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this 4th day of March, 2015.

TOWN OF ORO VALLEY

_____

Dr. Satish I. Hiremath, Mayor

ATTEST:	**APPROVED AS TO FORM:**
_____	_____
Julie K. Bower, Town Clerk	Tobin Sidles, Legal Services Director
Date: _____	Date: _____

EXHIBIT "A"

Oro Valley Community & Recreation Center				
DROP IN - Regular	Amount		DROP IN - OV Resident	Amount
Adult (18-61)	$8		Adult (18-61)	$7
Youth (4-17)	$6		Youth (4-17)	$5
Child (under 4)	free		Child (under 4)	free
Senior (62+)	$6		Senior (62+)	$5
Family	$15		Family	$14

Golf Fee Maximum/Rack Rates			
Proposed fee schedule			
Daily (18-holes)	Prime Season	Shoulder Season	Off Season
Adult 18 - 65	$125	$100	$50
Senior 65+	$100	$75	$35
Youth under 18	$45	$25	$20
Daily (9-holes at Pusch Ridge course)	Prime Season	Shoulder Season	Off Season
Adult 18 - 65	$75	$60	$40
Senior 65+	$60	$45	$30
Youth under 18	$30	$20	$15

Oro Valley Resident Rate 10% discount off Rack rates

Attachment B

Registration Fee (one time)	$ 20

Community & Recreation Center Membership			
Classic Membership	Monthly	Premium Membership	Monthly
Adult (18-61)	$ 40	Adult (18-61)	$ 60
Youth (4-17)	$ 20	Youth (4-17)	$ 25
Child (under 4)		Child (under 4)	
Senior (62+)	$ 30	Senior (62+)	$ 50
Family	$ 70	Family	$ 100
Couple	$ 60	Couple	$ 75

Non Residents pay an addational $5/ month for an individual and $10/month for more multiple individuals

El Conquistador Golf Membership		
Membership Rates	Monthly Dues	
Rates	Regular	Oro Valley Resident
Individual	$ 300	$ 270
Family	$ 435	$ 392

Facility/Room rental rates		
Facility rates per hour	Resident	Non-Resident
Small Conference Room	$ 25	$ 28
Banquet Room	$ 50	$ 55
Swimming Pool	$ 50	$ 55
Lifeguards	$ 45	$ 50
Grounds	$ 25	$ 28
Tennis Courts (events)	$ 2	$ 3

- Classic Membership
  - Community & Recreation Center Amenities
  - Fitness classes
  - Group recreation/social programs
  - 24 hour advanced tennis court reservations
  - Oro Valley Aquatic Center
- Premium Membership
  - Classic membership package
  - 15% discount off food & beverage
  - 20% discount off hard goods
  - 25% discount off soft goods
  - 25% discounts on facility rentals (2x/year)
  - 72 hour advanced tennis court reservations
- <u>El Conquistador Golf Membership</u>
  - Included Premium Community & Recreation Center Membership
  - Dedicated 18-holes for members only
  - Full-service practice facility
  - Members-only tournaments

Town Council Regular Session **Item # 6.**

Meeting Date: 03/04/2015
Requested by: Councilmember Garner & Councilmember Zinkin
Submitted By: Julie Bower, Town Clerk's Office
Department: Town Clerk's Office

Information

SUBJECT:

DISCUSSION AND POSSIBLE DIRECTION REGARDING THE PROCESS OF SETTING USER FEES FOR THE ORO VALLEY PARKS AND RECREATION DEPARTMENT

RECOMMENDATION:

N/A

EXECUTIVE SUMMARY:

Councilmember Garner and Councilmember Zinkin have requested that the item be placed on the agenda for discussion.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE _____