

**AGENDA
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
March 18, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

ROLL CALL

EXECUTIVE SESSION - Pursuant to ARS 38-431.03(A)(1), 38-431.03(A)(3) and 38-431.03(A)(4) in order to receive legal advice and consider its position and instruct the Town Attorney regarding the Town's position in pending litigation relating to communications about the El Conquistador Country Club purchase, contract negotiations regarding same and pending litigation involving Arrett & Lamonna v. Oro Valley and Merens filing

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

UPCOMING MEETING ANNOUNCEMENTS

COUNCIL REPORTS

- **Spotlight on Youth**

DEPARTMENT REPORTS

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

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

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

CONSENT AGENDA

(Consideration and/or possible action)

- A. Minutes - March 4, 2015
- B. Fiscal Year 2014/15 Financial Update through January 2015
- C. Request for approval of a Final Plat for Block 3 of the Maracay at Vistoso subdivision, located on the northwest corner of the Pebble Creek Drive and La Cañada Drive intersection
- D. Resolution No. (R)15-21, approving a financial participation agreement between the Town of Oro Valley and the Children's Museum Oro Valley
- E. Resolution No. (R)15-22, revision to the Stone Canyon II Final Plat for Lot 167 located at 1063 W. Tortolita Mountain Circle within Rancho Vistoso, Neighborhood 11, by removing a portion of the designated "no-build area" and allowing encroachment into 25% or greater slopes with appropriate mitigation as enabled in the Rancho Vistoso Planned Area Development (Attachment #1 updated on 3/13/15)
- F. Resolution No. (R)15-23, authorizing and approving an archery Shooting Range Development Grant Agreement between the Arizona Game & Fish Department and the Town of Oro Valley in the amount of \$5,000 for the purchase of materials to construct a shade canopy at the Naranja Park archery range

REGULAR AGENDA

- 1. DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR APPROVAL OF A PROPOSED CONCEPTUAL SITE PLAN, LANDSCAPE PLAN, AND USE OF THE RECREATION AREA IN-LIEU FEE OPTION FOR A 3-LOT SUBDIVISION LOCATED NORTH OF DESERT SKY ROAD, APPROXIMATELY ONE-QUARTER MILE WEST OF ORACLE ROAD
- 2. RESOLUTION NO. (R)15-24, APPROVING A ONE-TIME PAYMENT TO THE ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (PSPRS) TO ADDRESS THE INCREASING UNFUNDED LIABILITY OF THE PLAN
- 3. DISCUSSION AND POSSIBLE DIRECTION REGARDING TOPICS FOR A FUTURE STUDY SESSION ON SENIOR CARE USES

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: 3/11/15 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 # A.

Meeting Date: 03/18/2015

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

Department: Town Clerk's Office

Information

SUBJECT:

Minutes - March 4, 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 March 4, 2015 minutes.

Attachments

3/4/15 Draft Minutes

**MINUTES
ORO VALLEY TOWN COUNCIL
REGULAR SESSION
March 4, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

REGULAR SESSION AT OR AFTER 5:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 5:05 p.m.

ROLL CALL

PRESENT:

Satish Hiremath, Mayor
Lou Waters, Vice Mayor
Brendan Burns, Councilmember (Arrived at 5:15 p.m.)
Bill Garner, Councilmember
Joe Hornat, Councilmember
Mary Snider, Councilmember
Mike Zinkin, Councilmember

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

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Zinkin to go into Executive Session at 5:06 p.m. pursuant to ARS 38-431.03(A)(3) and 38-431(A)(4) in order to receive legal advice, consider its position and instruct its attorneys regarding the Arrett/Lamonna litigation.

MOTION carried, 6-0.

Mayor Hiremath said the following staff members would join Council in Executive Session: Town Manager Greg Caton, Town Attorneys Kelly Schwab and Patricia Ronan, Legal Services Director Tobin Sidles and Town Clerk Julie Bower.

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

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

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Boy Scout Troop #222 led the audience in the Pledge of Allegiance.

UPCOMING MEETING ANNOUNCEMENTS

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

COUNCIL REPORTS

No reports were received.

DEPARTMENT REPORTS

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

ORDER OF BUSINESS

Mayor Hiremath said Regular Agenda item #5 would be heard before item #4.

INFORMATIONAL ITEMS

1. Letter of Appreciation - Oro Valley Police Department

CALL TO AUDIENCE

Oro Valley resident Richard Tracy read an anonymous letter in which the author supported the proposed recreational/community center project.

Dave Perry, President and CEO of the Greater Oro Valley Chamber of Commerce and Oro Valley resident spoke in support of the acquisition of the El Conquistador Country Club and .5% sales tax increase to fund the project.

CONSENT AGENDA

Vice Mayor Waters requested to remove item (C) from the Consent Agenda for discussion.

Councilmember Zinkin requested to remove item (B) from the Consent Agenda for discussion.

Councilmember Hornat requested to remove item (A) from the Consent Agenda for discussion.

- 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

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

MOTION carried, 7-0.

A. Minutes - February 18, 2015

Councilmember Hornat requested to amend the February 18, 2015 minutes by including his response to criticism regarding Coyote Run during the Call to Audience.

MOTION: A motion was made by Councilmember Hornat and seconded by Vice Mayor Waters to approve the February 18, 2015 minutes with the following addition under the Call to Audience:

Councilmember Hornat said Coyote Run was reinstated by Council under a new name and was three times more successful than it ever had been and served a large number of residents in the community both over and under sixty-five years old.

Councilmember Hornat said the Center that was closed across the street from Town Hall served a very small group of people, a community center would serve thousands.

MOTION carried, 7-0.

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

Councilmember Zinkin referenced General Note #9 and asked if zero (0) feet side setbacks would be allowed.

Planner Rosevelt Arellano said the zoning would allow zero (0) feet side setbacks but as of today, all of the model homes had been approved for the site and none of them utilized the zero (0) feet side setback.

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

MOTION carried, 7-0.

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

Vice Mayor Waters asked what the Town's part would be in the proposed Task Force.

Sergeant Dean Nesbitt said the Task Force was a national network of 61 coordinated Task Forces representing more than 3,500 federal, state and local law enforcement agencies. These agencies were engaged in both proactive and reactive investigations, forensic examination and criminal prosecution. By helping state and local agencies develop effective, sustainable responses to online child victimization, including response to child sexual abuse, the program had increased law enforcement's capacity to combat the technology facilitated crimes against children at every level. The program was also dedicated to training law enforcement officers and prosecutors as well as educating parents and youths about the potential dangers of online activity.

Sergeant Nesbitt encouraged parents and guardians to monitor what their kids were doing on the internet and their phones to help mitigate this problem.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve Resolution No. (R)15-17, authorizing and approving an intergovernmental agreement between the City of Phoenix Police Department and the Town of Oro Valley Police Department for the Arizona Internet Crimes Against Children Task Force.

MOTION carried, 7-0.

REGULAR AGENDA

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

Finance Director Stacey Lemos presented item #1 and gave an overview of the following:

- General Fund Revenues & Expenditures
- Highway Fund Revenues & Expenditures
- Bed Tax Fund and Stormwater Utility Fund
- Water Utility Fund

Discussion ensued amongst Council and staff regarding the FY 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

Senior Planner Patty Hayes presented item #2 and outlined the following:

- Proposal
- Business Visibility
- Sign Location
- Proposed Sign Size
- Signs Facing Major Roads
- Visibility from Adjacent Properties & View Corridor
- Recommendation
- Conditions for Approval

Discussion ensued amongst Council and staff regarding the proposed Revised Master Sign program for the Oro Valley Marketplace.

David Malin, representative for Vestar Development Company, spoke on the proposed Revised Master Sign program.

Paul Bleier, representative for Bleier Industries, spoke about the types of signs that could be placed on buildings facing Oracle and Tangerine Roads, if approved.

The following individuals spoke on item #2.

Oro Valley resident Don Bristow

The following individuals spoke in support of item #2.

Oro Valley resident Terry Parish
Oro Valley resident Wendy Wise
Dave Perry, President and CEO of the Greater Oro Valley Chamber of Commerce and
Oro Valley resident

The following individual spoke in opposition to item #2.

Oro Valley resident Bill Adler

MOTION: A motion was made by Councilmember Hornat and seconded by Mayor Hiremath 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 with the additional conditions that the lamp color temperature shall not exceed 4400K or the in effect standard that is adopted by the Town and the sign size shall be regulated by the Oro Valley Zoning Code standards.

Discussion resumed amongst Council and staff regarding the proposed revised Master Sign Program.

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

Mayor Hiremath recessed the meeting at 7:52 p.m.

Mayor Hiremath reconvened the meeting at 7:59 p.m.

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

Planner Rosevelt Arellano presented item #3 and outlined the following:

- Site Location
- Access Map
- Neighborhood Participation
- ESL's Flexible Design Option
- Planning and Zoning Commission Issues

Discussion ensued amongst Council and staff regarding the proposed rezoning.

Stacey Weeks, representative for Norris Design, presented item #3 and outlined the following:

- General Plan Amendment
- Rezoning Application
- Development Patterns
- Residential Master Plan
- Planning Elements
- Viewshed Study
- Economic Impact
- Rezoning Overview

Discussion ensued amongst Council and Mr. Weeks regarding the proposed rezoning request.

Mayor Hiremath opened the public hearing.

The following individuals spoke in opposition to item #3.

Susann Duperret
Greg Patchen
Pat McGowan
Oro Valley resident Bill Adler
Sarah McGowan
Oro Valley resident Adelina Kempner
Amber Peterman
Hank Winter
Dr. Chuck Boreson

Mayor Hiremath closed the public hearing.

Discussion ensued amongst Council regarding the proposed rezoning.

MOTION: A motion was made by Councilmember Zinkin and seconded by Councilmember Garner to deny Ordinance No. (O)15-07, finding that the proposed rezoning is not consistent with the General Plan due to the lack of compatibility with surrounding areas.

MOTION failed, 2-5 with Mayor Hiremath, Vice Mayor Waters, Councilmember Burns, Councilmember Hornat, and Councilmember Snider opposed.

MOTION: A motion was made by Councilmember Burns and seconded by Councilmember Snider to continue item #3 to the June 17, 2015 regular Council meeting.

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

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

Parks and Recreation Director Kristy Diaz-Trahan presented item #5 and outlined the following:

- Facility Overview
- Rate Development
- Daily Rate Comparable

-Daily Rate Recommendations

Discussion ensued amongst Council and staff regarding item #5.

Scott Van Newkirk, Senior Vice President of Global Business Development for Troon, spoke about online golf rates.

The following individual spoke in support of item #5.

Oro Valley resident Betty Danker

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve Resolution No. (R)15-20, approving the Oro Valley Community & Recreation Center and El Conquistador Golf daily rates as presented.

Councilmember Burns requested an amendment to the motion to stipulate that Oro Valley resident rates shall not be less than 10% but may be more than 10% of the best published rate at the point of reservation. Vice Mayor Waters and Councilmember Snider agreed to the amendment.

MOTION AS AMENDED carried, 7-0.

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

Ms. Lemos presented item #4 and outlined the following:

- Overview
- Budget Amendment
- Operating Details
- Capital Improvements

The following individuals spoke in support of item #4.

Oro Valley resident Dick Johnson
Oro Valley resident John Andersen
Oro Valley resident Lyra Done

Discussion ensued amongst Council and staff regarding item #4.

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider 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 and to repay the loan to the General Fund contingency reserve fund over ten years.

MOTION carried, 4-0 with Councilmember Burns, Councilmember Garner, and Councilmember Zinkin abstaining.

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

Councilmember Garner presented item #6.

Discussion ensued amongst Council and staff regarding item #6.

Council directed staff to place any fee structure changes in the Council Forward.

FUTURE AGENDA ITEMS

Councilmember Snider requested a future agenda item to consider a student art program, seconded by Vice Mayor Waters.

CALL TO AUDIENCE

No comments were received.

ADJOURNMENT

MOTION: A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to adjourn the meeting at 10:44 p.m.

MOTION carried, 7-0.

Prepared by:

Michael Standish, CMC
Deputy Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular session of the Town of Oro Valley Council of Oro Valley, Arizona held on the 4th day of March, 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



Town Council Regular Session

Item # **B.**

Meeting Date: 03/18/2015

Requested by: Stacey Lemos

Submitted By: Wendy Gomez, Finance

Department: Finance

Information

SUBJECT:

Fiscal Year 2014/15 Financial Update through January 2015

RECOMMENDATION:

This item is for information only.

EXECUTIVE SUMMARY:

In the General Fund (see attachment A), revenues collected through January totaled \$17.6 million or 54.7% of the budget amount of \$32.3 million. Year-to-date expenditures through January totaled \$17.5 million or 54.0% of the budget amount of \$32.5 million. The adopted FY 2014/15 General Fund budget included a transfer out of one-time revenues in the amount of \$2.5 million to the General Government CIP Fund for capital projects. Please note that year-to-date expenditures now include approximately one-third of this budgeted transfer out to the General Government CIP Fund of approximately \$883,000.

In the Highway Fund (see attachment B), revenues collected through January totaled \$1.7 million or 58.3% of the budget amount of \$3.0 million. Year-to-date expenditures through January totaled \$1.8 million or 42.2% of the budget amount of \$4.4 million. It is important to note that the Highway Fund budget includes the planned use of \$1.4 million in reserves, as all construction sales tax revenues are now fully accounted for in the General Fund.

In the Bed Tax Fund (see attachment C), revenues collected through January totaled \$453,455 or 47.8% of the budget amount of \$949,000. Year-to-date expenditures through January totaled \$483,247 or 50.3% of the budget amount of \$961,000.

BACKGROUND OR DETAILED INFORMATION:

GENERAL FUND

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

Revenues	\$31,578,788
<u>Less:</u>	
Expenditures	(\$31,756,195)
Est. Decrease in Fund Balance	(\$ 177,407)

General Fund Revenues

- Local sales tax collections in the General Fund total \$8.5 million or 54.3% of the budget amount of

\$15.7 million. Sales tax collections in the General Fund are estimated to come in below budget by approximately \$314,000 or 2.0% based on current collections-to-date trending slightly below budgeted levels. Please see Attachment E for a monthly tracking of General Fund local sales tax collections, including construction and utility sales tax.

- License and permit revenues are estimated to come in under budget by about \$317,000 or 17.6% due primarily to single family residential (SFR) permitting trends. A total of 135 SFR permits are projected for FY 14/15, compared to the 200 that were budgeted.
- Federal grant revenues are estimated to come in over budget by about \$65,000 or 10.9% 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 \$185,000 or 11.5%. Of this amount, \$105,000 reflects RTA reimbursements for Transit, which corresponds to estimated expenditure savings. Capacity of \$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 \$105,000 or 6.3% 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 \$60,000 or 33.3% based on current trends and citation filings.

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

General Fund Expenditures

- Expenditures are estimated to come in under budget by approximately \$700,000 or 2.2% due primarily to projected operations and maintenance (O&M) savings by departments, as well as projected personnel vacancy savings. Due to the observed slowdown in revenue collections, with a considerable amount classified as one-time, the estimated transfer to the General Government CIP Fund for one-time capital projects has been reduced by \$120,000. This will not affect current year budgeted projects, but rather the banking of funds for the future PD Property ID and Substation Building. The timeline on this project is likely to be extended out further, as efforts on securing a building location are still underway.

HIGHWAY FUND

Highway Fund Revenues

- State shared highway user revenue funds (HURF) total \$1.6 million or 57.7% of the budget amount of \$2.8 million. Highway Fund revenues in total are expected to come in over budget by about \$140,000 or 4.7% due primarily to HURF revenues. These revenues are up more than 8% over last fiscal year due to economic growth and Senate Bill 1487, which allocated additional monies to HURF for FY 14/15. The year-end estimate for HURF revenues was provided by the League of Arizona Cities & Towns.

Highway Fund Expenditures

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

BED TAX FUND

Bed Tax Revenues

- Bed tax revenues total \$449,135 or 47.5% of the budget amount of \$945,000 and are estimated to come in on budget at this time.

Bed Tax Fund Expenditures

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

Please see Attachments A, B, and C for additional details on the General Fund, Highway Fund and Bed Tax Fund respectively. See Attachment D for a fiscal year-to-date consolidated summary of all Town funds. In addition, as noted earlier, Attachment E includes a breakdown of monthly local sales tax collections for the General Fund.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

This item is for information only.

Attachments

Attachment A - General Fund

Attachment B - Highway Fund

Attachment C - Bed Tax Fund

Attachment D - Summary All Funds

Attachment E - GF Local Sales Tax



Highway Fund

% Budget Completion through January --- 58.3%

REVENUES:

LICENSES & PERMITS
 STATE/COUNTY SHARED
 CHARGES FOR SERVICES
 INTEREST INCOME
 MISCELLANEOUS
TOTAL REVENUES

Actuals thru 1/2015	Budget	% Actuals to Budget
35,735	52,000	68.7%
1,589,428	2,754,947	57.7%
75,537	129,493	58.3%
21,380	19,250	111.1%
5,651	10,000	56.5%
1,727,731	2,965,690	58.3%

Year End Estimate *	YE % Variance to Budget
58,882	13.2%
2,882,445	4.6%
129,493	0.0%
25,000	29.9%
10,000	0.0%
3,105,820	4.7%

EXPENDITURES:

ADMINISTRATION
 TRANSPORTATION ENGINEERING
 PAVEMENT MANAGEMENT
 STREET MAINTENANCE
 TRAFFIC ENGINEERING
TOTAL EXPENDITURES

Actuals thru 1/2015	Budget	% Actuals to Budget
299,831	610,478	49.1%
294,289	537,275	54.8%
403,837	1,219,002	33.1%
585,975	1,053,631	55.6%
254,543	934,276	27.2%
1,838,475	4,354,662	42.2%

Year End Estimate *	YE % Variance to Budget
610,478	0.0%
537,275	0.0%
1,219,002	0.0%
1,053,297	0.0%
934,276	0.0%
4,354,328	0.0%

SURPLUS / (DEFICIT)

(110,744)

(1,388,972)

(1,248,508)

BEGINNING FUND BALANCE

4,175,161

Plus: Surplus / (Deficit)

(1,248,508)

ENDING FUND BALANCE **

2,926,653

* Year-end estimates are subject to further revision

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



January YTD Financial Status

ATTACHMENT C

FY 2014/2015

Bed Tax Fund

% Budget Completion through January --- 58.3%

REVENUES:

BED TAXES
INTEREST INCOME
TOTAL REVENUES

Actuals thru 1/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
449,135	944,571	47.5%	944,571	0.0%
4,320	4,125	104.7%	6,000	45.5%
453,455	948,696	47.8%	950,571	0.2%

EXPENDITURES:

ECONOMIC DEVELOPMENT
TRANSFERS OUT
TOTAL EXPENDITURES

Actuals thru 1/2015	Budget	% Actuals to Budget	Year End Estimate *	YE % Variance to Budget
315,704	608,457	51.9%	608,157	0.0%
167,543	352,543	47.5%	352,543	0.0%
483,247	961,000	50.3%	960,700	0.0%

SURPLUS / (DEFICIT)

(29,792)

(12,304)

(10,129)

BEGINNING FUND BALANCE

425,099

Plus: Surplus / (Deficit)

(10,129)

ENDING FUND BALANCE **

414,970

* Year-end estimates are subject to further revision

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



Consolidated Year-to-Date Financial Report through January, 2015

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 Jan 2015
General Fund - Unassigned	9,925,988	17,642,295	-	17,642,295	1,047,757	12,320,188	4,021,322	138,557	-	-	17,527,825	10,040,458
General Fund - Assigned	1,608,035											1,608,035
Highway Fund - Restricted	4,175,161	1,727,731	-	1,727,731	-	1,025,299	327,094	486,082	-	-	1,838,475	4,064,418
Seizure & Forfeiture - State	526,901	98,278	-	98,278	-	4,987	82,075	56,328	-	-	143,390	481,789
Seizure & Forfeiture - Justice	349,724	15,122	-	15,122	-	69,859	32,381	6,698	-	-	108,938	255,908
Bed Tax Fund - Committed	425,099	453,455	-	453,455	167,543	136,652	179,051	-	-	-	483,247	395,307
Impound Fee Fund	7,346	21,000	-	21,000	-	15,284	-	-	-	-	15,284	13,062
Municipal Debt Service Fund	533,928	443,103	-	443,103	-	-	12,878	-	-	847,433	860,310	116,720
Oracle Road Debt Service Fund	281	158,363	-	158,363	-	-	695	-	-	154,356	155,051	3,593
Alternative Water Resources Dev Impact Fee Fund	3,336,099	551,369	-	551,369	-	-	39,127	81,236	-	-	120,363	3,767,105
Potable Water System Dev Impact Fee Fund	4,505,635	293,099	-	293,099	-	-	-	-	-	48,263	48,263	4,750,472
Townwide Roadway Development Impact Fee Fund	2,791,166	354,204	-	354,204	-	-	-	231,334	-	-	231,334	2,914,036
Parks & Recreation Impact Fee Fund	21,555	58,005	-	58,005	-	-	-	-	-	-	-	79,560
Library Impact Fee Fund	114,798	-	-	-	-	-	-	20,000	-	-	20,000	94,798
Police Impact Fee Fund	205,936	24,085	-	24,085	-	-	-	-	-	-	-	230,021
General Government Impact Fee Fund	3,502	2	-	2	-	-	-	-	-	-	-	3,504
Naranja Park Fund	737,056	-	-	-	-	-	-	467,079	-	-	467,079	269,977
General Government CIP Fund	1,500,000	-	883,333	883,333	-	-	-	664,112	-	-	664,112	1,719,221
Water Utility	11,823,342	9,520,913	-	9,520,913	3,119	1,609,738	3,025,532	1,801,313	-	741,172	7,180,874	14,163,381
Stormwater Utility	503,474	385,608	-	385,608	-	185,315	288,013	143,184	-	-	616,512	272,570
Fleet Fund	84,949	1,001,775	-	1,001,775	-	45,055	350,339	507,132	-	-	902,525	184,199
Benefit Self Insurance Fund	584,509	1,341,225	-	1,341,225	-	-	1,644,733	4,922	-	-	1,649,655	276,079
Recreation In-Lieu Fee Fund	6,190	-	-	-	-	-	-	-	-	-	-	6,190
Total	43,770,674	34,089,633	883,333	34,972,966	1,218,419	15,412,378	10,003,240	4,607,976	-	1,791,223	33,033,236	45,710,403



General Fund Local Sales Tax Collections

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	358,773						2,323,421
Utility Sales Tax	269,772	299,154	292,456	261,333	135,966	197,341	227,742						1,683,764
Retail Sales Tax	392,417	414,639	383,853	390,567	415,388	507,949	667,732						3,172,545
All Other Local Sales Tax *	<u>231,603</u>	<u>1,026</u>	<u>969</u>	<u>450,444</u>	<u>285,443</u>	<u>347,679</u>	<u>315,824</u>						1,632,988
TOTAL	\$ 1,247,049	\$ 1,080,696	\$ 1,020,349	\$ 1,419,939	\$ 1,128,613	\$ 1,346,001	\$ 1,570,071						\$ 8,812,718

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



Item # **C.**

Town Council Regular Session

Meeting Date: 03/18/2015
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

Request for approval of a Final Plat for Block 3 of the Maracay at Vistoso subdivision, located on the northwest corner of the Pebble Creek Drive and La Cañada Drive intersection

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The applicant requests approval of a Final Plat for two of six communities in the Maracay at Vistoso subdivision. The Final Plat (Attachment 1) features 101 lots, private streets and common areas. The Final Plat has been reviewed and meets Town requirements.

BACKGROUND OR DETAILED INFORMATION:

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

In June 2013, 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. The Final Plat is in conformance with the one-story condition and all design components (i.e. site layout, common areas, golf course setbacks, etc.) approved as part of the Conceptual Site Plan.

Proposed Improvements:

- 23.35 acres subdivided into 101 lots
- Average lot size: 5,146 sq. ft.
- Building height: 30 ft., 1 and 2-story
- Common areas throughout the site

Previous Approvals:

- June 2014: Block Plat for entire Maracay at Vistoso subdivision
- July 2014: Block 2 Final Plat
- October 2014: Block 1 Final Plat
- March 2015: Block 4 Final Plat

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to APPROVE the Final Plat for Block 3 of the Maracay at Vistoso subdivision as provided on Attachment 1, finding that it meets Town requirements.

OR

I MOVE to DENY the Final Plat for Block 3 of the Maracay at Vistoso subdivision as provided on Attachment 1, finding that _____.

Attachments

Attachment 1 - Final Plat

APPROVALS

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

CLERK, TOWN OF ORO VALLEY DATE
PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT DATE
TOWN ENGINEER DATE
PLANNING MANAGER DATE
WATER UTILITY DIRECTOR DATE

ASSURANCES

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

BY: MAYOR - TOWN OF ORO VALLEY DATE

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

WATER ADEQUACY

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

BY: 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



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

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



The WLB Group logo and contact information: 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

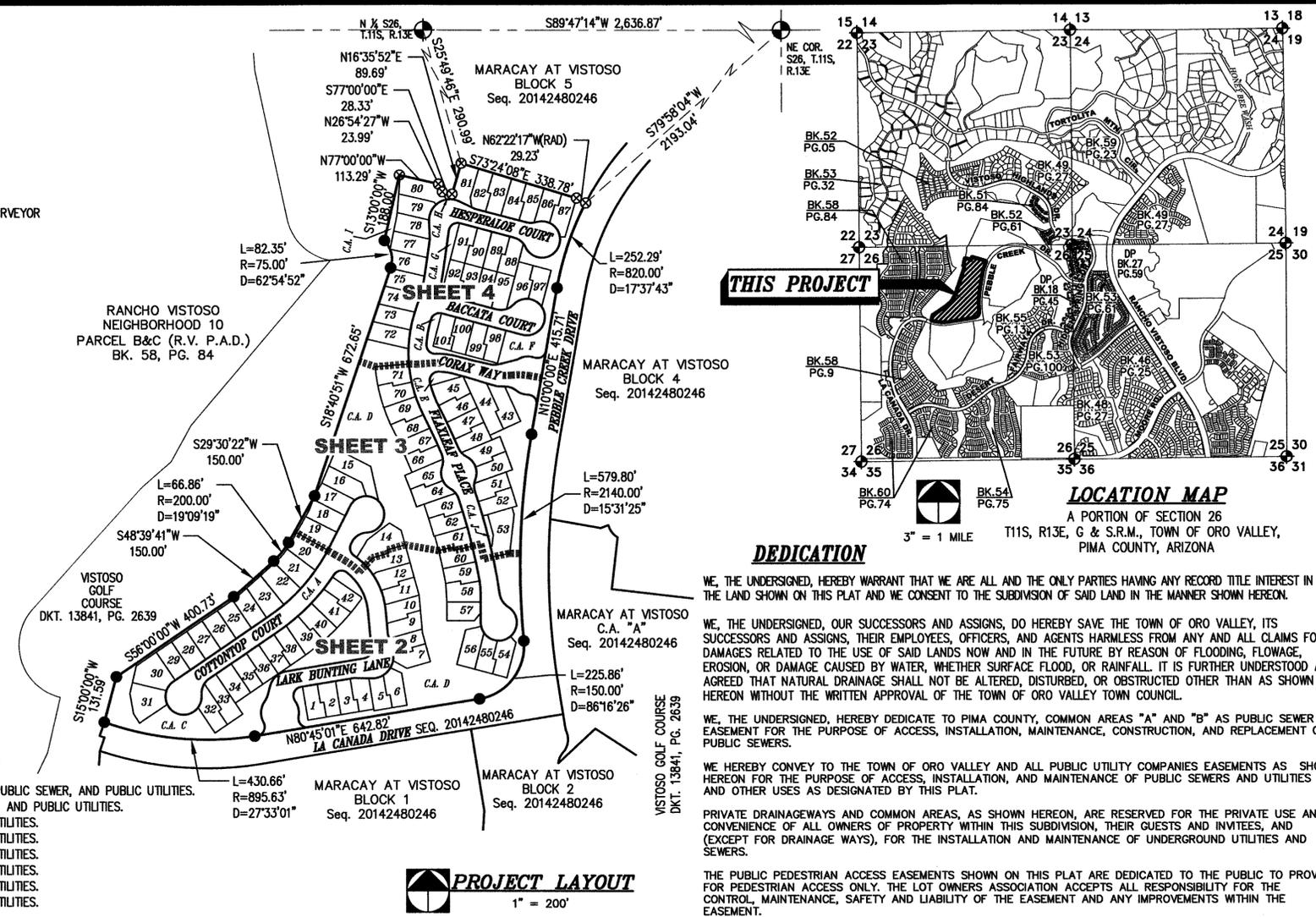
- SUBDIVISION BOUNDARY
RIGHT OF WAY
LOT LINE
100 YR. FLOOD LINE
EROSION HAZARD SET-BACK LINE
EASEMENT LINE
SECTION LINE
INDICATES BRASS DISK SURVEY MONUMENT STAMPED TO BE SET BY A REGISTERED LAND SURVEYOR UPON COMPLETION OF ROAD CONSTRUCTION
FOUND MONUMENT AS NOTED
1/2" IRON PARCEL PIN TO BE SET; TAGGED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

SHEET INDEX

- SHEET 1 COVER SHEET
SHEETS 2 - 4 PLAN SHEETS
SHEETS 5 LINE AND CURVE TABLES

GENERAL NOTES

- 1. THE GROSS AREA OF THIS SUBDIVISION IS 23.35 ACRES. THE DENSITY IS 4.33 UNITS PER ACRE. LOT AREA IS 11.93 ACRES. THE AREA OF PRIVATE STREETS (C.A.'s "A" & "B") IS 5.20 ACRES. TOTAL NUMBER OF RESIDENTIAL LOTS IS 101.
2. COMMON AREA SIZE (ACRES) USE:
C.A. "A" 2.15 PRIVATE STREETS AND PUBLIC UTILITIES.
C.A. "B" 3.05 PRIVATE STREETS AND PUBLIC UTILITIES.
C.A. "C" 1.43 OPEN SPACE, DRAINAGE, RECREATION, PUBLIC SEWER, AND PUBLIC UTILITIES.
C.A. "D" 3.93 OPEN SPACE, DRAINAGE, PUBLIC SEWER, AND PUBLIC UTILITIES.
C.A. "E" 0.05 OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
C.A. "F" 0.61 OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
C.A. "G" 0.07 OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
C.A. "H" 0.01 OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
C.A. "I" 0.06 OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
C.A. "J" 0.03 OPEN SPACE, DRAINAGE, AND PUBLIC UTILITIES.
3. ALL STREETS ARE PRIVATE. MILES OF PRIVATE STREETS = 0.52 MILES
4. THE MINIMUM LOT SIZE FOR THIS DEVELOPMENT IS 4,179 S.F. (0.10 AC.)
5. THE MAXIMUM LOT SIZE FOR THIS DEVELOPMENT IS 7,780 S.F. (0.18 AC.)
6. THE AVERAGE LOT SIZE FOR THIS DEVELOPMENT IS 5,146 S.F. (0.12 AC.)
7. MAXIMUM PERMITTED BUILDING HEIGHT IS LIMITED TO 30 FEET, TWO (2) STORIES. HOMES ON LOTS 15 THRU 31 AND 72 THRU 80 SHALL BE LIMITED TO ONE STORY.
8. BUILDING SETBACK PROVISIONS: FRONT-20 FEET, SIDE-5 OR 0 FEET, REAR-5 FEET
A 15 FEET FRONT SETBACK (Z-LOTS ONLY) IS PERMITTED FOR HOMES WITH A SIDE ENTRY GARAGE OR A FRONT ENTRY GARAGE PROVIDED THAT A DRIVEWAY AT LEAST 20 FEET IN LENGTH IS MAINTAINED ON THE PROPERTY AND ONLY ON STREETS UTILIZING A STAGGERED STREETScape DESIGN.
9. NO ADDITIONAL ON STREET PARKING IS PROVIDED FOR THIS DEVELOPMENT.
10. EXISTING ZONING: RANCHO VISTOSO P.A.D. - MEDIUM DENSITY RESIDENTIAL.
11. NO FURTHER SUBDIVISION OF ANY LOT OR PARCEL SHOWN SHALL BE PERMITTED WITHOUT WRITTEN APPROVAL OF THE ORO VALLEY TOWN COUNCIL.
12. 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.
13. 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.
14. 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.
15. 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.
16. UTILITIES WILL BE LOCATED UNDERGROUND IN CONFORMANCE WITH ARIZONA CORPORATION COMMISSION AMENDED GENERAL ORDER U-48.
17. THE LANDSCAPING WITHIN ALL PUBLIC SEWER EASEMENTS SHOWN HEREON SHALL BE IN ACCORDANCE WITH THE LANDSCAPING AND PLANTING GUIDELINES FOR PUBLIC SEWERS OF THE ENGINEERING DESIGN STANDARDS 2012, SUBSECTION 7.7.
18. 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.
19. 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.
20. A PROJECT CONSTRUCTION PERMIT MUST BE SECURED FROM PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT BEFORE BEGINNING ANY SANITARY SEWER WORK ON THIS PROJECT. 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.
21. 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.
22. THIS SUBDIVISION WILL BE SERVICED BY ORO VALLEY WATER UTILITY.
23. THE AREA BETWEEN 100 YEAR FLOOD LIMITS REPRESENTS AN AREA THAT MAY BE SUBJECT TO FLOODING FROM A 100 YEAR FREQUENCY FLOOD AND ALL LAND IN THIS AREA WILL BE RESTRICTED TO USES COMPATIBLE WITH FLOODPLAIN MANAGEMENT AS APPROVED BY THE TOWN ENGINEER.
24. NO IMPROVEMENTS BETWEEN THIRTY (30) AND SEVENTY-TWO (72) INCHES IN HEIGHT RELATIVE TO THE ADJACENT PAAL/ROADWAY WHICH MIGHT INTERFERE WITH THE PURPOSE AND INTENT OF THE SIGHT DISTANCE TRIANGLE SHALL BE PERMITTED, PLACED OR MAINTAINED WITHIN 15 (FIFTEEN) FEET OF A PAAL-TO-PAAL INTERSECTION.
25. 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.
26. 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.



THIS PROJECT

LOCATION MAP

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

DEDICATION

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE ALL AND THE ONLY PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND SHOWN ON THIS PLAT AND WE CONSENT TO THE SUBDIVISION OF SAID LAND IN THE MANNER SHOWN HEREON.
WE, THE UNDERSIGNED, OUR SUCCESSORS AND ASSIGNS, DO HEREBY SAVE THE TOWN OF ORO VALLEY, ITS SUCCESSORS AND ASSIGNS, THEIR EMPLOYEES, OFFICERS, AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF SAID LANDS NOW AND IN THE FUTURE BY REASON OF FLOODING, FLOWAGE, EROSION, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE FLOOD, OR RAINFALL. IT IS FURTHER UNDERSTOOD AND AGREED THAT NATURAL DRAINAGE SHALL NOT BE ALTERED, DISTURBED, OR OBSTRUCTED OTHER THAN AS SHOWN HEREON WITHOUT THE WRITTEN APPROVAL OF THE TOWN OF ORO VALLEY TOWN COUNCIL.
WE, THE UNDERSIGNED, HEREBY DEDICATE TO PIMA COUNTY, COMMON AREAS "A" AND "B" AS PUBLIC SEWER EASEMENT FOR THE PURPOSE OF ACCESS, INSTALLATION, MAINTENANCE, CONSTRUCTION, AND REPLACEMENT OF PUBLIC SEWERS.
WE HEREBY CONVEY TO THE TOWN OF ORO VALLEY AND ALL PUBLIC UTILITY COMPANIES EASEMENTS AS SHOWN HEREON FOR THE PURPOSE OF ACCESS, INSTALLATION, AND MAINTENANCE OF PUBLIC SEWERS AND UTILITIES AND OTHER USES AS DESIGNATED BY THIS PLAT.
PRIVATE DRAINAGEWAYS AND COMMON AREAS, AS SHOWN HEREON, ARE RESERVED FOR THE PRIVATE USE AND CONVENIENCE OF ALL OWNERS OF PROPERTY WITHIN THIS SUBDIVISION, THEIR GUESTS AND INVITEES, AND (EXCEPT FOR DRAINAGE WAYS), FOR THE INSTALLATION AND MAINTENANCE OF UNDERGROUND UTILITIES AND SEWERS.
THE PUBLIC PEDESTRIAN ACCESS EASEMENTS SHOWN ON THIS PLAT ARE DEDICATED TO THE PUBLIC TO PROVIDE FOR PEDESTRIAN ACCESS ONLY. THE LOT OWNERS ASSOCIATION ACCEPTS ALL RESPONSIBILITY FOR THE CONTROL, MAINTENANCE, SAFETY AND LIABILITY OF THE EASEMENT AND ANY IMPROVEMENTS WITHIN THE EASEMENT.
TITLE TO THE LAND OF ALL PRIVATE DRAINAGEWAYS AND COMMON AREAS SHALL BE VESTED IN AN ASSOCIATION OF INDIVIDUAL LOT OWNERS AS ESTABLISHED BY COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN SEQUENCE NO. 20143420490 IN THE OFFICE OF THE PIMA COUNTY RECORDER. EACH AND EVERY LOT OWNER WITHIN THE SUBDIVISION SHALL BE A MEMBER OF THE ASSOCIATION, WHICH WILL ACCEPT ALL RESPONSIBILITY FOR THE CONTROL, MAINTENANCE, SAFETY AND LIABILITY OF ALL DRAINAGEWAYS AND COMMON AREAS WITHIN THIS SUBDIVISION AS SHOWN HEREON. ACCESS TO COMMON AREAS "C", "D" AND "I" WILL BE THROUGH THE ADJOINING GOLF COURSE PER AGREEMENT WITH SAME.
TITLE SECURITY AGENCY OF ARIZONA, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, D.B.A. TITLE SECURITY AGENCY L.L.C., AS TRUSTEE UNDER TRUST NUMBER 201405-T, ONLY AND NOT OTHERWISE.

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

NOTARY

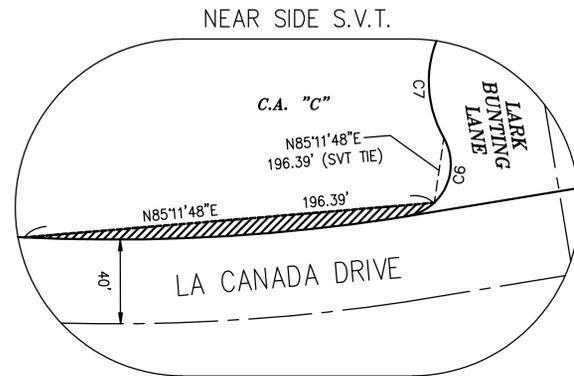
STATE OF ARIZONA) FEE
)SS
COUNTY OF PIMA) No.

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

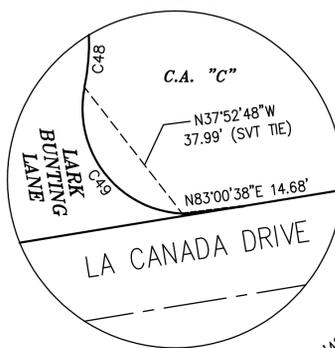
MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

0V1214-28 FINAL PLAT MARACAY AT VISTOSO RESUBDIVISION OF BLOCK 3 LOTS 1 THRU 101 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

SEQ. #: _____

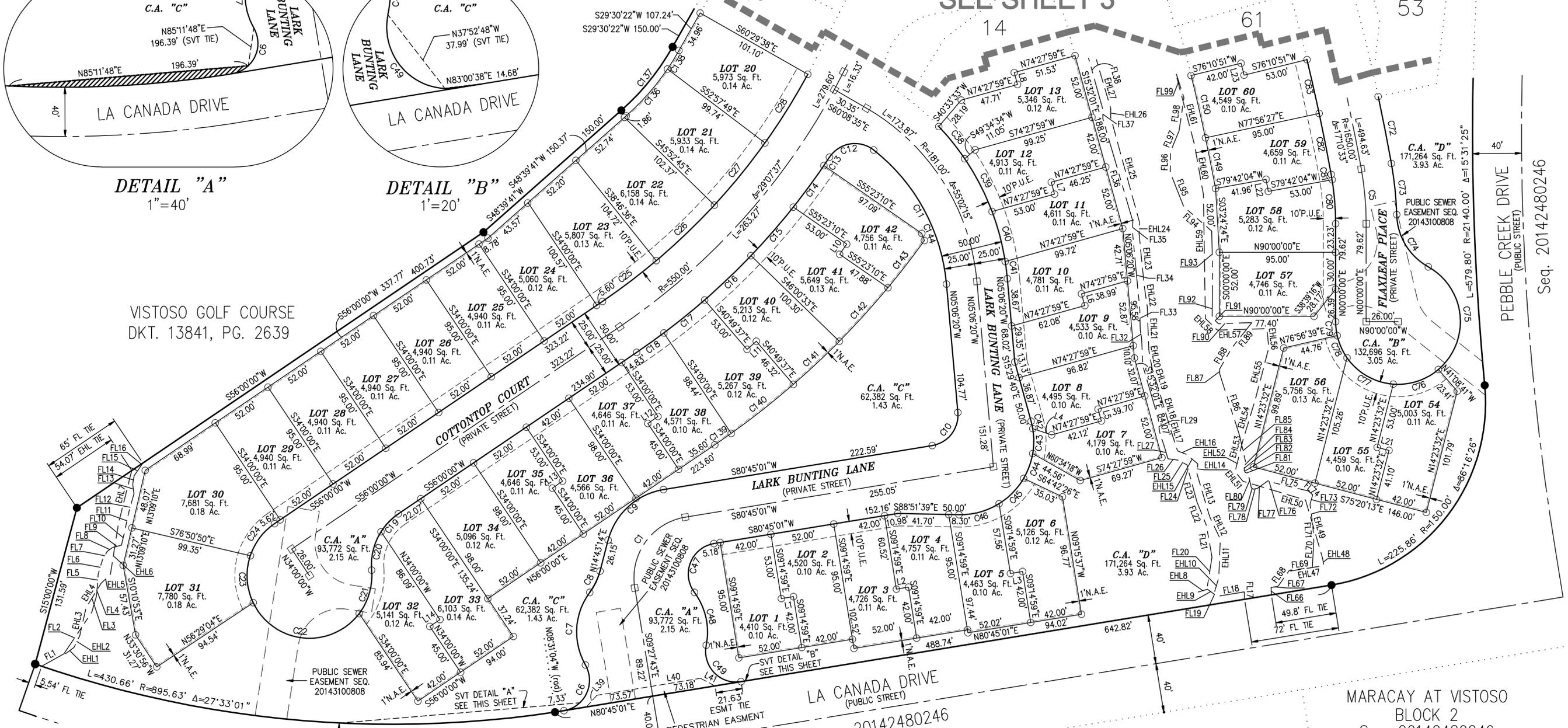


DETAIL "A"
1"=40'



DETAIL "B"
1"=20'

VISTOSO GOLF COURSE
DKT. 13841, PG. 2639



MARACAY AT VISTOSO
BLOCK 1
Seq. 20142480246

MARACAY AT VISTOSO
BLOCK 2
Seq. 20142480246

MARACAY AT VISTOSO
BLOCK 2
Seq. 20142480246

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EXPIRES 3/31/2015
 IN COMPLIANCE WITH CERTIFICATION
 SHOWN ON SHEET ONE

REF: OV1214-02 AUGUST 2014

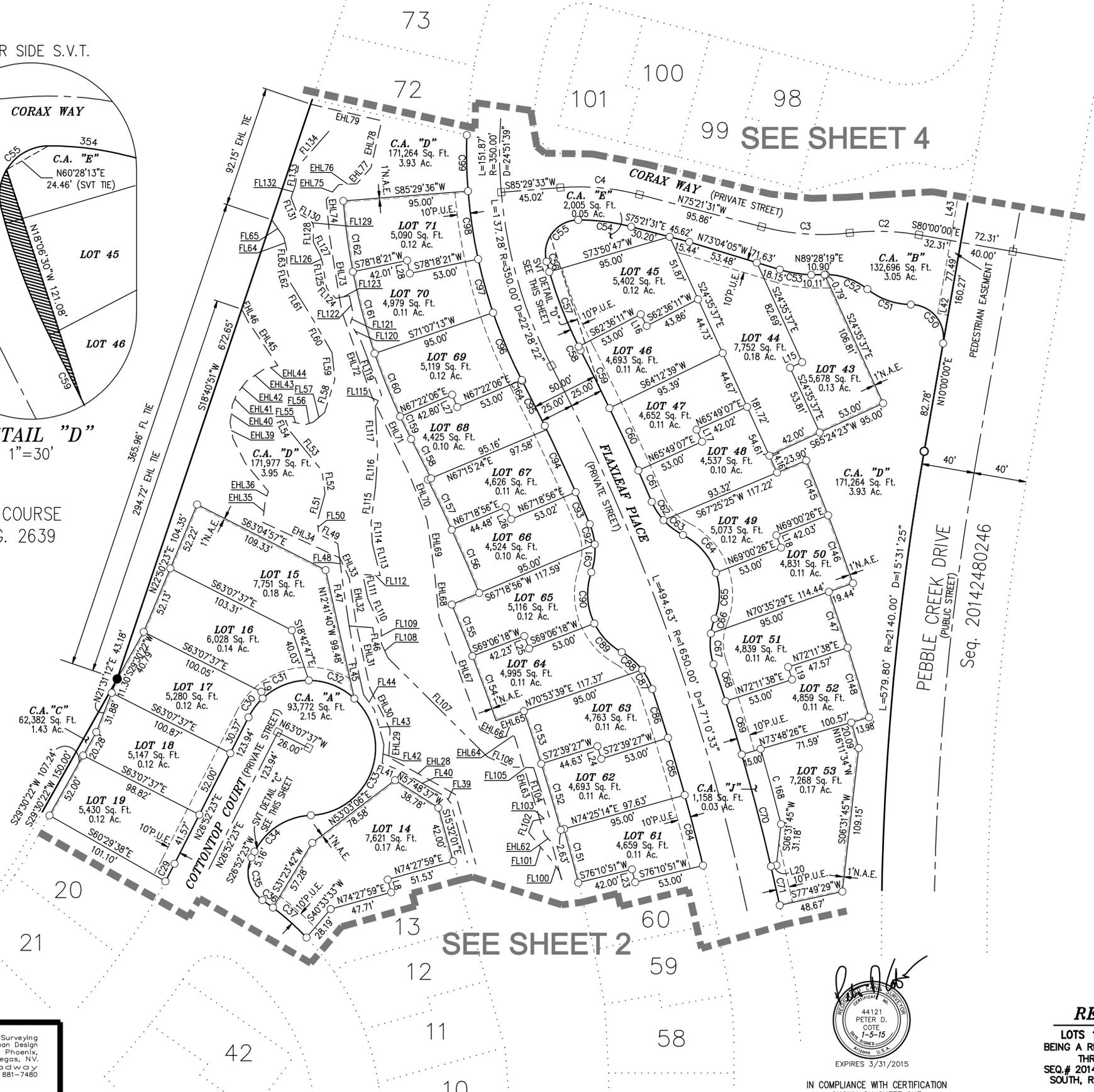
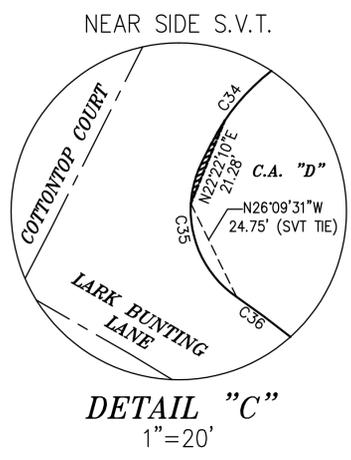
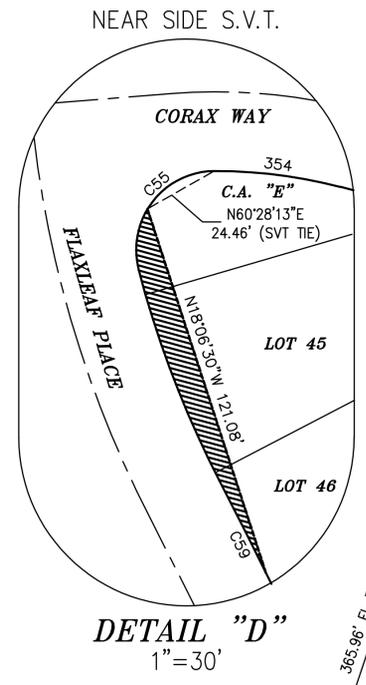
SHEET 2 OF 5

OV1214-28
FINAL PLAT
MARACAY AT VISTOSO
RESUBDIVISION OF BLOCK 3

LOTS 1 THRU 101 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

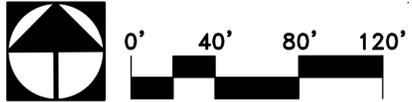
SEQ. #:

SEQ. #:



VISTOSO GOLF COURSE
DKT. 13841, PG. 2639

MARACAY AT VISTOSO
BLOCK 4
Seq. 20142480246



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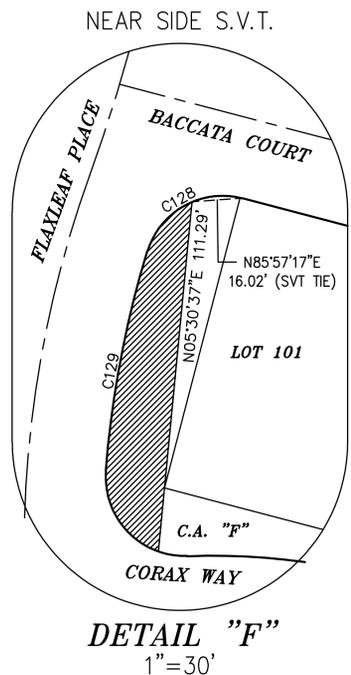
IN COMPLIANCE WITH CERTIFICATION
SHOWN ON SHEET ONE

REF: OV1214-02 AUGUST 2014

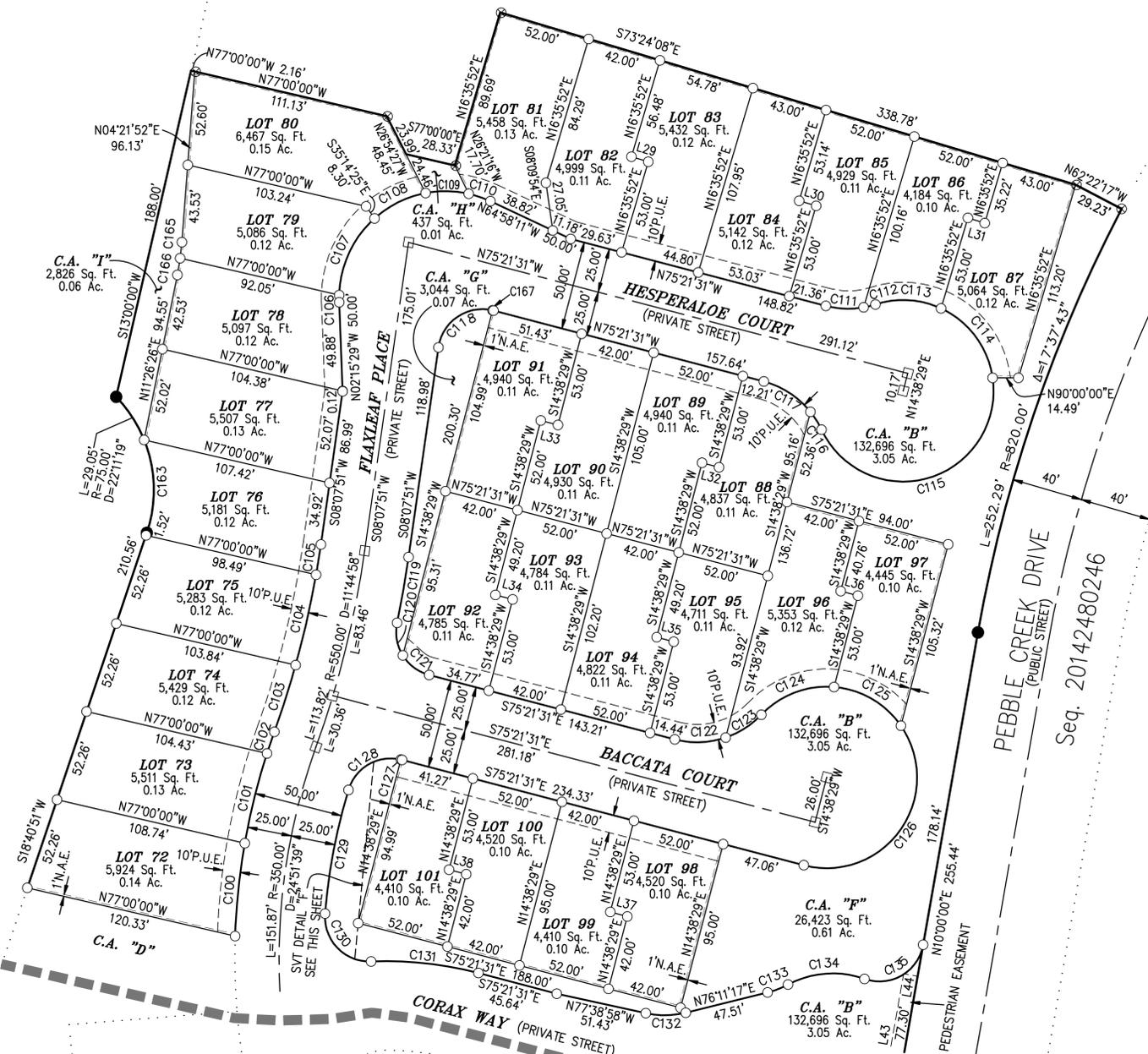
SHEET 3 OF 5

N:\185050\VEIGHT01\W01 - Donut Hole Platting\PP\Block 3\RV-Block3-Plat1\SH1_03.dwg

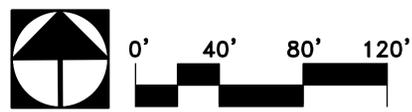
MARACAY AT VISTOSO
BLOCK 5
Seq. 20142480246



VISTOSO GOLF COURSE
DKT. 13841, PG. 2639



MARACAY AT VISTOSO
BLOCK 4
Seq. 20142480246



SEE SHEET 3



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IN COMPLIANCE WITH CERTIFICATION
SHOWN ON SHEET ONE

REF: OV1214-02 AUGUST 2014

OV1214-28
FINAL PLAT
MARACAY AT VISTOSO
RESUBDIVISION OF BLOCK 3
LOTS 1 THRU 101 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. #:

SEQ. #:

SEQ. #:

N:\185050\VEIGHT0\WY01_Donut Hole Platting\FP\Block 3\RV-Block3-Plat1\SH1_05.dwg

LINE	LENGTH	BEARING
FL1	20.77'	N60°55'31"E
FL2	40.80'	N34°01'26"E
FL3	13.11'	N16°04'58"E
FL4	9.16'	N06°15'48"E
FL5	9.00'	N03°30'25"E
FL6	12.33'	N16°30'14"E
FL7	7.96'	N28°57'12"E
FL8	5.24'	N53°33'41"E
FL9	7.79'	N74°54'38"E
FL10	12.52'	N13°06'14"E
FL11	15.56'	N12°12'43"E
FL12	14.88'	N15°57'52"E
FL13	7.83'	N07°39'27"W
FL14	7.03'	N09°28'22"E
FL15	9.91'	N34°54'26"E
FL16	2.64'	N33°03'10"E
FL17	6.06'	N01°22'12"W
FL18	22.49'	S80°45'01"W
FL19	10.29'	N54°14'59"W
FL20	26.32'	N09°06'26"E
FL21	26.62'	N10°19'38"W
FL22	19.83'	N22°09'18"W
FL23	25.11'	N15°18'42"W
FL24	6.23'	N13°24'56"W
FL25	8.31'	N61°43'40"W
FL26	8.43'	N82°20'44"W
FL27	10.56'	N17°01'16"W
FL28	12.54'	N17°52'56"W
FL29	10.68'	N05°44'35"W
FL30	44.72'	N16°16'41"W
FL31	22.21'	N02°37'16"W
FL32	7.07'	N09°30'52"W
FL33	16.17'	N00°57'41"W
FL34	62.43'	N05°24'56"W
FL35	10.09'	N00°32'12"E
FL36	86.79'	N16°20'20"W
FL37	7.38'	N00°06'11"E
FL38	91.16'	N15°33'26"W
FL39	6.80'	N40°32'04"W
FL40	39.74'	N60°28'54"W
FL41	14.21'	N67°16'42"W
FL42	13.96'	N05°33'13"E
FL43	27.13'	N15°24'00"W
FL44	14.30'	N35°21'03"W
FL45	35.02'	N12°49'18"W
FL46	19.18'	N10°15'01"W
FL47	30.86'	N08°27'42"W
FL48	30.83'	N07°21'34"W
FL49	16.24'	N63°07'37"W
FL50	9.86'	N04°39'57"W
FL51	21.32'	N15°41'32"E
FL52	17.32'	N07°52'56"W
FL53	37.76'	N38°58'27"W
FL54	9.48'	N24°54'34"W
FL55	15.38'	S78°16'44"E
FL56	6.34'	N72°06'52"E
FL57	11.35'	N49°37'20"E
FL58	25.98'	N17°22'24"E
FL59	20.55'	N05°55'27"W
FL60	31.11'	N30°06'57"W
FL61	29.96'	N31°52'49"W
FL62	9.63'	N16°05'14"W
FL63	16.82'	N01°28'29"W
FL64	9.06'	N13°43'34"W
FL65	15.88'	N34°53'16"W
FL66	6.06'	N01°22'12"W
FL67	5.59'	N80°45'01"E

LINE	LENGTH	BEARING
FL68	16.14'	N35°45'01"E
FL69	18.86'	N83°05'15"E
FL70	21.92'	N03°02'59"E
FL71	13.87'	N03°54'48"W
FL72	15.68'	N07°58'49"W
FL73	8.24'	N15°45'44"E
FL74	4.92'	N50°41'53"W
FL75	31.99'	N76°45'07"W
FL76	1.78'	N54°29'00"W
FL77	10.82'	S54°38'15"W
FL78	3.68'	S78°47'24"W
FL79	1.98'	N46°10'37"W
FL80	11.62'	N12°36'26"W
FL81	2.63'	N66°37'04"W
FL82	1.88'	N24°20'21"W
FL83	3.42'	N02°17'12"E
FL84	2.41'	N30°04'07"E
FL85	23.47'	N12°49'32"W
FL86	52.27'	N17°57'52"W
FL87	4.14'	N01°14'46"W
FL88	19.93'	N30°07'43"E
FL89	26.11'	N38°30'21"E
FL90	27.37'	S88°17'53"W
FL91	7.22'	N44°49'31"W
FL92	34.99'	N00°40'08"E
FL93	35.19'	N01°05'57"W
FL94	30.21'	N49°09'09"W
FL95	29.91'	N21°35'31"W
FL96	17.08'	N00°28'34"E
FL97	18.36'	N22°37'56"E
FL98	27.26'	N08°12'14"E
FL99	27.63'	N17°49'56"W
FL100	8.93'	N34°06'30"W
FL101	28.56'	N39°32'40"W
FL102	9.54'	N20°16'16"E
FL103	12.78'	N79°36'29"E
FL104	39.72'	N17°48'35"W
FL105	17.85'	N88°32'50"W
FL106	18.89'	N65°49'17"W
FL107	106.07'	N45°17'41"W
FL108	11.89'	N24°46'39"W
FL109	11.48'	N01°19'29"W
FL110	24.71'	N24°03'41"W
FL111	18.64'	N11°42'49"W
FL112	13.25'	S86°17'23"E
FL113	24.82'	N13°56'18"W
FL114	15.78'	N03°45'46"W
FL115	28.69'	N07°03'31"E
FL116	22.61'	N03°57'43"E
FL117	36.88'	N02°51'58"W
FL118	9.94'	N28°45'59"E
FL119	45.47'	N21°07'12"W
FL120	13.61'	N32°38'52"W
FL121	7.18'	N18°12'08"E
FL122	14.62'	N11°59'57"W
FL123	10.52'	S78°58'33"W
FL124	10.32'	N41°46'42"W
FL125	19.75'	N09°22'09"W
FL126	4.93'	N16°23'32"W
FL127	11.97'	N27°22'58"W
FL128	12.71'	N00°39'29"E
FL129	3.82'	N26°24'00"W
FL130	12.37'	N61°12'12"W
FL131	12.18'	N21°37'48"W
FL132	9.43'	N19°30'34"E
FL133	15.54'	N09°34'16"E
FL134	34.68'	N41°38'32"E

No.	RADIUS	LENGTH	CHORD	DIST.	DELTA
C1	50.00'	78.73'	S35°38'39"W	70.84'	90°12'44"
C2	181.00'	52.68'	N88°20'18"W	52.50'	16°40'35"
C3	181.00'	67.34'	S86°01'03"E	66.96'	21°19'04"
C4	181.00'	60.49'	N84°55'59"W	60.21'	19°08'55"
C5	250.00'	44.84'	N05°08'20"W	44.78'	10°16'39"
C6	25.00'	48.36'	N25°20'20"E	41.16'	110°49'23"
C7	53.50'	62.56'	S03°25'34"W	59.06'	66°59'51"
C8	50.00'	19.38'	N25°49'22"E	19.26'	22°12'15"
C9	56.00'	64.54'	S47°44'08"W	61.02'	66°01'47"
C10	25.00'	37.46'	N37°49'21"E	34.05'	85°51'21"
C11	156.00'	127.72'	N28°33'36"W	124.18'	46°54'32"
C12	25.00'	41.19'	S80°47'06"W	36.69'	94°24'04"
C13	575.00'	8.12'	N33°59'20"E	8.12'	0°48'32"
C14	575.00'	42.03'	N36°29'14"E	42.02'	4°11'18"
C15	575.00'	52.51'	N41°11'51"E	52.49'	5°13'55"
C16	575.00'	52.38'	N46°25'24"E	52.36'	5°13'10"
C17	575.00'	42.74'	N51°09'44"E	42.73'	4°15'30"
C18	575.00'	27.18'	N54°38'45"E	27.18'	2°42'31"
C19	50.00'	20.49'	S44°15'27"W	20.35'	23°29'05"
C20	50.00'	32.72'	S13°46'07"W	32.14'	37°29'35"
C21	51.00'	37.59'	N16°08'12"E	36.74'	42°13'45"
C22	51.00'	104.25'	S84°11'16"E	87.03'	117°07'19"
C23	51.00'	39.29'	S03°33'33"E	38.32'	44°08'07"
C24	51.00'	33.37'	S37°15'15"W	32.78'	37°29'29"
C25	525.00'	55.00'	N52°59'56"E	54.97'	6°00'09"
C26	525.00'	65.62'	N46°25'00"E	65.58'	7°09'42"
C27	525.00'	65.28'	N39°16'26"E	65.23'	7°07'26"
C28	525.00'	65.96'	N32°06'45"E	65.92'	7°11'56"
C29	525.00'	15.03'	N27°41'35"E	15.03'	1°38'23"
C30	51.00'	18.09'	S37°02'06"W	18.00'	20°19'26"
C31	51.00'	38.37'	S68°44'58"W	37.47'	43°06'18"
C32	51.00'	38.15'	N68°16'00"W	37.27'	42°51'45"
C33	51.00'	119.89'	N20°30'28"E	94.13'	134°41'11"
C34	50.00'	53.21'	S57°21'43"W	50.74'	60°58'40"
C35	25.00'	36.08'	S14°28'33"E	33.03'	82°41'53"
C36	206.00'	9.83'	N54°27'27"W	9.83'	2°44'06"
C37	206.00'	34.08'	N48°21'02"W	34.04'	9°28'43"
C38	206.00'	33.73'	N38°55'14"W	33.69'	9°22'54"
C39	206.00'	48.51'	N27°29'00"W	48.40'	13°29'34"
C40	206.00'	42.08'	N14°53'08"W	42.00'	11°42'10"
C41	206.00'	14.13'	N07°04'12"W	14.12'	3°55'43"
C42	60.00'	6.15'	N12°33'37"W	6.14'	5°52'06"
C43	60.00'	20.36'	N00°05'44"E	20.26'	19°26'36"
C44	60.00'	21.61'	N20°08'02"E	21.49'	20°37'59"
C45	60.00'	29.03'	N44°18'43"E	28.75'	27°43'23"
C46	60.00'	34.52'	N74°39'23"E	34.05'	32°57'56"
C47	25.00'	51.36'	S21°53'41"W	42.79'	117°42'40"
C48	53.50'	45.32'	N12°41'37"W	43.98'	48°32'02"
C49	25.00'	48.36'	S43°50'17"E	41.16'	110°49'23"
C50	25.00'	43.48'	N39°49'12"W	38.20'	99°38'23"
C51	53.50'	35.69'	S70°31'50"E	35.03'	38°13'07"
C52	50.00'	34.13'	N70°58'29"W	33.47'	39°06'25"
C53	91.00'	24.38'	S80°44'31"E	24.30'	15°20'52"
C54	156.00'	40.54'	N82°48'10"W	40.42'	14°53'17"
C55	25.00'	45.59'	S37°30'38"W	39.53'	104°29'07"
C56	325.00'	8.06'	S15°26'34"E	8.06'	1°25'17"
C57	325.00'	60.74'	S21°30'28"E	60.65'	10°42'31"
C58	325.00'	7.35'	S27°09'28"E	6.35'	0°35'28"
C59	1675.00'	48.65'	N26°37'17"W	48.65'	1°39'51"
C60	1675.00'	52.00'	N24°53'59"W	52.00'	1°46'44"
C61	1675.00'	25.74'	N23°34'13"W	25.74'	0°52'49"
C62	50.00'	16.51'	S32°35'26"E	16.44'	18°55'16"
C63	50.00'	18.66'	S52°44'24"E	18.55'	21°22'40"
C64	50.00'	38.89'	N41°08'45"W	37.92'	44°33'57"
C65	50.00'	35.36'	N01°23'58"E	34.63'	40°31'29"
C66	50.00'	11.69'	S14°57'55"W	11.66'	13°23'36"
C67	50.00'	23.48'	S05°11'03"E	23.26'	26°54'20"
C68	1675.00'	29.29'	N18°08'10"W	29.29'	1°00'07"
C69	1675.00'	42.17'	N16°54'50"W	42.17'	1°26'33"
C70	1675.00'	87.45'	N14°41'49"W	87.44'	2°59'28"
C71	1675.00'	30.00'	N12°41'18"W	30.00'	1°01'34"
C72	1675.00'	55.48'	N11°13'35"W	55.47'	1°53'52"
C73	275.00'	41.91'	N05°54'42"W	41.87'	8°43'55"
C74	50.00'	51.93'	S31°18'00"E	49.63'	59°30'32"
C75	51.00'	98.59'	N05°40'35"W	83.94'	110°45'21"
C76	51.00'	39.72'	N72°00'42"E	38.72'	44°37'14"
C77	51.00'	44.96'	S60°25'20"E	43.52'	50°30'43"
C78	51.00'	19.91'	S23°59'03"E	19.78'	22°21'51"
C79	51.00'	11.40'	S06°24'03"E	11.37'	12°48'07"
C80	225.00'	35.97'	N04°34'46"W	35.93'	9°09'32"
C81	225.00'	4.39'	N09°43'05"W	4.39'	1°07'08"
C82	1625.00'	50.53'	N11°10'06"W	50.53'	1°46'54"
C83	1625.00'	44.92'	N12°51'04"W	44.92'	1°35'02"
C84	1625.00'	54.92'	N14°36'40"W	54.92'	1°56'11"

No.	RADIUS	LENGTH	CHORD	DIST.	DELTA
C85	1625.00'	45.01'	N16°22'22"W	45.01'	1°35'13"
C86	1625.00'	38.75'	N17°50'58"W	38.75'	1°21'59"
C87	50.00'	16.53'	N28°00'12"W	16.45'	18°56'29"
C88	50.00'	20.64'	N49°18'10"W	20.50'	23°39'26"
C89	50.00'	30.44'	S43°41'29"E	29.97'	34°52'48"
C90	50.00'	39.81'	S03°26'37"E	38.76'	45°36'55"
C91	50.00'	21.33'	N07°08'30"E	21.17'	24°26'42"
C92	50.00'	15.84'	N14°09'28"W	15.78'	18°09'14"
C93	1625.00'	26.40'	N23°42'00"W	26.40'	0°55'51"
C94	1625.00'	52.10'	N25°05'03"W	52.10'	1°50'13"
C95	1625.00'	41.15'	N26°43'41"W	41.15'	1°27'03"
C96	375.00'	55.26'	S23°06'05"E	55.21'	8°26'35"
C97	375.00'	42.03'	S15°40'08"E	42.01'	6°25'19"
C98	375.00'	52.04'	S08°28'56"E	52.00'	7°57'05"
C99	375.00'	42.33'	S01°16'22"E	42.31'	6°28'04"
C100	375.00'	52.44'	S05°58'01"W	52.39'	8°00'42"
C101	375.00'	52.05'	S13°56'57"W		



Town Council Regular Session

Item # D.

Meeting Date: 03/18/2015

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

Department: Town Manager's Office

Information

SUBJECT:

Resolution No. (R)15-21, approving a financial participation agreement between the Town of Oro Valley and the Children's Museum Oro Valley

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Children's Museum Oro Valley will partner with the Town of Oro Valley to create a satellite museum that caters to families with young children. The museum will serve as an amenity for residents of Oro Valley and adjacent communities, and will promote and focus on early childhood education.

BACKGROUND OR DETAILED INFORMATION:

The Town of Oro Valley will receive the following benefits:

- Inclusion of Town exhibits without cost
- Town ownership of exhibits
- Access to the museum after hours to any department within the Town of Oro Valley for community outreach
- Museum sponsorship of concert series for children
- Increase in tourism

Additionally, the Children's Museum Oro Valley will assist in the retention and attraction of businesses to the Town with a family-oriented resource/attraction that adds to the quality of life for residents, employers and employees. The Town will also capture sales tax revenue via incremental retail sales (food and beverage) from the museum's visitors travelling from nearby communities (Marana, Catalina and Tucson).

FISCAL IMPACT:

The agreement is effective from April 1, 2015, through December 31, 2019. The total fiscal impact of the agreement during this timeframe is \$575,000. During the current fiscal year, FY 2014/15, the Town will pay the Children's Museum Oro Valley a one-time payment of \$200,000 for exhibits, as well as a payment of \$37,500 on May 1, 2015, for operating costs which were both budgeted in FY 2014/15. Thereafter, annual sums of \$75,000, paid in monthly amounts of \$6,250, will be distributed. Disbursement of funds by the Town will be subject to the annual appropriation by the Town Council and the limitations of the state budget law.

SUGGESTED MOTION:

I MOVE to approve/deny Resolution No. (R)15-21, adopting the Financial Participation Agreement between the Town of Oro Valley and the Children's Museum Oro Valley.

Attachments

(R)15-21 Children's Museum FPA

Children's Museum FPA

RESOLUTION NO. (R)15-21

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING A FINANCIAL PARTICIPATION AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND THE TUCSON CHILDREN'S MUSEUM DBA CHILDREN'S MUSEUM ORO VALLEY

WHEREAS, pursuant to A.R.S. § 9-500.11, the Town may appropriate public monies for and in connection with economic development activities as long as there is adequate consideration; and

WHEREAS, the Town desires to continue to promote a arts, culture and tourist environment in Oro Valley that enhances economic vitality and improves the quality of life for its residents; and

WHEREAS, the Town of Oro Valley desires to enter into a Financial Participation Agreement with the Tucson Children's Museum d.b.a. Children's Museum Oro Valley (hereinafter Children's Museum Oro Valley); and

WHEREAS, it is in the best interest of the Town to enter into the Financial Participation Agreement with the Children's Museum Oro Valley, attached hereto as Exhibit "A" and incorporated herein by this reference, to set forth the terms and conditions of the Agreement.

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

SECTION 1. The Financial Participation Agreement between the Town of Oro Valley and the Children's Museum Oro Valley, attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby authorized and approved.

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

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 18th 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”

Town of Oro Valley

FINANCIAL PARTICIPATION AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2015, by and between the Town of Oro Valley, a municipal corporation, hereinafter called the "Town" and **Tucson Children's Museum, Inc. dba Children's Museum Oro Valley**, a non-profit corporation, hereinafter called the "Agency".

WITNESSETH

WHEREAS, it has been determined that the activities of Agency are in the public interest, and are such as to improve and promote the public welfare of the Town; and

WHEREAS, the Mayor and Council have determined that to financially participate in the promotion of the activities of Agency is a public purpose in that the activities confer direct benefit of a general character to a significant part of the public.

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto do mutually agree as follows:

Section 1: Statement of Purpose

To partner with the Town of Oro Valley to create a children's museum that caters to families with young children; to establish an amenity for residents of Oro Valley and adjacent communities that promotes and focuses on Early Childhood Education; and to assist the Town of Oro Valley in maintaining their designation as a Playful City Community and Best Place to Raise Kids in Arizona.

Section 2: Benefits to the Town

- Increase in Town Tourism;
- Town ownership of all exhibits which sunsets at the end of the useful life of the exhibits;
- Access to the museum after hours to any department within the Town of Oro Valley for community outreach;
- Museum sponsorship of concert series for children

Section 3: Services to be Provided by the Town

All funding is subject to the Town's budget appropriations. For this Agreement, the Town will provide payment as follows:

- \$200,000 as a one-time payment subsequent to execution of this Financial Participation Agreement ("FPA");
- \$37,500 will be paid on May 1, 2015, as specified in Section 12
- \$75,000 per year for each subsequent year that this agreement remains valid. This amount will be broken into monthly payments as specified in Section 12.

Town of Oro Valley

FINANCIAL PARTICIPATION AGREEMENT

Section 4: Responsibility for Open Records

Agency agrees to open to the public all records relating to any funds directly received from the Town that Agency distributes to any organization and/or individual.

Section 5: Accountability

Agency shall maintain a true and accurate accounting system which meets generally accepted accounting principles, and which is capable of properly accounting for all expenditures and receipts of Agency on a timely basis. In addition, Agency shall maintain evidence of its compliance with the nondiscrimination provisions of this Agreement.

Agency's accounting system shall permit separate, identifiable accounting for all funds provided by the Town pursuant to this Agreement.

Agency shall provide the Finance Department of the Town, within four (4) months after the close of Agency's fiscal year, a copy of the financial audit of Agency's operations by an independent certified public accountant, along with any management letter and, if applicable, Agency's plan for corrective action.

If Agency does not have an audit, it shall submit within three (3) months after the close of its fiscal year, a complete accounting of Town funds received. This accounting must be approved by the Finance Department of the Town as sufficiently descriptive and complete.

If for good reason Agency cannot meet the times established for submission of financial reporting, Agency shall notify the Finance Department in writing the reason for the delay, provide an expected completion date and request a waiver of the due date.

At any time during or after the period of this Agreement, the Town Finance Department and/or a Town agent may audit Agency's overall financial operation or compliance with the nondiscrimination clause of this Agreement for the Agreement period. Agency shall provide any financial reports, nondiscrimination policies and procedures or other documentation necessary to accomplish such audits.

Section 6: Matching Grants

Agency agrees to obtain Mayor and Council approval prior to applying for any matching grants involving the commitment of Town funds.

Section 7: Nondiscrimination

Agency, in its employment policies and practices, in its public accommodations and in its provision of services shall obey all relevant and applicable, federal, state, and local laws, regulations and standards relating to discriminations, biases, and/or limitations, including, but

Town of Oro Valley

FINANCIAL PARTICIPATION AGREEMENT

not limited to, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Arizona Civil Rights Act, the Arizonans with Disabilities Act, the Human Relations provisions of the Oro Valley Code, and the Mayor and Council policy adopted on September 25, 2000, prohibiting the direct or indirect grant of discretionary Town funds to organizations that have a policy of exclusionary discrimination on the basis of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status or marital status. See Administrative Guidance Re: Non-Discrimination Policy for Programs Funded by the Town of Oro Valley, attached and incorporated herein by this reference.

Section 8: Sub-recipient Funding Agreements

Agency agrees to include in all of its sub-recipient funding agreements the nondiscrimination provisions contained in Section 8 herein.

Section 9: Term of Agreement

This Agreement shall be effective from April 1, 2015, through December 31, 2019. This Agreement may be extended at the sole option of the Town for additional fiscal year(s) only under the following conditions:

- A. The Mayor and Council of the Town determine the services of Agency are in the public interest and allocate funds therefore; and
- B. The parties mutually agree to a scope of services to be provided by Agency in any subsequent fiscal year.

Any extension of this Agreement shall be memorialized in writing and signed by the Parties.

Section 10: Payment Withholding, Reduction, or Termination

The Town may withhold whole or part of the scheduled payment, reduce, or terminate funding allocations to Agency if:

- A. Services are not rendered.
- B. Agency fails to supply information or reports as required.
- C. Agency is not in compliance with agreed upon disbursement documentation and/or other project performance.
- D. Agency fails to make required payments to subcontractors.
- E. The Town has reasonable cause to believe Agency is not in compliance with the nondiscrimination clause of this Agreement.
- F. The Mayor and Council fail to appropriate all or part of the funds for this Agreement.

Such payment reductions or payment termination may result in Agency receiving a lesser total Town allocation under this Agreement than the maximum funding allocated. If reasons for

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

withholding payments other non-appropriation of funds have been corrected to the satisfaction of the Town, any amounts due shall be processed.

The Town will be reimbursed for any funds expended for services not rendered. In addition, Agency shall return to the Town any Town funds provided pursuant to this Agreement that have not been expended by December 31, 2019.

Section 11: Termination of Agreement

This Agreement may be terminated at any time by mutual written consent, or by either party giving thirty (30) days written notice to the other party or at such time, as in the opinion of the Town, Agency's performance hereunder is deemed unsatisfactory.

Section 12: Method of Payment

The parties have agreed that Agency will receive up to \$575,000. Disbursement of funds by the Town is subject to the annual appropriation by the Town Council and the limitations of the state budget law. Agency will receive a one-time payment for exhibits of \$200,000. Additionally, Agency will receive a payment of \$37,500 on May 1, 2015. An annual \$75,000 will then be distributed monthly beginning July 1, 2015, for a monthly payment of \$6,250.

Section 13: Indemnification

Agency agrees to indemnify, defend and save harmless the Town, its Mayor and Council, appointed boards, committees, and commissions, officers, employees, and insurance carriers, individually and collectively, from all losses, claims, suits, demands, expenses, subrogations, attorney's fees, or actions of any kind and nature resulting from personal injury to any person, including employees of Agency or of any subcontractor employed by Agency (including bodily injury and death); claims based upon discrimination and/or violation of civil rights; or damages to any property, arising or alleged to have arisen out of the work to be performed hereunder, except any such injury or damages arising out of the sole negligence of the Town, its officers, agents, or employees. Workers' Compensation insurance and/or self-insurance carried by the Town do not apply to employees or volunteers acting in any capacity for Agency.

Section 14: Independent Contractor

The parties stipulate and agree that Agency is not an employee of the Town and is performing its duties hereunder as an Independent Contractor, supplying its own employees and maintaining its own insurance, workers' compensation insurance and handling all of its own internal accounting. The Town in no way controls, directs or has any responsibility for the actions of Agency.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

Section 15: Insurance

Agency agrees to:

- A. Obtain insurance coverage of the types and amounts required in this Section and keep such insurance coverage in force throughout the life of this Agreement. All policies will contain an endorsement providing that written notice be given to the Town at least thirty (30) calendar days prior to termination, cancellation, or reduction in coverage in any policy.
- B. The Comprehensive General Liability Insurance policy will include the Town as an additional insured with respect to liability arising out of the performance of this Agreement.
- C. Agency will provide and maintain minimum insurance limits as follows:

COVERAGE AFFORDED	LIMITS OF LIABILITY
1. Workers' Compensation	Statute
2. Employer's Liability	\$100,000
3. Comprehensive General Liability Insurance -- Including: (1) Products and Completed Operations (2) Blanket Contractual	\$1,000,000 - Bodily Injury and Combined Single Limit \$100,000 Property Damage

- D. Agency shall adequately insure itself against claims based upon unlawful discrimination and violation of civil rights. The cost of this insurance shall be borne by Agency.

Section 16. Use of the Town Logo

The Town Logo shall be used for the recognition of the Town's contribution to Agency only.

Section 17: Conflict of Interest

This Agreement is subject to the conflict of interest provisions of A.R.S. § 38-511, *et seq.*

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

Town of Oro Valley
FINANCIAL PARTICIPATION AGREEMENT

TOWN OF ORO VALLEY, a municipal corporation

Dr. Satish I. Hiremath, as Mayor
and not personally

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, as Town Clerk
and not personally

Tobin Sidles, as Legal Services Director
and not personally

Date: _____

Date: _____

Tucson Children’s Museum, Inc.
dba Children’s Museum Oro Valley
a non-profit Corporation

Agency Representative
and not personally

Title _____

State of Arizona)
) ss.
County of)

On this ___ day of _____, 2015, _____, known to me to be the person whose name is subscribed to the within instrument, personally appeared before me and acknowledged that he/she executed the same for the purposes contained.

Given under my hand and seal on _____, 2015.

Notary

My Commission Expires: _____



Town Council Regular Session

Item # **E.**

Meeting Date: 03/18/2015
Requested by: Bayer Vella
Submitted By: Rosevelt Arellano
Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

Resolution No. (R)15-22, revision to the Stone Canyon II Final Plat for Lot 167 located at 1063 W. Tortolita Mountain Circle within Rancho Vistoso, Neighborhood 11, by removing a portion of the designated "no-build area" and allowing encroachment into 25% or greater slopes with appropriate mitigation as enabled in the Rancho Vistoso Planned Area Development (Attachment #1 updated on 3/13/15)

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

In July 2013, the Town received a request to remove the "no-build area" and allow grading encroachment into 25% slopes on Lot 167 within Stone Canyon II. The original request was incorrectly approved by Town staff and subsequently rescinded. The owner of Lot 167, John Runewicz, then requested Town Council approval of a revised application.

On February 4, 2015, this item was pulled from the Town Council agenda to allow the applicant time to address concerns received from the adjacent property owners. On February 16, 2015, Town staff facilitated a meeting with the property owner, adjacent neighbors and the Stone Canyon homeowners association to discuss the location of a proposed home on this site. At the end of the meeting, consensus was reached on all of the conditions in Attachment 1, Exhibit "A."

The revised "no build area" (Attachment 3) and trade area (Attachment 4) meet all Rancho Vistoso Planned Area Development requirements and reflect agreements between the neighbors.

BACKGROUND OR DETAILED INFORMATION:

The opportunity to build a home on this site is constrained by the topography, drainage and the no-build area established on the Final Plat. A recent site inspection and topographic survey has revealed that the existing no-build area does not contain significant ridges or rock outcrop features as intended by the Final Plat. However, the adjacent property owners are understandably concerned about view impacts if a building were to be placed in the no-build area.

The applicant is requesting the Town Council approve the following changes: 1) Remove a portion of the no-build area shown on the Final Plat; 2) Allow encroachment into 25% slopes or greater. The following is an analysis of the applicant's request:

Request No. 1 - Remove a portion of "no-build area" depicted on the Final Plat

On many of Stone Canyon residential lots, no-build areas were established on various final plats in order to ensure protection of rock outcroppings, significant ridgelines and areas of 25% or greater slope. At the time of approval, there was recognition via a note on the Final Plat that a lot-by-lot review would be needed to finalize the specific building area or "envelope."

Site inspections have revealed that the no-build area does not contain any significant environmental resources such as rock outcroppings or severely angled slopes. Furthermore, the area proposed for building is the most suitable for construction on this site due to the presence of a wash within the front portion of the lot and other topographic features.

The applicant and the adjacent property owners have agreed to retain a portion of the no-build area located outside the proposed grading limits. This agreement is reflected in the conditions of approval (Attachment 1, Exhibit "A") and depicted in Attachment 3.

Request No. 2 - Encroach into 25% or greater slopes

The Rancho Vistoso Planned Area Development (PAD) includes the regulatory provisions for hillside developments. These provisions are intended to protect the natural environment and disturbances within areas of 25% slopes or greater.

The PAD allows encroachments into areas of 25% slopes or greater with the following provision:

1. Minor encroachments of up to 10 percent of the gradable area are allowed with an even trade area and Town Council approval. To ensure adequate mitigation, the PAD requires that the proposed trade areas are of equal (or greater) size and quality.

The Final Plat enables grading up to 20,000 sq. ft. (excluding driveways), so Town Council has discretion to enable up to 2,000 sq. ft. (i.e. 10% of gradable area) of encroachment into 25% slopes with a suitable trade area.

To satisfy the PAD requirement, the applicant proposes the following improvements as depicted in Attachment 4:

- Total area encroachment into 25% slopes or greater = 1,998 sq. ft. or 9.98%
- Required trade area = 1,998 sq. ft.
- Proposed trade area = 3,725 sq. ft.

In summary, the proposed trade area exceeds the 1:1 trade area requirement of the PAD.

To preserve the existing views and help screen the proposed home from the adjacent lots to the west, the applicant and the adjacent property owners have agreed to several conditions related to re-vegetation, provision for a 1:1 slope and establishing a no-build area along the western side of the garage and most of the driveway.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to APPROVE the revisions to the Stone Canyon II Final Plat for Lot 167 abandoning a portion of the no-build area and permitting encroachment into 25% or greater slopes, subject to the conditions in Attachment 1, Exhibit "A," finding that the request meets Town requirements.

or

I MOVE to DENY the encroachments into 25% or greater slopes and revisions to the Stone Canyon II Final Plat for Lot 167, finding that _____.

Attachments

Attachment 1 - (R)15-22 Final Plat Amendment for Lot 167 Stone Canyon II Revised

Attachment 2 - Areas of 25% or greater slope

Attachment 3 - Revised "no-build area"

Attachment 4 - Trade areas for slope encroachment

RESOLUTION NO. (R)15-22

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING AN AMENDMENT TO LOT 167 OF THE STONE CANYON II FINAL PLAT, AT 1063 W. TORTOLITA MOUNTAIN CIRCLE, WITHIN RANCHO VISTOSO NEIGHBORHOOD 11, BY ABANDONING A PORTION OF THE DESIGNATED “NO BUILD AREA” AND ALLOWING ENCROACHMENT INTO 25% OR GREATER SLOPES

WHEREAS, in 1987 the Town of Oro Valley approved the Rancho Vistoso Planned Area Development District (the “PAD”). The PAD contains a policy for the Very Low Density Residential (“VLDR”) land use classification requiring that building envelopes for individual lots shall identify and avoid significant natural features; and

WHEREAS, in 2000 the Town approved the Final Plat of Stone Canyon II, Rancho Vistoso Neighborhood 11, Lots 135 through 234, recorded in the Office of the Pima County Recorder, Book 53 of Maps and Plats, Page 48-1, and 48-6 (the “Plat”). A “no-build” area is depicted on Lot 167 of the Plat, which is subject to the PAD’s VLDR densities and development standards; and

WHEREAS, in 2002 the Town amended the PAD, Section 1.3.J, affirming that development in areas of naturally occurring slopes of 25% and greater is generally prohibited, but allowing limited encroachment into such areas upon satisfaction of certain stated criteria; and

WHEREAS, in July 2013, the Town received a request to remove the platted “no-build area” for Lot 167 at 1063 W. Tortolita Mountain Circle within Rancho Vistoso Neighborhood 11 a request that was incorrectly approved by Town staff and subsequently rescinded; and

WHEREAS, on February 16, 2015, Town staff facilitated a meeting with the property owner, adjacent neighbors and the Stone Canyon homeowners association to discuss a proposed home on Lot 167 that would require Town Council approval of a 25% slope encroachment and a plat amendment to remove a portion of the “no-build area.” The parties agreed to the proposed actions subject to conditions laid out in Exhibit “A” attached hereto and incorporated by reference.

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

SECTION 1. The Mayor and Council hereby approve encroachment into a 25% or greater sloped area on Lot 167 of the Plat, subject to the conditions as stated in Exhibit “A.”

SECTION 2. The Mayor and Council hereby approve an amendment to the Plat to abandon a portion of the “no-build area” for Lot 167, subject to the conditions stated in Exhibit “A.”

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 18th day of March, 2015.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

APPROVED AS TO FORM:

Tobin Sidles, Legal Services Director

ATTEST:

Julie K. Bower, Town Clerk

Date: _____

Date: _____

Exhibit "A"
Conditions of Approval

General:

1. The Town Council resolution and exhibits associated with this request shall be recorded with the Pima County Recorder's Office.

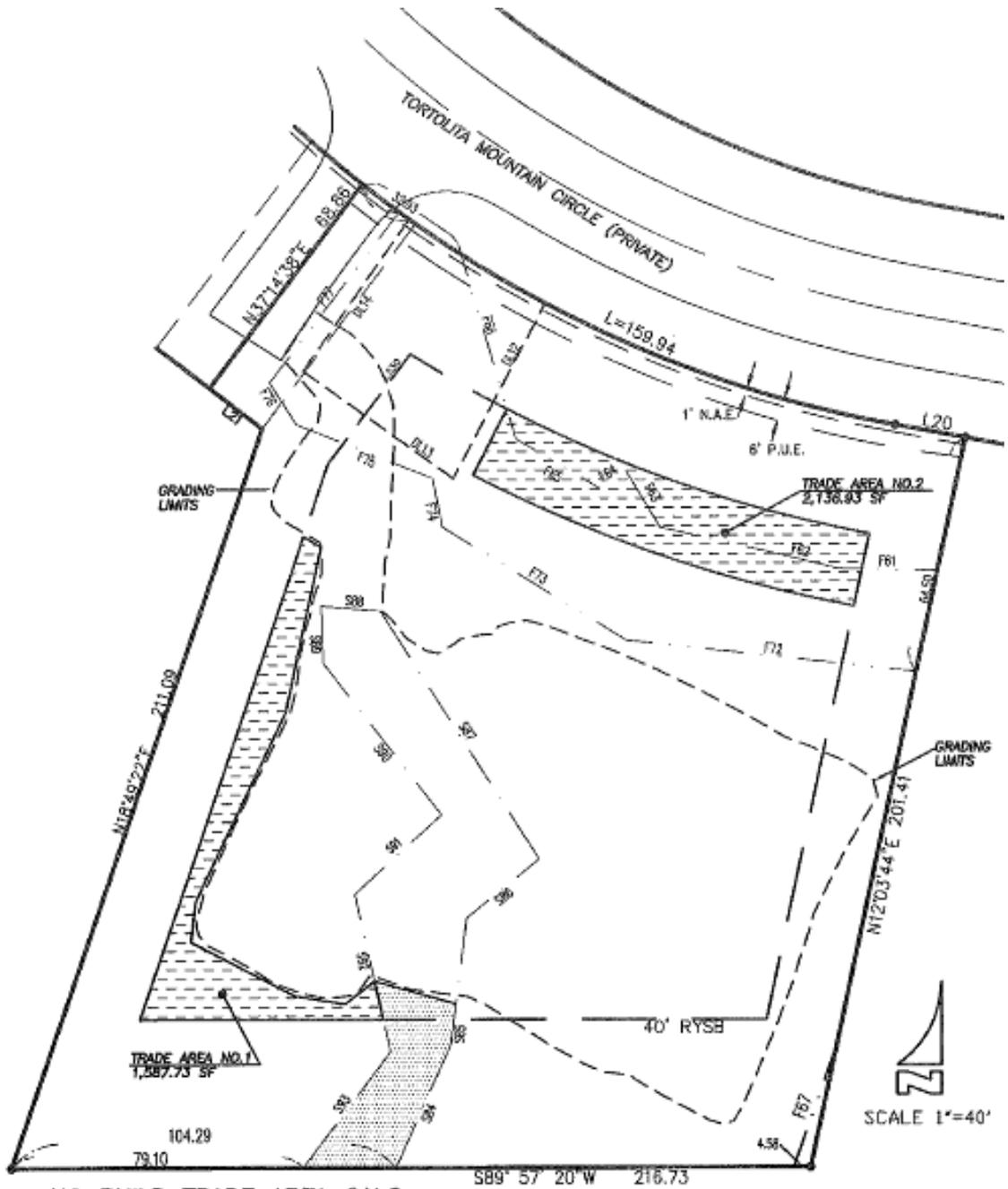
Slope Encroachment:

2. The maximum building heights from the finished floor elevation for two-thirds of the building shall not exceed 14'-4" and the remaining third of the building shall not exceed 17'-6".
3. The finished floor elevation of the house shall be lowered 1' foot to an elevation of 3043.87 as depicted on Exhibit "A-1."
4. The property owner shall install a 1:1 cut slope using a natural rock design on the west side of the proposed home as depicted on Exhibit "A-1." The Town Engineer shall review and approve the proposed grading plans for soil stability.
5. To help screen the proposed garage and driveway and preserve the existing views from the west, the following shall be achieved within the disturbed area bounded by the most northern and southern points of the 1:1 cut slope running along the west property line:
 - a. The property owner shall provide sufficient landscaping to obscure the view of the proposed garage and driveway as determined by the Planning and Zoning Administrator.
 - b. All plant materials at maturity shall not exceed the height of the proposed home.
6. The 1:1 trade area for the proposed slope encroachment shall be set aside as permanent natural open space as shown in the areas depicted in Exhibit "A-2."

"No-build Area":

7. The property owner shall retain that portion of the platted "no-build area" located along the south property line and outside the grading limits as depicted in Exhibit "A-3."

Exhibit "A-2"
Trade Areas for
Slope Encroachment



NO BUILD TRADE AREA CALC

- TRADE AREA NO. 1 = 1,587.73 SF
- TRADE AREA NO. 2 = 2,136.93 SF
- TOTAL TRADE AREA = 3,724.66 SF

TOTAL TRADE AREA OF 3,724.66 SF
MINUS AREA OF ENCROACHMENT 2,629.82 SF
EQUALS 1,094 SF ADD'L NO BUILD AREA

NO BUILD AREA - TRADE CALCU
LOT 167 STONE CANYON I
BOOK 53, PAGE 48 SEQ# 200006
1063 W. TORTOLITA MOUNTAIN D



5 March 2015
A.F. Sterling Homebuilders
AS No. 14060

LEGAL DESCRIPTION FOR THE
ABANDONMENT OF A NO BUILD AREA ON
LOT 167

All that portion of Lot 167 of Stone Canyon II, Rancho Vistoso Neighborhood 11 Lots 135 through 234, Common Area "A" and Common Area "B" recorded in Book 53 of Maps and Plats at Page 48, Records of Pima County, Arizona, more particularly described as follows:

COMMENCING at the southwest corner of said Lot 167;

THENCE N 89°57'20" E along the south line of said Lot 167, a distance of 79.10 feet;

THENCE leaving said south line N 37°10'58" E, 39.31 feet;

THENCE N 12°53'34" W, 19.56 feet to the POINT OF BEGINNING;

THENCE continuing N 12°53'34" W, 24.13 feet;

THENCE N 47°40'01" E, 31.95 feet;

THENCE N 38°01'07" W, 51.98 feet;

THENCE N 02°20'13" W, 15.51 feet;

THENCE S 85°04'28" E, 16.25 feet;

THENCE S 32°32'57" E, 79.58 feet;

THENCE S 50°52'43" W, 25.31 feet;

THENCE S 07°11'38" W, 23.31 feet;

THENCE N 74°32'55" W, 22.85 feet to the POINT OF BEGINNING.

Containing 2,629.82 square feet of land, more or less.

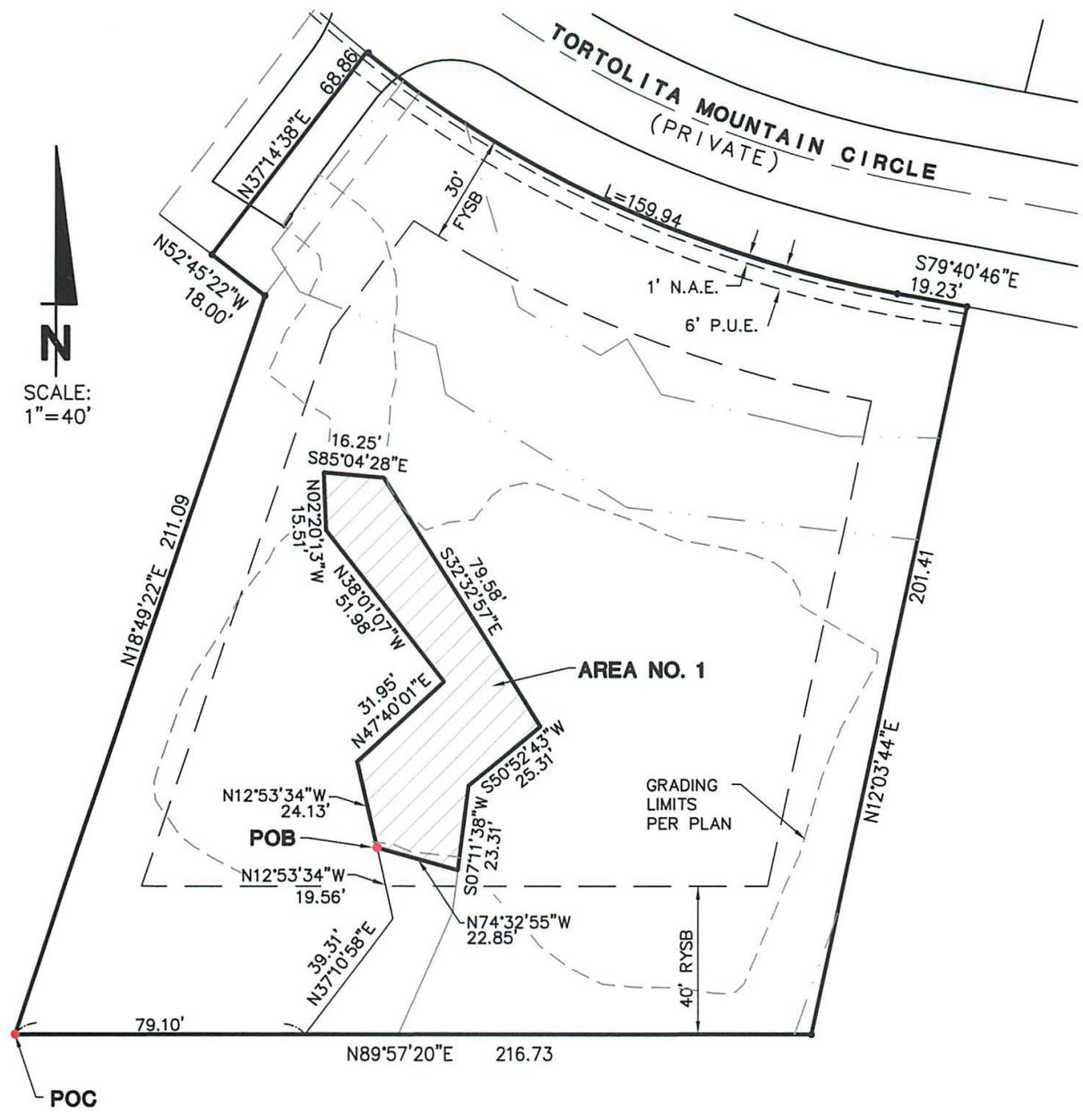
The basis of bearing for this Legal Description is based on Docket 8178, Page 1966, centerline of Rancho Vistoso Boulevard, said bearing being S 32°09'07" E, as shown on said Stone Canyon Plat.

Prepared by:
AMERSON SURVEYING, INC.


MICHAEL K. AMERSON, P.L.S.



EXPIRES 03/31/17



AREA NO. 1: ABANDONED NO BUILD AREA = 2629.82 SF



Camp Lowell Corporate Center
4552 East Camp Lowell Drive
Tucson, Arizona, 85712
Fax: 325-8703
520-325-5883



SKETCH TO DEPICT A LEGAL DESCRIPTION
FOR THE
ABANDONMENT OF A
NO BUILD AREA
ON
LOT 167
STONE CANYON II
BOOK 53, PAGE 48 SEQ# 20000630042
RECORDS OF PIMA COUNTY, ARIZONA



5 March 2015
A.F. Sterling Homebuilders
AS No. 14060

LEGAL DESCRIPTION FOR A
NEW NO BUILD AREA ON
LOT 167

All that portion of Lot 167 of Stone Canyon II, Rancho Vistoso Neighborhood 11 Lots 135 through 234, Common Area "A" and Common Area "B" recorded in Book 53 of Maps and Plats at Page 48, Pima County, Records of Pima County, Arizona, more particularly described as follows:

COMMENCING at the northeast corner of said Lot 167;

THENCE S 12°03'44" W along the easterly line of said Lot 167, a distance of 50.62 feet;

THENCE leaving said easterly line N 77°56'16" W, 20.00 feet to a point on a curve through which a radial line bears S 10°40'02" W and the POINT OF BEGINNING;

THENCE northwesterly along a curve concave to the northeast having a radius of 380.00 feet and a central angle of 16°30'28" and a length of 109.48 feet to hereinafter Point A;

THENCE N 27°10'30" E along a radial line 20.00 feet;

THENCE southeasterly along a curve concave to the northeast having a radius of 360.00 feet and a central angle of 16°35'07" and a length of 104.21 feet to a point of nontangency;

THENCE S 12°03'44" W, 20.00 feet to the POINT OF BEGINNING.

Containing 2,136.93 square feet of land, more or less.

Together with that portion of Lot 167, more particularly described as follows:

COMMENCING at aforementioned Point A;

THENCE S 64°58'27" W, 45.70 feet to the POINT OF BEGINNING;

THENCE S 12°13'34" W, 45.74 feet;

THENCE S 25°35'50" W, 56.81 feet;

THENCE S 06°31'24" W, 10.94 feet;

THENCE S 62°41'51" E, 31.82 feet;

THENCE S 80°57'56" E, 13.84 feet;

THENCE N 52°14'18" E, 10.06 feet to the west line of the no build area per said recorded plat;



THENCE S 12°53'34" E, 10.63 feet;

THENCE S 89°57'20" W, 66.09 feet;

THENCE N 18°49'22" E, 138.00 feet;

THENCE S 59°37'03" E, 5.52 feet to the POINT OF BEGINNING.

Containing 1,587.73 square feet of land, more or less.

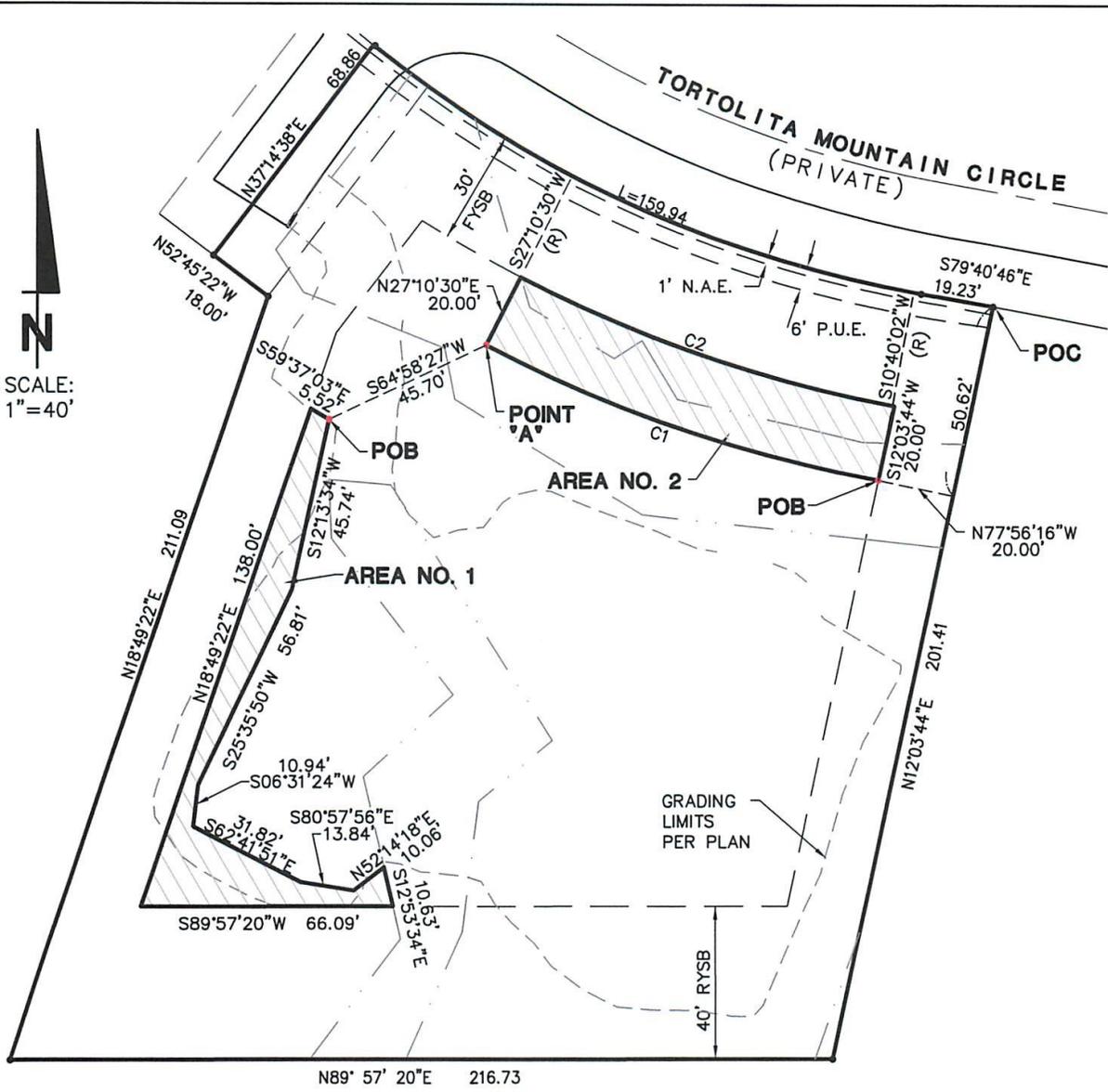
The basis of bearing for this Legal Description is based on Docket 8178, Page 1966, centerline of Rancho Vistoso Boulevard, said bearing being S 32°09'07" E, as shown on said Stone Canyon Plat.

Prepared by:
AMERSON SURVEYING, INC.


MICHAEL K. AMERSON, P.L.S.



EXPIRES 03/31/ 17



CURVE TABLE:

CURVE	RADIUS	ARC	DELTA
C1	380.00'	109.48'	16°30'28"
C2	360.00'	104.21'	16°35'07"

AREAS (SF):

AREA NO. 1: NEW NO BUILD AREA = 1,587.73 SF
 AREA NO. 2: NEW NO BUILD AREA = 2,136.93 SF

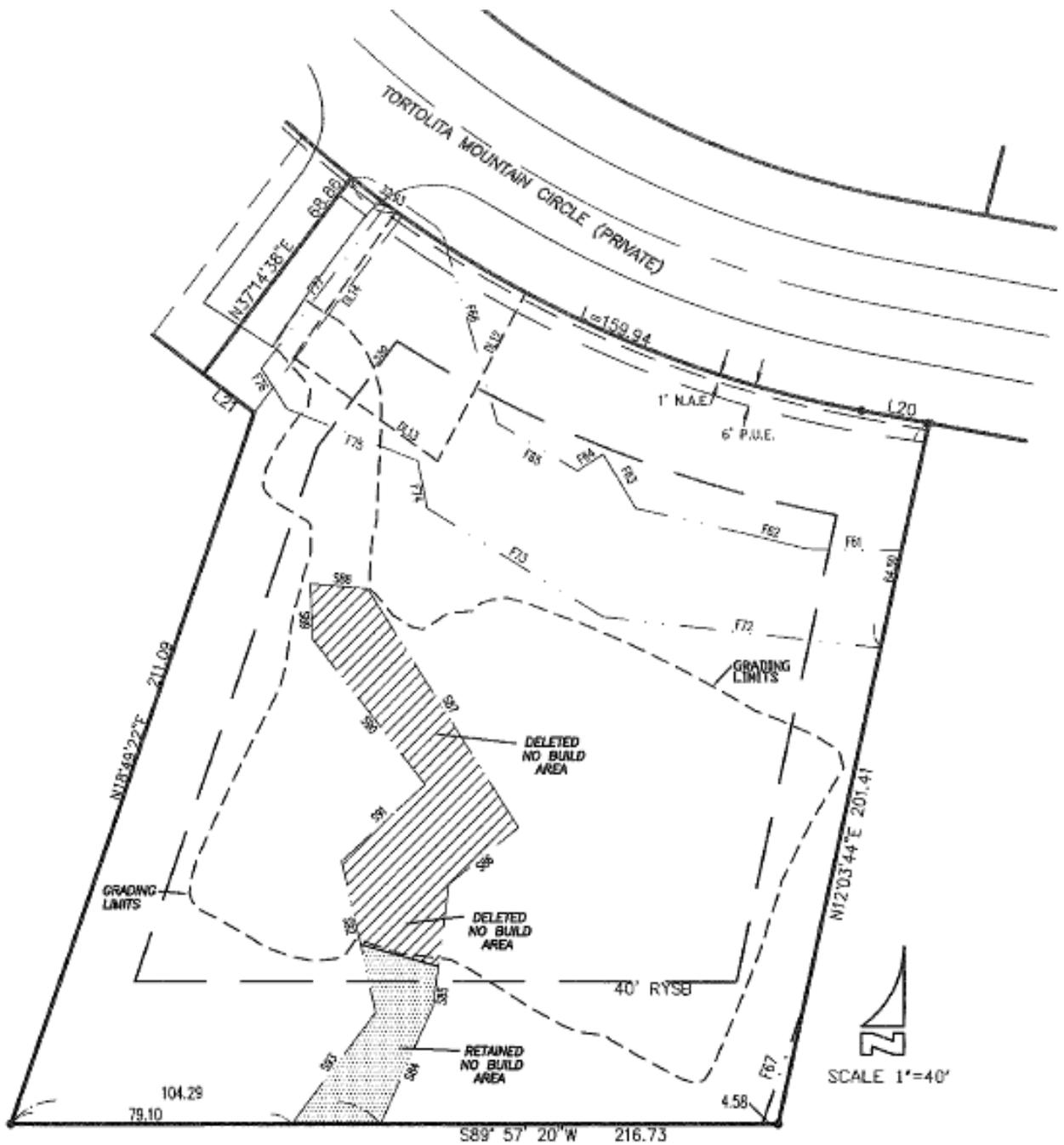


Camp Lowell Corporate Center
 4552 East Camp Lowell Drive
 Tucson, Arizona, 85712
 Fax: 325-8703
 520-325-5883



SKETCH TO DEPICT A LEGAL DESCRIPTION
 FOR A
 NEW NO BUILD AREA
 ON
 LOT 167
 STONE CANYON II
 BOOK 53, PAGE 48 SEQ# 20000630042
 RECORDS OF PIMA COUNTY, ARIZONA
 ASI 14060, REV.MAR,2015,PM, SHEET 1 OF 1

Exhibit "A-3"
 Revised Final Plat
 "No-build Area"

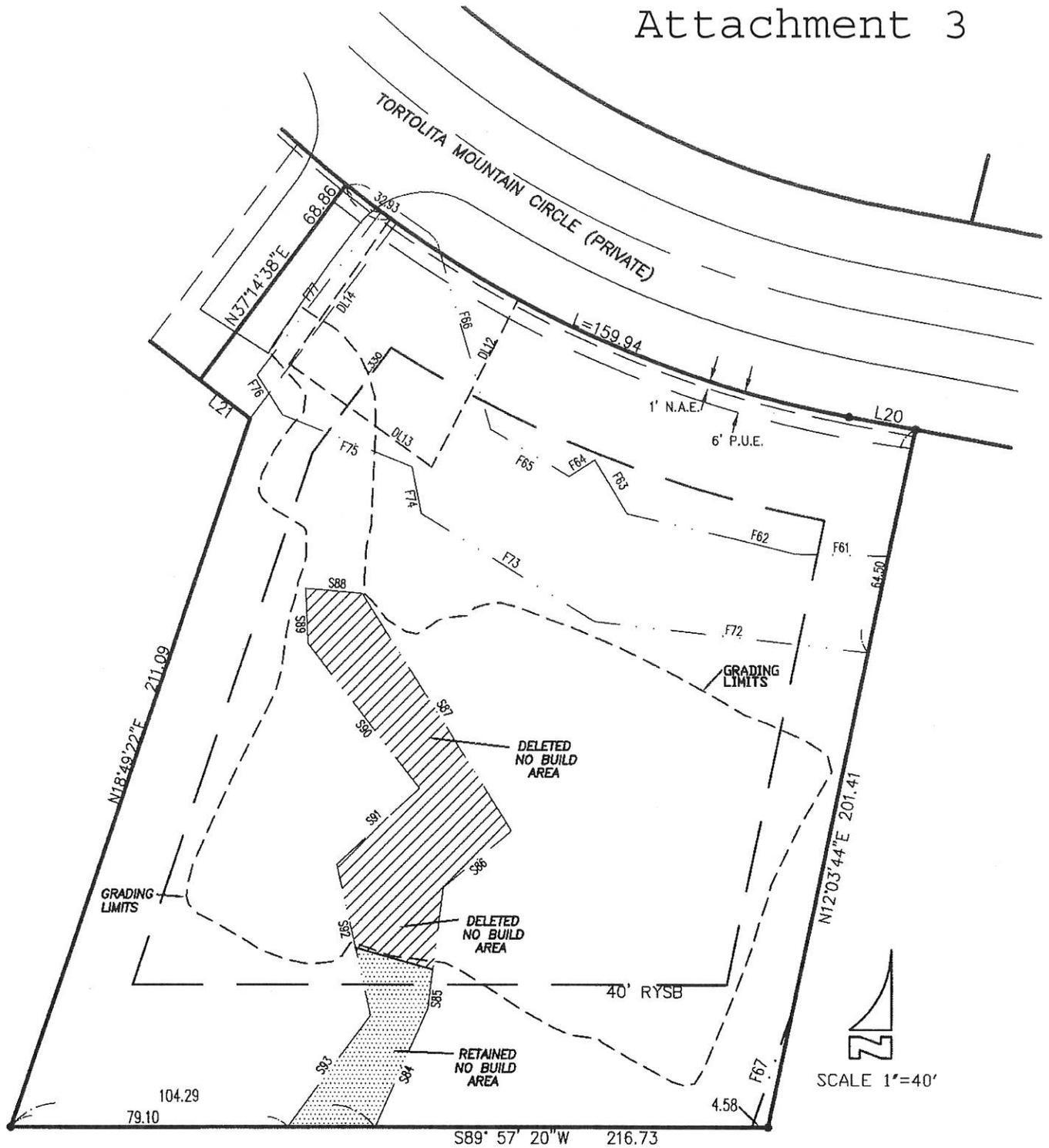


NO BUILD AREA ENCROACHMENT CALCULATION

- AREA OF ENCROACHMENT = 2629.82 SF
- RETAINED NO BUILD AREA = 935.74 SF
- TOTAL NO BUILD AREA PER PLAT = 3,565.56 SF

NO BUILD AREA DISPLAY
LOT 167 STONE CANYON II
 BOOK 53, PAGE 48 SEQ# 20000630042
 1063 W. TORTOLITA MOUNTAIN DRIVE

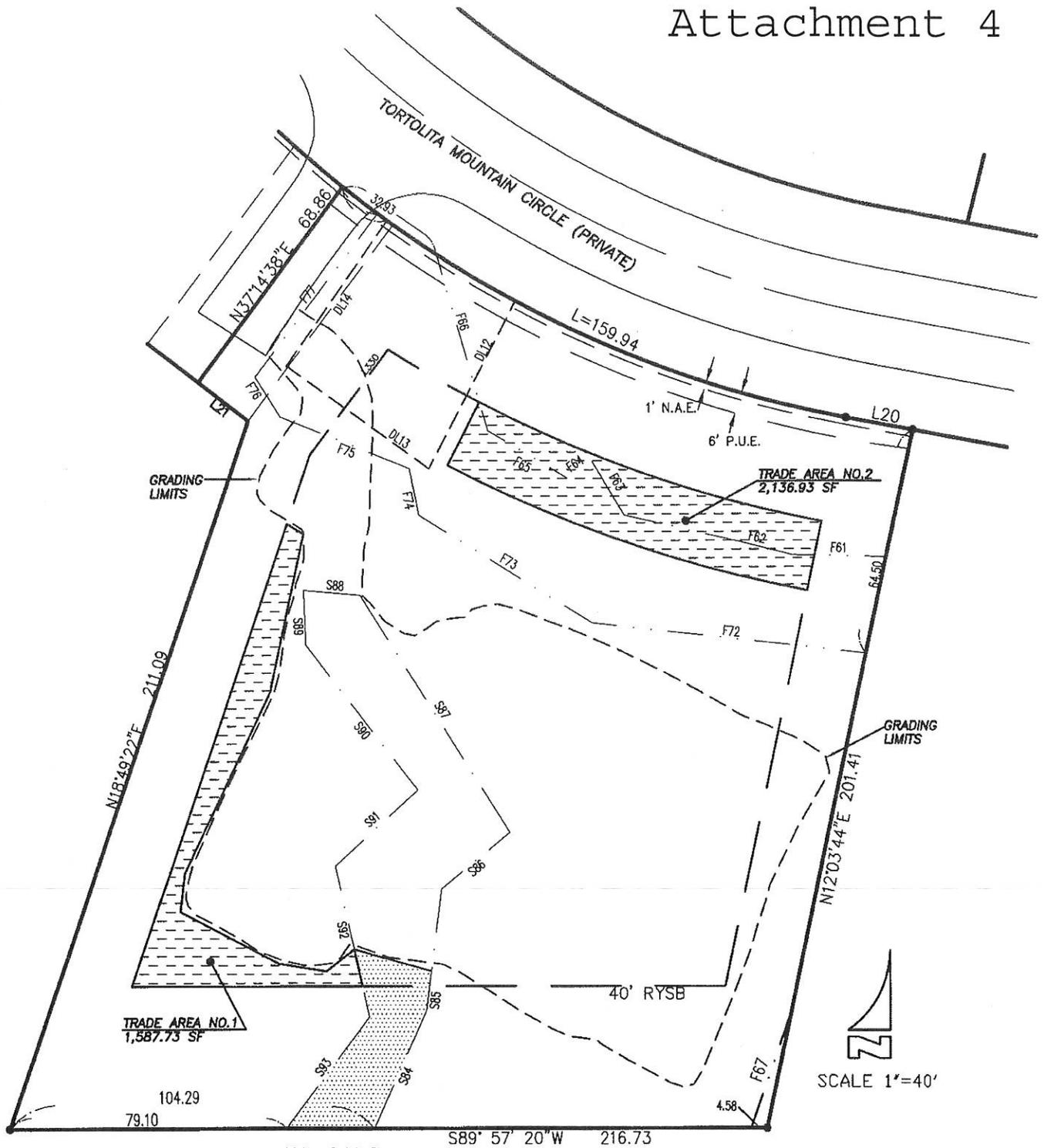
Attachment 3



NO BUILD AREA ENCROACHMENT CALCULATION

- AREA OF ENCROACHMENT = 2629.82 SF
- RETAINED NO BUILD AREA = 935.74 SF
- TOTAL NO BUILD AREA PER PLAT = 3,565.56 SF

NO BUILD AREA DISPLAY
LOT 167 STONE CANYON II
 BOOK 53, PAGE 48 SEQ# 20000630042
 1063 W. TORTOLITA MOUNTAIN DRIVE



NO BUILD TRADE AREA CALC

- TRADE AREA NO. 1 = 1,587.73 SF
- TRADE AREA NO. 2 = 2,136.93 SF
- TOTAL TRADE AREA = 3,724.66 SF

TOTAL TRADE AREA OF 3,724.66 SF
 MINUS AREA OF ENCROACHMENT 2,629.82 SF
 EQUALS 1,094 SF ADD'L NO BUILD AREA

**NO BUILD AREA - TRADE CALCULATION
 LOT 167 STONE CANYON II**

BOOK 53, PAGE 48 SEQ# 20000630042
 1063 W. TORTOLITA MOUNTAIN DRIVE



Town Council Regular Session

Item # **F.**

Meeting Date: 03/18/2015
Requested by: Kristy Diaz-Trahan
Submitted By: Kristy Diaz-Trahan, Parks and Recreation
Department: Parks and Recreation

Information

SUBJECT:

Resolution No. (R)15-23, authorizing and approving an archery Shooting Range Development Grant Agreement between the Arizona Game & Fish Department and the Town of Oro Valley in the amount of \$5,000 for the purchase of materials to construct a shade canopy at the Naranja Park archery range

RECOMMENDATION:

Staff recommends approval of accepting the Arizona Game & Fish Department grant in the amount of \$5,000.

EXECUTIVE SUMMARY:

The Arizona Game & Fish Department (AZGFD) offers Shooting Range Development grants to encourage the development and improvement of shooting ranges. The Town of Oro Valley has been successful in that \$30,000 in grants have been received over the past three years to begin the development and support of the Naranja Park archery range. The AZGFD continues to be supportive of this project and has agreed to an additional \$5,000 grant.

BACKGROUND OR DETAILED INFORMATION:

The Arizona Game & Fish Department was very supportive of Town of Oro Valley's desire to construct an outdoor archery range. In 2012, the AZGFD provided the Town with \$15,000 seed money grant to begin the development of the archery range. In 2013, AZGFD awarded an additional \$15,000 grant to the Town for the installation of a shade canopy. The AZGFD continues to support this project and has awarded an additional \$5,000 to continue the installation of shade canopies.

FISCAL IMPACT:

The Town will receive \$5,000 in grant funds, and the capacity to expend these funds is included in the FY 14/15 budget.

SUGGESTED MOTION:

I MOVE to (approve or deny) Resolution No. (R)15-23, authorizing and approving an archery Shooting Range Development Grant Agreement between the Arizona Game & Fish Department and the Town of Oro Valley in the amount of \$5,000 for the purchase of materials to construct a shade canopy at the Naranja Park archery range.

Attachments

(R)15-23 AZ Game & Fish Grant - Archery Range

Exhibit A

RESOLUTION NO. (R)15-23

**A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA,
AFFIRMING THE TOWN OF ORO VALLEY'S AUTHORIZING AND
APPROVING AN ARCHERY SHOOTING RANGE GRANT
AGREEMENT BETWEEN THE ARIZONA GAME AND FISH
DEPARTMENT AND THE TOWN OF ORO VALLEY FOR THE
PURCHASE OF MATERIALS TO CONSTRUCT A SHADE CANOPY AT
THE ARCHERY RANGE AT NARANJA PARK IN THE AMOUNT OF
\$5,000**

WHEREAS, the Arizona Game and Fish Commission under A.R.S.§17-231.4 has authorized the establishment of an archery Shooting Ranges Development Policy providing financial assistance for the development of shooting ranges for public purposes; and

WHEREAS, in May of 2014 the Town of Oro Valley submitted an archery Shooting Range Development Grant proposal to secure necessary funding for the construction of a shade structure for the Naranja Archery Park; and

WHEREAS, the Town of Oro Valley desires to enter into a Grant Agreement with the Arizona Game and Fish Department to receive \$5,000 towards the development of Naranja Archery Park, more specifically to purchase materials to construct a shade canopy; and

WHEREAS, it is in the best interest of the Town to enter into the Grant 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.

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

1. The Grant Agreement, attached hereto as Exhibit "A", between the Town of Oro Valley and the Arizona Game and Fish Department to receive funding to purchase materials to construct a shade canopy at Naranja Archery Park is hereby authorized and approved.
2. The Mayor, Parks and Recreation Director and other administrative officials are hereby authorized to take such steps as necessary to execute and implement the terms of the Grant Agreement.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 18th 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 Game and Fish Department Shooting Ranges Development Grants

Project Agreement Summary Sheet

Project number: 15-07582-02

Project name: Shade Structure for Naranja Archery Park

Project coordinator: Nancy Ellis, Town of Oro Valley

Project period: From: October 1, 2014 To: April 1, 2016

Description:
Funding for the purchase of materials to construct shade canopy.

Notations:
Awarded funding is only for the purchase of materials to construct the shade canopy. Per conversation with Nancy in May of 2014, this partial/additional funding will combine with previous funding to complete the canopy project.

Commission award: \$5,000.00

Shooting Range Grant
AGREEMENT

BETWEEN THE ARIZONA GAME AND FISH COMMISSION
AND THE TOWN OF ORO VALLEY

This Shooting Range Grant Agreement (“Agreement”) is entered into between the Arizona Game and Fish Commission (“Commission”) and the town of Oro Valley (“Grantee”) (collectively “Parties” and singularly “Party”) pursuant to A.R.S. § 17-231 (B)(7). The terms “Department” and “Director” refer to the Arizona Game and Fish Department and its Director, acting as administrative agent for the Commission.

WHEREAS, the Commission may expend funds to provide training in the safe handling and use of firearms and safe hunting practices pursuant to A.R.S. 17-231.B.4;

WHEREAS, the Commission has a formal Policy, A2.19, for Shooting Range Development;

WHEREAS, Policy funds from the Commission are provided to the Participant on a 50:50 matching basis;

WHEREAS, the Commission recognizes the limited use of the Town of Oro Valley’s Archery Range, prohibiting the discharge of firearms and allows only archery pursuant to A.R.S. 17-231.B.4;

WHEREAS, the Commission believes it is important to collaborate with other agencies or organizations in conserving Arizona’s wildlife and preserving Arizona’s wildlife heritage;

WHEREAS, the Commission wishes to foster this valuable relationship by granting funds to the Grantee to carry out the project(s) set forth in the Grantee’s approved grant application (“Application”), which is incorporated herein and attached as Attachment A, in accordance with the terms of this Agreement;

NOW, THEREFORE, in consideration of the above premises, the Parties hereto agree as follows:

I. The Commission agrees that the Department shall:

1. Provide to the Grantee **\$5,000.00** to carry out the project(s) set forth in the Grantee’s Application. The grant monies are only to be used for the purchase of materials to construct the shade structures as specified in the application. No other use of the funds is authorized. The Department recognizes that Naranja Park Archery Range operated by the Town of Oro Valley is an archery only shooting

range and firearms are prohibited. The Grantee shall place all grant monies received in a non-interest bearing account.

2. Not reimburse the Grantee for items other than those defined in this Agreement.

II. Grantee shall:

1. Provide match share towards total project costs in the form of cash, donations of equipment, materials, land acquisition, and labor, which shall equal or exceed the Commission's Award.
2. Deposit all amounts received under the terms of this Agreement to appropriate account(s) for project(s) under the name and number of the project and use such non-interest bearing funds to fulfill the purposes set forth in the Grantee's Application. Should the Grantee use funds provided to it under this Agreement for purpose(s) other than those set forth in the Grantee's Application, this Agreement shall terminate automatically and the Grantee shall return to the Department all misappropriated and unused funds. The Grantee shall not use grant funds for the purpose of producing income. The Grantee shall not use grant funds to pay compensation in excess of the established salary for any permanent employee. The funds shall be expended only for grant work as authorized under the terms of this agreement
3. Maintain full accounting of all actual expenses associated with completing this project and provide copies to the Department as requested.
4. Publicly acknowledge that Commission funds were used to assist project accomplishments. All materials prepared in the performance of this Agreement shall be acknowledged as having been funded by the Arizona Game and Fish Department.
5. Install a permanent sign that credits the Commission and contains the official Department logo and states that funding for the project(s) has been provided by the Commission at the project site.
6. Submit quarterly project status reports that include the following information: 1) Progress toward completing approved work; 2) An itemized, cumulative project expenditure sheet; 3) Any anticipated delays or other problems that may prevent on-time completion of the project; 4) Any additional information that the Department requests in accordance with this Agreement.

7. Design and construction of the Project shall conform to the plan submitted with the Participant's application. Any changes in the approved plans must be approved in writing by the Statewide Shooting Range Administrator.
8. Operate and maintain grant-assisted capital improvements, provide reasonable protection of any project improvements, and ensure that reasonable public access (as defined in application) is maintained for a minimum of ten (10) years after completion of the project during the Term of Public Use.
9. Return to the Department any unused monies upon completion of the awarded project. The Grantee may make a written request that the Department award the unused monies for an additional project that is consistent with the original scope of work. The Department will consider the request and notify grantee of its determination within thirty (30) days of receipt of written request.
10. Shall make available the Project improvements free of charge for State Hunter Education and Safety, Archery Education and Scholastic Clay Target Programs (as applicable to the type of range being granted monies) and for general use by the public during reasonable hours. A nominal fee (as defined in application) may be charged for public use of the range.

III. The Commission and the Grantee mutually agree and understand that:

1. At its discretion, the Department may conduct periodic on-site inspections of the project(s) as needed.
2. In the event of a conflict between the terms of this Agreement and the Grantee's Application, the terms of this Agreement shall govern.
3. This Agreement shall become effective upon the date of final signature and shall continue for a period not to exceed 18 months. This Agreement may be amended at any time by mutual agreement of the parties in writing. It may be terminated by either party upon thirty (30) days written notice to the other Party. Upon termination, the Grantee shall cease all work performed pursuant to this Agreement and return any unused funds to the Department.
4. The Parties may amend the terms of this Agreement by mutual written consent. The Department shall prepare any approved amendment in writing, and both the Department and the Grantee shall sign the amendment. An amendment lacking a required signature is invalid.
5. The DEPARTMENT may temporarily suspend grant assistance under the project pending required corrective action by the GRANTEE or pending a decision to terminate the grant by the DEPARTMENT by notifying the GRANTEE in writing. Whenever one party to this contract in good faith has reason to question the other party's intent to perform, he or she may demand that the other party give

a written assurance of this intent to perform. In the event that a demand is made and no written assurance is given within ten (10) days, the demanding party may treat this failure as an anticipatory repudiation of the contract.

6. The DEPARTMENT may terminate the project in whole or in part at any time before the date of completion, whenever it is determined that the GRANTEE has failed to comply with the terms or conditions of the grant. In case of default, the DEPARTMENT will provide written notification. The GRANTEE will have ten days to correct the default or show cause. The DEPARTMENT will promptly notify the GRANTEE in writing of the determination and the reasons for the termination, together with the effective date. All payments made to the GRANTEE shall be recoverable by the DEPARTMENT under the project terminated for cause.
7. The DEPARTMENT or GRANTEE may terminate grants in whole, or in part, at any time before the date of completion, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date of the termination and, in the case of partial termination, the portion to be terminated. The GRANTEE shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. The DEPARTMENT may allow full credit to the GRANTEE for the grant share of noncancelable obligations properly incurred by the GRANTEE before termination.
8. The DEPARTMENT may require specific performance of the terms of this agreement or take legal steps necessary to recover the funds granted if the GRANTEE fails to comply with the terms of the grant or breaches any condition or special condition of the grant agreement.
9. The remedies expressed in this agreement are not intended to limit the rights of the DEPARTMENT. This agreement shall not in any way abridge, defer, or limit the DEPARTMENT'S right or remedy under law or equity that might otherwise be available to the DEPARTMENT.
10. If the GRANTEE violates state law or this agreement, the DEPARTMENT may seek recovery of all funds granted and classify the GRANTEE as ineligible for Shooting Range Development Grant Funds for a period not to exceed five (5) years.
11. The Grantee is subject to the Department's on-site monitoring inspections to validate grantee's compliance with the Grant Agreement. All open grants (ongoing), closed grants (within 10 years of grant closure) and grants still within the "term of public use" are subject to Department monitoring inspections. When a Department monitoring inspection discovers the Grantee's default or non-compliance with the terms of the Grant Agreement, the Department will provide

written notification to the Grantee, and the Grantee will have ten business days to correct the default or non-compliance. The Department may pursue any remedy if the Grantee fails to correct the default or non-compliance within the period to correct, unless the Grantee can show good cause for not correcting the default or non-compliance.

12. Remedies may include repayment of the grant if the GRANTEE fails to provide for operation and maintenance of the equipment, facilities or product of any shooting range grant funded project during the Term of Public Use. The GRANTEE shall reimburse the shooting range grant fund 100% of grant monies.
13. All written notices concerning this Agreement shall be delivered in person or sent by certified mail, return receipt requested, to the Parties as follows:
 - A. For the Commission and Department:
Statewide Shooting Range Administrator
Shooting Sports Branch
Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, Arizona 85086
 - B. For the Grantee:

Multimodal Planner
Town of Oro Valley
Parks and Recreation Department
680 W. Calle Concordia
Oro Valley, AZ 85704
14. In carrying out the terms of this Agreement, the Parties agree to comply with Executive Order 2009-09 prohibiting discrimination in employment, the provisions of which are incorporated herein by reference.
15. Pursuant to A.R.S. § 35-214, all books, accounts, reports, files, electronic data, and other records relating to this Agreement shall be subject at all reasonable times to inspection and audit by the State of Arizona for five (5) years after completion of this Agreement.
16. The GRANTEE shall use equipment purchased with grant funds for a public purpose for the useful life of the equipment, or surrender the equipment to the DEPARTMENT upon completion of the project, whichever comes first, if the equipment purchased with grant funds has an acquisition cost of greater than \$500. If the equipment is sold, the GRANTEE shall pay the DEPARTMENT the amount of any resulting proceeds in the ratio equivalent to the funds provided for the purchase.

17. To the extent required under A.R.S. § 12-1518, the Parties agree to use arbitration to resolve any dispute arising under this Agreement, with each Party to bear its own attorneys' fees and costs.
18. Unless the GRANTEE is a State agency, or an agency of the United States of America, the GRANTEE shall indemnify, save and hold harmless the DEPARTMENT, and the State of Arizona, its agents, departments, officers and employees from all claims, loss, damage, liability, expense, costs, and charges incident to or resulting in any way from any injuries or damage to any person or any damage to any property caused by or resulting from the issuance of or the performance of services rendered as part of this agreement.
19. Assignment-Delegation: No right or interest in this contract shall be assigned by the GRANTEE without the prior written permission of the DEPARTMENT, and no delegation of any duty of the GRANTEE shall be made without the prior written permission of the DEPARTMENT.
20. This Agreement is subject to termination for conflict of interest pursuant to A.R.S. § 38-511.
21. This Agreement shall terminate automatically if funds necessary to carry out this Agreement are not allocated or available to the Commission or the Department. In the event of such termination, the Commission and the Department shall incur no obligation or liability to the Grantee under this Agreement.
22. This Agreement in no way restricts either Party from participating in similar activities with other public or private agencies, organizations, or individuals.
23. All work performed pursuant to this Agreement shall be in compliance with all applicable state and federal laws and regulations. If Grantee violates state or federal law or this Agreement, the Department shall seek recovery of all monies awarded and classify the Grantee as ineligible for grant monies for a period not to exceed five (5) years.
24. The attached Application and estimated cost sheet is hereby incorporated and becomes a part of this Agreement.
25. It is understood by the Parties that the Grantee is an independent contractor with respect to Arizona and not an employee of the Department. The Department will not provide fringe benefits, including health insurance benefits, paid vacation, or any other employee benefits to the Grantee.
26. Grantee's employees and or volunteers, if any, who perform services under this Agreement are bound by the provisions of this Agreement. At the request of the

Department, the Grantee shall provide adequate evidence that such persons are the Grantee's employees or volunteers.

27. Grantee acknowledges its obligation to obtain appropriate insurance coverage for the benefit of the Grantee (and Grantee's employees and or volunteers, if any). The Grantee waives any rights to recovery from the State of Arizona, the Commission or the Department for any injuries or property damage that the Grantee (and/or Grantee's employees or volunteers) may sustain while performing services under this Agreement and that are a result of the negligence of the Grantee or Grantee's employees and or volunteers.
28. If Grantee contracts with a third party or subcontractor, the Grantee shall be responsible for ensuring said third party's or subcontractor's compliance with the terms of this Agreement, and Grantee shall be responsible to the state of Arizona, the Commission and the Department if the third party or subcontractor defaults or violates any terms or conditions of this Agreement.
29. The Parties agree to comply with Executive Order 2005-30, "Ensuring Compliance with Federal Immigration Laws by State Employers and Contractors," the provisions of which are hereby incorporated by reference.
30. Special terms and conditions, if any, will be attached hereto as Attachment B are hereby incorporated into this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date below:

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk
Director

Tobin Sidles, Legal Services

[Date]

ARIZONA GAME AND FISH COMMISSION

Larry D. Voyles
Secretary to the Commission
Director, Arizona Game and Fish Department

[Date]



Town Council Regular Session

Item # **1.**

Meeting Date: 03/18/2015
Requested by: Bayer Vella
Submitted By: Michael Spaeth, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR APPROVAL OF A PROPOSED CONCEPTUAL SITE PLAN, LANDSCAPE PLAN, AND USE OF THE RECREATION AREA IN-LIEU FEE OPTION FOR A 3-LOT SUBDIVISION LOCATED NORTH OF DESERT SKY ROAD, APPROXIMATELY ONE-QUARTER MILE WEST OF ORACLE ROAD

RECOMMENDATION:

The Conceptual Design Review Board (CDRB) has recommended approval of the Conceptual Site Plan and Landscape Plan. Staff is recommending approval of the Recreation Area In-lieu Fee option, subject to the condition listed in Attachment 1.

EXECUTIVE SUMMARY:

The applicant's proposal is to develop an approximate 0.71 acre property into a 3-lot single-family subdivision. The applicant's proposal (Attachment 2) includes:

- Three (3) single-family residential lots
- Maximum building height of 28 feet or two (2) stories
- Substantial preservation of existing native plants
- Rainwater harvesting basins in landscape buffer yards and common areas

The applicant is also requesting to utilize the Recreation Area In-lieu Fee option to satisfy the Zoning Code recreational area requirements. The Conceptual Site Plan and use of the Recreation Area In-lieu Fee option, subject to the condition listed in Attachment 1, have been deemed consistent with all applicable Zoning Code requirements.

The CDRB considered the applicant's Conceptual Site Plan and Landscape Plan request on January 13, 2015, and has recommended approval. The CDRB staff report is included as Attachment 3 and the minutes are provided as Attachment 4.

BACKGROUND OR DETAILED INFORMATION:

Land Use Context

The property is zoned R-4. A zoning map for the area is provided as Attachment 5. The proposed land use is consistent with the zoning, which permits single-family residential development.

Site Plan

The subject property encompasses approximately 0.71 acres and is currently vacant. The applicant's

proposal (Attachment 2) is to develop three detached single-family homes with lot sizes ranging from approximately 8,500 sq.ft. to 11,700 sq.ft. The site will utilize a shared private driveway and will include sidewalks along the Desert Sky Road frontage.

The Zoning Code establishes a driveway separation standard of at least 150' as a traffic safety requirement to maintain motorist visibility and minimize traffic conflicts between access drives. The proposed location of the applicant's access drive would not permit a driveway to the neighboring parcel that is in conformance with the Zoning Code. A condition was recommended by staff to the CDRB, requiring the applicant provide a cross-access easement to the adjacent parcel to eliminate this potential conflict (Attachment 3).

On January 13, 2015, the CDRB's recommendation included removing staff's condition requiring a cross-access easement and requested staff and the applicant to work with the adjacent property owner to resolve the issue. Staff coordinated a meeting between the applicant and the neighboring property owner shortly after the January meeting. During the meeting, staff discussed the possibility of the neighboring property owner filing a Minor Land Division application to adjust their lot line as an alternative to requiring the cross-access easement. The property owner was amicable to the idea and will request a lot line adjustment.

Recreation Area In-lieu Fee Option

The applicant has requested use of the Recreation Area In-lieu Fee option enabled by the Zoning Code, which requires approval by Town Council. The applicant has provided a Recreation Area In-lieu Fee proposal (Attachment 6). The In-lieu fee calculation, provided by the applicant, contains a minor error and therefore a condition has been included in Attachment 1 that requires the correct amount.

The Conceptual Site Plan and the Recreation Area In-lieu Fee option request, with the condition listed in Attachment 1, is consistent with all applicable requirements of the zoning code.

Landscape Plan (see Attachment 2)

The Conceptual Landscape Plan complies with all applicable Zoning Code requirements. Noteworthy items include:

- Preservation of a majority of the existing native vegetation on-site
- Several drainage basins for rainwater collection
- 15 ft. landscape buffer yard along Desert Sky Road

PUBLIC PARTICIPATION

Summary of Public Notice

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

- Letter to all property owners within 600 ft.
- Letter to all individuals that attended the neighborhood meeting
- Posting at Town Hall
- All registered HOA's

Neighborhood Meetings

Two neighborhood meetings were held concerning the applicant's proposal, which included the following primary discussion topics:

- Compatibility with neighboring properties
- Drainage

- Building height
- Noise
- Parking

A copy of both neighborhood meeting summaries has been included as Attachment 7.

Additional comments have been received by staff and have been included as Attachment 8.

Conceptual Design Review Board

The CDRB considered the applicant's Conceptual Site Plan and Landscape Plan request on January 13, 2015, and has recommended approval. As discussed previously, the CDRB's recommendation included eliminating the cross-access easement condition and exploring an alternative solution with the applicant and the neighboring property owner. The CDRB staff report has been included as Attachment 3 and the minutes have been provided in Attachment 4.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to approve the requested Conceptual Site Plan, Landscape Plan and Recreation Area In-lieu Fee for the proposed 3-lot subdivision, subject to the condition listed in Attachment 1, finding the request is consistent with the Design Review Principles and Standards of the Zoning Code.

OR

I MOVE to deny the requested Conceptual Site Plan, Conceptual Landscape Plan and Recreation Area In-lieu Fee, finding that the request is not consistent with the Design Review Principles and Standards of the Zoning Code, specifically _____.

Attachments

ATTACHMENT 1 - CONDITIONS OF APPROVAL

ATTACHMENT 2 - APPLICANT PROPOSAL

ATTACHMENT 3 - CDRB STAFF REPORT

ATTACHMENT 4 - CDRB MINUTES

ATTACHMENT 5 - ZONING MAP

ATTACHMENT 6 - RECREATION AREA IN-LIEU FEE PROPOSAL

ATTACHMENT 7 - NEIGHBORHOOD MEETING SUMMARIES

ATTACHMENT 8 - RESIDENT COMMENTS

**Attachment 1
Conditions of Approval
Town Council
March 18, 2015**

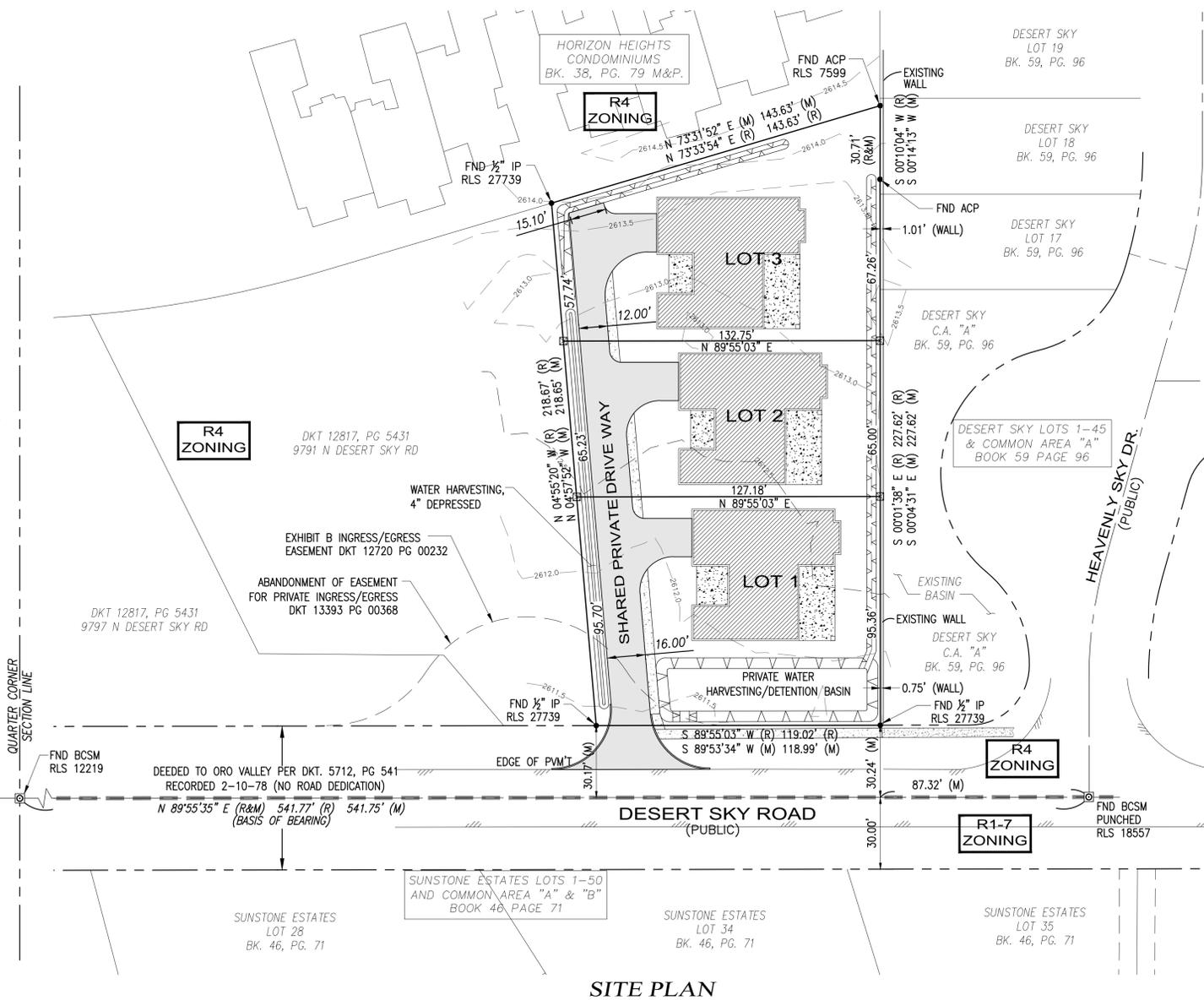
Planning Conditions

1. Revise the Recreation Area In-lieu Fee proposal to the correct amount of \$8,022.00.

GENERAL NOTES

1. THE GROSS AREA OF THIS SUBDIVISION IS 0.71 ACRES.
2. EXISTING ZONING IS R-4.
3. THE DEVELOPER, ANY SUCCESSORS AND ASSIGNS, WILL HOLD THE TOWN OF ORO VALLEY, ITS OFFICERS, EMPLOYEES, AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF THIS DEVELOPMENT AS SHOWN HEREON, NOW AND IN THE FUTURE, BY REASON OF FLOODING, FLOWAGE, EROSION, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE FLOOD OR RAINFALL.
4. RESIDENTIAL UNITS PER ACRE FOR RESIDENTIAL DEVELOPMENT, 3/0.71= 4.23 UNITS.
5. TOTAL MILES OF NEW PUBLIC STREETS ARE 0.0 MILES.
6. TOTAL MILES OF PRIVATE STREET ARE 0.0 MILES.
7. GROSS AREA OF ALL IMPERVIOUS SURFACE = 14,328 SF. OR 0.33 AC.
8. ALL SIGNAGE AND LIGHTING TO BE ADDRESSED AS PART OF A SEPARATE REVIEW AND APPROVAL PROCESS.
9. ANY RELOCATION OR MODIFICATION OF EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS NECESSITATED BY THE PROPOSED DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.
10. THIS DEVELOPMENT MUST COMPLY WITH THE ORO VALLEY WATER UTILITY SPECIFICATION MANUAL DURING ALL PHASES OF CONSTRUCTION.
11. 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.
12. A LINE EXTENSION AGREEMENT MUST BE IN PLACE PRIOR TO ANY WORK ON THE WATER INFRASTRUCTURE BEFORE THIS PROJECT BEGINS.
13. ALL FIRE SERVICES SHALL HAVE A BACKFLOW PROTECTION DEVICE INSTALLED ON THEM.
14. FIRE HYDRANTS CONNECTED TO AN APPROVED WATER SUPPLY OF 1000 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.
15. APPROVED FIRE APPARATUS ACCESS ROAD MUST BE INSTALLED AND IN SERVICE PRIOR TO COMBUSTIBLE MATERIAL DELIVERY TO THE SITE.
16. APPROVED AUTOMATIC SPRINKLER SYSTEM IN NEW BUILDING AND STRUCTURES SHALL BE PROVIDED THROUGHOUT ALL GROUP A,B,E,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 SYSTEM SHALL BE PROVIDED THROUGHOUT ALL ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSE USED AS MODEL HOMES WITH SALES OR CONSTRUCTION OFFICE, AND ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSE WHICH EXCEED 3,600 SQUARE FEET IN FIRE-FLOW CALCULATION AREA HEREAFTER CONSTRUCTED WITHIN OR MOVED INTO THE JURISDICTION.
17. 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.
18. 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.
19. A PROJECT CONSTRUCTION PERMIT MUST BE SECURED FROM PIMA COUNTY WASTEWATER MANAGEMENT BEFORE BEGINNING ANY WORK ON THIS PROJECT.
20. THERE SHALL BE NO FURTHER DIVISION OF LAND OR RESUBDIVISION WITHOUT THE DEVELOPER OR SUCCESSOR IN INTEREST FURNISHING WRITTEN NOTICE TO ALL PROPERTY OWNERS OF RECORD WITHIN THE BOUNDARIES. IN NO EVENT SHALL FURTHER DIVISION OF LAND OCCUR WITHOUT THE WRITTEN APPROVAL OF THE MAYOR AND COUNCIL.
21. NO STRUCTURE OR VEGETATION SHALL BE LOCATED OR MAINTAINED SO AS TO INTERFERE WITH THE SIGHT VISIBILITY TRIANGLES SEE TOWN OF ORO VALLEY SUBDIVISION STREET STANDARD AND POLICIES MANUAL SECTION A-14.
22. ALL-WEATHER ACCESS WILL BE PROVIDED WITHIN THIS DEVELOPMENT.
23. BASIS OF BEARINGS: MONUMENTED CENTERLINE OF DESERT SKY ROAD AS SHOWN ON THE PLAT MAP OF DESERT SKY RECORDED IN BOOK 59 OF M&P AT PAGE 96. SAID BEARING BEING: N 89°55'35" E.
24. BASIS OF ELEVATIONS: STEEL ROD LOCATED AT THE NE CORNER OF ORACLE ROAD AND LINDA VISTA BLVD. 35 FEET NORTH OF A CATTLEGUARD ALONG THE WEST SIDE OF A FENCE LINE. PIMA CO. DESIGNATION - NN127 SAID ELEVATION BEING: 2,648.81 (NAVD 88)
25. ALL SLOPES STEEPER THAN 3:1(HORIZ:VERT) WILL BE STABILIZED WITH STONE RIP RAPPING OR SCULPTURED ROCK AND INSTALLED BY APPROVED METHODS AS STATED IN TOWN OF ORO VALLEY ZONING CODE: CHAPTER 27, SECTION 27.9 GRADING.
26. ALL NEW UTILITIES WILL BE UNDERGROUND.
27. THE HOMEOWNERS SHALL BE SOLELY RESPONSIBLE FOR OPERATION, MAINTENANCE, AND LIABILITY FOR DRAINAGE STRUCTURES AND DETENTION BASINS, PER DRAINAGE EASEMENT LANGUAGE.
28. EACH HOUSE WILL BE PROVIDED WITH RESIDENTIAL FIRE SPRINKLER SYSTEM PER (NFPA 13D), A FIRE HYDRANT TO PROVIDE A MIN. OF 1,000 GALLONS PER MINUTE (GPM) WILL BE INSTALL AND PROVIDE THE ASSOCIATED WATER IMPROVEMENT PLANS ACCORDINGLY.
29. TOWN STAFF MAY PERIODICALLY INSPECT THE DRAINAGE AND DETENTION BASIN FACILITIES TO VERIFY THAT SCHEDULED AND UNSCHEDULED MAINTENANCE ACTIVITIES ARE BEING PERFORMED ADEQUATELY.
30. RESIDENTIAL UNIT HEIGHT SHALL NOT EXCEED TWENTY FIVE (25) FEET FOR TWO-STORY & EIGHTEEN (18) FEET FOR ONE-STORY.
31. REFUSE COLLECTION: SERVICE TO BE BY INDIVIDUAL AUTOMATED PLASTIC CONTAINER ROLLED TO DESERT SKY ROAD.
32. IT IS THE APPLICANT'S RESPONSIBILITY TO COORDINATE ALL SEWER IMPROVEMENTS DIRECTLY WITH PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPT. AND TO COORDINATE ALL ADDRESSING AND STREET NAME REQUIREMENTS DIRECTLY WITH PIMA COUNTY ADDRESSING.
33. EACH LOT SHALL HAVE A MINIMUM OF TWO CAR GARAGE WITH ADEQUATE SPACE IN FRONT OF THE GARAGE FOR GUEST PARKING. NO ADDITIONAL PARKING IS REQUIRED.
34. ASSURANCE FOR SITE IMPROVEMENTS, LANDSCAPING AND RE-VEGETATION BOND MUST BE POSTED PRIOR TO ISSUANCE OF GRADING PERMITS.
35. PROPERTY BUFFER YARDS:
NORTH PROPERTY - NO BUFFER YARD REQUIRED, WEST PROPERTY- NO BUFFER YARD REQUIRED, EAST PROPERTY- NO BUFFER YARD REQUIRED. SOUTH PROPERTY- 15' BUFFER YARD "A" REQUIRED. (SOUTH PROPERTY 15' BUFFER YARD PROVIDED).
36. THE DESIGN VEHICLE USED FOR THIS PROJECT WAS SU-30.
37. BUILDING SETBACKS: REQUIRED FRONT 20' (PROVIDED 20')
REQUIRED SIDE 5' (PROVIDED 5')
REQUIRED REAR 10' (PROVIDED 10')

CONCEPTUAL SITE PLAN BAILEY'S DESERT SKY OV1214-27



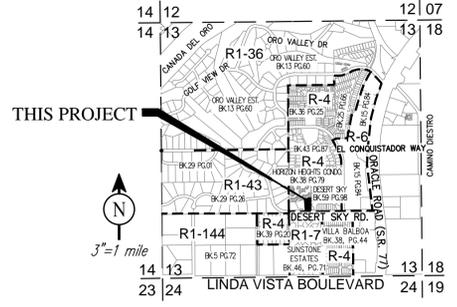
SITE PLAN

38. 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 SPECIFICATION & 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
 - 2010 ADA STANDARD FOR ACCESSIBLE DESIGN
39. IN-LIEU FEE OPTION, PER SECTION 26.5F.1. THE IN-LIEU FEE OPTION WILL REQUIRE TOWN COUNCIL APPROVAL.

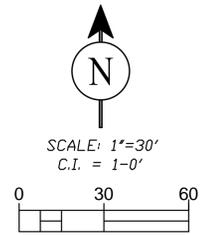
REFERENCES:

PIMA COUNTY DEPARTMENT OF TRANSPORTATION MONUMENT TIE SHEETS.
HORIZON HEIGHTS, BOOK 15 OF MAPS & PLATS AT PAGE 84.
ORO VALLEY HEIGHTS, BOOK 29 OF MAPS & PLATS AT PAGE 26.
BOOK 32 OF SURVEYS AT PAGE 91.
HORIZON HEIGHTS CONDOMINIUMS, BOOK 38 OF MAPS & PLATS AT PAGE 79.
DESERT SKY, BOOK 59 OF MAPS & PLATS AT PAGE 96.
SUNSTONE ESTATES, BOOK 46 OF MAPS & PLATS AT PAGE 71.
ASSESSORS PARCEL MAP 224-33-010B
RECORD OF SURVEY BOOK 54 PAGE 58
EXISTING SEWER G-81-030, G-85-052 & G-2005-043.

SHEET INDEX
COVER SHEET 1 OF 2
CONCEPTUAL SITE 2 OF 2



VICINITY MAP
SECTION 13, T12S, R13E, G&SRM,
TOWN OF ORO VALLEY,
PIMA COUNTY, AZ



- LEGEND**
- ⊗ EX. WATER VALVE
 - W- EXISTING WATER LINE
 - EXISTING FIRE HYDRANT
 - G- EX. GAS LINE
 - S- EXISTING SEWER LINE
 - EXISTING SEWER MANHOLE
 - UGE EX. UNDERGROUND ELECTRIC
 - PP POWER POLE
 - CORNER SECTION
 - 53.57 EX. SPOT ELEVATION
 - 2612.0- EX. CONTOUR
 - DHE- EX. OVERHEAD ELECTRIC
 - EX. CONC. SURFACES
 - EX. PAVEMENT
 - FFE FINISH FLOOR ELEVATION
 - TC TOP CURB
 - G GUTTER
 - S/B SETBACK AND SETBACK LINES
 - NEW PAVEMENT
 - NEW CONC. SURFACES
 - NEW RIPRAP
 - NEW 1" WATER METER
 - D.F. DRAINAGE FLOW DIRECTION
 - PG=12.9 PAD GRADE ELEVATION
 - 12.2 NEW SPOT ELEVATION
 - NEW FIRE HYDRANT
 - NEW SURVEY MONUMENT TO BE SET BY A R.L.S.
 - NEW 3.5' TALL DECORATIVE WALL
 - EX. ZONING BOUNDARY LINE
 - NEW SEWER WITH CLEAN OUT
 - NEW MAIL BOX LOCATION

OWNER/DEVELOPER
THOMAS BAILEY
9785 N. DESERT SKY ROAD
TUCSON, ARIZONA 85718
PHONE: 520.909.1495
tbailey27@aol.com

ENGINEER
PERRY ENGINEERING, LLC
505 WEST WETMORE ROAD
TUCSON, AZ 85705
CONTACT: KEN PERRY, P.E.
PHONE: 520.620.9870
kperry@perryengineering.net

LANDSCAPE ARCHITECT
GRS LANDSCAPE ARCHITECT, INC.
11047 N. CLOUD VIEW PLACE
TUCSON, AZ 85737
CONTACT: GREGORY R. SHINN, RLA
PHONE: 520.877.8037
gregs@grslandscapearchitects.com



1-800-782-5348
Blue State Copy

REFERENCES NO: OV113-049

PERRY ENGINEERING
505 WEST WETMORE ROAD
TUCSON, AZ 85705
CONTACT: KEN PERRY, P.E.
PHONE: 520.620.9870

**CONCEPTUAL SITE PLAN
BAILEY'S DESERT SKY**
LOTS 1,2 AND 3
(LANDSCAPE, BUFFERYARD AND DRAINAGE)
LOCATED IN A PORTION OF BLOCK 4 OF HORIZON HEIGHTS, IN BOOK 15 OF M&P IN PAGE 84. SECTION 13, T-12-S, R-13-E, G&SRB&M, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA
SCALE: 1" = 30' CONTOUR INTERVAL = 0.5'
OVI214-27 SHEET 1 OF 2

JANUARY 27, 2015

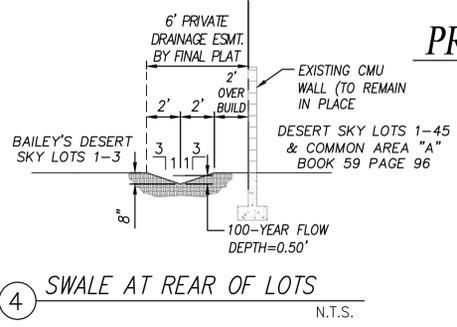
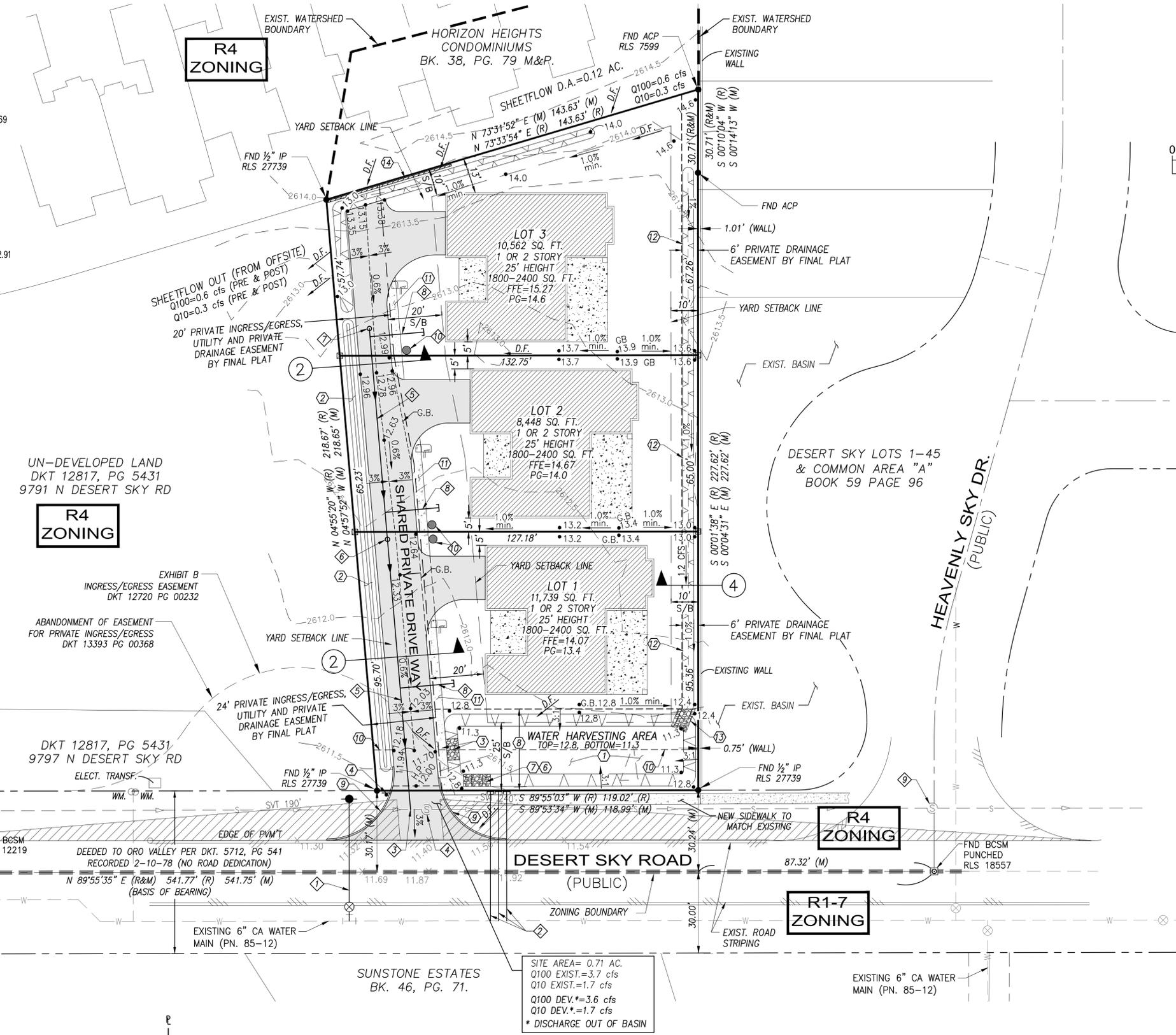
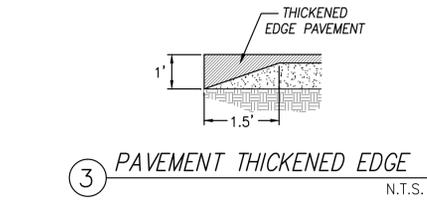
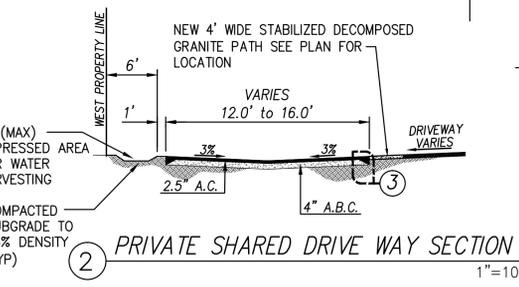
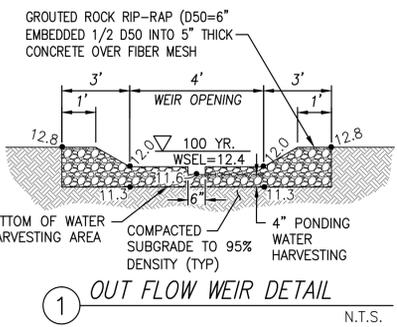
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UTILITY KEYNOTES

- 1 NEW 6" FH WITH 6" VALVE, (35 LF.) CONNECT TO EXIST. 6" WATER MAIN (PN. 85-12)
- 2 NEW (3)-1" WATER SERVICE STUBS (FOR FUTURE WATER METERS)
- 3 NEW 6" PRIVATE SEWER TO CONNECT TO EXIST. 8" PVC (G-85-52) EXIST. INV= 2593.69
- 4 EXISTING SEWER M.H.# 1 (G-85-52) RIM=2611.38, E. INV= 2593.59 & W. INV=2593.67 (CONTRACTOR TO LOWER OR RAISE PER FINISHED GRADE)
- 5 NEW PRIVATE 6" HCS, (178 LF. AT 1%)
- 6 NEW PRIVATE CLEAN-OUT NO. 1
- 7 NEW PRIVATE CLEAN-OUT NO. 2
- 8 NEW 4" PRIVATE HCS
- 9 EXISTING SEWER M.H.# 1 (G-2005-043) RIM=2611.34, W. INV= 2592.94 & E. INV=2592.91
- 10 NEW ELECTRICAL PEDESTAL

KEYNOTES

- 1 MAIN DETENTION BASIN, DEPTH=1.2 FT. WITH 3:1 SIDE SLOPES AND PONDING DEPTH=4".
- 2 WATER HARVESTING, 4" MAX WATER PONDING.
- 3 DEPRESSED 4" SIDEWALK FOR DRAINAGE. 8' X 4.5' GROUTED ROCK RIP-RAP (D50=6" EMBEDDED 1/2 D50 INTO 5" THICK CONCRETE OVER FIBER MESH)
- 4 NEW STOP SIGN.
- 5 NOT USED.
- 6 BASIN OUTFLOW Q100 OUT=3.6 cfs. Q100 EXISTING= 3.7 cfs.
- 7 OUT FLOW WEIR GROUTED ROCK RIP-RAP (D50=6" EMBEDDED 1/2 D50 INTO 5" THICK CONCRETE OVER FIBER MESH). SEE DETAIL 1 THIS SHEET.
- 8 30' WIDE PRIVATE DRAINAGE EASEMENT BY FINAL PLAT.
- 9 NEW 6" WIDE BY 12" DEEP CONCRETE HEADER.
- 10 NEW 15' BUFFERYARD "A"
- 11 NEW 4' WIDE STABILIZED DECOMPOSED GRANITE PATH (FLUSH TO AC PAVEMENT)
- 12 4' WIDE SWALE TO CONVEY REAR LOT DRAINAGE (1.2 CFS)
- 13 8' X 6" GROUTED ROCK RIP-RAP (D50=6" EMBEDDED 1/2 D50 INTO 5" THICK CONCRETE OVER FIBER MESH)
- 14 48 LF. OF NEW 3.5' TALL DECORATIVE SCREEN WALL PER PC/COT SD.# 109 TURN EVERY FIFTH BLOCK ON ITS SIDE TO ALLOW DRAINAGE TO PASS.



REFERENCES:
 PIMA COUNTY DEPARTMENT OF TRANSPORTATION MONUMENT TIE SHEETS.
 HORIZON HEIGHTS, BOOK 15 OF MAPS & PLATS AT PAGE 84.
 ORO VALLEY HEIGHTS, BOOK 29 OF MAPS & PLATS AT PAGE 26.
 BOOK 32 OF SURVEYS AT PAGE 91.
 HORIZON HEIGHTS CONDOMINIUMS, BOOK 38 OF MAPS & PLATS AT PAGE 79.
 DESERT SKY, BOOK 59 OF MAPS & PLATS AT PAGE 96.
 SUNSTONE ESTATES, BOOK 46 OF MAPS & PLATS AT PAGE 71.
 ASSESSORS PARCEL MAP 224-33-010B
 RECORD OF SURVEY BOOK 54 PAGE 58
 EXISTING SEWER G-81-030, G-85-052 & G-2005-043.

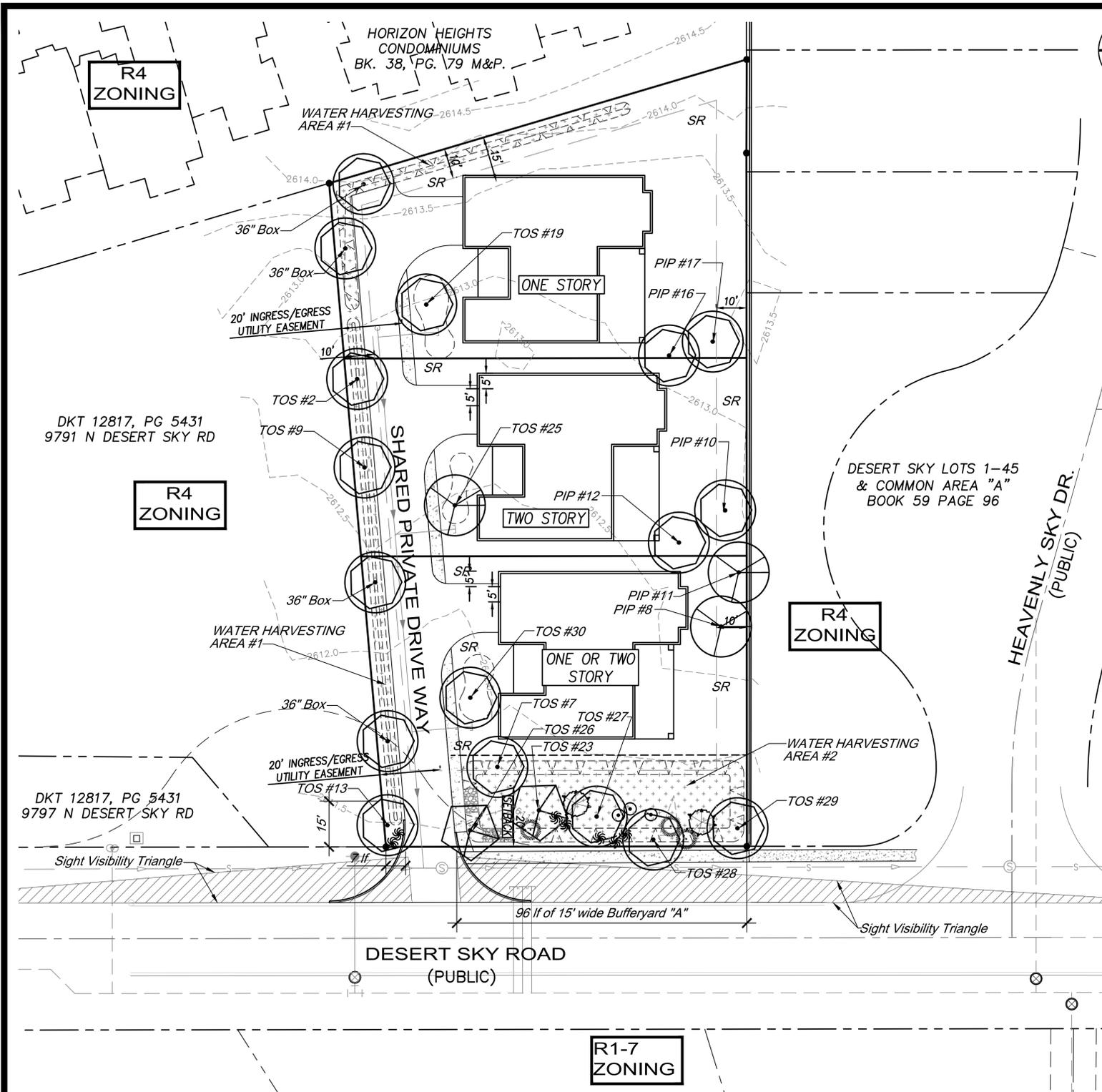


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 TUCSON, AZ 85705
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 LOTS 1,2 AND 3
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 LOCATED IN A PORTION OF BLOCK 4 OF HORIZON HEIGHTS, IN BOOK 15 OF M&P IN PAGE 84. SECTION 13, T-12-S, R-13-E, G&SRB&M, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA
 SCALE: 1" = 20' CONTOUR INTERVAL= 0.5'
 JANUARY 27, 2015

1-800-782-5348
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 USE OF THE INFORMATION CONTAINED HEREIN IS LIMITED TO THE PROJECT AND SITE SPECIFIC PURPOSE FOR WHICH IT WAS PREPARED. IT IS NOT TO BE USED FOR ANY OTHER PROJECT OR SITE WITHOUT THE WRITTEN CONSENT OF PERRY ENGINEERING, LLC. PERRY ENGINEERING, LLC SHALL MAKE NO LIABILITY TO ANY USER OF THIS INFORMATION WITHOUT THEIR WRITTEN CONSENT.



LANDSCAPE LEGEND

ALL PLANT MATERIAL TO MEET OR EXCEED ARIZONA NURSERY ASSOCIATION SPECIFICATIONS

TREES	SIZE	QTY
Cercidium microphyllum Foothills Palo Verde	TOS	2
Olneya tesota Desert Ironwood	36" Box TOS PIP	4 9 4
Prosopis velutina Native Mesquite	TOS PIP	1 2
SHRUBS / ACCENTS	SIZE	QTY
Celtis pallida Desert Hackberry	5 Gal	2
Caesalpinia pulcherrima Red Bird of Paradise	5 Gal	3
Dasyliiron wheeleri Desert Spoon	5 Gal	3
Hesperaloe parviflora Red Yucca	5 Gal	7
GROUND COVER / HARDSCAPE		
1/2" - 3/4" Screened Rock Desert Rose - 2" min thickness		
Hydroseed Per Specifications Sheet L-3		
ADDITIONAL PLANTS REQUIRED PER SRI MITIGATION:		
Ambrosia deltoidea	1 Gal	5
Triangleleaf Bursage		
Baileya multiradiata	1 Gal	3
Desert Marigold		
Calliandra eriophylla	1 Gal	5
Fairy Duster		
Encelia farinosa	1 Gal	7
Brittlebush		

GENERAL NOTES

- Gross acres of site: 0.71 acres
- Existing Zoning: R-4
- Zoning of adjacent properties:
North, West and East = R-4
South = R1-7
- Property Bufferyards:
North Property - No Bufferyard Required
West Property - No Bufferyard Required
East Property - No Bufferyard Required
South Property - 15' Bufferyard "A"
- South side of property is adjacent to Desert Sky Road, which is designated as a public street. This requires a 15' Bufferyard "A".
- The property owner is responsible for maintaining the required irrigation system as long as necessary in order to transition plants over to natural sources. All required landscape, irrigation, buffering, screening and rainwater harvesting system improvements shall be maintained per Section 27.6.E.4 of the Oro Valley Zoning Code.
- The property owner shall maintain all plants within the bufferyards to ensure unobstructed visibility to motorists. All shrubs, accents and groundcovers within sight visibility triangles shall not exceed 2 feet in height. Trees will be maintained to ensure that branches and canopy foliage is not below a height of 6 feet.
- Design enables adequate plant spacing to ensure survivability at plant maturity.
- Prior to release of landscape assurances, a registered landscape architect shall certify that all plant material meets the minimum standards contained in the current editions of the Arizona Nursery Association's Growers Committee Nurserymen as to size, condition and appearance.
- Monthly irrigation demand is calculated using a monthly percentage of water requirements per plant canopy sizes in each public planting area. These calculations are based on methodology provided by the City of Tucson Rainwater Harvesting Ordinance.
- Irrigation provided for landscaping shall be reduced by 50% after 5 (five) years from the date of issuance of the certificate of occupancy. This reduction shall be accomplished by the use of depressed basins and water harvesting, as shown on the Rainwater Harvest Plan, Sheet L-3. Vegetation located in buffer yards shall not receive irrigation water after 5 (five) years from certificate of occupancy date (100% reduction).

WATER PLAN CALCULATIONS

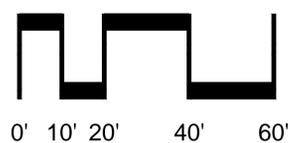
WATER INFILTRATION PLANT CANOPY CALCULATIONS			
Water Harvesting Infiltration Area #1 (1,280 sf)			
Species	Quantity	Radius	Area
Desert Ironwood	7	12.0	3165.12
Brittlebush	7	1.5	49.46
Fairy Duster	5	2.0	62.80
Desert Marigold	3	0.5	2.36
Triangleleaf Bursage	5	1.0	15.70
Red Yucca	2	2.0	25.12
TOTAL PLANT COVERAGE			3320.55
60% for Calculation			1992.33

WATER INFILTRATION PLANT CANOPY CALCULATIONS			
Water Harvesting Infiltration Area #2 (2,363 sf)			
Species	Quantity	Radius	Area
Foothills Palo Verde	2	10.0	628.00
Desert Ironwood	4	12.0	1808.64
Hackberry	2	5.0	157.00
Desert Spoon	3	2.5	58.88
Red Yucca	5	2.0	62.80
Red Bird of Paradise	3	3.0	84.78
TOTAL PLANT COVERAGE			2800.10
60% for Calculation			1680.06

Water Harvesting Infiltration Area (WHIA) Number	WATER HARVEST AREA		Totals
	1	2	
PLANT WATER DEMAND			
% High Use Plants	0	0	
% Moderate Use Plants	0	2	
% Low Use Plants	0.4	3	
% Very Low use Plants	99.6	95	
Plant Canopy Area (60% of Mature Size)	1,992	1,680	3,672
Water Demand (Vertical Feet/Year)	0.80	0.87	
Annual Plant Water Demand (gal.)	11,974	10,920	22,894

PLANT WATER DEMAND BY MONTH:	TOTAL	(Yearly water demand against monthly percentage of demand)											
		Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec
AREA #1 Annual Plant Water Demand (gal.)	11,974	467	563	922	1,245	1,533	1,628	1,449	1,221	1,114	886	551	407
AREA #2 Annual Plant Water Demand (gal.)	10,920	426	513	841	1,136	1,398	1,487	1,321	1,114	1,016	808	502	371
TOTALS	22,894	893	1,076	1,763	2,381	2,930	3,116	2,770	2,335	2,129	1,694	1,053	778

Scale: 1" = 20'



BUFFER YARD REQUIREMENTS

SOUTH PROPERTY LINE - DESERT SKY ROAD
15' WIDE BUFFERYARD "A" @ 103 LF = 1,545 SF

ITEM	REQUIRED	PROVIDED
TREES	4	6
SHRUBS or CACTUS	5	5
ACCENTS or CACTUS	10	10

LANDSCAPE NOTES

- All bare dirt areas to be covered with minimum 2" thick, 1/2" - 3/4" screened rock, or hydroseed per the specifications on this sheet, including areas within the right-of-way.
- All plants shall be irrigated with a permanent underground irrigation system -- see sheet L-2.
- Landscape areas shall be depressed a maximum of 4" for rainwater harvesting. Areas must drain within a 12-hour period.
- The Property Owner shall be responsible for maintenance of the required landscape and irrigation system in perpetuity.
- Materials within the sight visibility triangles shall be placed so as not to interfere with a visibility plane described by two horizontal lines located 30 inches and 72 inches above finished grade of the roadway surface.

Town of Oro Valley
Landscape Plan approved by:

Planning & Zoning Administrator Date

Project Number:
OV1214-27

LANDSCAPE PLAN
DESERT SKY
Lots 1, 2 & 3 Common Area "A"
(Landscape, Bufferyard and Drainage)
Located in a Portion of Block 4 of Horizon Heights, BK 15 of M&P, PG 84,
Section 24, T-12-S, R-13-E, Town of Oro Valley, G&SRM, Pima County, AZ



11047 N. Cloud View Place
Tucson, AZ 85737
(520) 877-8037
fax (520) 877-8079

Date: 1/27/15
Project Number: 14012
Drawn by: LMW
Checked by: GRS

Design Review
 Construction Documents
 Agency Submittal
 Construction Set
 Not for Construction

L-1
1 of 3



Conceptual Site Plan Conceptual Design Review Board

CASE NUMBER: OV1214-27

MEETING DATE: January 13, 2015

AGENDA ITEM: 2

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

Applicant: Ken Perry, Perry Engineering, Inc.

Request: Conceptual Site Plan for 3 lot single-family subdivision on approximately 0.71 acres.

Location: North of Desert Sky Road approximately ¼-mile west of Oracle Road.

Recommendation: Approve with the conditions listed in Attachment 1.

SUMMARY:

The project includes the development of an approximately 0.71 acre property into a 3 lot single-family residential subdivision. The Conceptual Design Review Board review is focused on the fundamental elements of the Conceptual Site Plan, including site layout, drainage/grading and landscape content.

The applicant's proposal includes:

- Three single-family residential lots with a maximum building height of 28 feet or 2 stories.
- Sidewalks providing additional pedestrian connectivity.
- Substantial preservation of existing native plants to be transplanted on site" and incorporated into the final landscape plan.
- Fifteen (15') foot Buffer yard Type "A" along the Desert Sky Road frontage.
- Several drainage basins for rainwater collection.

The Conceptual Site Plan has been evaluated for conformance with the Design Principles and Design Standards. The Design Principles are utilized as the primary guidance for evaluation of Conceptual Site Plans. The Design Standards, found in Addendum "A" of the Zoning Code, are used as secondary evaluation criteria. The applicant's proposal, with conditions listed in Attachment 1, is consistent with the Design Principles and Design Standards. The proposed Conceptual Site Plan is provided as Attachment 2 and the Conceptual Landscape Plan is provided as Attachment 3.

BACKGROUND/DETAILED INFORMATION:

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

Land Use and Zoning

	EXISTING LAND USE	GENERAL PLAN	ZONING
SUBJECT PROPERTY	Vacant	High Density Residential (5+ du/ac)	Townhouse Residential (R-4)
NORTH	Horizon Heights Condominiums	High Density Residential (5+ du/ac)	Townhouse Residential (R-4)
SOUTH	Sunstone Estates	High Density Residential (5+ du/ac)	Medium lot Single-Family Residential (R1-7)
EAST	Desert Sky Subdivision	High Density Residential (5+ du/ac)	Townhouse Residential (R-4)
WEST	Vacant	Low Density Residential 1 (0.4 – 1.2 du/ac)	Large lot Single-family Residential (R1-43)

Approvals to Date

- April 1974: Subject property annexed as part of the original Town Incorporated Area.
- 1980: Subject property translational zoning to R-4

Site Conditions

- Site is approximately 0.71 acres
- Property is vacant

Proposed Conceptual Site Plan

The applicant’s request, included as Attachments 2 and 3, is summarized as follows:

- Three single-family residential lots
- Maximum building height of 28 feet or two stories.
- Fifteen (15’) foot Buffer yard Type “A” along Desert Sky Road.

- Substantial preservation of existing native plants to be transplanted on site and incorporated into the final landscape plan.
- Sidewalks within the development connecting to those being provided along Desert Sky Road, providing additional pedestrian connectivity.
- Several drainage basins for rainwater collection.

Recreational Area

The applicant has requested to utilize the in-lieu fee option enabled by Section 26.5 of the Zoning Code in place of the required recreation area facilities. An in-lieu fee agreement between the applicant and the Town is required and will be considered by Town Council prior to consideration of the applicant's CSP. The in-lieu fee will be required to be used for a specific park development or the improvement of an existing park facility. At this time the specific project/improvement has not been identified.

DISCUSSION/ANALYSIS:

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

The Conceptual Site Plan is in general conformance with all applicable Conceptual Site Design Principles. Following are key Design Principles (in italics), followed by staff evaluation of how the design addresses the principles:

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

Staff Commentary: The subject property is adjacent to single-story homes to the north and east. The proposed homes are permitted up to a maximum building height of 28 feet or 2 stories. The Design Guidelines restrict homes located on corner lots to single story, therefore restricting the home on lot 1 to be a single story. Furthermore, the Design Guidelines restrict two story homes to no more than 60% of the lots within a development. A subdivision with three lots would be permitted one lot as a two story per the Design Guidelines. At this time the applicant does not know whether any of the lots will be developed two-story homes. Lots 1 and 2 will be located immediately adjacent to Desert Sky Road to the south and an existing common area in the Desert Sky subdivision to the east.

Drainage/grading: site grading shall minimize impacts on natural grade and landforms and provide for subtle transitions of architectural elements to grade. Significant cuts and fills in relation to natural grade shall be avoided or minimized to the extent practical given property constraints.

Staff Commentary: The applicant's proposal has considered the impacts of drainage and grading. The subject property is substantially flat with minimal slope characteristics. However, numerous concerns were raised during the neighborhood meetings concerning drainage in the area. Development of this parcel will increase runoff due to the addition of non-permeable surfaces associated with residential structures and subdivision streets. The applicant will be

required to provide a full drainage report during Final Design review submittal to ensure conformance with the Town's Drainage Manual. All post-development flow shall be mitigated and released in the same manner and quantity as the pre-development flow. Additionally, the Conceptual Site Plan incorporates several drainage basins to be utilized as Rainwater Harvesting to help mitigate increased runoff.

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

Staff Commentary: The proposed subdivision will be accessed off Desert Sky Road. The applicant's proposal incorporates sidewalks, both internally and externally along Desert Sky Road. The external sidewalks will connect to the existing sidewalks along the Desert Sky subdivision frontage to the east, improving pedestrian connectivity throughout the area, including to Egelston Road which provides close access to James D. Kriegh park.

The Town of Oro Valley standard for street-intersection separation is a minimum of 150' from centerline-to-centerline. The location of the shared private driveway on the subject property will create a street-intersection separation condition for the adjacent parcel that is not in conformance with the Zoning Code. Any access to the adjacent parcel will be less than 150' from the proposed shared driveway. A condition of approval has been added to Attachment 1 requiring the applicant to either provide a cross-access easement for potential future access to the undeveloped property to the west, thereby eliminating the need for direct access onto Desert Sky Road for that parcel; or revise the shared private driveway location to allow a minimum 150' centerline-to-centerline separation for a future street access to the adjacent parcel to the west.

Addendum "A" Design Standards

Provide open space at project entries (Section 3.1.A.1.c)

Staff Commentary: The Conceptual Site Plan conforms to this standard. The required buffer yard along Desert Sky Road will provide open space at the subdivision entrance. Additionally, the rainwater harvesting basin, located immediately north of the required buffer yard, will provide additional open space along the project entry.

Street trees...shall be used to provide individual street character (Section 3.1.B.2)

Staff Commentary: The Conceptual Site Plan is consistent with this Design Standard. The proposed subdivision incorporates trees in the front yards of the proposed homes as well as along the western edge of the property (see Attachment 3). By providing street trees along both sides of the private driveway the applicant's proposal establishes individual street character for the proposed subdivision.

Pedestrian and vehicular connections shall be provided between neighborhoods (Section 3.1.D.4)

Staff Commentary: The Conceptual Site Plan conforms to this standard. The applicant's proposal includes the provision of sidewalks, both internally and externally. The sidewalks proposed along Desert Sky Road will connect with the existing sidewalks to the east and provide future connections to the vacant properties to the west.

Engineering

DRAINAGE

Existing stormwater runoff flows over the surface of the subject property in a mostly southerly direction. The proposed development shall be designed to meet the requirements of the Town's Drainage Criteria Manual and Floodplain Ordinance. The applicant proposes to construct drainage improvements consisting of drainage swales and rainwater harvesting basins. The proposed swales will direct runoff to the basins which will serve the dual purpose of providing rainwater harvesting opportunities while offsetting the increase of runoff resulting from the construction of impermeable surfaces. Under post-developed conditions, flow shall be mitigated to discharge to the south in the same or reduced intensity, manner and location as in the existing form.

GRADING

The project is a custom-graded residential subdivision. A Type 2 Grading Permit is required to construct the street, drainage facilities, and utilities. Individual Type 1 Grading Permits shall be required for the construction of each individual residential lot. All grading shall adhere to chapter 27.9 of the Town of Oro Valley Zoning Code.

TRAFFIC

The proposed development will have a single point of access that connects to Desert Sky Road. The proposed design is acceptable to the Golder Ranch Fire District and the Town Engineer's office. Traffic generated from the proposed development will be minimal and will have no noticeable impact to the surrounding roadway network.

PUBLIC PARTICIPATION:

Summary of Public Notice

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

- Letter to all property owners within 600 feet
- Letter to all individuals that attended the neighborhood meeting.
- Posting at Town Hall

- All registered HOAs

Neighborhood Meetings

Two neighborhood meetings were held concerning the applicant's proposal. The first meeting on July 9, 2014 had approximately 13 residents and interested parties in attendance while the second meeting on November 12, 2014 had approximately 18 residents and interested parties in attendance. The two meetings included the following primary discussion topics:

- Compatibility with neighboring properties
- Drainage
- Building Height
- Noise
- Parking

A copy of both neighborhood meeting summaries has been included as Attachment 6.

Additional comments have been received by Staff and have been included as Attachment 7.

RECOMMENDATION:

Based on the finding that the Conceptual Site Plan is in conformance with the Oro Valley Design Principles and applicable Design Standards, it is recommended that the Conceptual Design Review Board take the following action:

Recommend approval to the Town Council of the requested Conceptual Site Plan OV1214-27, subject to the conditions on Attachment 1.

SUGGESTED MOTIONS:

I move to recommend approval of the Conceptual Site Plan for the Desert Sky 3-lot subdivision, based on the findings in the staff report.

OR

I move to recommend denial of the Conceptual Site Plan for the Desert Sky 3-lot subdivision finding that _____.

ATTACHMENTS:

1. Conditions of Approval
2. Conceptual Site Plan
3. Conceptual Landscape Plan
4. General Plan Land Use Map

5. Zoning Map
6. Neighborhood Meeting Summaries
7. Resident Comments

Bayer Vella, Interim Planning Manager

Attachment 1
Conditions of Approval
Conceptual Design Review Board
January 13, 2015

Planning Conditions

1. Provide a 3½' tall decorative screen wall at the north end of the property to ensure vehicle headlights do not shine on adjacent properties to the north.
2. The applicant shall either provide a cross-access easement for potential future access to the undeveloped properties to the west, with future property owners utilizing the cross-access responsible for their fair share of roadway development and maintenance costs, or revise the shared private driveway location to allow a minimum 150' centerline to centerline separation for a future street access for the parcel immediately west of the subject property.

Engineering Conditions

1. Please provide Private Drainage Easements where necessary for lot to lot drainage.

**MINUTES
ORO VALLEY CONCEPTUAL DESIGN REVIEW BOARD
REGULAR SESSION
January 13, 2015
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chair Eggerding called the regular session to order at 6:00 PM.

ROLL CALL

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

ABSENT: None.

ALSO PRESENT:

Joe Hornat, Council Member
Lou Waters, Council Member
David Laws, Permitting Manager
Chad Daines, Principal Planner
Joe Andrews, Chief Civil Deputy Attorney

REGULAR AGENDA

MOTION: A motion was made by Kit Donley, Member and seconded by Jacob Herrington, Member to approve

MOTION carried, 7-0.

2. **PUBLIC HEARING: PROPOSED CONCEPTUAL SITE PLAN FOR A 3-LOT SUBDIVISION ON APPROXIMATELY 0.71 ACRES, LOCATED ONE-QUARTER (1/4) MILE WEST OF THE NORTHWEST CORNER OF DESERT SKY ROAD AND ORACLE ROAD, OV1214-27**

[Staff Report and Conditions of Approval](#)
[Attachment 2 - Conceptual Site Plan](#)
[Attachment 3 - Conceptual Landscape Plan](#)
[Attachment 4 - General Plan Land Use Map](#)
[Attachment 5 - Zoning Map](#)
[Attachment 6 - Neighborhood Meeting Summaries](#)
[Attachment 7 - Resident Comments](#)

Michael Spaeth, Senior Planner, presented a staff report which included the following information:

Area map
Proposal image
Location with regards to Desert Sky Rd.
Condition images, with alternate options
Condition image, with option B, which staff feels is the best option.
Neighborhood Meeting/Public Input overview and results
Summary & Recommendation

Ken Perry, Perry Engineering, was present and responded to questions posed by the board. Mr. Perry provided further explanation regarding the driveway area and the proposed requirements for the property owner.

Tom Bailey, property owner, expressed his wishes to continue moving forward with the plan to develop the property. Mr. Bailey feels he should be able to continue forward with the building of his three homes, and the driveway issue should have no impact upon their development plans.

MOTION: A motion was made by Harold Linton, Member to approve

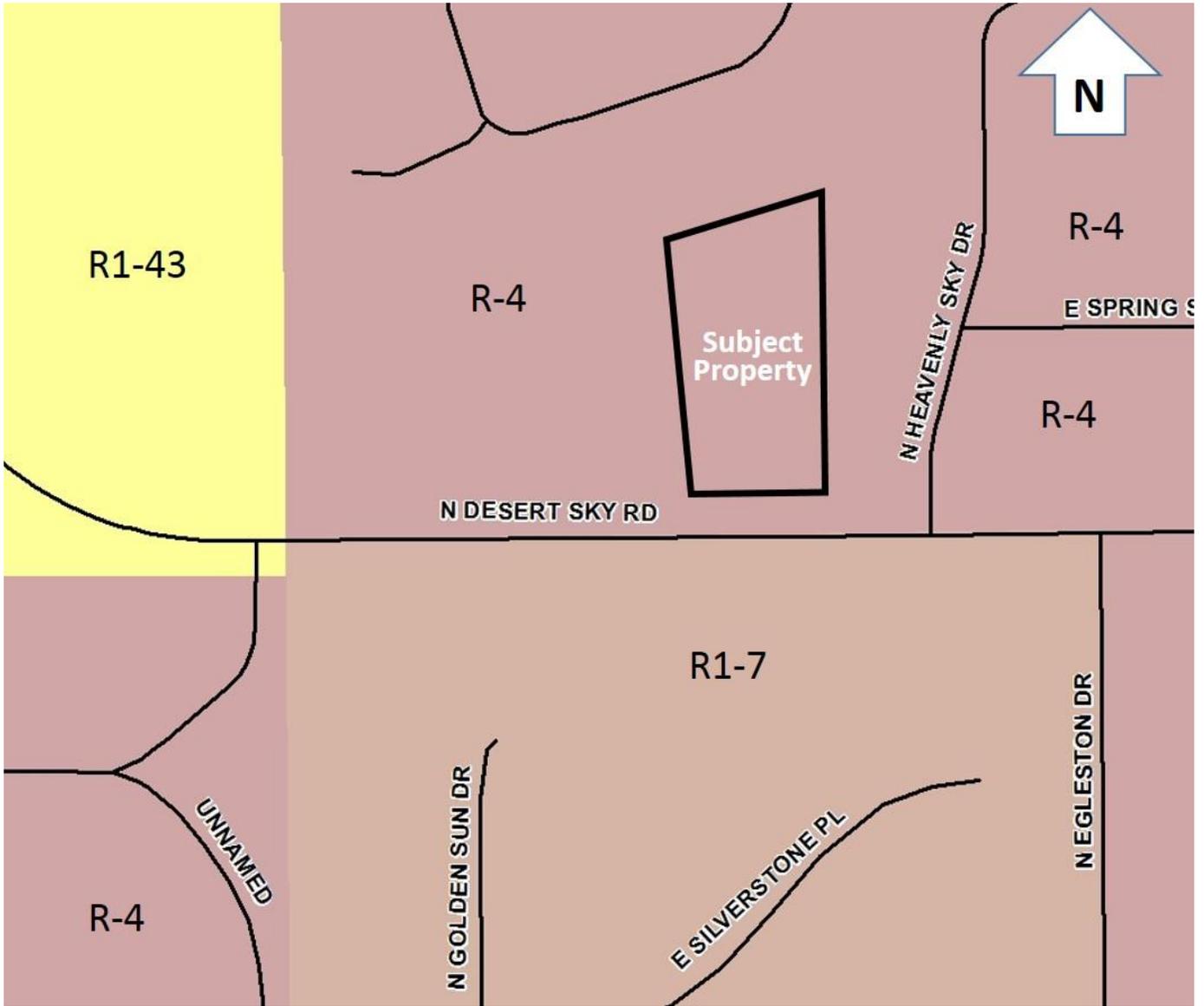
MOTION: A motion was made by Bruce Wyckoff, Vice Chairman and seconded by Nathan Basken, Member to approve

MOTION carried, 7-0.

ADJOURNMENT

MOTION: A motion was made by Jacob Herrington, Member and seconded by Bruce Wyckoff, Vice Chairman to adjourn

MOTION carried, 7-0.



ZONING MAP

DESERT SKY 3-LOT SUBDIVISION (OV1214-27)

Michael J. Spaeth AICP
Senior Planner
Development and Infrastructure Services
Town of Oro Valley

Subject--Recreation Area in-lieu fee: Desert Sky

With the assistance and guidance of a couple of appraisers and my own 40 plus years of real estate experience, I present the following as an amount that represents the spirit of your code requirement, ie: the "Recreation in-lieu fee".

I have calculated and submit as Exhibits data that was used to arrive at an in-lieu fee of \$ 5754.00.

Exhibit A is a narrative on market conditions in the Northwest area which yields a price per sq. ft. of \$4.92 or \$50,000 per improved lot. Exhibit B (passive) is representative of a quality bench made of recycled plastics. Exhibit C (active) reflects "a horseshoe pit" and an estimate to install of \$125.00.

I trust that this meets with your satisfaction and that you will contact me with any questions you might have.

Respectfully submitted,



Tom Bailey
Desert Sky Subdivision
(520) 909-1495

Exhibit A

The price per sq.-ft. calculations:

The formula explained to me by David Law and one of your planners is:

85 units per acre @ 3 lots, ie :

43560 sf; divided by 85 = 512.5 sf x 3 units= 1537 sf required for 1 acre.

as you know, we have approximately .7 acres in our small (3) lot development, so:

1537 sf x .7 acres = 1076 sf.

With a lot value of \$50,000 each x 3 lots = \$150,000 improved value.

\$150,000 divided .7 acres = \$ 4.92 / sf.

The land area @1076 sf x \$4.92 = \$5294.00 land value

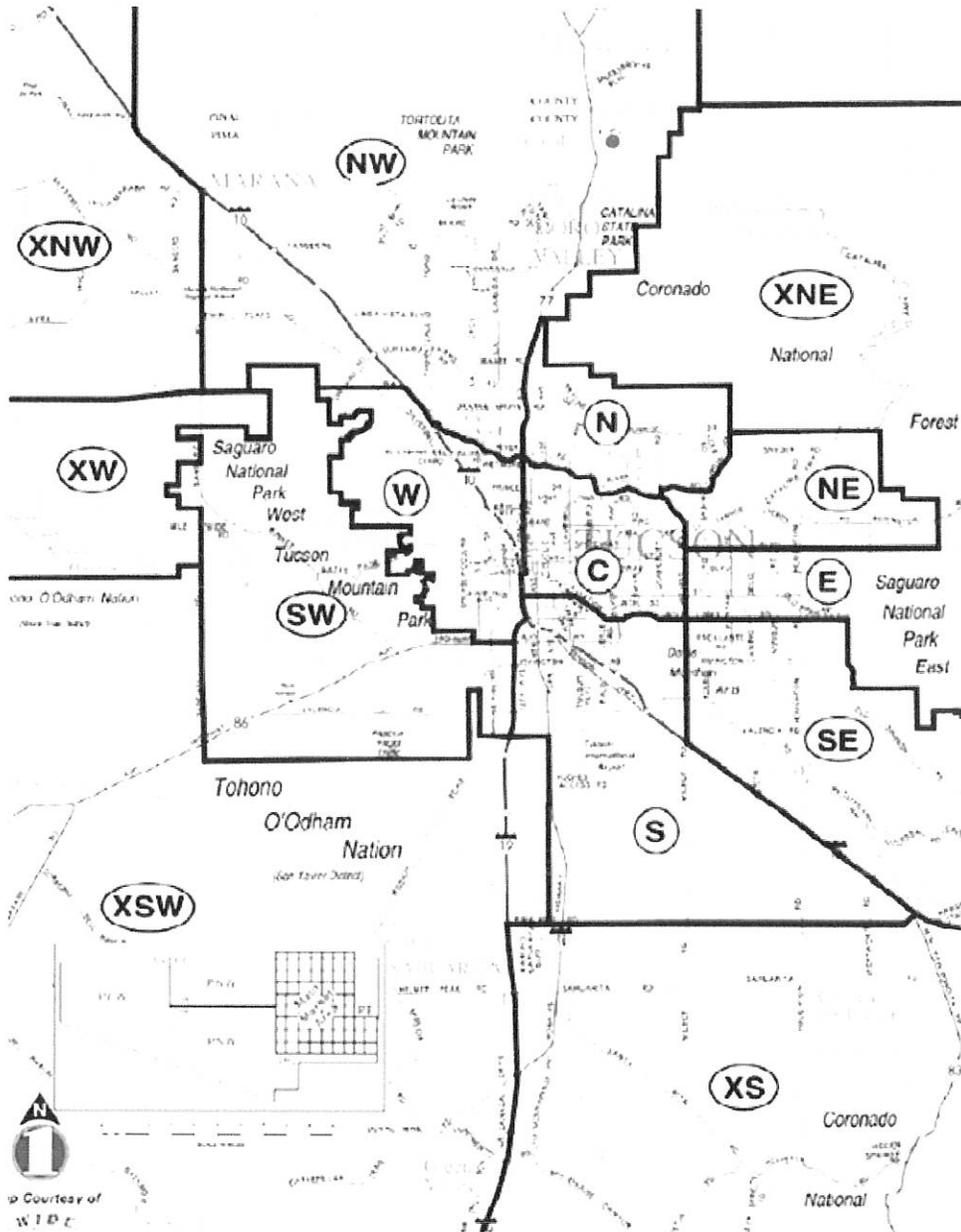
\$5294.00 land value
260.00 "passive" bench, Ex B
200.00 "active" horseshoe pit, Ex C

\$5754.00 in-lieu fee

Northwest Submarket

The subject property is located in the northwest area of metropolitan Tucson, within Tucson MLS submarket "Northwest". The following chart summarizes and compares market information for the detached single-family residential sector between the Tucson Metropolitan Area and the subject's submarket.

The Northwest district is very large, and captures about 25% to 30% of market-wide activity. The subject area is weathering price increases very well, as closings are keeping pace with the prior year, with a slight decline in 2014, consistent with the overall market. The Northwest district is geographically very large and includes a diversity of types, including portions of Oro Valley, Marana and unincorporated Pima County. Near the southern end of the district, the supply is older and established. Around the Tortolita Mountains, there is considerable floodplain land that will remain vacant or very low density for the foreseeable future. In the northeast portion are rural Catalina and Saddlebrooke, a retirement community. In the middle of the district are Dove Mountain and Stone Canyon, luxury projects. The average price is \$255,553, up nearly 20% from the 2011 trough. Sales activity is steady and prices are gradually rising. There are currently 1,686 homes listed for sale in the northwest submarket, including 162 new-construction homes. At the sales rate demonstrated over 2014, the current inventory equates to about a 6.4 month supply.



Residential Lot Supply

The single family land market is analyzed as well. 2014 has experienced a decrease in overall residential land transaction activity. However, pricing is rising and despite a 50% reduction in transactions, the overall value of the transactions only decreased by 25%. The market is running low on finished lot inventory and many of the finished lots which remain for sale have some functionality issues. The number of finished lot transactions through the first three quarters of the year have decreased from 15 in 2013 to only 2 in 2014. With a scarce finished lot availability, builders are seeking out raw and platted land. These transactions have increased over 50% from the first three quarters of 2013 vs 2014. Many of these transactions have occurred in the subject's Northwest submarket with 5 in 2013 and an additional 7 in 2014. According to Aaron Mendenhal of Chapman Lindsey, demand is high in the Northwest area for two reasons: First, there had been pent up demand for move-up buyers in this area. Secondly, the higher prices of homes help support lot development costs. Development costs have increased since the downturn of the market and entry level home pricing is insufficient to offset the fairly static lot development costs.

Subject Neighborhood

Supply and demand for the immediate subject neighborhood is analyzed. The subject is located in Oro Valley, which is an affluent area with a large variety of product. Pricing trend are difficult to decipher due to the limited individual lot sales transacted within this neighborhood on an annual basis. Furthermore, many of the sales occurred in existing neighborhoods with above average amenities such as golf courses, gated entrances, and clubhouses. Based on the MLS search, then entire Oro Valley area has generally reported between 0 and 3 lot transactions in 6 of the past 7 years in the size range of 5,000 S.F. to 20,000 S.F. The majority of activity for individual custom lots occurs in the 1+ acre range. Smaller lots are generally purchased in bulk by builders and sold as improved.

An MLS search was also performed for newly constructed single family home sales (built in 2008+) occurring in Oro Valley over 2014 and on lots of 5,000 S.F. to 20,000 S.F. The results indicate a price range from \$231,000 to \$675,000 with a median price of \$303,362. Active brokers and developers indicate a sale price to finished lot ratio of 18% to 20% is required for feasibility. Based on improved sales in the area, finished lot pricing should range in the \$45,000 to \$135,000 range with a median of \$60,000.

flexmls Web - Internet Explorer
 http://tar.flexmls.com/cgi-bin/mainmenu.cgi

Price Analysis

Summary of Closed Listings

MLS #	Address	List Price	DOM	CDOM	Sold Date	Sold Price	Total Adjustments	Adjusted Price
21424121	12820 N Westminster Drive, Oro Valley AZ	\$238,344	96	96	12/10/2014	\$231,344	-	\$231,344
21323124	13289 N Barlassina Drive, Oro Valley AZ	\$246,561	153	252	02/27/2014	\$232,000	-	\$232,000
21323123	13335 N Barlassina Drive, Oro Valley AZ	\$245,744	145	253	01/29/2014	\$234,000	-	\$234,000
21408004	1078 W Redlands Drive, Oro Valley AZ	\$236,174	120	120	07/29/2014	\$234,157	-	\$234,157
21422693	12901 N Indian Palms Drive, Oro Valley AZ	\$255,255	12	12	09/30/2014	\$246,616	-	\$246,616
21401040	12860 N Camino Vieja Rancheria, Oro Valley AZ	\$254,990	45	45	02/26/2014	\$249,000	-	\$249,000
21401044	12939 N Camino Vieja Rancheria, Oro Valley AZ	\$259,990	89	89	03/28/2014	\$251,390	-	\$251,390
21422689	12889 N Indian Palms Drive, Oro Valley AZ	\$272,489	128	128	12/23/2014	\$267,013	-	\$267,013
21414980	1086 W Garden Grove Drive, Oro Valley AZ	\$323,045	123	123	10/23/2014	\$281,879	-	\$281,879
21301995	12979 E Camino Vieja Rancheria Drive N, Oro Valley AZ	\$297,990	284	284	02/27/2014	\$282,990	-	\$282,990
21400371	12897 N Indian Palms Drive, Oro Valley AZ	\$306,938	133	133	06/20/2014	\$290,397	-	\$290,397
21401175	12947 N Camino Vieja Rancheria, Oro Valley AZ	\$320,690	44	44	02/26/2014	\$294,000	-	\$294,000
21424404	12907 N Indian Palms Drive, Oro Valley AZ	\$303,698	58	58	12/09/2014	\$294,698	-	\$294,698
21416456	2239 W Tangor Place, Oro Valley AZ	\$338,189	64	64	11/04/2014	\$302,724	-	\$302,724
21328449	13441 N Barlassina Drive, Oro Valley AZ	\$324,900	124	124	03/27/2014	\$304,000	-	\$304,000
21401172	12968 N Shell Traders Court, Oro Valley AZ	\$299,990	44	44	04/25/2014	\$305,000	-	\$305,000
21411559	566 E Channel View Place, Oro Valley AZ	\$324,900	16	16	06/18/2014	\$315,000	-	\$315,000
21424135	12919 N Indian Palms Drive, Oro Valley AZ	\$325,475	55	55	11/26/2014	\$319,497	-	\$319,497
21415455	12980 N Camino Vieja Rancheria, Oro Valley AZ	\$389,900	14	14	08/05/2014	\$385,000	-	\$385,000
21425739	12884 N Camino Vieja Rancheria, Oro Valley AZ	\$436,000	87	87	12/30/2014	\$417,900	-	\$417,900
21425823	12925 N Via Vista Del Pasado, Oro Valley AZ	\$429,000	36	36	11/25/2014	\$420,000	-	\$420,000
21422202	12949 N Via Vista Del Pasado, Oro Valley AZ	\$449,900	80	80	12/03/2014	\$436,500	-	\$436,500
21412318	10479 N Elizabeth Morning Place N, Oro Valley AZ	\$415,430	7	7	09/03/2014	\$448,814	-	\$448,814
21407607	460 E Basket Carrier Way, Oro Valley AZ	\$469,000	19	19	05/01/2014	\$450,000	-	\$450,000
21417629	13100 N Artifact Canyon Lane, Oro Valley AZ	\$479,900	22	22	08/26/2014	\$465,000	-	\$465,000
21424787	10789 N Della Vita Place, Oro Valley AZ	\$634,424	86	86	01/28/2015	\$622,000	-	\$622,000
21400344	11088 N Joy Faith Drive, Oro Valley AZ	\$565,000	31	31	07/25/2014	\$645,400	-	\$645,400
21332044	11148 N Joy Faith Drive, Oro Valley AZ	\$698,000	74	74	02/27/2014	\$675,000	-	\$675,000

Low, Average, Median, and High Comparisons

	Closed	Overall
Low	\$231,344	\$231,344
Average	\$353,604	\$353,604
Median	\$303,362	\$303,362
High	\$675,000	\$675,000

Overall Market Analysis (Unadjusted)

Status	#	List Vol.	Avg. List Price	Sold Vol.	Avg. Sold Price	Avg. Sale/List Price	Avg. Combined SqFt	Avg. List \$/Combined SqFt	Avg. Sold \$/Combined SqFt	Avg. Dom	Avg. CDOM
Closed	28	10,143,916	362,283	9,900,919	353,604	0.97	2,582	139.83	136.46	78	86
Overall	28	10,143,916	362,283	9,900,919	353,604	0.97	2,582	139.83	136.46	78	86

* 90%

CLIENT DETAIL REPORT

MLS#: 21308899	Land-Lot / Residential	Status: Closed	Sold Price: 64,500	List Price: 64,500
	Area: Northwest Municipality/Zoning: Oro Valley - PAD County: Pima		TRS: 12 / 13 / 10 Lot Acres: 0.17 Lot Dimensions: 75x99x71x100 Lot SF/Source: 7,405 / Assessor	
	Year/Taxes: 2012 / 1,116 HOA Fee Amt P/Month: 35 HOA Frequency: Quarterly School District: Amphitheater Elementary School: Wilson K-8 Middle School: Wilson K-8 High School: Ironwood Ridge		Tax Code: 224-24-0500 Assessments: 0.00 Fire Prot Incl Taxes: Yes Master Plan Name: unknown Pima County GIS Pima County Assessor	
Terms: Cash; Conventional Subdivision: Fairway Village (1-64) Community: Canada Hills		Cross Block: 1700 - W		

Address: 11005 N Broadstone Drive Tucson, AZ 85737
Directions: La Canada/Lambert, N on La Canada to Canada Hills Drive, West to Broadstone, North to address.
Legal Description: Fairway Village Lot 13

Distance to Phone: lot line	Electric: Tucson Electric	Well: None	Loan Information:
Distance to Sewer: lot line	Fence: Masonry Stucco	Water: Oro Valley	Documents:
Distance to Water: lot line	Gas: SWG	Sewer: Sewer Available	Environmental Discl: Unknown
Distance to Electric: lot line	Topography: Flat		
Distance to Gas: none			
Utilities Lot Line: Electric; Sewer; Telephone; Water; Other			
Miscellaneous:			
Cable Available: Yes	Deed Restrictions: Yes	Dividable Lot: No	Gated Community: No
Horse Facilities: No	Horses Allowed: No	Legal Access: Yes	Lgl/Phys Access Same: Yes
On Golf Course: Yes	Package Available: No	Paved Street: Yes	Physical Access: Yes
Road Maintenance: Other	Scenic Rte/Gateway: No	Sewer Capacity Avlbl: Yes	Staked/Flagged: No
Subordination Consid: No	Survey Available: No	Water Available: Yes	Subdivided Lots: Yes

Terms: Cash; Conventional	Loan Information:
Sold Info:	Financial Status:

Remarks: Wonderful location to build your new home! Backs up to El Conquistador Golf Course for amazing views! A golfer's delight!

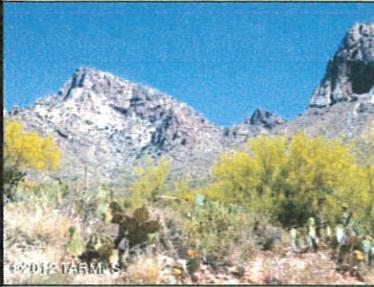
Down Payment:	Financing: Cash	Sold Price Sqft:	Sold Price: 64,500
Seller Pd Fin Costs:	Seller Pd Repairs:	Sold Date: 04/25/2013	Selling Comments:
Lot Sz Sold Prc/Acre: 379,411.76		List Price Sqft:	Lot Sz Price/Acre: 379,411.76

Listing Provided Courtesy Of: Long Realty Company

Valbridge Property Advisors
 Michael J. Naifeh
 6061 E Grant Rd, Ste 121
 Tucson, AZ 85712

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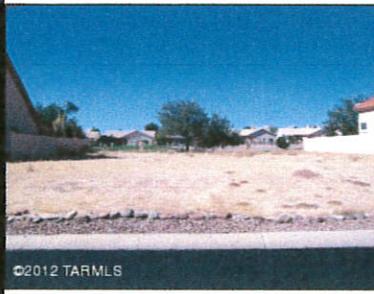
CLIENT DETAIL REPORT

MLS#: 21300077	Land-Lot / Residential	Status: Closed	Sold Price: 63,000	List Price: 75,000
	Area: Northwest Municipality/Zoning: Oro Valley - PAD County: Pima Year/Taxes: 2013 / 1,922 HOA Fee Amt P/Month: 98 HOA Frequency: Quarterly School District: Amphitheater Elementary School: Copper Creek Middle School: Cross High School: Canyon Del Oro		TRS: 12 / 14 / 18 Lot Acres: 0.18 Lot Dimensions: 20 x 195 x 42 x 160 x 59 Lot SF/Source: 7,841 / Surveyor Tax Code: 220-13-0710 Assessments: 0.00 Fire Prot Incl Taxes: No Master Plan Name: None Pima County GIS Pima County Assessor	
	Terms: Cash; Conventional Subdivision: Shadows Of The Ridge (1-15) Community: None		Cross Block: 1200 - E	
Address: 9811 N Ridge Shadow Place 18 Tucson, AZ 85704 Directions: N on Oracle, E on El Conquistador Way, follow through golf course to Ridge Shadows Dr, continue to lot between homes at 9809 and 9813. Legal Description: Shadows of the Ridge Resub Lot 18.				
Distance to Phone: Avail Distance to Sewer: Avail Distance to Water: Avail Distance to Electric: Avail Distance to Gas: NA Utilities Lot Line: Other Miscellaneous: Cable Available: Yes Horse Facilities: No On Golf Course: No Road Maintenance: Agreement Subordination Consid: No	Electric: Tucson Electric Fence: None Gas: None View: City; Sunset	Well: None Water: Oro Valley Sewer: Sewer Available Topography: Flat	Loan Information: Documents: Environmental Discl: Unknown	
Deed Restrictions: Yes Dividable Lot: No Gated Community: No Hillside Dev Zone: No Horses Allowed: No Legal Access: Yes Lgl/Phys Access Same: Yes Mobile Home Allowed: No Package Available: Yes Paved Street: Yes Physical Access: Yes Release Available: No Scenic Rte/Gateway: No Sewer Capacity Avlbl: Yes Staked/Flagged: No Subdivided Lots: Yes Survey Available: No Water Available: Yes				
Terms: Cash; Conventional Sold Info:		Loan Information: Financial Status:		
Remarks: Magnificent view lot sitting high above the fabulous Hilton El Conquistador Resort! Last lot available with privileges to join the Hilton Resort private club. Those amenities extend to renters also! Backyard privacy with beautiful Catalina Mountain Views, and front views all the way to Sombrero Peak and The Tucson Mountains. The Oro Valley lights will sparkle at night! See dramatic sunsets from your home. Walk to Coronado National Forest and great hiking. Graded lot ready for your new home. A must see!!!				
Down Payment: Seller Pd Fin Costs: Lot Sz Sold Prc/Acre: 350,000	Financing: Cash Seller Pd Repairs:	Sold Price Sqft: Sold Date: 04/25/2014 List Price Sqft:	Sold Price: 63,000 Selling Comments: Lot Sz Price/Acre: 416,666.67	
Listing Provided Courtesy Of: Long Realty Company Valbridge Property Advisors Michael J. Naifeh 6061 E Grant Rd, Ste 121 Tucson, AZ 85712				

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CLIENT DETAIL REPORT

MLS#: 21226245 **Land-Lot / Residential** **Status:** Closed **Sold Price:** 62,000 **List Price:** 64,500



Area: Northwest
Municipality/Zoning: Oro Valley - PAD
County: Pima
Year/Taxes: 2012 / 1,563
HOA Fee Amt P/Month: 30
HOA Frequency: Monthly
School District: Amphitheater
Elementary School: Wilson K-8
Middle School: Wilson K-8
High School: Ironwood Ridge
TRS: 12 / 13 / 10
Lot Acres: 0.16
Lot Dimensions: 71 x 100 x 71 x 98
Lot SF/Source: 7,077 / Assessor
Tax Code: 224-24-0470
Assessments: 0.00
Fire Prot Incl Taxes: Yes
Master Plan Name: PAD
[Pima County GIS](#) | [Pima County Assessor](#)
Terms: Cash; Conventional
Subdivision: Fairway Village (1-64)
Community: Canada Hills **Cross Block:** 1700 - W

Address: 10975 N Broadstone Drive 10 Tucson, AZ 85737
Directions: La Canada/Lambert: N on La Canada; W on La Canada Hill Dr; N on Btoadstone to lot between homes at 10965 and 10985.
Legal Description: Fairway Village Lot 10

Distance to Phone: Avail	Electric: Tucson Electric	Well: None	Loan Information:
Distance to Sewer: Avail	Fence: Wrought Iron	Water: Oro Valley	Documents:
Distance to Water: Avail	Gas: SWG	Sewer: Sewer Available	Environmental Discl: Other
Distance to Electric: Avail	View: City; Mountain; Sunset	Topography: Flat	
Distance to Gas: Avail			
Utilities Lot Line: Other			
Miscellaneous:			
Cable Available: Yes Deed Restrictions: Yes Dividable Lot: No Gated Community: No Hillside Dev Zone: No			
Horse Facilities: No Horses Allowed: No Legal Access: Yes Lgl/Phys Access Same: Yes Mobile Home Allowed: No			
On Golf Course: Yes Package Available: Yes Paved Street: Yes Physical Access: Yes Release Available: No			
Road Maintenance: Other Scenic Rte/Gateway: No Sewer Capacity Avlbl: Yes Staked/Flagged: No Subdivided Lots: Yes			
Subordination Consid: No Survey Available: No Water Available: Yes			

Terms: Cash; Conventional **Loan Information:**
Sold Info: **Financial Status:**

Remarks: FLAT, FULLY GRADED and backs up to EL CONQUISTADORE GOLF COURSE for sprawling, open view corridors! Seen a semi-custom home you like in a development? Ask the builder if they can build it here....it's perfect for their homes, plus save on architectural fees and know NOW how much your finished home will cost. Need builder suggestions? Call me. Located in hub of Oro Valley, in top-quality subdivision, near ALL amenities of shopping, hospitals, restaurants. Click Documents link for home plotted on lot.

Down Payment:	Financing: Cash	Sold Price Sqft:	Sold Price: 62,000
Seller Pd Fin Costs:	Seller Pd Repairs:	Sold Date: 04/11/2013	Selling Comments:
Lot Sz Sold Prc/Acre: 387,500		List Price Sqft:	Lot Sz Price/Acre: 403,125

Listing Provided Courtesy Of: Long Realty Company
 Valbridge Property Advisors
 Michael J. Naifeh
 6061 E Grant Rd, Ste 121
 Tucson, AZ 85712

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CLIENT DETAIL REPORT

MLS#: 21121044	Land-Lot / Residential	Status: Closed	Sold Price: 58,500	List Price: 68,500
	Area: Northwest		TRS: 12 / 14 / 6	
	Municipality/Zoning: Oro Valley - PAD		Lot Acres: 0.17	
	County: Pima		Lot Dimensions: Irregular	
	Year/Taxes: 2012 / 1,797.76		Lot SF/Source: 7,405 / Assessor	
HOA Fee Amt P/Month: 26		Tax Code: 220-05-7920		
HOA Frequency: Quarterly		Assessments: 0.00		
School District: Amphitheater		Fire Prot Incl Taxes: Yes		
Elementary School: Painted Sky		Master Plan Name: None		
Middle School: Coronado K-8		Pima County GIS Pima County Assessor		
High School: Ironwood Ridge				
Terms: Cash; Conventional; Owner Carry Back; Submit				
Subdivision: Catalina Shadows Estates Phase 4(302-390)				
Community: None		Cross Block: 11825 - N		
Address: 1694 E Moonshroud Drive Oro Valley, AZ 85737				
Directions: 1st Ave/Palisades Rd - E, Cassiopeia Dr - N, Moonshroud Dr - E to property.				
Legal Description: Catalina Shadows Estates 04				
Distance to Phone: Lot Line		Electric: Tucson Electric	Well: None	Loan Information:
Distance to Sewer: Lot Line		Fence: None	Water: Oro Valley	Documents:
Distance to Water: Lot Line		Gas: SWG	Sewer: Sewer Available	Environmental Discl: Unknown
Distance to Electric: Lot Line		Topography: Flat		
Distance to Gas: Lot Line				
Utilities Lot Line: Electric; Gas; Sewer; Telephone; Water				
Miscellaneous:				
Cable Available: Yes Deed Restrictions: Yes Dividable Lot: No Gated Community: No Hillside Dev Zone: No				
Horse Facilities: No Horses Allowed: No Legal Access: Yes Lg/Phys Access Same: Yes Mobile Home Allowed: No				
On Golf Course: No Package Available: No Paved Street: Yes Physical Access: Yes Release Available: No				
Road Maintenance: Other Scenic Rte/Gateway: No Sewer Capacity Avlbl: Yes Staked/Flagged: No Subdivided Lots: Yes				
Subordination Consid: No Survey Available: No Water Available: Yes				
Terms: Cash; Conventional; Owner Carry Back; Submit				Loan Information:
Sold Info:				Financial Status:
Remarks: Build Your Dream Home!! Prime homesite ready for you to build whatever your heart desires! This easy, flat, build site connects to beautiful, lush, natural desert behind with spectacular Catalina Mountain and Pusch Ridge views! A perfect setting for a backyard paradise! Conveniently located in a secluded and private part of Catalina Shadows Estates, yet this neighborhood has easy access to shopping, restaurants, parks, and schools! Seller Financing Available.				
Down Payment:		Financing: Cash	Sold Price Sqft:	Sold Price: 58,500
Seller Pd Fin Costs:		Seller Pd Repairs:	Sold Date: 03/29/2013	Selling Comments:
Lot Sz Sold Prc/Acre: 344,117.65			List Price Sqft:	Lot Sz Price/Acre: 402,941.18
Listing Provided Courtesy Of: Long Realty Company				
Valbridge Property Advisors Michael J. Naifeh 6061 E Grant Rd, Ste 121 Tucson, AZ 85712				
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CLIENT DETAIL REPORT

MLS#: 21121683 **Land-Lot / Residential** **Status:** Closed **Sold Price:** 54,250 **List Price:** 65,000



<p>Area: Northwest Municipality/Zoning: Oro Valley - PAD County: Pima Year/Taxes: 2010 / 1,375 HOA Fee Amt P/Month: 30 HOA Frequency: Monthly School District: Amphitheater Elementary School: Wilson K-8 Middle School: Wilson K-8 High School: Ironwood Ridge</p>	<p>TRS: 12 / 13 / 10 Lot Acres: 0.19 Lot Dimensions: 71 x 116 Lot SF/Source: 8,320 / Assessor Tax Code: 224-24-0590 Assessments: 0.00 Fire Prot Incl Taxes: Yes Master Plan Name: Other Pima County GIS Pima County Assessor</p>
<p>Terms: Cash; Conventional; Owner Carry Back</p>	
<p>Subdivision: Fairway Village (1-64)</p>	
<p>Community: Canada Hills Cross Block: 1700 - W</p>	

Address: 11161 N Broadstone Drive Oro Valley, AZ 85737
Directions: LA CANADA/ LAMBERT N. TO CANADA HILLS, W. TO BROADSTONE, N. TO ADDRESS/LOT ON LEFT.
Legal Description: FAIRWAY VILLAGE LOT 22

<p>Distance to Phone: AVAIL Distance to Sewer: AVAIL Distance to Water: AVAIL Distance to Electric: AVAIL Distance to Gas: AVAIL Utilities Lot Line: Electric; Gas; Sewer; Telephone; Water</p>	<p>Electric: Tucson Electric Fence: None Gas: SWG</p>	<p>Well: None Water: Oro Valley Sewer: Sewer Available Topography: Flat</p>
<p>Loan Information: Documents: Environmental Discl: Unknown</p>		
<p>Miscellaneous: Cable Available: Yes Deed Restrictions: Yes Dividable Lot: No Gated Community: No Hillside Dev Zone: No Horse Facilities: No Horses Allowed: No Legal Access: Yes Lgl/Phys Access Same: Yes Mobile Home Allowed: No On Golf Course: No Package Available: Yes Paved Street: Yes Physical Access: Yes Release Available: No Road Maintenance: Other Scenic Rte/Gateway: No Sewer Capacity Avlbl: Yes Staked/Flagged: No Subdivided Lots: Yes Subordination Consid: No Survey Available: No Water Available: Yes</p>		
<p>Terms: Cash; Conventional; Owner Carry Back</p>		

Sold Info:	Loan Information:
	Financial Status:

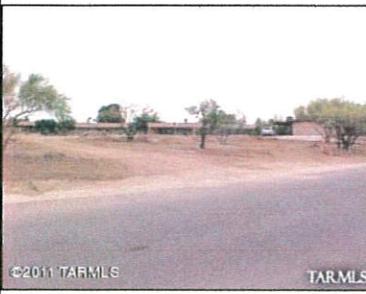
Remarks: Very affordable and buildable lot in highly sought after Canada Hills area of Oro Valley. Build and live close to all of O.V.'s parks, golf courses, shopping and restaurants. Prelim plans for 2800 sq.ft., 4BR, 4BA, SFR. Seller will consider carryback financing. Lot backs to common area and will provide backyard, Tortolita mtn views. Do your clients want to build a custom home in the \$300's? Best Oro Valley lot to do it on!

Down Payment:	Financing: Cash	Sold Price Sqft:
Seller Pd Fin Costs:	Seller Pd Repairs:	Sold Date: 09/15/2011
Lot Sz Sold Prc/Acre: 285,526.32		List Price Sqft:
		Sold Price: 54,250
		Selling Comments:
		Lot Sz Price/Acre: 342,105.26

Listing Provided Courtesy Of: Long Realty Company
Valbridge Property Advisors
Michael J. Naifeh
6061 E Grant Rd, Ste 121
Tucson, AZ 85712

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CLIENT DETAIL REPORT

MLS#: 21105708	Land-Lot / Residential	Status: Closed	Sold Price: 15,000	List Price: 17,995
	Area: Northwest	TRIS: 11 / 14 / 9		
	Municipality/Zoning: Pima County - CR3	Lot Acres: 0.24		
	County: Pima	Lot Dimensions: 15x74x139x117x93		
	Year/Taxes: 2010 / 806.55	Lot SF/Source: 10,360 / Assessor		
	HOA Fee Amt P/Month: 0	Tax Code: 222-23-151F		
	HOA Frequency:	Assessments: 0.00		
	School District: Amphitheater	Fire Prot Incl Taxes: Yes		
	Elementary School: Coronado K-8	Master Plan Name: NA		
	Middle School: Coronado K-8	Pima County GIS Pima County Assessor		
	High School: Ironwood Ridge			
Terms: Cash; Conventional				
Subdivision: Twin Lakes (1-148)				
Community: None		Cross Block: 3800 - E		

Address: 15715 N Starboard Drive Tucson, AZ 85739
Directions: Tangerine/Oracle, North to Hawser, East to Twin Lakes, North to Starboard Dr, East on Starboard Dr to property on north side of street.
Legal Description: Twin Lakes Lot 146 Plat 17 Page 70

Distance to Phone: Lot Line	Electric: Tucson Electric	Well: None	Loan Information:
Distance to Sewer: Street	Fence: None	Water: Lago Del Oro	Documents:
Distance to Water: Lot Line	Gas: SWG	Sewer: Sewer Available	Environmental Discl: Unknown
Distance to Electric: Lot Line		Topography: Flat	
Distance to Gas: Street			
Utilities Lot Line: Electric; Telephone; Water; Other			
Miscellaneous:			
Cable Available: Yes		Deed Restrictions: Yes	
Legal Access: Yes		Lgl/Phys Access Same: Yes	
Paved Street: Yes		Physical Access: Yes	
Road Maintenance: Agreement	Sewer Capacity Avlbl: Yes	Staked/Flagged: Yes	Subdivided Lots: Yes
Survey Available: Yes	Water Available: Yes		

Terms: Cash; Conventional	Loan Information:
Sold Info:	Financial Status:

Remarks: Ready to build on with all utilities at lot line or street. Great pricing on build lot in Catalina perfect for custom home or for owner to hold onto, close to shopping, ideal location in a growing part of Tucson.

Down Payment:	Financing: Cash	Sold Price Sqft:	Sold Price: 15,000
Seller Pd Fin Costs:	Seller Pd Repairs:	Sold Date: 06/13/2011	Selling Comments:
Lot Sz Sold Prc/Acre: 62,500		List Price Sqft:	Lot Sz Price/Acre: 74,979.17

Listing Provided Courtesy Of: Tierra Antigua Realty, LLC
 Valbridge Property Advisors
 Michael J. Naifeh
 6061 E Grant Rd, Ste 121
 Tucson, AZ 85712

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Virtually maintenance free! Recommended for warehouse patios, campgrounds, schools and parks.

- 100% recycled UV protected plastic won't rot, splinter or crack. Withstands harsh weather.
- Natural-looking wood material never needs sanding, sealing, painting or staining.
- Durable 2" thick planks predrilled for easy assembly.
- Comfortable and durable.
- [H-2565 Mounting Hardware](#) available.

MODEL NO.	DESCRIPTION	SIZE L x W x H	WT. (LBS.)	PRICE EACH		ADD TO CART
				1	3+	
H-2888	6' With Back	72 x 25 x 34"	160	\$499	\$459	Specify Color
H-2887	6' Without Back	72 x 23 x 18"	115	259	239	Specify Color

Cedar Green Grey

DROP SHIPS IN 1 DAY FROM KS UNASSEMBLED VIA MOTOR FREIGHT

Exhibit B

Exhibit 'C'

Try Prime Your Amazon.com Today's Deals Gift Cards Sell Help

Shop by Department

Search Sports & Outdoors

Go

Hello, Sign in Your Account

Try Prime

0

Cart

Wish List

Sports & Outdoors Athletic & Outdoor Clothing Exercise & Fitness Outdoor Gear Hunting & Fishing Cycling Golf Fan Shop Team Sports Action Sports Sports & Outdoors > Leisure Sports & Game Room > Outdoor Games & Activities > Toss Games > Horseshoes

St Pierre Sports

St Pierre Sports Eagle Tournament Horseshoe Set, Blue

Share

Qty: 1

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FREE Shipping. Details

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Save money (more on the way). Buy on Amazon.com.

Turn on 1-Click ordering

Order within 22 hrs 8 mins and shipping at checkout. Details

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Made in the USA
Larger 1" round hooks are designed to stake and stay on
More weight in the tips for greater balance and accuracy; More weight means more ringers
Great for Tournament play
Great for clubs and serious players

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- \$74.99** Add to Cart
+ Free Shipping
Sold by: Wayfair
- \$96.61** Add to Cart

Click to open expanded view

4 new from \$74.95

SHOE SET
MATERIALS
LABOR

75⁰⁰
75⁰⁰ est.
50

TOTAL ACTIVE \$200

**Attachment 7
Neighborhood Meeting Summaries
Town Council
March 18, 2015**

**Neighborhood Meeting Summary
Desert Sky Subdivision
July 9, 2014
6:00 – 7:30 PM
Golder Ranch Fire Station**

1. Introductions and Welcome

Meeting Facilitator Michael Spaeth, Senior Planner, introduced the Oro Valley staff Paul Keesler, DIS Director. Approximately 13 residents and interested parties attended the meeting.

2. Staff Presentation

Michael Spaeth, Project Manager, provided a presentation that included:

- Conceptual Site Plan Review Process
- Review Tools
- Public Participation Opportunities
- Next Steps

3. Applicant Presentation

Ken Perry, Principal at Perry Engineering, provided a presentation that included:

- Proposed Conceptual Site Plan

4. Public Questions & Comments

Process & Project Timeline

- How long will the project take?

Development

- What is the proposed size of the homes?
- Who owns the adjacent vacant parcels?
- Several residents voiced concern about the potential development of two-story homes.
- The adjacent Desert Sky subdivision was limited to one-story homes. Why would this development not also be limited to one-story homes?

- Drainage has been an issue in the past. How will the Town alleviate new drainage issues?

Traffic

- The proposal doesn't seem to provide adequate parking for guests.

5. Next Steps

- The next steps include:
 - Formal application
 - Staff review
 - Conceptual Design Review Board Public Hearing
 - Town Council Public Hearing

Meeting dates will be posted on the Town website (www.ovalleyaz.gov) and notices will be mailed to residents within the notification area and all individuals who signed the sign-in sheet at the meeting.

For more information, please contact Michael Spaeth, AICP, Senior Planner, at (520) 229-4812 or mspaeth@ovalleyaz.gov

**Neighborhood Meeting Summary
Desert Sky Road 3-lot subdivision
Proposed Subdivision (Conceptual Site Plan)
November 12, 2014
6:00 – 7:30 PM**

Town of Oro Valley Council Chambers, 11000 N La Canada Drive

1. Introductions and Welcome

Meeting Facilitator Chad Daines, Principal Planner, introduced the Oro Valley staff Michael Spaeth, Senior Planner, as project manager. Approximately 18 residents and interested parties attended the meeting.

2. Staff Presentation

Michael Spaeth, Senior Planner, provided a presentation that included:

- Summary of the July 9th neighborhood meeting
- Applicant's request
- Drainage requirement
- Traffic requirements
- History of property and surrounding properties
- Review tools
- Review process

- Public participation opportunities

3. Applicant Presentation

Tom Bailey, property owner, provided a presentation detailing the applicant's proposal, which included:

- Overview of project
- Neighborhood compatibility

4. Public Questions & Comments

Following is a summary of additional questions and comments:

- Several questions were asked relating to drainage for the site and within the greater area, including:
 - Alleviating current flooding issues in the area
 - Ensuring the retention/detention basins are sufficient
 - Required piping be sufficient
- The anticipated value of the homes
- Town requirements for landscape conservation
- Plans for the vacant property to the west
- Proposed lot sizes and home sizes
- Compatibility with other homes in the area not two-story

Mr. Bailey addressed some of the questions related to the proposed development and the associated impacts.

Mr. Laws, Town of Oro Valley Permitting Manager, addressed some of the questions related to drainage impacts of the proposed development and invited attendees to further discuss area drainage issues after the meeting.

Mr. Daines closed the meeting, thanked everyone for their attendance and encouraged everyone to contact Mr. Spaeth, the project manager, with any additional thoughts, comments or concerns.

**Attachment 8
Resident Comments
Town Council
March 18, 2015**

From: henrylicorice@aol.com [mailto:henrylicorice@aol.com]
Sent: Wednesday, July 09, 2014 7:07 PM
To: Spaeth, Michael
Subject: reg. meeting at fire station - 3-lot subdivision

Forgot an important input to the discussion about the proposed two-story houses. For the most part, the residents who live in Horizon Heights condos are senior citizens as well as the residents living in the other subdivisions in the area. It is a quiet neighborhood - two-story houses means children. Seniors do not usually buy two-story houses because they don't want to climb stairs. Hope you will add this comment to your list.

Thank you.

Susan Schmarak

From: Heather Grieshaber [mailto:heatherg55@live.com]
Sent: Friday, November 07, 2014 2:30 PM
To: Spaeth, Michael
Subject: Neighborhood meeting regarding 3 lot subdivision on Desert Sky Rd

Dear Michael

Thanks you for returning my call. I would like to let you know that I do understand that the property in question is rated R4 and that the builder is allowed to have a maximum height of 25 feet. I am however not very happy about the fact that these folks will be able to look into my back garden. The majority of the houses in this area are only one level and it has allowed all the neighbors to enjoy privacy in their back gardens. I would prefer to continue to not have people looking into my garden

Many thanks

Heather Grieshaber
163 E Silverstone Place
Oro Valley, AZ
520 544 3130



Town Council Regular Session

Item # **2.**

Meeting Date: 03/18/2015

Requested by: Stacey Lemos

Submitted By: Stacey Lemos, Finance

Department: Finance

Information

SUBJECT:

RESOLUTION NO. (R)15-24, APPROVING A ONE-TIME PAYMENT TO THE ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (PSPRS) TO ADDRESS THE INCREASING UNFUNDED LIABILITY OF THE PLAN

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

Based on the outcome of a legal challenge made against certain reforms to the PSPRS plan, the Elected Officials Retirement Plan (EORP) and the Correction Officers Retirement Plan (CORP) through Senate Bill 1609 (SB 1609) enacted in 2011, the Town must decide how to fund a significant increase in the future unfunded liability of our PSPRS plan starting in FY 2015/16. SB 1609 included, among other things, a change in the Permanent Benefit Increase (PBI) formula for cost of living adjustments provided to beneficiaries of the PSPRS plan. This change in PBI formula was ruled unconstitutional by the Arizona Supreme Court in the case of *Fields v. EORP*. PBIs were not provided to retirees under the provisions of SB 1609 for three fiscal years (2012, 2013 and 2014) and as a result, employers must now recognize this unpaid liability (debt) beginning with the 2015/16 employer contribution rates.

Staff is recommending a one-time, up-front payment to PSPRS in the amount of \$300,000 from General Fund contingency reserves this fiscal year to minimize the future potential increases in recurring pension costs associated with this unfunded liability (debt).

BACKGROUND OR DETAILED INFORMATION:

The Town of Oro Valley provides pension benefits to its sworn public safety personnel through membership in the Public Safety Personnel Retirement System (PSPRS). The annual employee contribution rate is fixed by state law at 11.05% for FY 2014/15, and is set to increase to 11.65% for FY 2015/16. The employer contribution rate varies by plan and is set annually through an actuarial calculation. There are 256 individual employer plans in the PSPRS system, and the employer rates are unique to each individual plan. For Oro Valley, the employer contribution rate for FY 2014/15 is 20.60% of covered payroll. Based on a covered payroll amount of approximately \$7 million in FY 2014/15, the Town will contribute slightly over \$1.4 million to the plan in the current fiscal year at the 20.60% contribution rate.

For FY 2015/16, employers will be given a choice between two different contribution rates based on the outcome of a legal challenge made against certain reforms to the PSPRS plan from Senate Bill 1609 enacted in 2011. These SB 1609 reforms also applied to the Elected Officials Retirement Plan (EORP) and the Correction Officers Retirement Plan (CORP). SB 1609 included, among other things, a change in the Permanent Benefit Increase (PBI) formula (for cost of living adjustments) by making it less

likely for beneficiaries of PSPRS to receive a PBI and by decreasing the amount of any PBI they would receive. This reform provision was challenged, and the Arizona Supreme Court, in *Fields v. EORP*, ruled that changing the PBI mechanism for retirees was unconstitutional. There were three fiscal years (2012, 2013 and 2014) in which PBIs were not provided to retirees under the provisions of SB 1609. They must now be paid by employers. Recognizing the liability of unpaid PBIs from the *Fields* decision will begin with the FY 2015/16 employer contribution rates. The PSPRS Board of Trustees voted to allow employers within PSPRS to elect whether to accept the entire rate increase in FY 2015/16 or to gradually move up to the full rate over a three-year period.

If Oro Valley chooses to accept the entire rate increase in FY 2015/16 to address this unfunded liability, the employer contribution rate is 25.07%, a 22% increase from the current contribution rate of 20.60%. If Oro Valley chooses to accept the gradual rate increase over a three-year period, the employer contribution rate is 21.50%, a 4% increase from the current contribution rate of 20.60%.

The challenge with accepting the higher contribution rate is that it will increase the recurring pension costs in next year's budget by approximately \$300,000 at a time when we are seeking to minimize these ongoing costs. At the lower contribution rate, the increase in recurring costs is just under \$100,000. Therefore, in a two-pronged approach, staff is recommending a one-time, up-front payment of \$300,000 from General Fund contingency reserves to be paid toward this unfunded liability this fiscal year before June 30, 2015, which will allow the Town to accept the lower contribution rate of 21.50% for the 2015/16 fiscal year and minimize the recurring budget impact of paying this debt to the PSPRS system.

This methodology is similar to what the Town has done in the past with using its cash reserves that are earning less than 1% to pay down outstanding debt that is being charged a higher interest rate. In this case, the PSPRS system applies an interest rate of 7.85% on the calculation of future unfunded pension liabilities.

FISCAL IMPACT:

The current estimated year-end General Fund reserve balance is \$11.4 million. After deducting the Council-approved allocation of \$1.2 million to the new Community Center and Golf Fund authorized at the March 4, 2015 Town Council meeting, and the recommended one-time payment of \$300,000 to PSPRS, the revised balance is \$9.9 million, which is 31% of adopted expenditures. This one-time payment will allow the Town to accept the lower employer contribution rate for PSPRS next year of 21.50%. In terms of dollars, the total PSPRS employer contribution this fiscal year \$1.446 million, and next year would be \$1.538 million, a difference of approximately \$92,000.

SUGGESTED MOTION:

I MOVE to approve Resolution No. (R)15-24, approving a one-time payment in the amount of \$300,000 to the Public Safety Personnel Retirement System in order to reduce the increased unfunded liability of the plan.

or

I MOVE...

Attachments

(R)15-24 PSPRS One-Time Payment

RESOLUTION NO. (R)15-24

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING A ONE-TIME PAYMENT TO THE ARIZONA PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (PSPRS) TO ADDRESS THE INCREASING UNFUNDED LIABILITY OF THE PLAN

WHEREAS, A.R.S. Title 38, Chapter 5, Article 4 and related statutes establish a Public Safety Personnel Retirement System; and

WHEREAS, in 2011, Senate Bill 1609 was enacted which changed the Permanent Benefit Increase (PBI) formula for cost of living adjustments provided to beneficiaries of the PSPRS plan; and

WHEREAS, in 2014 Senate Bill 1609 was ruled unconstitutional in the case of *Fields v. EORP* as the PBI's did not provide to retirees for three fiscal years. Employers must now recognize this unpaid liability beginning with the 2015/16 employer contribution rates; and

WHEREAS, the Town wishes to use a one-time, up-front payment to PSPRS in the amount of \$300,000 from the General Fund contingency reserves to minimize the future potential increases in recurring pension costs associated with unfunded liability; and

WHEREAS, it is in the best interest of the Town to approve a one-time payment to the Arizona Public Safety Personnel Retirement System to address the increasing unfunded liability of the plan.

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

1. The one-time payment of \$300,000 from the General Fund contingency reserves to the Arizona Public Safety Personnel Retirement System to address the increasing unfunded liability of the plan is hereby authorized and approved.

PASSED, AND APPROVED by the Mayor and Council of the Town of Oro Valley Arizona, this 18th day of March, 2015.

TOWN OF ORO VALLEY

Satish I. Hiremath, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie K. Bower, Town Clerk

Tobin Sidles, Legal Services Director

Date: _____

Date: _____



Town Council Regular Session

Item # **3.**

Meeting Date: 03/18/2015
Requested by: Bayer Vella
Submitted By: Chad Daines, Development Infrastructure Services
Department: Development Infrastructure Services

Information

SUBJECT:

DISCUSSION AND POSSIBLE DIRECTION REGARDING TOPICS FOR A FUTURE STUDY SESSION ON SENIOR CARE USES

RECOMMENDATION:

This is a discussion item only.

EXECUTIVE SUMMARY:

The purpose of this agenda item is to further define specific zoning topics of concern for discussion at a study session in April, which will enable staff to conduct the necessary research and provide background information on identified topics. Additionally, industry representatives, state regulators and senior care interested parties will be invited to attend the study session and provide comments as appropriate.

On January 7, 2014, Town Council held a public hearing on a proposed Zoning Code amendment with regard to senior care uses, which included revisions to definitions, allowable districts and development standards. The January 7 Council Communication and proposed Zoning Code amendment are provided in Attachment 1.

At the conclusion of the public hearing, Town Council continued the item with direction to hold a future study session. Town Council expressed a desire to explore additional building and property development standards that should be addressed as part of the code amendment.

BACKGROUND OR DETAILED INFORMATION:

The Zoning Code amendment considered by Town Council in January addressed three areas related to senior care as follows:

- Resolve differences between the terms and definitions used in the Zoning Code and those used by the State.
- Determine which zoning districts are appropriate for senior care uses
- Provided for a recreational area requirement, including amenities for senior care uses.

At the conclusion of the Public Hearing, the consensus of Town Council was that the amendment should comprehensively address development, building and amenity standards related to senior care uses. To assist staff in preparing information for the Study Session, direction on specific areas of concern is requested. Topics raised by Town Council and one resident, Mr. Adler at the January public hearing included:

Exterior to Building

Customize recreational area and amenities based on facility type
Shaded walking paths and sidewalks
Topographic challenges to walking
Dog parks
Covered parking with convenient access to buildings
Minimum property size requirements
Emergency access
Locational requirements
Setbacks
Walls and buffers
Conditional versus permitted use
Stand alone senior care ordinance

Interior to Building

Indoor amenity requirements (furniture, etc.)
Enhanced building code and safety requirements
Additional requirements beyond state licensing standards

Upon garnering further direction, additional research and more detailed information and options will be provided for the Study Session.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

This is a discussion item only.

Attachments

Attachment 1 - January 7th Council Communication and Code Amendment

Town Council Regular Session

Meeting Date: 01/07/2015

Submitted By: Chad Daines, Development Infrastructure Services

Department: Development Infrastructure Services

Information

SUBJECT:

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

RECOMMENDATION:

The Planning and Zoning Commission recommends approval of the proposed amendment.

EXECUTIVE SUMMARY:

Town Council initiated this Zoning Code amendment last year to update and clarify definitions, locations and land use standards for senior care uses. Specifically, the amendment was intended to address the following zoning regulations related to senior care uses:

- Resolve differences between terms and definition used in the Zoning Code and those used by the State
- Update the Zoning Code to reflect federal and state laws, which provides for small in-home senior care uses within all residential neighborhoods
- Determine which zoning districts are appropriate
- Evaluate appropriate special land use standards as warranted

In summary, the proposed amendment (Exhibit A within the attached ordinance) provides for an update to senior care requirements as follows:

- Establishes a single definition for "Senior Care Facility" which includes all levels of care
- Deletes outdated terms and definitions for senior care uses and adds/amends definitions for consistency with State licensing terms and definitions
- Updates the Table of Permitted Uses to provide for senior care uses in appropriate commercial and residential zoning districts
- Establishes a requirement for senior care uses to provide recreational area(s) with amenities to serve residents of the facility

The proposed code amendment was considered by the Planning and Zoning Commission on December 2nd. At the conclusion of the public hearing, the Commission voted to recommend approval of the amendment as provided in Exhibit A within the attached ordinance.

BACKGROUND OR DETAILED INFORMATION:

This section of the report is divided into the main areas of the amendment; Definitions, Zoning Districts and Development Standards.

Definitions

The Town of Oro Valley Zoning Code currently defines various types of senior care uses including independent living, skilled nursing and rehabilitative care. Over time, the terms and definitions used by the State in licensing senior care uses have changed, but the Zoning Code has not been amended to

remain current. From a land use standpoint, there is little external difference between the various levels of senior care and therefore a single definition of Senior Care Facility is proposed, which combines all levels of senior care for clarity and simplicity in regulation. The new definition of "Senior Care" incorporates terms consistent with State licensing regulations, including Assisted Living Facility, Hospice In-Patient Facility and Nursing Care Institutions and Independent Living Facilities.

The term Community Residence has been amended to the updated term used by the State "Assisted Living Home." These are small in-home senior care uses typically found in single family homes in residential neighborhoods.

The amendment deletes outdated terms for senior care uses and updates references throughout the Zoning Code.

Zoning Districts

The proposal also involves an amendment to the Table of Permitted Uses as provided in Exhibit A within the attached ordinance. In summary, Senior Care Facility is proposed as a permitted use in R-4 (Townhouse), R-4R (Resort), R-S (Residential Service), R-6 (Multi-family) and C-N (Neighborhood Commercial) based on the similarity with multi-family residential, which is permitted in these zoning districts. Furthermore, the amendment deletes the requirement for a Conditional Use Permit since these zones are intended for this character of development. The table has been amended to allow Assisted Living Homes in all single-family residential zones, consistent with State and Federal law.

Development Standards

In initiating the amendment, Town Council directed staff to evaluate and recommend additional development standards, if any, which are appropriate for senior care uses.

Senior care uses are currently permitted in zoning districts where multi-family development is allowed, which the amendment will continue to allow senior care uses in those same districts based on external similarity between these uses. As such, senior care uses will be similarly regulated as apartments or town homes in terms of open space, landscaping, building heights, setbacks and design standards, which have proven effective in creating compatibility with adjoining single-family areas.

In researching best practices, some studies supported enhanced external recreational amenities for senior care uses. The Town currently has a recreational area requirement for single-family developments, which was used as a basis for senior care uses. The existing Recreational Area Code is provided as Attachment 2 and in summary, requires 1 acre of recreational area for every 85 units.

The amendment requires active and passive amenities within these areas and allows for credits to be received for indoor amenities. Comments from industry representatives focused on reducing the amount of recreational area for assisted living and nursing care facilities. Comments from one resident focused on providing more recreational area and not permitting credits for indoor amenities.

Additional comments were received relative to operational and building aspects of these facilities, which were outside the scope of the amendment. Furthermore, the operational and building aspects are comprehensively regulated by the State, and by the Town and Fire Marshall through the International Building and Fire Codes.

General Plan Compliance

The Zoning Code Amendment was reviewed for conformance with the Vision, Goals and Policies of the General Plan. The amendment is supported by a number of General Plan policies, as provided in the Planning and Zoning Commission staff report (Attachment 3).

Public Participation

Public notice has been provided as follows:

- All HOAs in the Town were notified of this hearing
- In the Territorial newspaper
- At Town Hall
- On the Town website

In addition to the above public notice, the amendment was distributed to industry representatives, senior care developers and interested residents. Comments received on the amendment are addressed in Attachment 3 and included as Attachment 4.

Planning and Zoning Commission Review / Action

The request was considered by the Planning and Zoning Commission on December 2nd. Comments at the public hearing focused on clarification that the amendment would not restrict a hospital from offering senior care services. The proposed language was modified to provide that clarification. At the conclusion of the public hearing, the Commission voted to recommend approval of the proposed amendment. The draft Commission minutes are provided as Attachment 5.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I MOVE to adopt Ordinance No. (O)15-01, providing for amendments to the Zoning Code to modernize definitions, modify zoning districts and improve development standards.

OR

I MOVE to deny Ordinance No. (O)15-01, providing for an amendment to the Zoning Code, based on the finding that _____.

EXHIBIT “A”

ADD The following NEW Definitions to Chapter 31

SENIOR CARE FACILITY

SHALL MEAN A HEALTH CARE FACILITY PROVIDING SINGLE OR MULTIPLE TYPES OF SENIOR CARE, INCLUDING INDEPENDENT LIVING FACILITIES OR FACILITIES DEFINED AND LICENSED BY THE STATE OF ARIZONA AS AN ASSISTED LIVING FACILITY, HOSPICE IN-PATIENT FACILITY, NURSING CARE INSTITUTION OR SIMILARLY LICENSED FACILITIES.

ASSISTED LIVING HOME

SHALL MEAN A DWELLING UNIT USED AS A PRIMARY RESIDENCE FOR TEN (10) OR FEWER RESIDENTS WHO RECEIVE SUPERVISORY CARE SERVICES, PERSONAL CARE SERVICES OR DIRECTED CARE SERVICES ON A CONTINUAL BASIS.

AMEND the following existing definitions in Chapter 31

Additions shown in ALL CAPS, Deletions shown in strikethrough

Independent Living Facility

Shall mean A SENIOR CARE FACILITY WHICH PROVIDES RESIDENT BEDS OR RESIDENTIAL LIVING UNITS FOR ~~one (1) or more residential buildings containing multiple dwelling units, each of which has sleeping quarters, a full kitchen and bath, and/or sleeping units.~~ Independent living facilities are intended for, and shall be limited to, occupancy by adults who are able to live independently and do not require routine/ongoing assistance with the activities of daily living. An independent living facility must include areas for ~~full-service communal~~ dining and group activities FOR THE

~~RESIDENTS. The project must include common open space for passive recreation, including walkways, benches, and shade structures.~~

Hospital

~~Shall mean a facility for the general and emergency treatment of human ailments with bed care. and shall include sanitarium and clinic, but shall not include convalescent or nursing home.~~

DELETE the following EXISTING DEFINITIONS in Chapter 31

Skilled Nursing Care Facility

~~Shall mean a LONG TERM CARE health care facility which provides skilled nursing and supportive care (excluding substance abuse treatment) on a 24 hour a day basis to inpatients requiring such services for extended periods (see criteria/specific development standards in Section [25.1.W.](#)).~~

Rehabilitative Care Facility

~~Shall mean a health care long term care facility that provides twenty four (24) hour personal care, rehabilitation, and supportive care services, including medical supervision, for inpatients. Skilled nursing care and ongoing therapeutic treatment (excluding treatment for substance abuse), as necessary, may be~~

~~provided for patients only inhabiting the premises for a finite period (see criteria/specific development standards in Section 25.1.W.).~~

Convalescent Home or Nursing Home

~~Shall mean any place or institution which makes provisions for bed care or for chronic or convalescent care for one (1) or more persons exclusive of relatives who, by reason of illness or physical infirmity, are unable to properly care for themselves. Alcoholics, drug~~

~~addicts, persons with mental diseases and persons with communicable diseases including contagious tuberculosis, shall not be admitted or cared for in these homes licensed under the State of Arizona as a convalescent and nursing home.~~

Community Residence

~~A dwelling unit shared as a primary residence by the disabled, or disabled elderly person, living together as a single housekeeping unit in which staff provides on-site care, training and support for the residents. Such residence or services provided therein shall be licensed by, certified by, approved by, registered with, funded by or through, or under contract with the State of Arizona. Community residence does not include a residence which serves persons as an alternative to incarceration for a criminal offense, or a residence for a criminal offense, or a residence which provides drug and/or alcohol rehabilitation.~~

AMEND the following Section in Chapter 25:

Additions shown in ALL CAPS, Deletions shown in strikethrough

Section 25.1.E ~~COMMUNITY RESIDENCES ASSISTED LIVING HOME~~

~~Community Residences ASSISTED LIVING HOMES shall be permitted provided that:~~

- ~~1. No residence is located on a lot with a property line within 1,000 feet, measured in a straight line in any direction, of the lot line of another such Community Residences ; and~~

1. NO ASSISTED LIVING HOME SHALL BE LOCATED CLOSER THAN 1,000 FEET TO ANOTHER ASSISTED LIVING HOME. THE MINIMUM 1,000 FOOT SEPARATION SHALL BE MAINTAINED BETWEEN PROPERTY LINES, MEASURED ON A STRAIGHT LINE.

2. Such ASSISTED LIVING HOME residence contains no more than 6 10 residents AND AN APPROPRIATE NUMBER OF SUPPORT STAFF, ~~or 8 residents, including staff;~~ and
3. ~~Such residence is registered with, and is approved by, the Planning and Zoning Administrator as to compliance with the standards of this Section.~~
4. ~~Such residence or services provided therein shall be licensed by, certified by, approved by, registered with, funded by or through, or under contract with the State of Arizona.~~

Add the following Additional Requirements in Chapter 25, Section 25.1 for Senior Care Facility

X. SENIOR CARE FACILITY:

1. RECREATIONAL AREA: SENIOR CARE FACILITIES SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 26.5.B, SECTION 26.5.C AND SECTION 26.5.D OF THE ZONING CODE.
 - a. THE TERM DWELLING UNIT IN SECTION 26.5.C. SHALL INCLUDE BEDS, BEDROOMS AND LIVING UNITS FOR THE PURPOSES OF CALCULATING THE AMOUNT OF RECREATIONAL AREA.
 - b. THE RECREATIONAL AREA SHALL PROVIDE AMENITIES TO MEET THE RECREATIONAL NEEDS RESIDENTS AND GUESTS OF THE FACILITY. THE MINIMUM RECREATIONAL AREA MAY BE DIVIDED BETWEEN MULTIPLE AREAS THROUGHOUT THE DEVELOPMENT.
 - c. SENIOR CARE FACILITIES ARE EXEMPT FROM PRIVATE OUTDOOR LIVING SPACE REQUIREMENTS OF THE APPLICABLE ZONING DISTRICT.

Additional minor amendments throughout the Zoning Code to change references to deleted or modified uses have been incorporated as follows:

Additions shown in ALL CAPS, Deletions shown in strikethrough

Section 23.7.E.6.b. Recreational Facilities

Wherever there is constructed a multiple dwelling which has twenty (20) or more dwelling units, there shall be provided on the lot site of said multiple dwellings a play area for children. Said play area shall be separated from any private access ways and public streets by a fence or wall. The tot lot requirement ~~may~~ SHALL be excluded from a ~~senior citizens development~~ SENIOR CARE FACILITIES.

Section 23.8.B. C-N Neighborhood Commercial District

1. Floor Area Limits

...

- c. The aforementioned square footage limits do not apply to buildings used for residential, public, institutional, civic, office, ~~rehabilitative and skilled nursing care~~ AND SENIOR CARE purposes.

Section 27.7.D. Parking Lots – Required Number of Spaces for Type of Use

1. Residential Parking Requirements: Residential uses shall provide a minimum number of parking spaces as defined by the standards below. Any increase or decrease in parking shall be in accordance with subsection C.2 of this section.

...

- e. Boarding Houses/Group Homes /Religious Quarters/~~Mature Adult Retirement Quarters/Rehabilitative/Skilled Nursing~~ SENIOR Care Facilities: One (1) per bedroom or bed plus one (1) for-each four (4) bedrooms or beds for guest parking, plus two (2) for every three (3)-employees.

Table 27-14 Allowed Parking Spaces

Health Facilities

...

~~b. Long Term Care Facilities. 33/bed, 1 per employee based on maximum shift~~

Design Standards Addendum "A", Section 2.1.P.1

P. ~~Senior Housing/Assisted Living~~ SENIOR CARE FACILITY Design

1. ~~Independent living, assisted living, and skilled nursing~~ SENIOR CARE Facilities, including ~~continuum of care facilities~~, shall provide the following features and amenities:

Section 27.10.D.3.f.vi.b).5.B).vii).(C).(5).(c)

(c) ~~Hospitals/extended~~ SENIOR Care Facilities exceeding two (2) stories or thirty (30) feet in height.

Amend Table 23-1 as follows:

EXISTING																			
TABLE 23-1: Permitted Uses																			
SPECIFIC USE TYPE	R1-300	R1-144	R1-72	R1-43	R1-36	R1-20	R1-10	R1-7	R-4	R-4R	R-S	R-6	C-N	C-1	C-2	PS	T-P	POS	ADDL REGS
Community Residences	P	P	P	P	P				P	P									Section 25.1 E
Independent Living Facility									C		C	P	C						
Rehabilitative Care Facility											C	C	C						
Skilled Nursing Care Facility											C	C	C						

PROPOSED (AREAS OF CHANGE SHADED)																			
TABLE 23-1: Permitted Uses																			
SPECIFIC USE TYPE	R1-300	R1-144	R1-72	R1-43	R1-36	R1-20	R1-10	R1-7	R-4	R-4R	R-S	R-6	C-N	C-1	C-2	PS	T-P	POS	ADDL REGS
Community Residences	P	P	P	P	P				P	P									
Assisted Living Home	P	P	P	P	P	P	P	P	P	P									Section 25.1 E
Independent Living Facility									C		C	P	C						Section 25.1 X
Rehabilitative Care Facility											C	C	C						
Skilled Nursing Care Facility											C	C	C						
Senior Care Facility									P	P	P	P	P						Section 25.1 X